

COMMITTEE ON CIVIL & HUMAN RIGHTS

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CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON CIVIL & HUMAN RIGHTS

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Thursday, June 30, 2022

Start: 10:15 a. m.

Recess: 11:29 a. m.

HELD AT: HYBRID HEARING - Council Chambers -
City Hall

B E F O R E: Hon. Nantasha Williams, Chair

COUNCIL MEMBERS:

Rita C. Joseph
Christopher Marte
Kristin Richardson Jordan
Rafael Salamanca, Jr.
Inna Vernikov

Other Council Members Attending: Menin and Hanif

COMMITTEE ON CIVIL & HUMAN RIGHTS
A P P E A R A N C E S (CONTINUED)

JoAnn Kamuf Ward,
Deputy Commissioner of Policy and External Affairs
of the New York City Commission on Human Rights

Carrie Talansky,
Assistant Commissioner of Criminal Matters for the
New York City Police Department Legal Bureau

Michael Clarke,
New York City Police Department, Director of
Legislative Affairs

Kajori Chaudhuri,
Deputy Commissioner of the Community Relations
Bureau at CCHR

Jenna Lauter,
New York Civil Liberties Union

Maryam Mohammed-Miller,
The Director of Government Relations at Planned
Parenthood of Greater New York

COMMITTEE ON CIVIL & HUMAN RIGHTS

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2 SERGEANT KOTOWSKI: This is the mic test for The
3 Committee on Civil and Human Rights. It is June 30th
4 of 2022. You're in the City Council Chambers. This
5 is Owen Kotowski.

6 SERGEANT AT ARMS: Good morning, and welcome to
7 today's Committee Hearing on Civil and Human Rights.
8 At this time please place all electronic devices to
9 vibrate or silent mode. If you wish to submit
10 testimony, you may come up to the Sergeant At Arms'
11 desk and fill out a witness slip. Thank you.

12 Chair, you may begin.

13 CHAIRPERSON WILLIAMS:

14 [GAVELING IN] [GAVEL SOUND]

15 Good morning. [LAUGHTER THROUGHOUT CHAMBERS]

16 I feel like no one ever responds back when se say
17 good morning. Uh, thank you for responding back. My
18 name is Nantasha Williams, and I am the Chair of The
19 Committee on Civil and Human Rights.

20 I would like to thank everyone for joining us for
21 today's Hybrid Hearing on the Enforcement of the
22 City's Access to Reproductive Health Care Facilities
23 Law.

24 As many of you already know, last week the
25 Supreme Court ruled to overturn Roe v. Wade. To say

1 that this decision will have monumental impact on all
2 of us is an understatement. While the right to an
3 abortion remains legal here in New York, we must
4 continue to work on protecting accessibility to
5 reproductive health services as well as the safety of
6 those seeking them.
7

8 The National Abortion Federation, also known as
9 NAF, releases a yearly report on violence and
10 disruption statistics outside and around clinics.
11 Both their 2020 and 2021 reports show that harassment
12 from anti-abortion protestors is increasing.
13 Incidents involving assault and battery have more
14 than doubled for each of these years.

15 The majority of the assault and battery incidents
16 involved anti-abortion protestors engaging in fights
17 with clinic escorts, patient companions, and
18 patients.

19 NAF's report highlighted behavior such as
20 pushing, shoving, slapping, kicking, physically
21 fighting, and use of pepper spray against clinic
22 escorts, staff, and others outside of the clinics.
23 This problem is not limited to other states. It is
24 common for these protestors to travel from out of
25 state to places with fewer restriction on abortions,

1 and sexual or reproductive health decisions in the
2 context of access to reproductive healthcare.

3
4 Lastly, the committee will be hearing Intro 474,
5 sponsored by Council Member Hanif, in relation to a
6 public information and outreach campaign regarding
7 safe access to reproductive health care, and 272-A
8 (sic) [***242-A**], sponsored by Council Member Menin, in
9 support of state legislation proposing an amendment
10 to Article 1 of the New York State Constitution, in
11 relation to equality of rights and protection against
12 discrimination.

13 I look forward to receiving testimony and
14 feedback from the administration, advocates, and
15 members of the public as we work on keeping everyone
16 seeking care safe and protected.

17 I would like to thank committee staff Jayasri and
18 Wiam, as well as my own staff, Everton and Ashley.

19 And I will now turn it over to Council Member
20 Hanif for some opening remarks.

21 COUNCIL MEMBER HANIF: Thank you, good morning,
22 everybody. I am Council Member Shahana Hanif, and I
23 represent The 39th District in Brooklyn. Thank you
24 to The Committee on Civil and Human Rights, and to
25 Chair Nantasha Williams for holding this critical

1
2 1. Protections against obstruction or harassment
3 when entering a reproductive health care facility.

4 You cannot be blocked from entering an abortion
5 clinic. This is critical, as quote, unquote "pro-
6 life" protestors have consistently sought to intimate
7 those obtaining abortions.

8 2. Protections under The Human Rights Law
9 against discrimination in employment or housing or
10 other settings on the basis of reproductive health
11 decisions. You cannot be fired or evicted due to
12 your decision to obtain an abortion.

13 3. The right to file civil action if either of
14 these protections are violated. While abortion
15 rights are under attack on the federal level and in
16 other states and municipalities, residents and those
17 who travel here for abortions need to be fully
18 equipped with the knowledge of the rights they are
19 guaranteed in New York City.

20 This bill in tandem with the suite of bills being
21 heard this month, will further cement New York City
22 as a bastion for reproductive justice.

23 Thank you, and I look forward to hearing from the
24 administration, my colleagues, and the public.

CHAIRPERSON WILLIAMS: And now I will turn it over to committee staff to swear in the administration.

COMMITTEE COUNSEL: Panelists, please raise your right hand.

Do you affirm to tell the truth, the whole truth, and nothing but the truth, before this committee, and to respond honestly to council member questions?

ADMINISTRATION PANEL: [MICROPHONES NOT TURNED ON]
[INAUDIBLE 00:08:53]

COMMITTEE COUNSEL: Great.

DEPUTY COMMISSIONER KAMUF WARD: Okay, now it's my turn to say, good morning, okay, no one responded to me either. Uh, [LAUGHTER THROUGHOUT CHAMBERS] Good morning, Chair Williams, Councilperson Hanif, Councilperson Menin, I know is also here, and members of the Committee on Civil and Human Rights as well as committee staff.

I am JoAnn Kamuf Ward, Deputy Commissioner of Policy and External Affairs of the New York City Commission on Human Rights. It is my pleasure to join you today to testify regarding the protections available under the City Human Rights Law related to reproductive health decisions, as well as Intro 474, which mandates that the Commission conduct an

1
2 outreach campaign about the protections in the Human
3 Rights Law as well as those in Public Safety
4 provisions of the Administrative Code. I am joined by
5 Kajori Chaudhuri, Deputy Commissioner of the
6 Community Relations Bureau at CCHR, and we are
7 pleased to testify alongside the NYPD today.

8 We are here at a time when rights related to
9 reproductive and sexual health are under clear
10 threat. As already noted, the highest court in the
11 United States has rolled back rights that were hard
12 won fifty years ago to protect basic bodily autonomy.
13 The Commission stood on the steps of City Hall last
14 Friday with sibling agencies, the Mayor, and members
15 of this Council to demonstrate that New York is and
16 will remain a city where sexual and reproductive
17 health and reproductive rights are not only
18 protected, but that they are prioritized.

19 In this context, I am proud to be here to
20 underscore that the Commission is aligned with City
21 Council's goals to ensure that all New Yorkers,
22 especially those who are pregnant and seeking sexual
23 and reproductive health care, know their rights,
24 regardless of where they work or live. We support
25 efforts to ensure that access to reproductive health

1 and abortion is strengthened in New York City, and
2 that this city is welcoming for all those in need of
3 safe healthcare.
4

5 As you know, The Commission is the local civil
6 rights enforcement agency that implements the New
7 York City Human Rights Law, one of the broadest and
8 most broadest anti-discrimination and anti-
9 harassment laws in the country, with 27 protected
10 categories, and which covers housing, employment, and
11 public accommodations.

