



NEW YORK STATE SENATOR

Frank Padavan

"Career Criminal Crackdown" Legislation Moves From Committee

FRANK PADAVAN May 5, 2009

During the State Senate session today, the Senate ruled in favor of a motion to discharge on Senator Padavan's "Career Criminal" bill, which will increase criminal penalties for persistent high-level misdemeanor offenders. The legislative motion now moves the bill (S.2632) from the Codes committee and will face an eventual vote by the entire State Senate sometime in the near future.

"While we have been able to reduce crime in our community, far too often we are coming across criminal that have rap sheets as their resumes," Padavan said. "These criminal misdemeanor offenders keep committing their crimes without any consequences or time in jail. This bill would help remedy this problem by giving law enforcement a new tool in the fight to help keep our neighborhoods safe and strong."

The bill, a key legislative initiative for Senator Padavan, establishes the new crime of aggravated criminal conduct and strengthens the state Penal Law to mandate that any person who commits three or more Class A misdemeanors or felonies within a ten year period be punished as a Class E felon and face up to four years in state prison. Class A misdemeanors include criminal possession of a weapon in the fourth degree, assault in the third degree, criminal mischief in the fourth degree and resisting arrest.

The New York State Law Enforcement Council (NYSLEC) has expressed their support for the bill. In an April 16th letter to Senator Padavan, NYSLEC Coordinator Leroy Frazer wrote, "Creating a felony charge for serious misdemeanants is one of the top priorities of the New York State Law Enforcement Council. The reality is that counties across the state deal with the same individuals over and over again with some repeat misdemeanants holding rap sheets of more than 100 misdemeanor offenses. Providing higher penalties for serious repeat misdemeanants, which is in line with what is already done for repeat felons, would help end the cycle of crime and redirect repeat offenders to critical rehabilitation programs."

The NYSLEC includes the New York State District Attorneys Association, New York State Association of Chiefs of Police, the New York State Sheriffs' Association, the Citizens Crime Commission of New York City, and the Attorney General of the State of New York and the Criminal Justice Coordinator of the City of New York.

"I am hopeful with the history of bipartisan support and the support of the law enforcement and criminal justice community this bill will once again pass the State Senate," Padavan said. "This is a common-sense legislative measure that would be instrumental in the continual fight against crime by putting repeat criminal offenders with lengthy rap sheets behind bars "

Last year the Senate passed the bill by a 52-10 vote and it has passed in the past four consecutive legislative sessions. The bill is sponsored by Assemblyman Gary Pretlow (D-Westchester) where it has sadly languished in the Codes Committee despite the bipartisan support in the State Senate.