



NEW YORK STATE SENATOR

Mark Grisanti

“Protect Our Children Act” bill sponsored by Senator Grisanti makes violent crimes against children a felony with increased penalties

MARK GRISANTI March 13, 2012

| ISSUE: **VICTIMS**

Senator Mark Grisanti recently announced that the Senate has passed the “Protect Our Children Act” which he sponsored to change the laws of New York State to save and protect children from cruel and repeated maltreatment.

The bill, S5862A-2011, fixes problems that allowed perpetrators of serious child abuse to receive misdemeanor and nonviolent felony charges with probationary sentences that did not deter actions or even repeat actions.

Now, prosecutors will have the option of charging felony child endangerment to protect children from serious reckless abuse as well as increasing penalties for not reporting the death of a child, obstructing the investigation into a missing child and repeat offenders.

“Today the Senate acted decisively to protect the welfare of our most vulnerable members of society by enhancing the laws that protect children from serious abuse. The ‘Protect Our Children Act’ provides law enforcement with more options and weapons in fighting against those that would prey upon children,” said Senator Grisanti. “Existing laws minimize the seriousness of child abuse by requiring physical injury or depraved conduct in order to

seriously punish those that harm children. By making it a felony to inflict sadistic, painful punishments on children, the penalty will better fit the crime.”

The Act creates a felony child endangering statute for especially cruel and sadistic conduct. It also creates a statute to protect children from serious reckless abuse. The new law will recognize that caregivers and those in positions of trust need to be held to a higher standard which can be used as an aggravating factor in any child abuse crime. There will now be an increased penalty for repeat child abusers. When a child goes missing, it will now be a felony crime to obstruct efforts of law enforcement to locate that child. Finally, it will be a felony to conceal the death of a child, including failure to report a missing child.

“All of us in New York should be pleased at the passage of this new law. It recognizes that we needed to take steps to prevent child abuse before it happens by strengthening our laws and offer better protection before the abuse turns fatal. Further, we have finally given law enforcement the tools to obtain justice should a tragedy occur,” said Senator Grisanti.