



## Legislation Text

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**File #:** Res 1125-2003, **Version:** \*

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Res. No. 1125

Resolution calling upon the New York State Legislature to increase penalties for the crime of bank robbery so that the minimum standard penalty is a class C felony.

By Council Members Vallone, Comrie, Dilan, Fidler, Gennaro, Gentile, Gerson, Jennings, Koppell, Nelson, Recchia, Rivera, Weprin, Gonzalez and Sanders

Whereas, To date, there have been more than 300 bank robberies in 2003 in the city of New York, double the number of bank robberies during the same period last year; and

Whereas, The majority of these robberies, 256, have been committed by note-passers who did not reveal a weapon; and

Whereas, Even as the overall robbery rate in the city declined this year, a decrease of 6% from last year, bank robbery remains the only anomaly; and

Whereas, The New York City Police Department (NYPD) has cited several possible reasons for this increase such as the lack of bullet-resistant barriers, the extension of daily and weekend banking hours, the decrease in security guards, and lax surveillance systems inside banks; and

Whereas, To address the alarming increase in the crime of bank robbery, the NYPD and the New York Bankers Association (NYBA) have developed a series of bank security best practices, some of which include the implementation of bullet resistant-barriers to shield personnel from direct threats and closed circuit television systems to view the faces of all persons transacting business at the tellers' stations; the review of camera alignment and lighting within banks; the utilization of dye packs and serialized currency, as well as height markers at doorways to enhance the descriptions of perpetrators; and

Whereas, These practices have in full, or in part, been adopted by many banks within the city of New York; and

Whereas, Within the months of August and September of 2003, bank robbery has declined somewhat, however, this crime remains a serious problem; and

Whereas, Several states, including Michigan, Rhode Island, South Carolina, Virginia, and West Virginia have created bank robbery statutes with minimum standard penalties for the crime of bank robbery, while other states, including New York State, address this crime under the general robbery statute; and

Whereas, In New York State, a bank robber, at a minimum, is subject to a class E felony conviction, a penalty which does not mandate a jail sentence; and

Whereas, During the October 14, 2003 hearing before the New York City Council's Public Safety Committee regarding the increase in the number of bank robberies in the city of New York, the NYPD, the NYBA, Commerce Bank, as well as representatives of several bank security companies including EPIC Security, Secure Access Portals, and BillTech Incorporated supported the adoption of increased penalties for the crime of bank robbery; and

Whereas, In order to deter those who are contemplating this crime and to send a message that substantial penalties will be assigned to those who engage in such criminal activity within the state of New York, increased penalties are necessary;

Whereas, The continued rise in the number of bank branches doing business within the city of New York further highlights the need for such increased penalties; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to increase penalties for the crime of bank robbery so that the minimum standard penalty is a Class C felony.

MK

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