



Legislation Details (With Text)

File #: Res 1175-2000 **Version:** * **Name:** Misdemeanor Felony, State Action

Type: Resolution **Status:** Filed

In control: Committee on Public Safety

On agenda: 2/8/2000

Enactment date: **Enactment #:**

Title: Resolution calling upon the New York State Legislature to enact legislation to classify the third conviction for a Class "A" misdemeanor within a five year period as a felony and to devote additional resources to prosecute such cases.

Sponsors: Peter F. Vallone, Lloyd Henry, Margarita Lopez, Stephen J. Fiala, Martin J. Golden, Kenneth K. Fisher, Karen Koslowitz, Sheldon S. Leffler, Walter L. McCaffrey, Morton Povman, James S. Oddo

Indexes:

Attachments: 1. Committee Report

Date	Ver.	Action By	Action	Result
2/8/2000	*	City Council	Introduced by Council	
2/8/2000	*	City Council	Referred to Comm by Council	
3/27/2000	*	Committee on Public Safety	Hearing Held by Committee	
3/27/2000	*	Committee on Public Safety	Laid Over by Committee	
12/31/2001	*	City Council	Filed (End of Session)	

Res. No. 1175

Resolution calling upon the New York State Legislature to enact legislation to classify the third conviction for a Class "A" misdemeanor within a five year period as a felony and to devote additional resources to prosecute such cases.

By the Speaker (Council Member Vallone) and Council Members Henry, Lopez, Fiala and Golden; also Council Members Fisher, Koslowitz, Leffler, McCaffrey, Povman and Oddo.

Whereas, On November 30, 1999, Paris Drake was arrested after a brutal brick attack on Nicole Barrett on November 16, 1999; and

Whereas, Mr. Drake's criminal record was extensive, including many arrests for misdemeanor offenses such as theft of services, resisting arrest and drug possession; and

Whereas, In most of the cases where Mr. Drake was found guilty of a misdemeanor he received little to no jail time; and

Whereas, Mr. Drake's criminal history demonstrates the inability of the New York State criminal justice system to properly prosecute and punish low-level career criminals; and

Whereas, In light of the case of Mr. Drake, and the countless other low-level career offenders who are not adequately punished for their crimes, the third conviction for a Class "A" misdemeanor within a five year period should be classified as a felony; and

Whereas, Additional resources are needed to handle these type of cases, including the appointment of more Criminal Court judges in New York City; and

Whereas, The New York State Legislature should allocate such additional resources as necessary to handle this increased caseload; now, therefore, be it

Resolved, That the New York City Council calls upon the New York State Legislature to enact legislation to classify the third conviction for a Class "A" misdemeanor within a five year period as a felony and to devote additional resources to prosecute such cases.

