



NEW YORK STATE SENATOR

Ruben Diaz

What You Should Know

RUBEN DIAZ August 13, 2013

| ISSUE: **CRIME**

WHAT YOU SHOULD KNOW

By Senator Rev. Rubén Díaz

32nd Senatorial District, Bronx County, New York

Tel. 718-991-3161

Is the New York City Council Going Nuts?

You should know that the New York City Council is about to take away the right of the New York City Police Department to refer to a perp description by approving a new law called “Intro 1080.”

I would like to put my two cents because as things stand, police reports include a physical description of alleged perpetrators including race, age, sex, or perceived disability.

These descriptors help the police to find and arrest criminals – criminals who mug our seniors, criminals who steal our cars, criminals who rob our apartments, criminals who sell drugs to our children, criminals who rape our daughters, criminals who murder our neighbors.

You should know that while I strongly believe that the Stop and Frisk policy needs to be modified, and I am very confident that the recent court ruling by Federal Judge Shira Scheindlin, may finally impact this practice and will help us to find a solution to modify stop and frisk, we must not let that ruling distract our focus from pending legislation in the City Council.

If New York City Council Intro 1080 becomes law, it will go well beyond an effort to curb racial profiling. If Intro 1080 becomes law, our city will be run by hoodlums.

Ladies and gentlemen, please take a moment to read this section of Intro 1080:

§ 2. Section 14-151 of the administrative code of the City of New York is amended to read as follows:

§ 14-151 [Racial or Ethnic]Bias-based Profiling Prohibited. a. Definitions. As used in this section, the following terms have the following meanings:

1. "[Racial or ethnic]Bias-based profiling" means an act of a member of the force of the police department or other law enforcement officer that relies on actual or perceived race, [ethnicity, religion or] national origin, color, creed, age, alienage or citizenship status, gender, sexual orientation, disability, or housing status as the determinative factor in initiating law enforcement action against an individual, rather than an individual's behavior or other information or circumstances that links a person or persons [of a particular race, ethnicity, religion national origin] to suspected unlawful activity.

I am shocked at how the leaders of our community remain quiet about the consequences of this dangerous piece of legislation.

As things stand now, it is sad that many of our seniors cannot take advantage of our parks because they don't feel safe.

If Intro 1080 becomes law, and if a senior citizen gets mugged on her way home from taking care of her grandchild and a witness calls 911 and identifies the thug, the description of the suspect cannot be used. The only information the police will be permitted to use is what the suspect was wearing and where they were heading. It will be considered discriminatory and would permit the suspect to sue the NYPD based on the 'disparage impact" of police practice.

I have to ask all of you, my dear readers, to imagine how you would feel if any of your loved ones were the victim of a crime. Then think about how much worse you would feel to know that the NYPD would not be able to use the description of the perp to find him or her? Then think about how unsafe you will feel and how unsafe our city will be for your families and your neighbors.

The role of the NYPD is to protect the safety and the lives of 8.4 million New Yorkers. At the very least, they need to be able to describe criminal suspects. If that is taken away from them, how many criminals will go free?

Ladies and gentlemen, Intro 1080 will keep attorneys who like to sue the city very busy. I imagine there are some lawyers who couldn't care less about the safety of anyone, and who are at the edge of their seats waiting for this law to be passed so they can start to sue the city and collect legal fees.

I hope that while we follow Federal Judge Shira Scheindlin's advice and find ways to modify stop and frisk, my colleagues in government who claim to care for the safety of our senior citizens, our families and community as a whole, will join me to vocally and forcefully oppose New York City Council Intro 1080 because it will definitely bring more harm than good to our

communities.

This is Senator Reverend Rubén Díaz and this is what you should know.