



NEW YORK STATE SENATOR

Susan Serino

'BAILEY'S LAW' PASSES SENATE, DELIVERED TO ASSEMBLY

SUSAN SERINO June 11, 2018



ALBANY, NY— Just last month the story of Bailey Bates, a 19-year-old autistic man from Poughkeepsie who tragically committed suicide after falling victim to a financial scam, captivated the local community after advocates joined forces with Senator Sue Serino to push for a law named in his honor. Today, 'Bailey's Law'—legislation aimed at deterring these kinds of crimes and better protecting vulnerable New Yorkers—passed in the NYS Senate and will now be delivered to the Assembly.

Senator Sue Serino said, *“Losing someone in your life to suicide is traumatic enough, and while no law can bring our loved ones back, we can ensure that our laws work to better protect the most vulnerable*

among us. That's what Bailey's law aims to do, deter these kinds of crimes from ever occurring and ensure that our law holds heartless criminals like these accountable for their despicable actions. I urge my colleagues in the Assembly to make this bill a priority before the end of the legislative session."

Gae Marie Cannon, Bailey's mother, said, "I am extremely grateful our NYS Senate stood side by side with Senator Sue Serino, my family, and most of all my son Bailey and citizens like him, to vote in support of Bailey's Law today. The passage of this important bill is absolutely vital in deterring crimes against our vulnerable loved ones. I urge our NYS Assembly to step forward with their voices on behalf of my son to help protect our most vulnerable by voting to pass Bailey's Law."

At a recent press conference held in Poughkeepsie, Bailey's mother detailed his story and noted that a young woman, whom Bailey had known for years, befriended Bailey and asked him for help cashing a check. Ultimately, this resulted in the young woman and an accomplice stealing money from an account that held Bailey's disability assistance. When Bailey's family learned of the illegitimate transaction, they contacted law enforcement who began an investigation. It was clear to Bailey's family—and to law enforcement—that Bailey did not fully understand what had happened, or that he was actually the victim of a crime. He became extremely distraught, and tragically, a week after this crime, he took his own life. Sadly, based on a note that he left, it was clear that Bailey mistakenly believed that he was the one who had done something wrong in the scenario.

Under current state law, despite evidence that the perpetrators in this case knowingly took advantage of Bailey's cognitive disability when targeting him, the accused stand only to be charged with minimal counts of endangerment and grand larceny and they will not be held accountable for the direct role they played in his death.

At the May press conference, Senator Sue Serino joined with Bailey's parents, community leaders, and local disability advocates to announce the introduction of 'Bailey's Law'—a bill specifically aimed at holding perpetrators like these accountable for the role they play in the deaths of vulnerable New Yorkers.

Specifically, Bailey's law (S. 8541/ A. 10874) would hold perpetrators like these accountable by increasing penalties for endangering the welfare of a disabled person or a vulnerable elderly person when it significantly contributes to a victim's suicide attempt, as it did in Bailey's case.

At the event, Bailey's mother announced the launch of an online petition in support of the legislation. The petition has since garnered over 10,000 signatures. Community members who wish to add their names to the petition can still do so by visiting:

<https://www.change.org/p/andrew-cuomo-bailey-s-law-now-hold-criminals-accountable-for-victimizing-the-developmentally-disabled>

Additionally, at the press conference and on the floor of the Senate, as Chair of the Senate's Aging Committee, Senator Serino also noted the bill's significance to combatting the silent epidemic of elder abuse. It is estimated that seniors lose roughly \$37 billion each year to financial scams. [Financial abuse of vulnerable elderly individuals can have profound consequences, and multiple news reports have begun to detail various instances in which suicide is one such tragic result.](#) Since being named chair, Senator Serino has made combatting elder abuse one of her highest priorities and passing this bill could play a role in helping to deter these egregious crimes against vulnerable elderly individuals in New York as well.

Following the May press conference, Assemblymember Didi Barrett, agreed to sponsor the bill in the Assembly.

"It is inspiring to see the community rally behind Bailey's Law," said Assemblymember Didi Barrett (D-Columbia, Dutchess). "Endangering the welfare of any individual with developmental disabilities cannot be tolerated in our state and the repercussions of those actions should be taken very seriously. Bailey's lasting legacy should be one of advocacy, justice, and protection for family members, friends and neighbors with developmental disabilities or mental health disorders."

The bill has been delivered to the Assembly where it has been referred to the Codes Committee.