



NEW YORK STATE SENATOR

Charles J. Fuschillo Jr.

Senator Fuschillo Proposes Legislation to Strengthen Child Endangerment Laws

CHARLES J. FUSCHILLO JR. May 4, 2010

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Legislation Would Create Felony Charges for Repeat Offenders & Cases Where Children Are Seriously Injured

New York State Senator Charles J. Fuschillo, Jr. (R-Merrick) today announced that he has introduced legislation to create felony charges in cases where children are seriously injured because someone knowingly put them in harm's way. Senator Fuschillo's legislation would also create felony charges for those who repeatedly endanger the welfare of children.

Under current law, those charged with endangering the welfare of a child face only misdemeanor charges, regardless of how severe the case may be. Factors such as whether the act resulted in the child being seriously injured and whether the offender has a prior history of putting children in danger do not currently result in higher penalties.

"If someone's criminal behavior causes a child to be seriously injured, or if that person has repeatedly put children's safety at risk, he or she should face tougher penalties. The State's child endangerment law needs to be changed to reflect that some actions against children merit more serious punishment," said Senator Fuschillo.

Senator Fuschillo's legislation (S7668) would create the new class E felony crime of endangering the welfare of a child in the first degree. The new felony charges would apply in cases where a child under the age of 17 is seriously injured because someone knowingly put them in harm's way. Individuals with a prior child endangerment conviction who again put children's safety at risk would also face the new felony charges.

In addition, Senator Fuschillo has also introduced legislation (S7667) to prevent individuals from legally changing their name to avoid criminal prosecution or other legal issues. While a name change is ultimately traceable through a paper trail, it creates another layer that law enforcement must get through in order to seek justice. The proposed law would require the courts to take all reasonable steps to verify the background information of the person requesting the name change. The State's Office of Court Administration would be responsible for creating the rules and regulations for the verification process.

"The legal process shouldn't be a tool that criminals can use to hide their past, escape prosecution, or evade other legal obligations. Requiring a more thorough background check of people applying for a name change will help ensure that they are not able to escape detection," Senator Fuschillo added.

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