



Legislation Text

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Res. No. 1175

Resolution calling upon the New York State Legislature to enact legislation to classify the third conviction for a Class "A" misdemeanor within a five year period as a felony and to devote additional resources to prosecute such cases.

By the Speaker (Council Member Vallone) and Council Members Henry, Lopez, Fiala and Golden; also Council Members Fisher, Koslowitz, Leffler, McCaffrey, Povman and Oddo.

Whereas, On November 30, 1999, Paris Drake was arrested after a brutal brick attack on Nicole Barrett on November 16, 1999; and

Whereas, Mr. Drake's criminal record was extensive, including many arrests for misdemeanor offenses such as theft of services, resisting arrest and drug possession; and

Whereas, In most of the cases where Mr. Drake was found guilty of a misdemeanor he received little to no jail time; and

Whereas, Mr. Drake's criminal history demonstrates the inability of the New York State criminal justice system to properly prosecute and punish low-level career criminals; and

Whereas, In light of the case of Mr. Drake, and the countless other low-level career offenders who are not adequately punished for their crimes, the third conviction for a Class "A" misdemeanor within a five year period should be classified as a felony; and

Whereas, Additional resources are needed to handle these type of cases, including the appointment of more Criminal Court judges in New York City; and

Whereas, The New York State Legislature should allocate such additional resources as necessary to handle this increased caseload; now, therefore, be it

Resolved, That the New York City Council calls upon the New York State Legislature to enact legislation to classify the third conviction for a Class "A" misdemeanor within a five year period as a felony and to devote additional resources to prosecute such cases.