



NEW YORK STATE SENATOR

Charles J. Fuschillo Jr.

Senate Passes Senator Fuschillo's Legislation Allowing Repeat Child Endangerment Offenders to Face Felony Charges

CHARLES J. FUSCHILLO JR. March 20, 2013

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Senator Charles J. Fuschillo, Jr. (R-Merrick) today announced that the New York State Senate has passed legislation he sponsors to create felony charges for individuals who repeatedly endanger the welfare of a child. The legislation would correct an inequity in current law which does not allow for enhanced charges to be brought against repeat offenders.

“Repeat child endangerment offenders are individuals who have shown no regard for children’s safety time and time again. It makes no sense that current law does not allow these individuals to face enhanced penalties for repeatedly putting children directly into harm’s way. This legislation would correct that inequity and allow law enforcement to bring felony charges against repeat offenders who continually endanger children’s welfare,” said Senator Fuschillo.

Endangering the welfare of a child is a class A misdemeanor under current law. However, the law does not contain any enhanced penalties for individuals who are repeat offenders. This creates an inequity in which repeat offenders face the same penalty as first time offenders.

Senator Fuschillo's legislation (S749) would create a new class E felony crime of endangering the welfare of a child in the first degree, which would apply to anyone who has previously been convicted of endangering the welfare of a child. Individuals charged with endangering the welfare of a child in the first degree would face up to four years in prison.

"Children who cannot fight back and cannot escape abusive or dangerous situations need every level of protection the law can provide," said Nassau County District Attorney Kathleen Rice, who is President-Elect of the District Attorneys Association of the State of New York. "This legislation is an opportunity to strengthen that protection and hold accountable those who repeatedly put children in harm's way. I applaud the Senate for passing this legislation."