Legislation Details (With Text)

File #:	Res 1738-2008	**Version:**	*	**Name:**	Enable judges to sentence those convicted of graffiti offenses to repair, replace and clean the property they and other vandals have damaged.
Type:	Resolution			**Status:**	Filed
				In control:	Committee on Public Safety
On agenda:	12/18/2008				
Enactment date:				**Enactment #:**	

Title: Resolution calling on the New York State Senate to pass S. 2291 and the New York State Assembly to introduce and pass a companion bill and the Governor to sign these bills into law so that the New York State Penal Code would enable judges to sentence those convicted of graffiti offenses to repair, replace and clean the property they and other vandals have damaged.

Sponsors:

Indexes:

Attachments:

Date	Ver.	Action By	Action	Result
12/18/2008	*	City Council	Introduced by Council	
12/18/2008	*	City Council	Referred to Comm by Council	
12/31/2009	*	City Council	Filed (End of Session)	

Res. No. 1738

Resolution calling on the New York State Senate to pass S. 2291 and the New York State Assembly to introduce and pass a companion bill and the Governor to sign these bills into law so that the New York State Penal Code would enable judges to sentence those convicted of graffiti offenses to repair, replace and clean the property they and other vandals have damaged.

By Council Members Vallone Jr., Felder, Fidler, Gentile, Gerson, Sears, Vacca and Nelson

Whereas, Graffiti vandalism continues to be a problem in New York State and in New York City; and

Whereas, Graffiti vandalism is a destructive offense that communicates a message of disorder and lawlessness throughout the state; and

Whereas, Graffiti vandalism is a nuisance to business owners, reduces property values for homeowners and affects the quality of life of New Yorkers; and

Whereas, The effects of graffiti vandalism are far-reaching and serious; the journal *Science* in November of 2008 reported that graffiti doubles the number of people littering and stealing in a neighborhood;

and

Whereas, The conclusions of that recent report were realized by New Yorkers in the mid-1990s when the city adopted the "Quality of Life Campaign", which led to broken windows being fixed, litter picked up and graffiti removed from buildings, while residents simultaneously saw crime go down; and

Whereas, Even with all the acquired experience and knowledge of the past, there are still some New Yorkers who believe that graffiti is an art form and a part of the personality of the city, as evidenced by a 2006 exhibit at the Brooklyn Museum on graffiti and the history of the crime as art in New York; and

Whereas, New York City has made great progress in the fight against graffiti vandalism with the creation of programs like the Mayor's Anti-Graffiti Task Force and Graffiti Free NYC; and

Whereas, The New York City Police Department ("NYPD") has made significant efforts to address and prevent graffiti, including taking enforcement action against violators and working with the Mayor's Anti-Graffiti Task Force to facilitate removal; and

Whereas, In addition to graffiti's negative visual and aesthetic impacts, graffiti causes economic damage due to its affect on property value and the costs of cleaning and repairing vandalized surfaces; and

Whereas, There was a 162 percent increase in graffiti related arrests made by the NYPD between 2004 and 2007; and

Whereas, The New York State Legislature is aware and concerned about the continued problems the state and the city have with graffiti vandalism; and

Whereas, S. 2291, sponsored by Senator Jeff Klein, would amend the New York State Penal Code to give judges the authority to require those convicted of graffiti offenses to clean and replace property that they and others damage; and

Whereas, S. 2291 has not been voted on and has no companion bill in the State Assembly; and

Whereas, Other states recognize the importance of creating stiff penalties for graffiti crimes; for example, the state of California passed legislation similar to S. 2291 in July of 2008; and

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Whereas, S. 2291 would assist in making graffiti vandals realize the consequences of their actions and appreciate the hard work that goes into repairing the damage they cause; and

Whereas, S. 2291 would help teach vandals about respect for their communities and keep them from committing future graffiti offenses; now, therefore, be it

Resolved, That the Council of The City of New York calls on the New York State Senate to pass S. 2291 and the New York State Assembly to introduce and pass a companion bill and the Governor to sign these bills into law so that the New York State Penal Code would enable judges to sentence those convicted of graffiti offenses to repair, replace and clean the property they and other vandals have damaged.

RMP
LS #6042
12/3/08