12 The Commission's Law Enforcement Bureau enforces
13 the City Human Rights Law by investigating complaints
14 of discrimination from the public, initiating its own
15 investigations on behalf of New York City, and
16 utilizing testing to help identify violations of the
17 Law. Complementing the Commission's Law Enforcement
18 functions, the Community Relations Bureau provides
19 workshops, trainings, and outreach on New Yorkers'
20 rights and the obligations of businesses, employers,
21 and housing providers under the City Human Rights
22 Law, working with community partners and sibling
23 agencies. Seven years ago, the Commission established
24 the Office of the Chair, which houses the agency's
25

1 policy and legislative functions, as well as
2 communications.

3
4 The goal of the City Human Rights Law is to
5 ensure that all New Yorkers live in dignity, can have
6 their basic needs met, and can fully exercise their
7 human rights. The Law applies to private entities and
8 government agencies. Under the law, covered employers
9 cannot discriminate against job applicants and
10 employees based on their age, immigration status,
11 arrest or conviction record, gender, national origin,
12 pregnancy, race, or other protected category.

13 Employment protections apply to employers with
14 four or more employees, and those who employ domestic
15 workers, as well as to employment agencies and labor
16 organizations. Most employees have rights, regardless
17 of whether their position is full-time, part-time or
18 an internship. Independent contractors are also
19 protected by the City Human Rights Law.

20 Since 2015, the City Human Rights Law has been
21 amended by the City Council 38 (thirty-eight) times.
22 More than a dozen of these amendments relate to
23 employment. In addition to prohibiting
24 discrimination, and most recently, expanding
25 protections to domestic workers and requiring salary

1 transparency, the Human Rights Law prohibits
2 employers from retaliating against an individual for
3 reporting discrimination.
4

5 And, now I want to turn to the protections most
6 connected to this hearing, uh, pregnancy, childbirth,
7 related medical conditions, as well as sexual and
8 reproductive health decisions.

9 Pregnancy discrimination has long been a focus
10 of the Commission. City Council codified the right to
11 reasonable accommodations on the basis of pregnancy,
12 childbirth, and related medical conditions in 2014.
13 The agency first published guidance on pregnancy
14 discrimination in 2016, guidance which has been
15 updated, uh, last year, uh, to reflect additional
16 legislation that requires employers to provide
17 lactation accommodations. Employers are required to
18 ensure that pregnancy protections are implemented, as
19 well as to post notice of protections, and have
20 lactation policies for when individuals return to the
21 workplace. More recently, in 2019, City Council
22 passed an amendment prohibiting employers from
23 discriminating against employees on the basis of any
24 decisions about sexual or reproductive health.

1
2 As a result of the 2019 amendment, it is a
3 violation of the City Human Rights Law for an
4 employer to treat a person less well because of their
5 actual or perceived sexual or reproductive health
6 decisions.

7 The term "sexual and reproductive health
8 decisions" is defined as any decision an individual
9 makes to receive services for their sexual and
10 reproductive health, reproductive system, and its
11 functions. This includes, but is not limited to,
12 fertility-related medical procedures, STD prevention,
13 STD testing and treatment, family planning services
14 and counseling, for example birth control drugs and
15 supplies, emergency contraception, sterilization
16 procedures, pregnancy testing, and abortion. This
17 also includes hormone therapy or other transition
18 related care for transgender New Yorkers, or other
19 decisions involving reproductive systems. This
20 protection builds on Human Rights Law protections on
21 the basis of gender, and gender-identity, among
22 others.

23 It is a violation of the City Human Rights Law
24 for an employer to enforce policies or practices
25 treating employees less well because of their actual

1 or perceived sexual and reproductive health
2 decisions; that means to use judgments and
3 stereotypes to exclude employees from employment
4 projects or as pretext for unlawful discriminatory
5 decisions in employment; or make offensive jokes,
6 singling out, and engaging in other harassment of
7 individuals on the basis of sexual and reproductive
8 health decisions; or engage in other adverse
9 employment actions on these bases.
10

11 For example, employers are not allowed to fire an
12 employee after learning that an employee is
13 considering or had an abortion, nor can an employer
14 avoid meetings with an employee on their team after
15 learning an employee sought preventative treatment
16 for HIV. Further, an employer cannot repeatedly
17 criticize an employee for pursuing in vitro
18 fertilization treatment (IVF), which the employer
19 believes is not "natural."

20 While employees are not specifically entitled to
21 reasonable accommodations for their sexual and
22 reproductive health decisions, they are entitled to
23 such accommodations on the basis of pregnancy,
24 childbirth, or related medical conditions, which
25 encompass lactation and some sexual and reproductive

1 health decisions. For example, people who have
2 experienced miscarriages, abortions and fertility
3 treatment, must be provided reasonable accommodations
4 unless it proves to be an undue hardship for the
5 employer. This might look like a period of unpaid or
6 paid sick leave, or a flexible schedule for a period
7 of time to account for additional appointments
8 related to the procedure or experience.

9
10 Experiences of discrimination in employment and
11 discriminatory harassment can be vindicated by
12 reaching out to the Commission. Violations of the
13 City Human Rights Law can result in an award of
14 damages to the complainant, and civil penalties to
15 the City of New York. Other affirmative relief is
16 also available, such as restorative justice
17 interventions, anti-discrimination trainings, and
18 policy changes. Where there is a finding that
19 discrimination occurred, the Commission will work to
20 craft a remedy that is meaningful to the complainant
21 and, where appropriate, with other members of the
22 impacted community.

23 In the arena of pregnancy and related medical
24 conditions, the largest number of cases fall into the
25 category of a failure to accommodate, followed by

1 claims of discriminatory discharge or firing, and
2 then hostile work environment claims. Cases in this
3 area are often resolved through damages, as well as
4 provision of the accommodations that were requested -
5 - or similar, changes to schedules and duties, and
6 requirements of managerial trainings, and policy
7 changes.
8

9 In order to educate New Yorkers on their rights,
10 the Commission continuously seeks outreach
11 opportunities. In addition to developing the guidance
12 I mentioned previously, the Commission has a one-page
13 fact sheet on the protections against employment
14 discrimination on sexual and reproductive health
15 decisions. Protections related to sexual and
16 reproductive health and pregnancy are included in our
17 most frequent training, Human Rights 101. Moreover,
18 in 2019, the Commission, along with the Department of
19 Health and Mental Hygiene, and the NYC Commission on
20 Gender Equity, hosted a public hearing on pregnancy
21 and caregiver discrimination, where the Commission
22 compiled legislative and policy recommendations to
23 improve on reproductive health. Over the past three
24 years, the Commission has worked to operationalize
25 many of these recommendations, including improving

1
2 protections for domestic workers and conducting
3 public education and outreach on pregnancy and
4 caregiver discrimination, in addition to educating
5 employers about their general obligations under the
6 City Human Rights Law.

7 Since 2019, the Commission has conducted 582
8 Human Rights Law 101 trainings that educate on these
9 protections. In addition, the agency joins and
10 organizes panels and other events to highlight the
11 same protections. For example, in 2021, we held a
12 discussion entitled "Stories from the Delivery Room:
13 Health Equity, Pregnancy, and the Maternal Health
14 Care of People of Color". Dr. Uché Blackstock,
15 Founder and CEO of Advancing Health Equity, which
16 addresses bias and racism in healthcare, headlined
17 this event. The Commission continues to partner with
18 the Neighborhood Health Action Centers of DOHMH to
19 conduct outreach to pregnant people.

20 In closing, I will turn to Intro 474.

21 Intro 474 falls in line with the continued
22 efforts of the Commission to ensure reproductive and
23 sexual health is available for all New Yorkers. We
24 support initiatives to inform the public about their
25 sexual and reproductive health rights. It is our goal

1
2 to increase outreach and awareness of fundamental
3 rights, particularly for those most impacted by
4 sexual and reproductive health decisions.

