



## Legislation Text

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**File #:** Res 0883-2003, **Version:** \*

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Res. No. 883

Resolution calling upon the New York State Legislature to amend the Alcoholic Beverage Control Law to allow any member of the police force, while off-duty, to provide security at locations where alcohol is used or sold.

By Council Members Yassky, Fidler, Gentile, Jackson, Jennings, Nelson, Quinn, Weprin, Gonzalez and Lanza; also Council Member Gerson

Whereas, Under section 128 of New York State's Alcoholic Beverage Control Law, no member of the police force may be directly or indirectly interested in the manufacture or sale of alcoholic beverages; and

Whereas, Under section 128-a of the same law, a police officer may, with written consent from his commanding officer, work in a premises licensed to sell beer at retail for off-premises consumption; and

Whereas, Recent outbreaks of violence in nightclubs and bars, such as the stabbing of a bar bouncer on the Lower East side, have shown that professionals trained in crowd control and methods of self-defense are needed as security guards to ensure that New York City is safe; and

Whereas, Security guards at nightclubs and bars, where alcohol is sold, need to be able to approach people in a non-threatening manner and be aware of the laws applicable to citizens' arrest and the limits of their own authority, a field in which police officers are already well schooled; and

Whereas, Taking into account the crucial benefits of employing off-duty police officers as security for nightclubs and bars where the threat of erupting violence is high, we must recognize that the position of a security guard who is hired to maintain order and safety on premises where alcohol is sold is completely incidental to such sales and that an off-duty police officer in such a position has no vested interest in the manufacture and sale of alcohol but rather in the safety of our city's law-abiding residents; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to amend the Alcoholic Beverage Control Law to allow any member of the police force, while off-duty, to provide security at locations where alcohol is used or sold.

TB

LS #2227