



Legislation Text

File #: Res 0719-2011, Version: A

Proposed Res. No. 719-A

Resolution calling upon the New York State Legislature to reintroduce and pass S.585/A.6725 of 2011, which would amend the New York State Penal Law in relation to enabling judges to sentence those convicted of graffiti offenses to repair, replace and clean the property they and other vandals have damaged, and for the Governor to sign such legislation.

By Council Member Vallone, Fidler, Mendez, Nelson, Recchia, Gentile, Koo, Vacca and Halloran

Whereas, Graffiti vandalism remains a major problem in New York State and in New York City; and

Whereas, This destructive offense communicates a message of disorder and lawlessness throughout the state; and

Whereas, Graffiti vandalism has a negative impact on the community since it is a nuisance to business owners, reduces property values for homeowners and affects the quality of life of New Yorkers; and

Whereas, The effects of graffiti vandalism are far-reaching and serious as evidenced by the findings in *Science's* November 2008 issue, which reported that graffiti can double the number of people littering and stealing in a neighborhood; and

Whereas, In the mid-1990s, New York City addressed graffiti issues by adopting the "Quality of Life Campaign," which led to the fixing of broken windows, pick-up of litter and graffiti removal from buildings, measures which became highly correlated with reduced crime across the City; and

Whereas, New York City has made great progress in the fight against graffiti vandalism with the creation of programs like Graffiti Free NYC; and

Whereas, The New York City Police Department ("NYPD") is making significant efforts to address and prevent graffiti, including taking enforcement actions against violators; and

Whereas, In addition to graffiti's negative visual and aesthetic impacts, graffiti causes economic damage due to its effect on property values and the costs of cleaning and repairing vandalized surfaces; and

Whereas, According to the NYPD, in fiscal year 2011, the NYPD made 4,059 arrests for graffiti-related crimes; and

Whereas, The New York State Legislature is aware of and concerned about the continued problems that the State and the City have with graffiti vandalism; and

Whereas, The legislation called for and supported by this resolution would amend the New York State Penal Law to give judges the authority to require those convicted of graffiti offenses to clean and replace property that they and others damage, unless a judge determines that a graffiti removal program is not available or that such graffiti removal would be unreasonably dangerous; and

Whereas, Other states recognize the importance of creating stiff penalties for graffiti crimes including the State of California, which passed similar legislation in July, 2008; and

Whereas, The legislation supported by this resolution would assist in making graffiti vandals realize the consequences of their actions and appreciate the hard work that goes into repairing the damage they create; and

Whereas, This legislation would help teach vandals about respect for their communities and keep them from committing future graffiti offenses; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to reintroduce and pass S.585/A.6725 of 2011, which would amend the New York State Penal Law in relation to enabling judges to sentence those convicted of graffiti offenses to repair, replace and clean the property they and other vandals have damaged, and for the Governor to sign such legislation. .

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