5 We believe that a sexual and reproductive health
6 rights campaign would be most impactful and effective
7 if it is part of a joint agency strategy in
8 collaboration with sibling agencies that can speak
9 more closely to the laws regarding physical access as
10 well as the services that sexual and reproductive
11 health facilities provide. We also look forward to
12 working with Council to incorporate the campaign we
13 are discussing today with the other public education
14 campaigns that have been recently introduced by the
15 Council, including Intro 478, sponsored by Council
16 Member Hudson, Intro 506, sponsored by Council Member
17 Rivera, and the Public Advocate's Intro 86.

18 The Commission will close by emphasizing our
19 commitment to ensuring all people are able to make
20 the sexual and reproductive health decisions that are
21 essential to dignity, autonomy, and the exercise of
22 human rights regardless of their identity.

23 Thank you again for the opportunity to speak
24 today. My colleagues and I look forward to continuing
25

1
2 to discuss Intro 474 and exploring citywide
3 collaboration. Thank you

4 CHAIRPERSON WILLIAMS: Thank you, and before The
5 Police Department goes, I am going to have Council
6 Member Menin, uh, provide statements on her
7 resolution.

8 COUNCIL MEMBER MENIN: Thank you so much, Chair,
9 for this very important hearing, uh, I am delighted
10 to be here today.

11 So, the fundamental right to reproductive
12 services and programs is clearly under assault. New
13 York remains a beacon of hope for so many across the
14 country. However, not everyone is able to claim
15 equal rights before the law. Our state constitution
16 does not guarantee that, and it is time for that to
17 change.

18 Resolution 242 calls on New York State to amend
19 the state's constitution with an Equal Rights
20 Amendment. State Senator Liz Krueger and Rebecca
21 Seawright's legislation would expand Article 1 of the
22 New York State Constitution to protect against
23 discrimination and offer legal equality for all.

24 The last time the state constitution was amended
25 in regards to equal rights was 1938. Since then,

1
2 there have been multiple and significant movements on
3 equality. Right now gender identity, disability,
4 ethnicity, national origin, pregnancy, and pregnancy
5 outcomes, sexual orientation, and gender expression
6 are not listed as protected classes.

7 For existing protective classes, there is a
8 loophole that limits equality. Because of a 1949
9 court ruling, the current language in the state
10 constitution is not self-executing. In other words,
11 protections of an individual's civil rights have to
12 be supported with specific legislation. New York
13 State enacting this legislation would clarify civil
14 rights and ensure and self-executing provision.

15 It's critical that New York City Council send a
16 clear message for law makers in Albany to pass these
17 bills. There are 11 states right now that have equal
18 rights amendments, New York is not among those
19 states. Yet, we know how important it is to offer
20 protection for people too often marginalized and
21 targeted. That is why I am calling on my colleagues
22 to join me in calling New York State to do its part
23 and update our constitution for all.

24 I thank the chair for allowing me to speak, and I
25 look forward to today's hearing, thank you.

1 CHAIRPERSON WILLIAMS: Uh, I just wanted to also
2
3 acknowledge that we have been joined by Council
4 Member Richardson Jordan.

5 And off to PD.

6 ASSISTANT COMMISSIONER TALANSKY: Good morning,
7 Good morning, Chair Williams, and good morning
8 members of the Council. My name is Carrie Talansky, I
9 am an Assistant Commissioner for the New York City
10 Police Department's Legal Bureau. With me today is
11 the Department's Director of Legislative Affairs,
12 Michael Clarke.

13 On behalf of Commissioner, Keechant Sewell, we
14 are pleased to testify regarding the NYPD's role in
15 ensuring individuals access to reproductive
16 healthcare facilities.

17 In the shadow of the Supreme Court's decision in
18 *Dobbs v. Jackson, Whole Women's Health*, it is
19 important to reiterate that the right to access an
20 abortion and reproductive health services in New York
21 State remains protected, and the NYPD remains
22 committed to safeguarding that right.

23 In 2009, the City Council passed Law 24 to
24 protect New Yorkers' rights to access reproductive
25 healthcare. The law delineates and prohibits

1 activities aimed at preventing a person from
2 accessing reproductive healthcare facilities. This
3 local law recognizes the convergence of protected
4 rights outside of reproductive healthcare facilities
5 and seeks to strike the balance of protecting the
6 right to access such facilities with an individual's
7 right to express their opinion.
8

9 The New York City Police Department is tasked
10 with ensuring the safety and rights of all New
11 Yorkers. For that reason, the department seeks to
12 strike the same balance of rights. When responding to
13 First Amendment activities, the Department's goal is
14 to ensure that we do not intrude upon the rights of
15 expression or association of attendees, and in this
16 circumstance, that we ensure that people can access
17 facilities in an unobstructed manner.

18 We attempt to establish a rapport with a group
19 leaders to foster cooperation and to attempt to have
20 group leaders intervene before activities become
21 unlawful and before enforcement becomes necessary.

22 To be clear, the Department will not tolerate any
23 attempt to prevent a person from accessing
24 reproductive healthcare facilities. To that end,
25 officers have been instructed to do directed patrols

1
2 at such facilities, and our Critical Response Command
3 Teams have been rotating assignments at these
4 locations as well.

5 We will continue to monitor the situation and
6 will readjust sources as necessary.

7 Thank you and we look forward to answering any
8 questions you may have.

9 CHAIRPERSON WILLIAMS: Thank you.

10 I will just jump right in to questions.

11 Uh, the Freedom of Access to Clinic Entrances
12 (FACE) Act, uh, State Clinic Access Act, and the
13 City's Access to Reproductive Health Care Facilities
14 Act, provides for protections for those accessing
15 reproductive health care facilities.

16 The state and local laws were intended to
17 supplement the federal law by empowering state and
18 local officials to combat violence and vandalism at
19 these health care facilities. So, how have these
20 laws been enforced by NYPD?

21 ASSISTANT COMMISSIONER TALANSKY: So, uh,
22 currently, uh, the NYPD is -- in light of the... the
23 recent decision, uhm, we have many different layers
24 of protections in place at these facilities.
25 Primarily, we have identified every, single, uh,

1 clinic throughout the City. And we have notified the
2 local precinct commanders that such a facility is
3 within the confines of their responsibility. We have
4 then directed them and their staff to conduct
5 outreach to these facilities so that there is a
6 direct point of contact in the event that there is an
7 incident or an issue arises. We also have regular
8 directed patrol, which means that patrol officers are
9 directed to stop by regularly, uh, and check in with
10 the clinic and ensure that everything is okay. We
11 also have both Critical Response Command and Counter
12 Terrorism Officers who are rotating between
13 facilities and are stationed outside for visibility
14 to deter any sort of violence or interference with
15 the facility.
16

17 In addition to that, currently our Intelligence
18 Bureau and our Counter Terrorism Bureau are scrubbing
19 the internet looking for any threats towards any of
20 these facilities in New York City. Uh, and
21 obviously, they would investigate fully if such a
22 threat was deemed credible.

23 And in terms of, uh, ensuring access and
24 freedom... unobstructed access to these facilities,
25 our officers respond any time that there is any sort

1 of conflict reported from a facility. And as we
2 spoke about during... in our testimony, we attempt
3 to strike a balance between ensuring that people have
4 a right to access the facilities unobstructed, but we
5 also have to balance that with the right of those
6 outside who are engaged in the freedom of expression.

7
8 COUNCIL MEMBER WILLIAMS: Absolutely. Uh, so has
9 the NYPD taken any, I guess, additional measures, and
10 maybe that's some of what you described, to preserve
11 and protect access to reproductive health care --
12 taking in to account that unlawful activity outside
13 of these facilities may increase following The
14 Supreme Court decision in Dobbs?

15 ASSISTANT COMMISSIONER TALANSKY: Yes, and we will
16 continue to access the situation both here in New
17 York City and throughout the country to ensure that
18 our steps that we have taken are adequate.

19 CHAIRPERSON WILLIAMS: Okay and, do you have any
20 data on, like, previous reports, uh, of incidents
21 happening at facilities prior to The Supreme Court
22 Decision?

