



Legislation Text

File #: Res 1519-2012, **Version:** *

Res. No. 1519

Resolution in support of S.6724/A.9862, which would amend the New York State Penal Law by increasing the penalties for certain criminal trespass and burglary offenses committed upon the premises of a pharmacy.

By Council Members Vallone, Ferreras, Fidler, Rose, Halloran and Ulrich

Whereas, With the rise in use and abuse of prescription drugs, pharmacies across the nation have been targeted by criminals; and

Whereas, Criminals target pharmacies to steal prescription drugs, including controlled substances such as oxycodone and hydrocodone, among other drugs, either for their own use or to sell in the underground market; and

Whereas, In an effort to prevent criminals from robbing or burglarizing pharmacies, some pharmacies have posted signs on their windows saying they do not carry frequently stolen drugs such as oxycodone; and

Whereas, Despite these measures, pharmacies continue to be targeted by criminals; and

Whereas, According to the Drug Enforcement Administration (DEA), there were 688 armed pharmacy robberies involving controlled substances in the United States in 2010, a 79 percent increase from 2006; and

Whereas, According to the *New York Daily News*, there were two pharmacy robberies in New York City in 2010 and eight in 2011; and

Whereas, On April 12, 2012, a 23-year old suspect and an accomplice allegedly robbed a pharmacy in East Harlem, demanding employees to give them money and painkillers; and

Whereas, In order to punish those who rob pharmacies, S.6724/A.9862 were introduced and would amend the New York State Penal Law by increasing the penalties for certain criminal trespass and burglary offenses committed upon the premises of a pharmacy; and

Whereas, S.6724/A.9862 would define “pharmacy” as the area within a building in which the practice of pharmacy, as defined in the New York State Education Law, takes place; and

Whereas, S.6724/A.9862 would amend Penal Law section 140.15, criminal trespass in the second degree, a class A misdemeanor, which currently occurs when an individual knowingly enters or remains unlawfully in a dwelling, to include pharmacies; and

Whereas, S.6724/A.9862 would amend Penal Law section 140.25, burglary in the second degree, a class C felony, which may be implicated when an individual knowingly enters or remains unlawfully in a dwelling with intent to commit a crime to include pharmacies; and

Whereas, S.6724/A.9862 would amend Penal Law section 140.30, burglary in the first degree, a class B felony, which occurs when an individual knowingly enters or remains unlawfully in a dwelling with intent to commit a crime and when, in effecting entry or while in the dwelling or in immediate flight therefrom, he or another participant in the crime is armed with explosives or a deadly weapon, to include pharmacies; and

Whereas, New York State needs to better protect pharmacies, which play a vital role in our health care system, and deter the misuse of prescription medications; and

Whereas, Individuals who trespass in and burglarize pharmacies should be punished appropriately; now, therefore, be it

Resolved, That the Council of the City of New York supports S.6724/A.9862, which would amend the New York State Penal Law by increasing the penalties for certain criminal trespass and burglary offenses committed upon the premises of a pharmacy.

SA
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