Legislation Details (With Text)

File #:	Res 0519-2002	**Version:**	*	**Name:**	NYS Legislature to extend drug-free zones to playgrounds and enhanced penalties for offenders.
Type:	Resolution			**Status:**	Filed
				In control:	Committee on Public Safety
On agenda:	10/9/2002				
Enactment date:				**Enactment #:**	

Title: Resolution calling upon the New York State Legislature to extend drug-free zones to playgrounds and to provide for enhanced penalties for offenders.

Sponsors: Joseph P. Addabbo, Jr., James S. Oddo, Melinda R. Katz, Dennis P. Gallagher, James F. Gennaro, Erik Martin Dilan, Simcha Felder, Lewis A. Fidler, Helen D. Foster, Alan J. Gerson, Eric N. Gioia, Robert Jackson, Allan W. Jennings, Jr., G. Oliver Koppell, John C. Liu, Miguel Martinez, Michael E. McMahon, Michael C. Nelson, Domenic M. Recchia, Jr., Helen Sears, Jose M. Serrano, Kendall Stewart, Peter F. Vallone, Jr., David I. Weprin, Andrew J. Lanza, Larry B. Seabrook

Indexes:

Attachments: 1. Committee Report, 2. Hearing Transcript

Date	Ver.	Action By	Action	Result
10/9/2002	*	City Council	Introduced by Council	
10/9/2002	*	City Council	Referred to Comm by Council	
12/10/2002	*	Committee on Public Safety	Laid Over by Committee	
12/10/2002	*	Committee on Public Safety	Hearing Held by Committee	
12/31/2003	*	City Council	Filed (End of Session)	

Res. No. 519

Resolution calling upon the New York State Legislature to extend drug-free zones to playgrounds and to provide for enhanced penalties for offenders.

By Council Members Addabbo, Oddo, Katz, Gallagher, Gennaro, Dilan, Felder, Fidler, Foster, Gerson, Gioia, Jackson, Jennings, Koppell, Liu, Martinez, McMahon, Nelson, Recchia, Sears, Serrano, Stewart, Vallone, Weprin, and Lanza; also Council Member Seabrook

Whereas, Many of our communities are plagued by drug dealers and the destruction that they bring upon our neighborhoods and our families, but no one is more vulnerable to this serious threat than our children; and

Whereas, Current state law, Penal Law §220.44, makes it a class B felony to knowingly and unlawfully sell narcotics in any public area located within 1,000 feet of school grounds; and

Whereas, The intent and purpose behind this statute is to deter illegal drug activities from occurring around our schools and to create for our children a safe drug free corridor in which to play and learn without fear or intimidation; and

Whereas, In United States v. Nieves, the court stated, "It is difficult to imagine a more rational way of keeping drug traffickers out of areas where children are more likely to come into contact with them than to subject them to a risk of stiffer penalties for doing business near school property"; and

Whereas, As schools are supposed to be a safe haven for our children, similarly, playgrounds should also provide a peaceful refuge from the threats and dangers of the outside world, especially since our children spend much of their free time using public playgrounds; and

Whereas, As with drug-free school zones, creating drug-free public playground zones and providing for stiffer penalties for criminals who bring the scourge of drugs to our children, would make a great stride in deterring criminal drug activity in our public playgrounds and in protecting the health and well-being of our children and our communities; and

Whereas, It is essential that we take measures to ensure that the environments in which our children spend their time, whether schools or playgrounds, are safe from all dangers, including predators who would expose our children to the hazards of controlled substances; and

Whereas, Given the harm and immeasurable damage that drugs have caused in our society, communities must implement preventive measures to protect our greatest resource, our children, from this dangerous influence; this can be effectively accomplished with legislation providing for enhanced penalties for those convicted of selling a controlled substance at or near playgrounds; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to extend drug-free zones to

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playgrounds and to provide for enhanced penalties for offenders.

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