



Legislation Details (With Text)

File #: Res 1935-2009 **Version:** * **Name:** Amend the New York State Penal Code to elevate the assault of a sanitation worker to a class C felony.

Type: Resolution **Status:** Filed

In control: Committee on Public Safety

On agenda: 4/22/2009

Enactment date: **Enactment #:**

Title: Resolution calling on the New York State Assembly to pass A.5518 (Lentol) and the New York State Senate to introduce and pass a companion bill and the Governor to sign this bill into law and amend the New York State Penal Code to elevate the assault of a sanitation worker to a class C felony.

Sponsors: David I. Weprin, Melinda R. Katz, Melissa Mark-Viverito, Michael C. Nelson, Simcha Felder, Lewis A. Fidler, James F. Gennaro, Vincent J. Gentile, Darlene Mealy, Kenneth C. Mitchell, Kendall Stewart, Thomas White, Jr.

Indexes:

Attachments:

Date	Ver.	Action By	Action	Result
4/22/2009	*	City Council	Introduced by Council	
4/22/2009	*	City Council	Referred to Comm by Council	
12/31/2009	*	City Council	Filed (End of Session)	

Res. No. 1935

Resolution calling on the New York State Assembly to pass A.5518 (Lentol) and the New York State Senate to introduce and pass a companion bill and the Governor to sign this bill into law and amend the New York State Penal Code to elevate the assault of a sanitation worker to a class C felony.

By Council Members Weprin, Katz, Mark-Viverito, Nelson, Felder, Fidler, Gennaro, Gentile, Mealy, Mitchell, Stewart and White Jr.

Whereas, A number of New York City employees have jobs that fall under the classifications of Uniformed Services including police officers, peace officers, emergency medical services professionals and firefighters; and

Whereas, Due to the nature of their jobs the members of the Uniformed Services often put their safety at risk while on duty and deserve a great amount of respect for their service to New Yorkers; and

Whereas, When a member of the Uniformed Services is harmed in the line of duty there must be tools in place to punish those who harm them; and

Whereas, Under the New York State Penal Code, if one of these uniformed employees is assaulted on the job, the individual arrested for assaulting that employee can be charged with and convicted of a class C felony; and

Whereas, Members of the Municipal Sanitation Department, “New York’s Strongest,” are currently not included with the other Uniformed Service members listed in the Penal Code; and

Whereas, Sanitation workers perform crucial work for the city in ensuring its cleanliness, which in turn enhances the quality of life of all New Yorkers; and

Whereas, In the course of performing these services for the citizens of the city, sanitation workers can be the victims of violence and assault while on duty; and

Whereas, It is common for sanitation workers to be verbally and even physically abused while performing their jobs; and

Whereas, A recent example of these dangers is the case of a 74 year-old sanitation worker named Juan Ramos; and

Whereas, In September of 2008, Mr. Ramos was attacked and assaulted with a shovel by a motorist who was angry that Mr. Ramos’s sanitation truck was blocking his path down the street; and

Whereas, Mr. Ramos, who was a 22 year member of the sanitation department at the time suffered many broken ribs and was hospitalized due to this attack; and

Whereas, After the case of Mr. Ramos was made public, Assemblyman Joseph Lentol introduced bill number A.5518 in the New York State Assembly which would raise the penalty for assaulting a sanitation worker from a Class D felony to a Class C felony, the same penalty levied on those who assault peace officers or firefighters; and

Whereas, A.5518 would give sanitation workers the guarantee that if ever assaulted on the job, the perpetrator could be prosecuted with meaningful penalties that would discourage others from harming a sanitation worker while they are performing important services for the people of New York; now, therefore, be

it

Resolved, That the Council of the City of New York calls on the New York State Assembly to pass A.5518 (Lentol) and the New York State Senate to introduce and pass a companion bill and the Governor to sign this bill into law and amend the New York State Penal Code to elevate the assault of a sanitation worker to a class C felony.

RMP
LS #7272
3/17/09