



NEW YORK STATE SENATOR

William Larkin

Senate Passes Legislation To Impose Stiffer Penalties For Attacks On Elderly New Yorkers

William J. Larkin Jr.

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Senator Bill Larkin (R-C, Cornwall-on-Hudson) today announced that the New York State Senate has passed legislation (S.3684), cosponsored by Senator Larkin, to impose tougher penalties for physical assaults on senior citizens. The legislation was announced earlier this month at a Capitol news conference following the vicious attacks on Rose Morat, a 101-year-old Queens woman who was mugged on her way to church, and 85-year-old Solange Elizee, who was mugged and beaten just a half hour later by the same attacker.

While the assailant in these two cases could face robbery charges, under current law he would only face a misdemeanor charge for his physical attacks on the two elderly women. In addition, under current law, the penalties for the physical attack on the 101-year-old woman are the same penalties that would exist if the victim had been a 25-year-old football player.

"This coward should be seriously punished," said Senator Larkin. "We have taken the first necessary step to change the law today so that anyone who would brutalize a defenseless older citizen would go to prison for a long long time."

Today, this perpetrator can only be charged with a class A misdemeanor which carries a potential penalty of up to only one year in prison.

The legislation passed today would make it a class D or class E violent felony to assault any senior over the age of 70. The bill would also make it a class D or class E violent felony to assault someone age 60 or older who suffers from a disease or infirmity associated with advanced age. A class D violent felony conviction carries a potential penalty of up to 7 years in prison, while a class E felony conviction carries a potential penalty of up to 4 years in prison. As violent felony offenses, these crimes carry determinate sentences and the perpetrators would not be eligible for parole.

The bill was sent to the Assembly.