Legislation Details (With Text)

File #:	Res 0386-2002	**Version:**	*	**Name:**	Classify the crime of making graffiti as a felony.
Type:	Resolution			**Status:**	Filed
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Title: Resolution calling upon the Legislature of the State of New York to classify the crime of making graffiti as a felony.

Sponsors: Michael C. Nelson, Tony Avella, Eric N. Gioia, John C. Liu, Michael E. McMahon, Miguel Martinez, Domenic M. Recchia, Jr., David I. Weprin, Dennis P. Gallagher, James S. Oddo

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Date	Ver.	Action By	Action	Result
7/10/2002	*	City Council	Introduced by Council	
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Res. No. 386

Resolution calling upon the Legislature of the State of New York to classify the crime of making graffiti as a felony.

By Council Members Nelson, Avella, Gioia, Liu, McMahon, Martinez, Recchia, Weprin, Gallagher and Oddo

Whereas, In 1992, the New York State Legislature amended the Penal Law and made it a crime to etch, paint, cover, draw upon or place a mark upon public or private property with intent to damage such property without the permission of the owner of the property; and

Whereas, In its legislative findings, the New York State Legislature recognized the serious problem graffiti poses for urban centers, when it stated that the "unabated proliferation of graffiti is a physical blight upon the urban landscape and costs taxpayers, merchants and homeowners millions of dollars to remove and repair"; and

Whereas, The New York State Legislature also recognized that "when unchecked, graffiti presents the image of a deteriorating community, a community that no longer cares about itself, a community that shows evidence of urban blight"; and

Whereas, When creating the crime of making graffiti, the Legislature chose to classify such crime as a Class A misdemeanor, punishable by up to one year in prison; and

Whereas, Despite this attempt at stemming the tide of graffiti, it has continued unabated in many of our City's communities, which may, in part, be a result of the insufficient punishment for such a crime; and

Whereas, Elevating the crime of making graffiti to a felony would permit judges to impose stiffer penalties, thus detering individuals from this community -deteriorating activity; now, therefore be it

Resolved, That the Council of the City of New York calls upon the Legislature of the State of New York to classify the crime of making graffiti as a felony.

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