



NEW YORK STATE SENATOR

Ruth Hassell-Thompson

Senate Moves to Protect Child Witnesses in Trial

RUTH HASSELL-THOMPSON February 15, 2011

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On February 8, 2011, the New York State Senate unanimously passed legislation (Senate Bill 1433) which will allow children to testify via closed circuit television in murder and attempted murder cases.

In 1985, the State Legislature approved the current law that allows children to testify via closed circuit television; however that law was limited to court proceedings involving only sexual abuse. This addition recognizes that similar concerns for the welfare and sensitivities of young witnesses should also be had for children who testify in murder and attempted murder trials.

“The trauma that a trial of this sort might inflict on a child could have life-long negative consequences,” said Senator Ruth Hassell Thompson. “The intent of this legislation is to mitigate, as best as possible, the emotional toll that a child must undergo while testifying in murder and attempted murder trials.”

The impetus behind this legislation was a case in Erie County where a mother was accused of killing her two young daughters and attacking her son with a pickax. The son was required to testify against his mother while facing her in an open courtroom, jeopardizing the child’s chances of recovering emotionally afterward.

This bill is awaiting action in the Assembly.