23 DIRECTOR CLARKE: So, I... I mean, I don't know
24 if we have data, but I know there are certain set
25 protests that happen at a few clinics throughout the

1 City. You know, our normal procedure or goal there,
2 is we work with the clinics, and the protestors, and
3 the counter protestors to make sure people still have
4 access -- keep people, you know, from... if it gets
5 heated, to keep them apart and make sure everyone is
6 exercising their constitutional right, The First
7 Amendment, without blocking access to the... to the
8 reproductive health care facilities.

9
10 CHAIRPERSON WILLIAMS: Okay, thank you.

11 Uh, for CCHR, we know that the City's Access to
12 Reproductive Health Care Facilities Law has been in
13 place since 1994. And many clinic employees and
14 visitors are still facing harassment when they
15 attempt to access the facilities. And some visitors
16 seem unaware of their laws... of our laws to protect
17 their access. And, so is CCHR tracking information
18 about complaints related to discriminatory harassment
19 from people accessing reproductive health care
20 facilities?

21 DEPUTY COMMISSIONER KAMUF WARD: Thank you for the
22 question. I don't have related to specific
23 facilities, but we do... discriminatory harassment,
24 we do track. We tend to track it by protected
25 category, which in this case, uh, would be pregnancy

1
2 or for discriminatory harassment sexual and
3 reproductive health decisions.

4 Discriminatory harassment claims face a high bar
5 at the Commission. I can say over the past three
6 years, uh, we have had claims between, you know,
7 seven to 20 discriminatory harassment filed claims,
8 and a very small number of those are in the arena of
9 gender. And we have none that are specifically
10 sexual and reproductive health decisions, though,
11 when someone reports, those things can overlap. Uh,
12 and, so they might say pregnancy or they might say
13 one of the other. But, we have not seen a huge
14 amount, and I can look to see if we can put a finer
15 point on the facilities. But, there are small
16 numbers on gender in general.

17 CHAIRPERSON WILLIAMS: Okay, uhm, and then I have
18 a question for something that you mentioned in your
19 testimony that you would like to execute on this
20 campaign in strategy and collaboration with sibling
21 agencies. Can you share which sibling agencies you
22 think need to also be in collaboration?

23 DEPUTY COMMISSIONER KAMUF WARD: Sure, and I think
24 I referenced also a number of other kind of pending
25 bills that... (CROSS-TALK)

1 CHAIRPERSON WILLIAMS: Yes.

2 DEPUTY COMMISSIONER KAMUF WARD: Touch on pieces
3 of this, so... (CROSS-TALK)

4 CHAIRPERSON WILLIAMS: And so, actually, that
5 question, and then just also in general, what are
6 your thoughts on Intro 474, and how do you feel it
7 can be improved?

8 DEPUTY COMMISSIONER KAMUF WARD: Sure, uh, so, on
9 sibling agencies, I think... I am glad NYPD is here,
10 because they have expertise on the access piece. I
11 know, uhm, there are other agencies that are looking
12 at these issues. Obviously health related agencies
13 that are focused on access to these services, and
14 also the role of service providers, as well as other
15 agencies that are looking at what I think are, uh,
16 facilities that portend to be focused on these issues
17 but may or may not be discouraging people from
18 seeking reproductive health, uh... (CROSS-TALK)

19 CHAIRPERSON WILLIAMS: [INAUDIBLE 00:33:12]
20 Consumer Affairs?

21 DEPUTY COMMISSIONER KAMUF WARD: Uh, likely, uh,
22 it would be Department of Consumer Workplace
23 Protection and possibly others as well. So, I think
24 those are some of the agencies that I would want to
25

1 collaborate with. I know that 474 also has a
2 language access component, and there are many
3 agencies with expertise in that area as well. Uh,
4 ,you know, we are all, a City agency is required to
5 comply with Local Law 30, so that all our materials
6 are in the ten required languages. I know from
7 CCHR's position, when we are doing a particular
8 campaign, for example like with domestic workers, we
9 try and go above and beyond what is required to
10 identify where the needs are and what languages we
11 should be communicating with communities that are
12 likely to be impacted. So, that's in general some of
13 the agencies, I don't know if that's a comprehensive
14 list. But, uh, but we have been... And we have
15 partnered with all of those agencies I think. I
16 would also... I referenced in my testimony a DOHMH
17 collaboration, and that's ongoing in lots of
18 different areas as well as The Commission on Gender
19 Equity. On 474 generally, uh, I think one piece of
20 this slate of bill packages is that is that it has
21 many component parts. Right? And thinking about how
22 we effectively message different pieces of the roles
23 of City agencies, and that's why I think
24 collaboration is so helpful. One of the... The
25

1
2 Public Advocate's bill references certain pieces of
3 our law related to pregnancy; 474 references some
4 other protections. And, I think that thinking about
5 how to comprehensively get information to New Yorkers
6 and working collectively would likely be effective
7 and more impactful.

8 CHAIRPERSON WILLIAMS: So, are you suggesting...
9 Are you suggesting that these bills should be
10 combined? Like, Intro 506, Intro 470, and Intro 86?

11 DEPUTY COMMISSIONER KAMUF WARD: So, I am
12 suggesting that we have further discussion about
13 which pieces should be combined. I think I... I
14 don't want to say now, because I haven't looked at
15 all of them in... (CROSS-TALK)

16 CHAIRPERSON WILLIAMS: Mm-hmm

17 DEPUTY COMMISSIONER KAMUF WARD: Great depth, but
18 I think there are pieces that could be combined, and
19 that collaboration and kind of thinking about that
20 really with a more fine-toothed comb would be
21 fruitful.

22 CHAIRPERSON WILLIAMS: Okay. No, I mean I agree
23 in terms of, like, wanting to really look at some of
24 these other bills that we are not hearing today to
25 make sure we are being intentional about our

1 decision. Because, you know, based off your
2 testimony, I do think there is, I don't want to say
3 overlap, but there is space to also include these
4 other components in the same directive. And I think
5 that is what you were alluding to, correct?
6

7 DEPUTY COMMISSIONER KAMUF WARD: And I think
8 thinking about... And we have talked about this in
9 many spaces, like who are the effective messengers
10 for the intended audiences also. Because, I think
11 communication from one agency versus another can
12 sometimes be... can land differently, and those are
13 important considerations.

14 CHAIRPERSON WILLIAMS: Okay. I have more
15 questions, but I will pause to let my colleagues ask
16 questions. So, I will turn it to Council Member
17 Hanif.

18 COUNCIL MEMBER HANIF: Thank you so much.

19 I guess to go back to The Chair's line of
20 questioning around combining the suite of bills. I
21 mean, I would disagree with that. But, I would like
22 to... To just affirm, like why we are pushing CCHR
23 as part of our bill? Uh, because, I am aware that
24 the other bills are not suggesting that. Though, I
25 do feel that some of the other services that exist in

1 the City should be a part of the education campaign
2 that CCHR then publicizes. Because, uh, what we are
3 simply asking for is that these are protected
4 categories and we've got these rights. Now, they must
5 be disseminated so that every New Yorker knows and is
6 aware that this is a city that is already safe,
7 accessible, etc.

9 So, I would like to go into some of the details
10 around 474: How much money does CCHR envision being
11 able to dedicate to this campaign out of its current
12 operating budget?

13 DEPUTY COMMISSIONER KAMUF WARD: So, I don't have
14 a specific number with me today. I think if... a
15 campaign to reach all New Yorkers is a massive
16 undertaking. And I would have to get back to you
17 looking at past campaigns that we have done with a
18 dollar amount.

19 COUNCIL MEMBER HANIF: As a sort of reference
20 point, how much did the campaign... The Arts
21 campaign around the subways for New Yorkers to know
22 that this is a safe place for our Asian communities,
23 what was the cost of that campaign?

24 DEPUTY COMMISSIONER KAMUF WARD: So, again, I will
25 have to go back to look at that. But, I believe it

1 was a million-plus campaign. And that also, I mean
2 there is a practitioner Artist-in-Residence who was
3 collaborating, so it was... Also that was multi-
4 agency, because DCLA was involved, and it was quite a
5 long planning phase and then execution phase as well,
6 with collaboration from the agencies that allowed us
7 to the takeover of Barclay Center and to really push
8 out in all the spaces available to us.

