



NEW YORK STATE SENATOR

Andrew J. Lanza

Senator Lanza Introduces Legislation to Strengthen New York's Sexual Abuse Reporting Requirements

ANDREW J LANZA November 16, 2011

Bill Would Create E Felony Charge for Failing to Report Sexual Abuse of a Child Abuse to Law Enforcement

Senator Andrew Lanza has introduced legislation in New York State that would allow prosecutors to bring felony charges against persons who witness child sexual abuse and do not quickly report it to law enforcement. The bill would create a class E Felony charge for failing to report child sexual abuse to law enforcement.

“In the wake of the Penn State scandal, it is appropriate to review New York’s laws to ensure they remain strong and clear with regards to reporting the sexual abuse of a child,” said Senator Lanza. “It has become clear that irrespective of whomever else is notified, a witness to child sex abuse should always report such a crime directly to law enforcement authorities. When someone sees a child being sexually abused there really is no legitimate reason not to report it to law enforcement. Not doing so should be a serious crime and this legislation would do just that in the State of New York.” Lanza added, “Our law enforcement professionals have the authority, expertise, and resources to investigate and prosecute criminal activity. The sooner law enforcement knows about allegations of child sex abuse the sooner justice can be done. With this type of crime, delay can mean more victims.”

Current New York state law requires public-school teachers and officials, doctors, social workers, police officers and some other professionals to report suspected child abuse to the statewide central register of child abuse and maltreatment or local child protective services, however, they are not required to report directly to law enforcement. New York law also does not list college coaches, athletic directors, professors and administrators among those who are required to report child abuse to authorities. This law would include any witness. Lawmakers in New York have called for the expansion of reporting requirements to include college personnel, however, Senator Lanza contends we need to go further and hold anyone who witnesses child sexual abuse responsible for letting the authorities know.

“When someone witnesses the sexual abuse of a child, a particularly heinous act, they should be required to report to law enforcement authorities immediately,” said Lanza. “Mandatory reporting is not a standard that should be reserved for a few. Everyone in society has a responsibility to say something when they see something as serious as child sexual abuse.”

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