



## Legislation Details (With Text)

**File #:** Res 1528-2000      **Version:** \*      **Name:** Committing crime in any school or house of worship, Class C felony.  
**Type:** Resolution      **Status:** Filed  
**In control:** Committee on Public Safety

**On agenda:** 9/13/2000

**Enactment date:**      **Enactment #:**

**Title:** Resolution calling upon the members of the New York State Legislature to amend the penal law by creating a class C felony for entering or remaining in any school or house of worship with the intent to commit a crime therein.

**Sponsors:** Stephen J. Fiala, Noach Dear, Lloyd Henry, Michael C. Nelson, Madeline T. Provenzano, Angel Rodriguez, Michael J. Abel, Martin J. Golden, James S. Oddo, Adolfo Carrion, Walter L. McCaffrey, Morton Povman, Thomas V. Ognibene

**Indexes:**

**Attachments:**

Date	Ver.	Action By	Action	Result
9/13/2000	*	City Council	Introduced by Council	
9/13/2000	*	City Council	Referred to Comm by Council	
12/31/2001	*	City Council	Filed (End of Session)	

Res. No. 1528

Resolution calling upon the members of the New York State Legislature to amend the penal law by creating a class C felony for entering or remaining in any school or house of worship with the intent to commit a crime therein.

By Council Members Fiala, Dear, Henry, Nelson, Provenzano, Rodriguez, Abel, Golden and Oddo; also Council Members Carrion, McCaffrey, Povman and Ognibene

Whereas, The New York State Penal Law defines Burglary in the second degree as knowingly entering or remaining unlawfully in a building with intent to commit a crime, and sets forth certain aggravating factors which warrant greater punishment than a simple burglary, such as carrying a dangerous weapon or causing physical injury in the course of the burglary; and

Whereas, The media has reported a number of recent incidents concerning burglaries in our City's schools and houses of worship; and

Whereas, P.S. 36 in the Huguenot section of Staten Island recently fell prey to a burglary resulting in a fire that damaged the building, books, computers, personal effects, and furniture, and which caused a significant disruption in the children's education; and

Whereas, These crimes, which create tremendous hardship for the entire community, are merely classified as class D felonies under the Penal Law, carrying a maximum penalty of only seven years imprisonment; and

Whereas, Re-classification of these crimes to a class C felony would carry a maximum penalty of fifteen years imprisonment, and give the courts greater discretion in fashioning a punishment that fits the crime; and

Whereas, This change would afford greater protection to our schools and churches; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the members of the New York State Legislature to amend the penal law by creating a class C felony for entering or remaining in any school or house of worship with the intent to commit a crime therein.

LS # 3260