10 COUNCIL MEMBER HANIF: Yeah, that's helpful to
11 know, uhm, because I imagine that a campaign like
12 this would also similarly need The Arts as central
13 part of how we message and share out our protections
14 while also building with organizational partners
15 across the City to do this work together. So,
16 knowing a ball park estimate would be helpful,
17 because I also know that CCHR is an... Uh, severely
18 underfunded agency. And, so to have these dollars
19 and be a voice in pushing for that is what I want to
20 be able to do.

21 Is there any other information CCHR believes
22 should be included in the outreach campaign? I know
23 we have talked a little bit about the other bills in
24 this suite being a part of it, but is there anything
25 else that you're all thinking about?

1 DEPUTY COMMISSIONER KAMUF WARD: So, I mean, I
2 think just on that point, and maybe harkening back to
3 Intro 86, I think the pregnancy and sexual and
4 reproductive health protections are often looked at
5 as a kind of continuum, uh, and so having those
6 together... I think one of the points also regarding
7 sort of agency collaboration and messenger, is that
8 one thing we would certainly not want to do, uh, is
9 put out a campaign that's in our name for something
10 that we are not able to act upon. So, I think that
11 is another reason for agency collaboration....

12 (CROSS-TALK)

13 COUNCIL MEMBER HANIF: Yeah.

14 DEPUTY COMMISSIONER KAMUF WARD: Right? If
15 someone calls us about something NYPD is enforcing,
16 and then we happily refer them to NYPD, that can be
17 frustrating from a customer service kind of
18 perspective. So, that's another reason I think that
19 just the conversation about messenger and kind of
20 what's included in a public outreach campaign is
21 really critical.

22 COUNCIL MEMBER HANIF: Sure.

23 And, your point about the inter-agency
24 collaboration is absolutely noted, and we would
25

1
2 certainly want that before anything gets rolled out.
3 Is CCHR able to include locations where New Yorkers
4 can receive a portion as part of this campaign?

5 DEPUTY COMMISSIONER KAMUF WARD: Possibly. I mean,
6 we definitely don't have that information now, and I
7 think that would be, uh, I think... I will defer to
8 NYPD if they have that information and also would go
9 back to colleagues at DOHMH to understand the
10 regulatory framework, because that's really outside
11 of what we, uh, have done in the past.

12 DIRECTOR CLARKE: Yeah, I mean, I think we can
13 certainly assist either CCHR or whoever ends up being
14 the agency leading this on that. I mean, we... I
15 know we have them, and I am sure DOHMH has a list as
16 well. So, you know, in terms of how that looks, you
17 know, I think the information can be provided in some
18 manner.

19 COUNCIL MEMBER HANIF: Got it great. And, then,
20 uhm, just going back to how to think about building
21 out this campaign, could you share less... some
22 lessons learned about what makes an effective
23 campaign? I mean, I... I raised, uhm, the artwork
24 and the Artist-in-Residence. I mean, so many of us
25 know about this work, because we are seeing it every,

1 single day, and it really sticks to you in your core.

2 So, could you just share some lessons learned that
3 could be effective as we think about this campaign?
4

5 DEPUTY COMMISSIONER KAMUF WARD: Sure, and I think
6 I referenced our Domestic Workers Campaign and our
7 Sexual Harassment Campaign, uh, which proceeds that
8 one. I think in both of those instances there was a
9 long lead up of collaboration with community groups
10 in thinking about where we should be pushing these
11 campaigns out. So Domestic Workers was a campaign
12 that was on bus shelters; it's a campaign that is in
13 community and ethnic print media and also paid social
14 media, and in Spanish, English, and Chinese. And our
15 materials there are also in languages that are
16 related or most prevalent amongst domestic workers in
17 New York City. We also have done targeted sort of
18 employer outreach in that context. The Sexual
19 Harassment Campaign similarly there were focus groups
20 that led up to the messaging in that. So, these are,
21 I think time is important is important in getting the
22 message right, and then the language justice piece,
23 which is referenced in 474, but really thinking about
24 what it means to be getting different pieces out in
25

2 different languages, uh, from a communications, uhm,
3 perspective. Do want to add anything? (CROSS-TALK)

4 DEPUTY COMMISSIONER CHAUDHURI: [INAUDIBLE
5 00:43:35]

6 COUNCIL MEMBER HANIF: Could you speak a little
7 bit more about the, uh, language access piece?

8 DEPUTY COMMISSIONER CHAUDHURI: So, it's... The
9 main difference between the one, uh, the... I Still
10 Believe in Our City Campaign, and particularly this
11 one, is, like, for the... The, uh, Intro 474 one,
12 you're... we're making... ensuring that New Yorkers
13 across language diversity and cultural competency,
14 right? So, the same... Like, whereas... There were
15 specific focus groups on this, we have to have, like,
16 multiple focus groups. We'll have to engage with
17 community and faith partners in order to ensure that
18 the messaging is right. So, it will... This... One
19 thing for the I Still Believe in Our City one, where
20 as it was one community coming together to do this,
21 this would require many and in different languages.
22 So, we want to make sure that not only are we doing
23 it in the languages that... And, in our domestic
24 workers one as well, we have gone beyond the local
25 party line, which is we've had it in Nepali; we've

2 had it in like, uhm, African dialects as well. So,
3 just, again, like, we... It will require us to make
4 sure that we are engaging with all our different
5 communities and working across agencies to make that
6 happen.

7 COUNCIL MEMBER HANIF: Thank you.

8 DEPUTY COMMISSIONER CHAUDHURI: Mm-hmm

9 COUNCIL MEMBER HANIF: Thank you, Chair.

10 COMMITTEE COUNSEL: Okay, Council Member
11 Richardson Jordan?

12 COUNCIL MEMBER RICHARDSON JORDAN: Hi, thank you
13 for the testimony. I had a couple of questions. I
14 wanted to ask on the commission side, uh, what kind
15 of outreach is... Uh, what kind of outreach is
16 already happening in terms of reproductive rights and
17 sexual health? And, particularly, what kind of
18 outreach online?

19 DEPUTY COMMISSIONER KAMUF WARD: Yeah, so great
20 question. I will just start by saying ,you know, on
21 Friday we pushed out a mini campaign we were already
22 planning that includes this and some of the pregnancy
23 discrimination work that's a paid social media
24 campaign, and we have been doing a lot on social
25 media, uh, especially in light of COVID, but just the

1 ways of the world. Uh, and every... Like, when the
2 law was passed in 2018, we did a campaign on these
3 protections in 2019 we also did a rollout of these
4 protections, and they are include. As I mentioned in
5 testimony, in all our fundamental 101 training as
6 these protections. And so it's part of... And the
7 reason the Community Relations Bureau is here today,
8 it's very much a part of almost all of the
9 conversations that we are having about protections,
10 uh, in the employment, uh, in the employment context.

12 DEPUTY COMMISSIONER CHAUDHURI: And to add to
13 that, uh, JoAnn had also mentioned the facts sheets.
14 So, when we are out tabling in communities, we make
15 sure that those facts sheets are available as part of
16 those conversations and outreach as well.

17 COUNCIL MEMBER RICHARDSON JORDAN: Okay, great.
18 Great, thank you. I wanted to ask on the NYPD side,
19 do we know... And, I'm not sure if we do know, but
20 do we know numbers about, uh, number of incidents
21 that are happening act clinics? Do we know if there
22 has been a spike? Do we have any data?

23 ASSISTANT COMMISSIONER TALANSKY: Oh, sorry, thank
24 you. So, we have, uh, in terms of incidents, are we
25 talking about just that there are, uh, protestors

1
2 present, or are we talking about incidents of
3 criminal activity, vandalism, or things of that
4 nature?... (CROSS-TALK)

5 COUNCIL MEMBER RICHARDSON JORDAN: Yeah,
6 [INAUDIBLE 00:47:24]...

7 ASSISTANT COMMISSIONER TALANSKY: [INAUDIBLE
8 00:47:26]

9 COUNCIL MEMBER RICHARDSON JORDAN: Yeah, we're
10 talking about the latter.

11 ASSISTANT COMMISSIONER TALANSKY: Okay. So, we
12 have not had any incidents at, uhm, facilities that
13 provide abortion and reproductive services. We have
14 had two incidents at, uhm, houses of worship, one of
15 which, uh, houses an abortion alternatives program.
16 We had vandalism there.

