



## Legislation Details (With Text)

|                        |   |                     |   |              |   |
|------------------------|---|---------------------|---|--------------|---|
| <b>File #:</b>         | Res 1599-2021   | <b>Version:</b>     | * | <b>Name:</b> | Increase penalties for the crime of forcible touching committed against a peace officer, police officer, firefighter and emergency medical services professional. |
| <b>Type:</b>           | Resolution  | <b>Status:</b>      |   |              | Filed (End of Session)  |
|                        |   | <b>In control:</b>  |   |              | Committee on Public Safety  |
| <b>On agenda:</b>      | 4/22/2021   |                     |   |              |   |
| <b>Enactment date:</b> |   | <b>Enactment #:</b> |   |              |   |
| <b>Title:</b>          | Resolution calling on the New York State Legislature to pass, and the Governor to sign, an amendment to the New York State Penal and Criminal Procedure laws to increase penalties for the crime of forcible touching committed against a peace officer, police officer, firefighter and emergency medical services professional. |                     |   |              |   |
| <b>Sponsors:</b>       | Fernando Cabrera  |                     |   |              |   |
| <b>Indexes:</b>        |   |                     |   |              |   |
| <b>Attachments:</b>    | 1. Res. No. 1599, 2. April 22, 2021 - Stated Meeting Agenda with Links to Files, 3. Hearing Transcript - Stated Meeting 4-22-21, 4. Minutes of the Stated Meeting - April 22, 2021  |                     |   |              |   |

| Date       | Ver. | Action By    | Action                      | Result |
|------------|------|--------------|-----------------------------|--------|
| 4/22/2021  | *    | City Council | Introduced by Council       |        |
| 4/22/2021  | *    | City Council | Referred to Comm by Council |        |
| 12/31/2021 | *    | City Council | Filed (End of Session)      |        |

### Res. No. 1599

Resolution calling on the New York State Legislature to pass, and the Governor to sign, an amendment to the New York State Penal and Criminal Procedure laws to increase penalties for the crime of forcible touching committed against a peace officer, police officer, firefighter and emergency medical services professional.

By Council Member Cabrera

Whereas, The brave first responders of the New York City Fire Department (FDNY), New York City Police Department (NYPD) and the FDNY's Emergency Medical Services (EMS) protect the safety, health and well-being of the residents of New York City, as well as individuals who work in and visit the City; and

Whereas, The bravery and work ethic of the City's first responders has been nationally recognized throughout the COVID-19 pandemic, as they face medical and emotional trauma on a daily basis; and Whereas, EMS workers are the frontline of the City's health and medical emergencies, accounting for 66 percent of the daily 911 volume; and

Whereas, Prior to the COVID-19 pandemic, sex crimes were on the rise, with misdemeanor sex crime reports rising about 37 percent from 2014 to 2018, according to NYPD's crime statistics; and

Whereas, A review by New Solutions: A Journal of Environmental and Occupational Health Policy found that between 53 and 93 percent of EMS workers experience verbal or physical violence during their career, with 14 percent reporting sexual harassment and three percent reporting sexual assault; and

Whereas, Under New York Penal Law § 130.52, forcible touching of any person is treated as a Class A misdemeanor, with a maximum penalty of one year in jail; and

Whereas, New York Penal Law § 120.08 imposes a higher penalty for non-sexual assault on a peace officer, police officer, firefighter or emergency medical services professional by making it a Class C felony, punishable by up to 15 years in prison; and

Whereas, Enactment of a similar law in relation to sex offenses would evince the State's commitment to protecting first responders from forcible touching and sexual abuse; and

Whereas, New York law should do everything it can to help first responders do their jobs safely and effectively including by increasing the penalty for committing forcible touching against a peace officer, police officer, firefighter or emergency medical services professional to a felony offense; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, an amendment to the New York State Penal and Criminal Procedure laws to increase penalties for the crime of forcible touching committed against a peace officer, police officer, firefighter or emergency medical services professional.

LS # 17144

3/11/21

MM/SG