



NEW YORK STATE SENATOR

Charles J. Fuschillo Jr.

Fuschillo Legislation Creating Felony Charges for Repeat Child Endangerment Offenders Passed by Senate

CHARLES J. FUSCHILLO JR. January 30, 2012

| ISSUE: **CHILDREN**

Senator Charles J. Fuschillo, Jr. (R-Merrick) today announced that legislation he sponsors to create felony charges for individuals who repeatedly endanger the welfare of a child has been passed by the New York State Senate.

“Adults are entrusted to protect children’s safety, not deliberately place them in danger. Child endangerment laws punish adults who do not live up to that responsibility. However, everyone convicted of endangering the welfare of a child faces the same penalty under current law, even if they have prior convictions. Prosecutors should be able to bring higher charges against those who repeatedly jeopardize a child’s safety, and this legislation would give them that ability,” said Senator Fuschillo.

Endangering the welfare of a child is a class A misdemeanor under current law. However, the law does not contain any enhanced penalties for individuals who are repeat offenders. This allows repeat offenders to escape felony charges.

Senator Fuschillo’s legislation (S593A) would create a new class E felony crime of endangering the welfare of a child in the first degree, which would apply to anyone who has previously been convicted of endangering the welfare of a child. Individuals charged with

endangering the welfare of a child in the first degree would face up to four years in prison. The legislation was also passed by the Senate last year but the Assembly failed to act on it.

The legislation has again been sent to the Assembly for consideration.