17 COUNCIL MEMBER RICHARDSON JORDAN: Okay. Has
18 there been an escalation in the protests?

19 ASSISTANT COMMISSIONER TALANSKY: I mean, we've
20 definitely seen a bigger... (CROSS-TALK)

21 COUNCIL MEMBER RICHARDSON JORDAN: Definitely...

22 ASSISTANT COMMISSIONER TALANSKY: Crowds, uh, at
23 for the... for over the last couple of days for
24 sure.

25 COUNCIL MEMBER RICHARDSON JORDAN: Thank you.

1
2 ASSISTANT COMMISSIONER TALANSKY: Of course, thank
3 you.

4 COMMITTEE COUNSEL: Council Member Menin?

5 COUNCIL MEMBER MENIN: Well, thank you so much,
6 Chair.

7 So, I wanted to know if the administration has
8 worked with the state in pushing for an equal rights
9 amendment in the state constitution? And, if added,
10 how do you believe it will impact New York City?

11 DEPUTY COMMISSIONER KAMUF WARD: So, I think today
12 was the first we heard about the Resolution. I can't
13 speak historically about collaboration. I know from
14 our agency perspective, we work with the state
15 division all of the time. I don't know if there have
16 been conversations either, uh, at the administration
17 level or other agencies around this particular
18 protection. I know that we are reviewing the
19 resolution, uh, and obviously I think NYPD and CCHR
20 stated in our testimony we are, uhm, supportive of
21 measures that advance the quality on the bases of
22 which you mentioned, uh, and in particular the rights
23 that we are talking about today -- sexual and
24 reproductive, uh, protections.

25 COUNCIL MEMBER MENIN: Okay.

1 And, has the administration considered taking
2 lessons from other municipalities in ensuring access
3 to reproductive health?
4

5 DIRECTOR CLARKE: I mean, I think in terms of from
6 our point of view, we are always willing to learn
7 from other agencies of that they're doing well. You
8 know, we have a piece of it, uh, but I think we're
9 never against learning from what other people are
10 doing and doing well.

11 COUNCIL MEMBER MENIN: Okay, and if a person has
12 an issue in accessing reproductive health facilities,
13 where can they go to share those concerns?

14 ASSISTANT COMMISSIONER TALANSKY: They can go in
15 to their local precinct, and so that the local
16 precinct is aware of, uhm, the issue they can also
17 ,you know, the local precinct can accompany them back
18 to the facility and ensure that they have
19 unobstructed access to get inside.

20 DIRECTOR CLARKE: Or call 9-1-1 if, you know,
21 [INAUDIBLE 00:50:02]... (CROSS-TALK)

22 COUNCIL MEMBER MENIN: And, is the administration
23 doing any kind of education and outreach campaign --
24 multi-lingual, uh, on that fact so that people know
25 that that's... they can avail themselves of that?

1 ASSISTANT COMMISSIONER TALANSKY: So, we actually
2 have boots on the ground, uhm, at a lot of these
3 locations right now as we talked about earlier. We
4 have police officers visiting these locations several
5 times a day. We have police officers stationed, uh,
6 at many of these locations for significant parts of
7 the day so that they are visible. Uh, they're
8 presence serves many purposes one of which is to
9 deter violence, but also they are there to help
10 anyone who is seeking access and whose access is
11 being obstructed or interfered with.
12

13 DIRECTOR CLARKE: But, I don't think there's like
14 a, uh, like a public relations campaign to alert
15 people of their rights under this. We do work with
16 the reproductive health care facilities, and when the
17 officers are there they can obviously provide the
18 information, but there's no, like, broad media
19 campaign... (CROSS-TALK)

20 COUNCIL MEMBER MENIN: Okay. Yeah, I mean, I
21 would just suggest that the administration consider
22 that. I mean, this is such a sensitive time for
23 people, and we want to make sure that they know their
24 rights and that they know where to go for assistance.
25 Okay, thank you very much.

CHAIRPERSON WILLIAMS: With two minutes to spare.

UNKNOWN: [INAUDIBLE 00:51:16]

CHAIRPERSON WILLIAMS: I said it was two minutes to spare. Uh, I had other questions, but NYPD actually answered a lot of those questions just around the proactive measures you're taking, which happy to hear that you are all combing through the internet and really looking at possible threats and also have boots on the ground already.

I guess the question that I have is, what kind of training do officers receive about these protections? So, uhm, is there any special trainings they're receiving?

ASSISTANT COMMISSIONER TALANSKY: So, we actually, uh, have, uh, Legal Bureau attorneys, so attorneys assigned to the NYPD who go out on scene whenever there is any sorts of protests or conflict at any of these facilities to ensure that the officers on scene understand the rights and... of everyone present and their responsibilities. But, we also have a written directive and operations order, uh, that specifically instructs officers, uh, you know, how to handle a situation and to understand the rights of people to access these facilities free from threats of violence

1
2 or any sort of obstruction. And, so the officers
3 are, uh, mandated to comply with that operations
4 order.

5 CHAIRPERSON WILLIAMS: Awesome.

6 Okay, uh, CCHR, I think Council Member Richardson
7 Jordan asked my question about if you are currently
8 initiating any information campaigns. But, are you
9 also providing information about the Human Rights Law
10 provisions related to discriminatory harassment
11 protections? And, if so, what kind of information is
12 being provided?

13 DEPUTY COMMISSIONER KAMUF WARD: Yes, so similarly
14 that's part of all of our trainings as well. Uhm,
15 and for that we have information available in a whole
16 host of languages. That's part, again, of our 101
17 and our basic... what we do. And, as Deputy
18 Commissioner Chaudhuri mentioned, uhm, these are
19 materials that are brought in all of the spaces where
20 we are interfacing with communities as well as duty
21 holders here -- employers and others.

22 CHAIRPERSON WILLIAMS: Yeah, I guess to maybe be a
23 little bit more specific, uhm, do you have specific
24 targets of this information, like areas, locations,
25 institutions?

1
2 DEPUTY COMMISSIONER KAMUF WARD: Yes, so I will
3 say broadly, often, uh, and this is part of our kind
4 of biased response efforts that we have sort of
5 talked about I think in other spaces and hearings,
6 uhm, these are things that we always bring with us
7 when we are seeing or hearing, again through inter-
8 agency collaboration, about spikes in biased
9 incidents for particular communities. But, did you
10 want to add anything?

11 DEPUTY COMMISSIONER CHAUDHURI: And we also, as
12 far as like both a biased response, but also in our
13 other trainings. So, even if... not just our Human
14 Rights Law 101, but our other trainings, for example,
15 the transgender and gender non-conforming one, there
16 are aspects of this, uh, part of this community
17 harassment that we discussed.

18 CHAIRPERSON WILLIAMS: So, I know I had asked you
19 a question about what other sibling agencies you
20 think should be a part of this process, but I'm also
21 wondering, currently are you working with other
22 agencies or City entities to ensure pregnant people
23 or health care providers are protected from
24 discriminatory harassment, like, currently?

DEPUTY COMMISSIONER KAMUF WARD: Yeah, I think...

I mean, we... All of the agencies that I named, we have ongoing collaboration with them. Uhm, and

many... we do trainings with many agencies as well.

I would say some of the agencies I mentioned DOHMH,

DCWP, MOIA we work with all of the time. Uhm, and,

you know, as part of the outreach we did on Friday,

we were also in touch with DOHMH to make sure that

when materials are getting put out that they are

comprehensive. Right? Because life doesn't happen

in a way often that aligns with legal protections per

se.

CHAIRPERSON WILLIAMS: Can you give more detail on

the different types of ways that you work with them?

