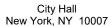


The New York City Council



Legislation Details (With Text)

File #: Res 0226-2018 Version: * Name:

Increase penalties for physical assaults on the

elderly and disabled.

Type: Resolution

Status: Filed (End of Session)

In control:

Committee on Public Safety

On agenda: 3/7/2018

Enactment date:

Enactment #:

Title: Resolution calling on the New York State Legi

Resolution calling on the New York State Legislature and the Governor to amend the New York State

Penal and Criminal Procedure Laws to increase penalties for physical assaults on the elderly and

disabled.

Sponsors: Indexes: James G. Van Bramer

Attachments:

1. Res. No. 226, 2. March 7, 2018 - Stated Meeting Agenda, 3. Hearing Transcript - Stated Meeting

03-07-18, 4. Minutes of the Stated Meeting - March 7, 2018

Date	Ver.	Action By	Action	Result
3/7/2018	*	City Council	Introduced by Council	
3/7/2018	*	City Council	Referred to Comm by Council	
12/31/2021	*	City Council	Filed (End of Session)	

Res. No. 226

Resolution calling on the New York State Legislature and the Governor to amend the New York State Penal and Criminal Procedure Laws to increase penalties for physical assaults on the elderly and disabled.

By Council Member Van Bramer

Whereas, The elderly and disabled are among the most vulnerable members of our society and deserve special protection; and

Whereas, On April 24, 2014, a husband and wife in their 80s were viciously assaulted during a robbery in their home in Bayside, Queens; and

Whereas, The alleged assailants entered the victims' home under the pretext they were going to work on the house; and

Whereas, The victims suffered head trauma and facial injuries as a result of the attack; and

Whereas, Elderly people and those who are frail or disabled or perceived to be frail or disabled are more

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likely to be targeted by criminals because they are thought to be less able or likely to defend themselves or to

report an assault; and

Whereas, People who assault the elderly or disabled should face harsher criminal penalties; and

Whereas, Under current New York State Law, assaults on elderly and disabled people are treated as

Class A misdemeanors, with a maximum penalty of one year in prison; and

Whereas, S4040, introduced by Senator Member James Tedisco and currently pending in the New York

State Senate, would make an assault, depending on the severity of the attack, on a person over seventy years of

age or with a disability, either a Class E felony, punishable by up to four years in prison, or a Class D violent

felony, punishable by up to seven years in prison; and

Whereas, Enactment of this law would evince society's desire to protect its most vulnerable citizens;

and

Whereas, The New York State Senate should pass S4040, the New York State Assembly should

introduce and pass a companion bill, which the Governor should sign into law: and

Whereas, Enactment of this law would send a message that violence against the elderly and disabled is

particularly egregious, unacceptable and will not be tolerated; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature and the

Governor to amend the New York State Penal and Criminal Procedure Laws to increase penalties for physical

assaults on the elderly and disabled.

LS #1183/Res. No. 392-2014

LS#543

SA/CMA

12/15/17

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