



(Firefighter John Brooks. Photo Credit: First Liberty Institute)

New York Firefighter Singled Out for Religious Discrimination
First Liberty attorneys say fire department is using ‘safety’ as a façade for religious discrimination

UTICA, N.Y.—Today, First Liberty Institute and attorney Tom Marcelle, on behalf of client and New York firefighter John Brooks, filed an amended federal civil [complaint](#) against the City of Utica for violating federal and state anti-discrimination laws. Brooks, a devout Nazirite, made a personal vow to God to refrain from cutting the hair on his head based on Biblical instruction in the book of [Numbers](#). The Utica Fire Department (UFD) has refused to grant Brooks a religious accommodation from its grooming standards and ordered Brooks either to cut his hair or wear a hair net at all times while on duty. The hair net caused a life-threatening safety risk to Brooks when it interfered with his oxygen mask while Brooks was inside a structure fire. UFD routinely allows female firefighters, with identical equipment and job descriptions, to have their hair longer than Brooks’ hair.

“Mr. Brooks just wants to be treated fairly, like everyone else,” said Roger Byron, Senior Counsel for First Liberty. “The city has singled out and mistreated a heroic firefighter because of his religious beliefs. This is a textbook case of religious discrimination.”

Brooks has served with UFD for eleven years, during which time the city has granted religious accommodations for firefighters of other faiths. The city’s employee handbook allows employees to seek religious accommodation for personal grooming standards. The city tries to excuse its unlawful discrimination by citing safety concerns about Brooks’ hair length. However, the city allows other firefighters in the department to have hair longer than his.

Brooks could not obey his conscience and follow the city's unreasonable directives—directives that placed his life in danger.

“It is awful to be placed in a position of choosing between your convictions and your job,” said Brooks. “I love being a firefighter. All I want is for the City to accommodate my religious beliefs and treat me the same as other firefighters with long hair.”

Along with First Liberty, Brooks is represented by Albany attorney, Tom Marcelle who, in 2001, argued and won *Good News Club v. Milford Central School*, [533 US 98 \(2001\)](#), at the U.S. Supreme Court, a landmark religious freedom case and one of the most important Supreme Court decisions of the last 50 years.

To learn more, visit FirstLiberty.org/Brooks.

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About First Liberty Institute

[First Liberty Institute](http://FirstLibertyInstitute.org) is a non-profit public interest law firm and the largest legal organization in the nation dedicated exclusively to defending religious freedom for all Americans.

To arrange an interview, contact Lacey McNeil at media@firstliberty.org or by calling 972-941-4453.