



New York State  
PUBLIC EMPLOYEES  
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# ***SUPPORT***

**January 6, 2010**  
**S2558\DeFrancisco**  
**A243\Magnarelli**

The New York State Public Employees Federation, representing 59,000 Professional, Scientific, and Technical workers of New York State, supports this legislation.

This legislation amends the penal law with regards to the class E felony of aggravated harassment of an employee by an inmate. The current statute only applies to employees of the Division of Parole, Office of Mental Health and Probation Department as well as police officers. It covers throwing, tossing, or expelling certain bodily fluids or materials at such employees. The bill would modify the definition of protected individuals to include all employees of the state, a municipal corporation, local government agency, any political subdivisions or public authority. It would also add saliva, spit, or sputum to the list of fluids or materials.

The possibility of contracting disease from an inmate through the transmission of bodily fluids or materials is a fear for the families of all public employees who come into contact with individuals in the state's criminal justice system. To limit the scope of covered job titles or agencies imprudently endangers employees in non-covered positions who face the same risk, therefore necessitating the expansion of protected employees.

Research has revealed that saliva, spit, and sputum are associated with some of the same infectious diseases transmitted by currently codified bodily fluids or materials. It is consistent with the spirit of the statute to expand the definition to reflect that fact.

For these reasons, the Public Employees Federation urges you to support this legislation.

For more information, please contact:

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