



NEW YORK STATE SENATOR

Joseph P. Addabbo Jr.

Addabbo Backs Bills to Crack Down on Criminals Who Damage the Environment While Committing a Felony Offense

JOSEPH P. ADDABBO JR. March 10, 2016

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Howard Beach, NY (March 10, 2016) NYS Senator Joseph P. Addabbo, Jr. recently joined with his Senate colleagues in approving legislation (S.834) that would impose separate penalties on criminals who significantly damage the environment while they are in the process of committing another crime.

“Several years ago, there was an incident in upstate New York State where criminals who were in the process of attempting to steal copper recklessly broke open an electrical transformer which spewed 4,800 gallons of oil into the environment,” said Addabbo, a member of the Senate Environmental Conservation Committee. “As a result, the surrounding land and water was seriously contaminated to the tune of more than \$1 million in remediation costs.”

Currently, Addabbo explained, this type of activity falls under the crime of criminal mischief in New York.

“As a result, this serious environmental degradation could not be adequately punished since current law doesn’t recognize the environment as a crime victim,” said Addabbo. “The legislation approved by the Senate would help to underscore the severity of this kind of offense,” he said.

Under the legislation, the new crime of environmental damage of property would be classified as a Class C felony and carry a prison term of one to three years. The charge could be made against an offender who was in the process of committing another felony and caused damage to air, water, land or other natural resources in an intentional or reckless

manner and would be applied on top of the underlying felony offense. For the charge to be applied, the cost of remediating the property damage to the air, soil or water would be in excess of \$1,000.

“I often think about ways of protecting our waterways such as Jamaica Bay, Shellbank or Hawtree Basins and even the ocean off the shores of Rockaway,” Addabbo said. “It seems like we’re hearing every day about contaminated water sources that are threatening the public health and making it extremely difficult for people to go about the business of their family lives. While most of these water troubles seem to be stemming from industrial pollution and infrastructure neglect, the fact of the matter is that we need potable water, soil free of poison, and clean air to survive and prosper. The legislation passed by the Senate will make it clear that people who intentionally or recklessly cause harm to our environment while engaging in other despicable behavior are committing a doubly serious offense.”

In the Assembly, the legislation is under review by the Committee on Codes.