



NEW YORK STATE SENATOR

William Larkin

Larkin Votes For Legislation To Further Protect Children From Criminals

[WILLIAM J. LARKIN JR.](#) January 23, 2006

Senator Bill Larkin (R-C, Cornwall-on-Hudson) today announced the passage in the New York State Senate of "Nixzmary's Law," legislation that requires a sentence of life without parole for parents or guardians who kill a child. In addition, the Senate today passed 26 bills that will update and strengthen Megan's Law, including tougher criminal penalties, mandated community notification and GPS tracking of violent sexual predators.

The bill is named after Nixzmary Brown, a seven-year-old Brooklyn girl who was brutally beaten and left for dead earlier this month. Her mother and stepfather have been charged with her murder.

Senator Larkin, a cosponsor of the legislation, said, "The horrific treatment and death of Nixzmary Brown demands that we all work together to make the changes we obviously need to protect innocent children from these animals. To think that a child could be so abused by a parent or guardian, and to think that the abuser could still be allowed parole is outrageous. It is my hope that this bill is passed by the Assembly so that it can be signed into law immediately."

NIXZMARY'S LAW

"Nixzmary's Law" legislation would create the crime of aggravated murder of a child. The crime would mandate a sentence of life without parole for the parent, guardian or other person in a position of trust, who either intentionally causes the death of a child, or who abuses and tortures a child under the age of 14 and causes the death of the child.

Senator Larkin said the new bill would close a loophole that allows violent child abusers to escape life without parole when they cause the death of a child. In Nixzmary's case, the murderers could be eligible for parole after serving only 15 years in prison because no felony sex crime was involved.

Existing law mandates the sentence of life without parole for the death of a child less than 14 years of age only in those cases when a person 18 years of age or more commits the crime while committing a felony sex crime against the child. In all other cases, a person who tortures and abuses a child, causing the child's death, or intentionally causes the death of a child, can be paroled after serving a minimum term, no matter how horrific the crime.

The Senate today also passed a comprehensive package of legislation to strengthen and improve Megan's Law and crack down on dangerous sex offenders who pose a threat to children, including the "Eleventh Anniversary, Twenty-First Century Omnibus Sex Offender Registration Reform Act" (S.4793-C), which would strengthen Megan's Law in 25 ways, including increased penalties, mandated community notification and Global Positioning System (GPS) monitoring of the most dangerous offenders.