

Tuesday, August 11, 2020

REBUTTAL

Marcus Conte [SENT via Email]
Brooklyn, NY
shorthappylife@gmail.com
<http://marcusconte.com>

Maria Miranda, Human Rights Specialist-1
Albany Regional Office
New York State Division of Human Rights
Agency Building 1
Empire State Plaza PO Box 2049
Albany NY 12220
Maria.Miranda@dhr.ny.gov
AlbanyBingOfficeFax@dhr.ny.gov
Tel: (518) 474-8971

**Re: Marcus Conte v. The Brooklyn Hospital Center [THBC]
Case No. 10207504**

Dear Division,

It is hard to imagine a more frivolous and diabolically corrupt Answer than the one provided by The Brooklyn Hospital Center [TBHC] dated July 20, 2020. TBHC, a 463-bed acute care hospital in Brooklyn NY appears to have thrown caution to the wind when it comes to making up lies. Thank you, Division, for investigating this very important detail. Sanctions against TBHC should definitely be considered.

As a preliminary matter, I am a news reporter and respected member of the Press who on April 1, 2020 was investigating a story about TBHC loading dead bodies into a freezer truck parked on a public street. Hardly something a respectable hospital would be doing, so it warranted an investigation. Here is one account of the events as reported by the NY Post:

'Disturbing video shows dead bodies loaded onto truck outside NYC hospitals'
<https://nypost.com/2020/03/30/disturbing-footage-shows-dead-bodies-loaded-onto-truck-outside-brooklyn-hospital/>

As well, TBHC claims their hospital was at 'full capacity' that day when evidence on the ground suggested it was half empty. That claim needed investigation too.

As a news reporter, I am widely recognized for my live 'on location' investigations; plus, my 1-hour live broadcast that streams daily on YouTube (Marcus in the Morning). I track top stories, political & municipal corruption, riots, medical fraud, rigged elections, online stalkers and most topics of immense public interest. I have a large YouTube following and a sincere obligation to report truth.

I have provided the Division with firsthand eyewitness video evidence of the Racist attack against me in hardcopy [thumb drive] and YouTube [link] form. The 2:29-minute video [Exhibit 1] shows every detail of the racial attack initiated against me by TBHC. As well, the full-length video (30:53) fully explains my reasons for being at the hospital [Exhibit 2].

With direct video evidence of the said event, it is hard to imagine how TBHC could deny that on April 1, 2020 a rogue security employee provoked an onsite altercation, then followed it up by passing the racial slur, *“Get your white privilege out of here...The security officer denies this statement.”*

Whether or not the security officer denies he made the racist statement is irrelevant. He absolutely made the statement. The proof is in the video. There is nothing for him to deny. The whole event was captured in real time on live stream video, without edits, for all to see. Any jury in the United States can simply view the video (Direct Evidence) and see & hear a 'black' hospital employee initiate a racist agenda against a white member of the press. The security officer blurted out the racist slur, **“Get your white privilege out of here.”** The only party who fails to acknowledge this reprehensible behavior is the guilty party themselves, TBHC.

Despite what TBHC asserts in their frivolous Answer I never uttered a single racist word at either of the two security guards. Although my language may appear strong at times, my choice of words is NOT racist whatsoever, but instead is anti-racist and tailored to put the racist security guard in his place.

TBHC could have offered an honest Answer to the complaint but instead chooses to lie about what happened in the face of inescapable direct evidence. TBHC chooses to deny what 1000's of concerned citizens have already viewed for themselves on YouTube; that from out of nowhere a black 'hospital guard' maliciously attacked a white member of the press with the racial slur, **“Get your white privilege out of here.”**

The 'white privilege' slur is maliciously offensive and highly racist to most whites just like the 'N word' is considered highly offensive to most blacks. 'White Privilege' and the 'N word' are therefore equal in their discriminatory potency and by law are treated the same.

I am deeply offended by this racist attack and demand justice.

TBHC pompously argues on April 1, 2020 they were part of some global 'crusade' to fight the pandemic. They were not. The only reason members of the press gathered at the hospital was because TBHC was caught on camera botching the removal of dead bodies by packing them into a refrigerator truck on the street. I was simply there to verify the facts.

TBHC argues I was only there to “provoke a confrontation.” Nothing could be further from the truth, and the statement itself is defamatory. As well, TBHC's false statement that I was there to engage in defamatory “live filming of patients and

families” is patently ridiculous. TBHC provides no proof of any person or family who was ‘victimized’ by such mundane activity -- because no such victims exist.

I am a law-abiding essential worker (member of the press) and long time resident of Brooklyn NY. My reason for being at The Brooklyn Hospital Center, at that time, was to understand TBHC’s position on loading dead bodies into a freezer truck. Even if it meant walking right through their front door to ask questions, it is my job to get the facts.

TBHC would like the Division to believe protected free speech by a respected member of the press is somehow the same as a rogue security guard promoting his on-the-job racist agenda. They are not. TBHC should understand it is NOT a violation of law to report racism and or respond to a racial attack in real-time as I did. In fact it is my constitutional duty to respond to racism, defend myself from such attacks and document exactly what happens.

My actions are 100% protected by the 1st Amendment of the United States whereas TBHC's racially charged vernaculars against white people are violations of local, state and federal human rights law.

“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.” -- The First Amendment of the Constitution of the United States

TBHC advances the idea that it is ok to bully essential workers (press) off hospital property based on Race, **“Get your white privilege out of here.”** TBHC does not deny the ‘white privilege’ epithet is derogatory and racially charged (and therefore illegal) but only states their worker denies saying it. Fortunately we have a live video that reveals exactly what the worker said. All you have to do is watch the video [Exhibit 1].

As well, there were no locked fences around the main entrance to the hospital. No signs suggesting people should not gather there. No posted ‘rules’ of any sort. And even if there were giant-neon signs saying something to that order it would not make one iota of difference. As a community hospital operating in the public interest, TBHC cannot build a wall around themselves to hide their illegal position on Race relations. It is illegal to use racially charged language in the work place to bar a member of the press just because you think that person has more (or less) privilege than you do based on Race. That is the definition of Racism. You would no sooner use the 'N word' to escort a cooperative black member of the press off the premises.

Based on the above findings of fact the Division will have zero difficulty reaching a decision of Probable Cause and advance this matter to trial. To allow TBHC to continue their discriminatory practices without consequence would be an obvious mockery of justice.

Positively,
Marcus Conte



EXHIBITS

Exhibit # 1

"Racist Negro Accuses Reporter of "White Privilege" @ The Brooklyn Hospital Center, NYC" https://youtu.be/mPG8fW_DU9g

Exhibit # 2

"LIVE: 'COVID-19 Morgue' The Brooklyn Hospital Center, NYC - FULL VIDEO"
https://youtu.be/lkb_XoMLgy4