So, you said trainings, and I guess it's

collaboration with info sharing, making sure that you

all are giving proper information. But, do you work

with them in any other ways, or is it just primarily

training?

DEPUTY COMMISSIONER KAMUF WARD: No, I mean we

work with agencies on policy development, uhm, as

well. And, the ,you know, DOHMH is a longstanding

partnership where we are talking all the time about

how, uhm, how to ensure that the Human Rights Law is

1 implemented, and that is true because city agencies
2 are employers under the law, but also because also
3 because some are public accommodations under the law
4 as well. So, it's not just training and workshops,
5 but that's how we would reach more -- right? --
6 employees at sibling agencies -- or staff. It is
7 also in policy design, and then when we are reviewing
8 legislation like these pieces we are in collaboration
9 as well. Uh, and for something like domestic
10 workers, and it's a very recent example, right? We
11 put together materials that also referenced DCWP,
12 because that is another area where there's kind of
13 Human Rights Law Protections, but then there is also
14 paid leave, and that's a DCWP issue that comes up for
15 domestic workers all of the time. So, we are always
16 thinking about where our jurisdictions align and how
17 we can do a better job of communicating that out.

18
19 DEPUTY COMMISSIONER CHAUDHURI: And... (CROSS-
20 TALK)

21 CHAIRPERSON WILLIAMS: Okay... Oh... Oh, go
22 ahead.

23 DEPUTY COMMISSIONER CHAUDHURI: Just adding to the
24 outreach piece, we also work collaboratively not just
25 in the training, but also doing targeted business

1 outreach for instance. So, when we, you know, with
2 the last few years with like for example, the spike
3 in anti-Asian bias and hate, like, we did... We took
4 those posters that we had from the I Still Believe in
5 Our City campaign, and worked together with SPS, with
6 DCWP, going in to businesses in specific
7 neighborhoods to do so. So, those are other ways
8 that we collaborate as well.

10 CHAIRPERSON WILLIAMS: Cool. Uhm, so, and I know
11 you said you did a campaign on Friday. There's a
12 social media campaign you said? And, so would you
13 say... I had this question about, it's uncommon to
14 post this activity outside of claimants doing
15 [INAUDIBLE 00:57:51] following anti-abortion court
16 victories, and so would you say that was like the
17 agency's response to the decision? Did you have any
18 other sort of strategies in the pipe given the
19 decision?

20 DEPUTY COMMISSIONER KAMUF WARD: So, I think it
21 was really to... a solidarity statement. Right?

22 CHAIRPERSON WILLIAMS: Mm-hmm

23 DEPUTY COMMISSIONER KAMUF WARD: Like, these
24 protections exist here for you in New York, and we
25 want you to know about them and exercise them. I

1 think we anticipate that this will be coming up in
2 the employment context more and more, which is where
3 these protections... the sexual and reproductive
4 health protections currently exist. And so we
5 anticipate doing more in this area in the coming
6 months and likely years. And, uh, so we are excited
7 to hear about ideas for how to do that, and we will
8 certainly be in touch with community partners about
9 what their hearing and how are laws responsive. I
10 think we feel extremely lucky to be in New York where
11 these protections will continue to, uh, to exist.

12 CHAIRPERSON WILLIAMS: Thank you. Council Member,
13 did you have any more questions, questions,
14 questions?

15 Alright, well, thank you so much for your
16 testimony and for fielding all of our questions.

17 ADMINISTRATION: Thank you

18 CHAIRPERSON WILLIAMS: You're welcome. I think we
19 will hear testimonies from the public, but I have to
20 take a break.

21 COMMITTEE COUNSEL: Okay. We will now turn to
22 public testimony. We will start off with Jenna
23 Lauter and then move on to Maryam Mohammed-Miller.
24
25

1 Jenna, you may begin when the sergeant calls time,
2
3 uhm...

4 SERGEANT AT ARMS: Your time will begin.

5 JENNA LAUTER: Thank you, uh, hi, everyone, mimic
6 Jenna Lauter, and I am testifying on behalf of New
7 York Civil Liberties Union.

8 The NYCLU enthusiastically supports Resolution
9 0242 calling on the State Legislature to pass and the
10 Governor to sign legislation proposing an Equality
11 Amendment to Article 1 of the New York State
12 Constitution. As this week's devastating opinions
13 from the Supreme Court have made plain, we cannot
14 rely on the federal constitution to uphold our
15 rights. We must act on the state level to fortify New
16 York's constitution and ensure that it covers
17 everyone in our communities who have historically
18 been excluded from our founding documents - including
19 women, LGBTQ New Yorkers, disabled New Yorkers, and,
20 urgently, pregnant New Yorkers.

21 The Equality Amendment would fill the gaps in the
22 NY Constitution to secure abortion rights in our
23 state constitution; broadly provide equal protection
24 for an inclusive range of classes that have been
25 excluded from its reach; include a meaningful

1
2 disparate impact test to recognize systemic
3 discrimination; and complement and retain our
4 constitution's existing robust protections for
5 religious freedom. In this moment, passing the
6 Equality Amendment is the most meaningful action the
7 New York Legislature can take to protect New Yorkers'
8 abortion rights, and we heartily support City Council
9 Resolution 0242 to that effect.

10 Additionally, the NYCLU supports the proposed
11 efforts to inform the public about their rights to
12 safely access reproductive health care. Despite the
13 climate of uncertainty and fear following the
14 overturning of *Roe v. Wade*, New Yorkers should not be
15 intimidated and deterred from seeking care. New York
16 City must ensure that people are empowered with the
17 knowledge that they have a right to access
18 reproductive health care and facilities without
19 harassment or interference, as provided by the Access
20 to Reproductive Health Care Facilities Act. Moreover,
21 as pregnancy and pregnancy outcomes are increasingly
22 criminalized around the country, New York must do
23 even more to assure people that they have a right to
24 be free from discrimination – including

1 discriminatory non-consensual testing or treatment...

2 (CROSS-TALK)

3 SERGEANT AT ARMS: Time is expired

4 JENNA LAUTER: because of their pregnancy status
5 or reproductive health decisions.

6 The City should take this opportunity to make
7 information more widely available about where and how
8 people can access the full spectrum of reproductive
9 health care.

10 As New York positions itself as an access state
11 for people around the country seeking reproductive
12 care, the City must ensure that all people are aware
13 and able to take advantage of the rights, resources,
14 and remedies available to them.

15 The NYCLU is grateful for the Council's
16 commitment to working towards reproductive health,
17 justice, and equity, and is eager to continue to
18 collaborate with you in support of these and future
19 efforts. Thank you

20 CHAIRPERSON WILLIAMS: Thanks, Jenna. Can you
21 come back? You took your camera off.

22 JENNA LAUTER: Hi...

23 CHAIRPERSON WILLIAMS: Hi. Do you have any
24 recommendations for how to better protect those
25

1 seeking care and services from reproductive health
2 care facilities? I know you might have some thoughts
3 on alternatives outside of policing. So, I was just
4 wondering if you had any recommendations.
5

6 JENNA LAUTER: Yeah, I mean I think, you know, you
7 named an important issue that police are not always,
8 you know, the best response to challenges with people
9 seeking reproductive health care or, you know, any of
10 the challenges happening in our communities. So, I
11 think, you know, it's important to continue having
12 conversations about what alternatives to police to
13 enforce the Access to Facilities Act could look like.
14 I don't know that the NYCLU at this moment has a
15 specific recommendation, but I think it's a
16 conversation that we very much would like to continue
17 having with The Council alongside, you know, our
18 partners who represent providers and have real
19 expertise into exactly what's happening, uh, outside
20 of these facilities.

21 CHAIRPERSON WILLIAMS: Thank you.

22 COMMITTEE COUNSEL: And, not seeing any council
23 member questions, we will move on to Maryam Mohammed-
24 Miller. Maryam, you may begin when the sergeant
25 calls time.

