Legislation Details (With Text)

File #:	Res 0051-2010	**Version:**	*	**Name:**	Protect shoppers and store staff from dangerous shopping frenzies by mandating appropriate security measures and holding retailers accountable when people are injured.
Type:	Resolution			**Status:**	Filed
				In control:	Committee on Consumer Affairs
On agenda:	3/3/2010				
Enactment date:				**Enactment #:**	

Title: Resolution calling upon the New York State Legislature to protect shoppers and store staff from dangerous shopping frenzies by mandating appropriate security measures and holding retailers accountable when people are injured.

Sponsors:

Indexes:

Attachments:

Date	Ver.	Action By	Action	Result
3/3/2010	*	City Council	Introduced by Council	
3/3/2010	*	City Council	Referred to Comm by Council	
12/31/2013	*	City Council	Filed (End of Session)	

Res. No. 51

Resolution calling upon the New York State Legislature to protect shoppers and store staff from dangerous shopping frenzies by mandating appropriate security measures and holding retailers accountable when people are injured.

By Council Members Gennaro, Fidler, James, Koppell, Nelson and Rodriguez

Whereas, The day after Thanksgiving traditionally kicks off the start of the holiday shopping season; and

Whereas, This day, also known as Black Friday, is thought to be the busiest shopping day of the year; and

Whereas, In 2009, according to the National Retail Federation, total consumer spending for Black Friday weekend reached an estimated $41.2 billion; and

Whereas, Embracing the excitement surrounding the day's status as the kick-off to the holiday season, many retailers offer steep discounts on select merchandise and open their stores earlier than

powered by Legistar™

normal to accommodate enthusiastic shoppers; and

Whereas, Because of the anticipated savings and the expected scarcity of the season's most popular items, it is not unusual to see large crowds of shoppers lined up outside major stores in the early morning hours of Black Friday; and

Whereas, On November 28, 2008, Jdimytai Damour, a temporary security worker hired by a Wal-Mart in Valley Stream, Long Island to help control the crowd during the Black Friday sale, was trampled to death by shoppers after they broke through the glass doors in their haste to take advantage of the sales; and

Whereas, In the aftermath of the tragedy, the Nassau County Police Department ("NCPD") said that it is ultimately a store's responsibility to control crowds and enforce security measures when it anticipates exceptionally large crowds; and

Whereas, Similar episodes of violence occurred on previous Black Fridays, including in 2005, when a 72 year-old woman was trampled at a BrandsMart in Sunrise, Florida, and in 2006, when a woman in Torrance, California was injured in a stampede after 500 gift certificates were dropped from the ceiling; and

Whereas, Not a phenomenon exclusive to Black Friday, violence resulting from frenzied retail crowds also occurred upon the release of the Playstation 3 in 2006, when mob-like violence and injuries occurred in at least four different states; and

Whereas, After the Valley Stream incident, the NCPD found that Wal-Mart had inadequate security measures in place when Mr. Damour was killed; and

Whereas, The NCPD also released a report which called on retailers to engage in better planning, implement better crowd control procedures, and improve communication during large-scale retail events; and

Whereas, There are currently no New York State public safety laws governing the safe and orderly execution of events such as these; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to protect shoppers and store staff from dangerous shopping frenzies by mandating appropriate security measures and holding retailers accountable when people are injured.

SA
2/24/10
Res 1808-2009