



NEW YORK STATE SENATOR

Andrew J. Lanza

## Senator Lanza Announces Passage of Lulu and Leo's Law

ANDREW J. LANZA June 19, 2018

| ISSUE: **CHILD ABUSE, CHILD CARE, CHILD SAFETY**

Senator Andrew Lanza (R-C-I, Staten Island) and Assemblyman Steve Otis (D-Rye) today announced the passage of legislation to better protect children and provide assurance to parents seeking at-home child care. The bill (A.11125-A/S.9070-A), known as Lulu and Leo's Law establishes the crime of misrepresentation by, or on behalf of, a caregiver for children.

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*Senator Lanza said, "This new law will hopefully prevent another child care tragedy like the one that happened to the Krim family. The bottom line is that the person that the Krims hired was not the person that they were led to believe that she was because they were lied to. This new law will protect children and their parents who hire a caregiver. When someone recommends an employee who would be entrusted with the lives of other peoples' babies, they should not lie."*

Assemblyman Otis, stated, "There is currently no legal duty for people to be accurate when making a material representation on behalf of an individual who would like to be hired as a caregiver for children in the home. With this legislation, New York law will be clear that misrepresentation of qualifications for caregivers for children is against the law. With accurate information, the safety of families and children will be safeguarded."

The 2012 murder of Lulu and Leo Krim at the hands of their caregiver who had no previous experience caring for children highlights the need for greater scrutiny of those who seek these positions. In that case the caregiver was hired following a fabricated reference claiming previous work as a nanny when she had never held such a position and the individual providing the reference did not have children at the time.

Marina and Kevin Krim, parents of Lulu and Leo added, "We thank the Assembly and Senate for voting in favor of Lulu & Leo's Law. We are particularly grateful to the leadership in each house and to the bill's sponsors and tireless advocates Assemblyman Otis and Senator Lanza. We hired the woman who murdered our children based on fake references, and no child or parent should be exposed to that danger. Fortunately, the legislature has acted with urgency to begin to close a serious gap in the law with today's vote."

Today's legislation would make it illegal to provide a false written statement in support of oneself, or another person, for purposes of securing employment as a caregiver to children in the home. The bill would target those who make false statements about the applicant's background related to their ability to safely provide care.

Additionally, it provides that "caregiver" be defined as someone hired to provide fifteen or more hours of care per week in the home of such children or in the home of the caregiver, with the exception of those entities licensed under the social services law.

Misrepresentations would constitute a class A misdemeanor punishable by up to six months imprisonment.

Current law prohibits the act of making misrepresentations regarding an applicant's credentials and qualifications as an employee or volunteer at a child care facility but no such standard applies for caregivers employed in the home.

This legislation would help give parents and guardians a greater level of comfort when using personal references and testaments of experience in the hiring of caregivers and prevent future tragedies.

The bill will be sent to the Governor.

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#### RELATED LEGISLATION

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### 2017-S9070A

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- Introduced
- - In Committee Assembly
  - In Committee Senate
- - On Floor Calendar Assembly
  - On Floor Calendar Senate
- - Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
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Enacts Lulu and Leo's law establishing the crime of misrepresentation by, or on behalf of, a caregiver for children

June 15, 2018

Senate Floor Calendar

Sponsored by **Andrew J. Lanza**

Do you support this bill?