1 SERGEANT AT ARMS: Your time will begin.

2 MARYAM MOHAMMED-MILLER: Thank you so much. Thank
3 you, everyone, and good morning. My name is Maryam
4 Mohammed-Miller and I am the Director of Government
5 Relations at Planned Parenthood of Greater New York.
6 I would like to thank the committee chair, uh,
7 Council Member Nantasha Williams, and Council Members
8 Shahana Hanif and Julie Menin for introducing the
9 package of [INAUDIBLE 01:07:03] legislation today.

10 Uh, Planned Parenthood of Greater New York has
11 been a trusted health care provider and a provider of
12 sexual reproductive health care for more than a 100
13 years. And we strongly support both Resolutions 242
14 and Intro 474, uh, which would help protect health
15 care access in our city and protect individuals from
16 discrimination.

17 On the first bill, uh, 474, uh, that would direct
18 the Commission on Human Rights to launch a culturally
19 competent public awareness campaign on the City's
20 Access To Reproductive Health Care Facilities Act.
21 We are supportive, again, because this bill will help
22 ensure that New Yorkers are aware of their rights,
23 uh, as they are attempting to enter health care
24 facilities including Planned Parenthood of Greater
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1
2 New York health care facilities. We are a premier
3 target of anti-abortion activists who often harass
4 and intimidate our patients, our providers, and
5 clinic escorts with the goal of dissuading
6 individuals from seeking reproductive health care
7 including abortion. Almost daily, we see protestors
8 congregate near our health centers. They chant.
9 They preach. They sometimes follow patients close to
10 our entrances, uh, but just outside the 15-foot
11 buffer zone that the law requires. And, over the
12 last few years, we have actually seen an increase in
13 protestor activities -- even during the pandemic. I,
14 myself as a staffer, uh, when pregnant in 2019,
15 experienced harassment by protestors who chanted and
16 said things to me, uh... (CROSS-TALK)

17 SERGEANT AT ARMS: Time is expired.

18 MARYAM MOHAMMED-MILLER: like "don't kill my Black
19 baby", as my pregnancy visibly progressed. These
20 anti-abortion protestors make it difficult for our
21 patients to come in to our health centers and get the
22 health care they deserve. And we hope that this bill
23 will empower individuals with information and their
24 rights.

1 We are also supportive, again, of Resolution
2 0242, which calls on the New York State legislature
3 to pass the Equality Amendment, uh, as was mentioned
4 today, the Equality Amendment would enshrine
5 provisions in our state constitution to prohibit
6 discrimination on the basis of race, nationality,
7 disability, and a number of other protected classes.
8 But it has explicit language that would protect, uh,
9 sex discrimination including pregnancy and pregnancy
10 outcomes, which is extremely important now that we
11 just saw the Supreme Court end of a 50-year-old
12 precedent that constitutionally protected abortion in
13 our country, which means more than 36 million people
14 with uteruses will now lose access to essential
15 health care. The Equality Amendment is especially
16 important as individuals are traveling throughout the
17 country, mainly to New York, to obtain abortion care.

18 Today this resolution again is especially
19 important. I want to hit that point home, because
20 the legislator is actually, uh, just returned to
21 Albany for a special session in taking up legislation
22 and has failed to add the Equality Amendment to
23 agenda. So, I also want to uplift the call to the
24 legislator to pass the Equality Amendment today.
25

1
2 We stand ready to work with The Council on
3 advancing these measures, uh, on advancing the
4 education campaign on ensuring that the Equality
5 Amendment is passed.

6 And, again, I am looking forward to working with
7 you all. Thank you.

8 CHAIRPERSON WILLIAMS: Thank you. Uhm, are you
9 able to, like, provide answers for specific questions
10 that some of the sites are possibly having?

11 Okay, so, uh, do you know what experiences
12 outside of, like, your testimony that you can share
13 with us in relation to any harassment that has been
14 experienced or witnessed outside of the reproductive
15 health care facilities that you have?

16 MARYAM MOHAMMED-MILLER: Uh, well, one more
17 recent example in 2020 or 2021, I'm sorry the year
18 escapes me, there was actually an incident that
19 happened in front of our Manhattan health center,
20 which is one of the more well-known abortion health
21 centers in the City, where two protestors who are
22 well-known anti-abortion activists, uh, harassed
23 and, uh, physically assaulted staff at our health
24 center. The Attorney General's Office actually
25 filed a lawsuit under the FACE Act, the state's

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2 FACE Act, and essentially got the protestors to
3 stop showing up at our health centers. We are
4 really grateful for the Attorney General's
5 partnership with that. But that is just one
6 example of how these... how their congregation in
7 front of our health centers sometimes manifests,
8 uh, into violent acts. Most of the time, folks are
9 counseling, preaching, again very near our
10 entrances, but not... making sure not to step over
11 the 15-foot buffer zone. So, yes that is just
12 one... one example.

13 CHAIRPERSON WILLIAMS: Okay, uhm, what protocol,
14 if any, was followed during and/or after incidents
15 of harassment or physical harm?

16 MARYAM MOHAMMED-MILLER: We have worked in, uh,
17 and our security team, uhm, has worked with the
18 NYPD and the local precincts, and, uh, engages with
19 them according. And they do come out and respond
20 to incidents, discussing the law in the City, and
21 making sure folks are aware of their barriers.
22 We... As folks mentioned, understand what the
23 presence of law enforcement translates to for many
24 of our patients, so we, uh, you know, have clinic
25 escorts and staff. Sometimes they will deescalate

1 situations. Uh, our clinic escorts are excellently
2 trained and are able to safely usher in many
3 patients who are coming in to our health centers.
4 They are also aware of the laws and provisions and
5 are able to mitigate issues as they come up. Uh,
6 so, yeah.

8 CHAIRPERSON WILLIAMS: Thank you.

9 Did you have any recommendations for how to
10 better protect those seeking care and services from
11 reproductive health care facilities?

12 MARYAM MOHAMMED-MILLER: Yes, this is definitely
13 something that we would love to work with your
14 office on and Council Member Hanif as well -- and
15 all of the sponsors today -- to have a broader
16 conversation on recommendations. I think what the
17 public outreach campaign would definitely love to
18 work with the commission on ensuring the outreach
19 to communities. It's expansive. At Planned
20 Parenthood of Greater New York, we often work with
21 populations where traditional outreach mechanisms
22 are not effective. Mainly folks who are unstably
23 housed. We have a Project Beat Program that
24 targets that population. So, just ensuring that
25 the outreach is done in a way that is

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2 comprehensive, again, reaches communities that are
3 often hard to reach. And, uh, yeah, those are some
4 of the things that are coming up for me. But,
5 again, would love to have a more expansive
6 conversation.

7 CHAIRPERSON WILLIAMS: Okay, uhm, to your
8 knowledge, and this is a little bit of a different
9 question, but to your knowledge, how many would you
10 say arrive from outside of New York? Like,
11 protestors? Do you know that, or?

12 MARYAM MOHAMMED-MILLER: I don't have the exact
13 number, but I believe a majority of the folks,
14 uh... And I can speak to our security team and
15 follow up, but I think many of the folks who, uhm,
16 are protesting in front of our health centers are
17 from out of state. They are often part of a large
18 network of religious based anti-abortion
19 organizations that dispatch folks, as folks
20 mentioned, to states and cities where abortion is
21 more readily available. I personally have not been
22 tracking that, but again can speak to our security
23 team for more data... specific data on that piece.

24 CHAIRPERSON WILLIAMS: Okay, thank you. Do you
25 have any questions, Council Members?

1 Okay, thank you so much for being here...

2 MARYAM MOHAMMED-MILLER: Thank you... (CROSS-
3 TALK)

4 CHAIRPERSON WILLIAMS: And I look forward to
5 following up with you.

6 MARYAM MOHAMMED-MILLER: Thank you.

7 COMMITTEE COUNSEL: At this time, if there is
8 anybody here that would like to testify, but has
9 not been called on yet, please raise your hand, and
10 you will be called on.

11 Okay, seeing no hands, I think we are all set.

12 CHAIRPERSON WILLIAMS: Alright. Thank you all
13 for joining. Thank you all for staying the entire
14 hearing. And, that's it.

15 [GAVEL SOUND] [GAVELING OUT]

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date August 20, 2022