

Chapter 6

Discriminatory Harassment or Violence

§ 8-602 Civil Action to enjoin discriminatory harassment; equitable remedies.

§ 8-603 Discriminatory harassment; civil penalties

§ 8-604 Disposition of civil penalties.

§ 8-602 Civil Action to enjoin discriminatory harassment or violence; equitable remedies.

(a) Whenever a person interferes by threats, intimidation or coercion or attempts to interfere by threats, intimidation or coercion with the exercise or enjoyment by any person of rights secured by the constitution or laws of the United States, the constitution or laws of this state, or local law of the city and such interference or attempted interference is motivated in whole or in part by the victim's actual or perceived race, creed, color, national origin, gender, sexual orientation, age, whether children are, may or would be residing with such victim, marital status, partnership status, disability, or alienage or citizenship status as defined in chapter one of this title, the corporation counsel, at the request of the City Commission on Human Rights or on his or her own initiative, may bring a civil action on behalf of the city for injunctive and other appropriate equitable relief in order to protect the peaceable exercise or enjoyment of the rights secured.

(b) An action pursuant to subdivision (a) may be brought in any court of competent jurisdiction.

(c) Violation of an order issued pursuant to subdivision (a) of this section may be punished by a proceeding for contempt brought pursuant to article nineteen of the judiciary law and, in addition to any relief there under, a civil penalty may be imposed not exceeding ten thousand dollars for each day that the violation continues.

§ 8-603 Discriminatory harassment; civil penalties.

(a) No Person shall by force or threat of force, knowingly injure, intimidate or interfere with, oppress, or threaten any other person in the free exercise or enjoyment of any right or privilege secured to him or her by the constitution or laws of this state or by the constitution or laws of the United States or local law of the city when such injury, intimidation, oppression or threat is motivated in whole or in part by the victim's actual or perceived race, creed, color, national origin, gender, sexual orientation, age, marital status, partnership status, disability or alienage or citizenship status, as defined in chapter one of this title.

(b) No person shall knowingly deface, damage or destroy the real or personal property of any person for the purpose of intimidating or interfering with the free exercise or enjoyment of any right or privilege secured to the other person by the constitution or laws of this state or by the constitution or laws of the United States or by local law of the city when such defacement, damage or destruction of real or personal property is motivated in whole or in part by the victim's actual or perceived race, creed, color, national origin, gender, sexual oration, age, marital status, partnership status, or whether children are may be, or would be residing with such victim, disability or alienage or citizenship status, as defined in chapter one of this title.

(c) Any person who violates subdivision (a) or (b) of this section shall be liable for a civil penalty of not more than one hundred thousand dollars for each violation, which maybe recovered by the corporation counsel in an action or proceeding in any court of competent jurisdiction.

§ 8-604 Disposition of civil penalties. Any civil penalties recovered by the corporation counsel pursuant to this chapter shall be paid into the general fund of the city.