



NEW YORK STATE SENATOR

Timothy M. Kennedy

WNY Delegation Continues Efforts To Enact Laura Cummings Law

TIMOTHY M. KENNEDY August 22, 2011

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Legislative progress is being made in Albany to protect victims of violence

Members of the Western New York Legislative Delegation gathered Monday morning to provide key updates on their collaborative efforts to enact Laura Cummings Law, a bill named in honor of the young developmentally disabled Erie County woman who was murdered by her mother in January 2010 after years of abuse and mistreatment.

Introduced at the beginning of 2011, Laura Cummings Law (S.3306-B/A.8355) was initially comprised of three main components: allowing Child and Adult Protective Services to share information about prior abuse reports, empowering these agencies to get a court order to access a home, and creating criminal sanctions against individuals when they prevent or obstruct these agencies from interviewing alleged victims. The bill was unanimously approved in the Senate on May 24, 2011.

During the course of this year's Legislative Session, the first two components were later introduced as individual bills (S.5470/A.7622 and S.5471/A.5458-A, respectively), approved in both houses, and signed into law by Governor Andrew Cuomo on August 17, 2011. Now, the focus becomes enacting the third provision dealing with criminal sanctions. Specifically, this provision would create a Class A misdemeanor for denying or attempting to deny access to a potential victim with intent to conceal abuse.

Senator Tim Kennedy (D-South Buffalo) said, "Laura Cummings' life ended in unthinkable pain and suffering. It's a heartbreaking tragedy that we must prevent from ever happening again. We have taken action to protect vulnerable New Yorkers by passing legislation to help prevent such devastating cases of abuse. Now, we need to keep fighting on behalf of victims and enact measures to deliver justice when an individual blocks efforts to protect those in need of help."

Senator George Maziarz (R-C, Newfane) said, "We have made progress, but we are not at the finish line yet. We need to make it clear that that nothing should stand in the way of an investigation of abuse. Laura Cummings deserved much better. If there are other people out there like her in harm's way, this new law will give us more tools to help them and give them justice."

Assemblyman William Scarborough (D, Queens), the prime sponsor of Laura Cummings Law in the Assembly said, “We have a responsibility to step in and protect the vulnerable members of our society, whether they are children or adults, when they are being mistreated. So I am going to continue to work diligently with the Assembly leadership to try move this bill forward through the legislative process. On behalf of the memory of Laura Cummings and other victims from across the state, this bill deserves an up-or-down vote, and it deserves to become law.”

Assemblyman Dennis Gabryszak (D-Cheektowaga) said, “Abuse, in any form, is absolutely unacceptable and unfortunately circumstances such as what happened to Laura Cummings raises awareness that there needs to be a consistent cooperation and standard sharing of information of all involved agencies. This bill will help to procure all necessary precautions to stop such a horrific event from this ever happening again.”

Assemblyman Mark J. F. Schroeder (D-West Seneca) said, “The Laura Cummings law will be a valuable tool in protecting the most vulnerable New Yorkers, and it should be brought to the Assembly floor for a vote as soon as possible. We need to prevent what happened to Laura Cummings from ever happening again. This legislation is desperately needed in order to achieve that goal.”

Senator Patrick Gallivan (R-C-I, Elma) said, “The sad truth is that Laura Cummings didn’t have to die. Had Adult Protective Services been given the proper legal tools to conduct an appropriate investigation into the myriad reports of abuse, Laura would still be with us. This legislation injects accountability and transparency into the investigative process, but more importantly, it upholds New York State’s commitment to protect its most vulnerable citizens, and punish its most despicable.”

Senator Mark Grisanti (R, Buffalo) said, “This bill has strong bipartisan support in Western New York, where this issue strikes close to home. We have all followed the media coverage of the murder and subsequent trials, and hopefully enacting this legislation will be a way for some good to come out of this terrible tragedy.”

Senator Michael Ranzenhofer (R-Amherst) said, “Enacting the third element of our efforts to protect victims of violence will serve to strengthen the other two measures recently signed into law and prevent vulnerable members of society from being further victims of abuse and mistreatment.”

Assemblyman John Ceretto (R-I, Lewiston) said, “I am co-sponsoring this bill because as lawmakers, our top priority is to enact legislation that will increase protections for the most vulnerable in our society. This legislation will ensure that reports of serious abuse of the most vulnerable in our society are fully investigated by giving officials the tools they need to properly investigate people and facilities where abuse is reported.”

Assemblyman Kevin Smardz (R-I, Hamburg) said, “Through the efforts of our Western New York Delegation, fellow colleagues in the Legislature, and the tremendous outpour of community support and activism resulting from this tragic incident, we stand collectively to say Laura Cummings’ death will not have been in vain. Our agencies will have every opportunity to prevent such heinous acts of violence going forward, as well as the means to bring to justice those who seek to silence the cries of help of innocent victims. With two components of Laura Cummings Law now in place, we must turn our fullest efforts to the expedient passage of its final piece.”