



Legislation Text

File #: Res 0870-2007, **Version:** *

Res. No. 870

Resolution calling upon the New York State Legislature to amend the New York State Penal Law, so that assault on Auxiliary Police officers is classified as a felony.

By Council Members Weprin, Brewer, Fidler, Gentile, Koppell, Liu, Mealy, Recchia Jr., Reyna, Sears, Felder, Gennaro, Nelson, Stewart, Vann, Mark-Viverito, Arroyo, Gerson and Ignizio

Whereas, Auxiliary Police officers are unpaid, civic-minded individuals who volunteer to assist the New York City Police Department by performing uniformed patrols in their communities; and

Whereas, The City's Auxiliary Police play an important role in the community by providing support to the Police Department; and

Whereas, The Auxiliary Police provide extra "eyes and ears" to the Police Department, which are essential in this post-9/11 world; and

Whereas, Section 120.08 of the New York State Penal Law specifically classifies an assault on a peace officer, police officer, fireman or emergency medical services professional as a Class C felony; and

Whereas, Section 120.11 of the New York State Penal Law further classifies an aggravated assault upon a police officer or a peace officer as a Class B felony; and

Whereas, Auxiliary Police officers perform a similar civic function and are often exposed to similar dangers as members of the New York City Police Department, yet an assault on an auxiliary police officer does not carry an enhanced penalty; and

Whereas, Persons who assault Auxiliary Police officers should be charged and punished in the same way as persons who assault others who are endangered by their service to the people of New York; and

Whereas, The recent killings of two Auxiliary Police officers who were shot in the line of duty amplifies

the need to protect these citizens whose safety and lives are at risk on a daily basis; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to amend the New York State Penal Law, so that assault on Auxiliary Police officers is classified as a felony.

LS# 2907

SH

5/10/07