



NEW YORK STATE SENATOR

Timothy M. Kennedy

Senator Kennedy Wants Justice for Jay J, Renews Fight for Jay J's Law

TIMOTHY M. KENNEDY April 20, 2013

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Kennedy encourages WNY community to help prevent child abuse and participate in the “Million March Against Child Abuse” on Monday, April 22.

The fight to pass Jay J's Law continues, as Kennedy urges Senate and Assembly to approve much-needed crackdown on child abuse.

Kennedy: As Jay J recovers from the abuse he suffered, he's relying on us to stand up for him and help secure justice for children across our state.

BUFFALO, N.Y. – Senator Tim Kennedy, D-Buffalo, is renewing the statewide push for Jay J’s Law, a much-needed and strong enforcement measure that will crackdown on repeat child abuse. Last year, Kennedy was able to secure passage of Jay J’s Law in the Senate, but it was stalled in the Assembly. The Buffalo senator and other local advocates are now ramping up efforts to get the measure through both the Senate and Assembly and onto the Governor’s desk for his signature before the end of this legislative session.

Jay J’s Law is named for Jay J. Bolvin, a little boy from Western New York who suffered severe physical abuse at the hands of his own father. The violent attacks left Jay J. with 11 fractured bones, a severe seizure disorder and developmental delays, but his abuser – who had previously been convicted of abusing another one of his children – was let off with a relatively light sentence due to a gap in state law. Jay J’s Law, sponsored by Senator Kennedy, aims to stop repeat child abuse and enact far stiffer penalties for violent offenders who repeatedly hurt children.

“Jay J will have to fight through lifelong struggles after the abuse he suffered, but his abuser was let off with a light sentence. It’s time we crackdown on child abuse and ensure people who hurt children end up behind bars for a long, long time. This legislation will fix state law to better protect victims of child abuse and ensure justice is served,” said Senator Kennedy. “As Jay J recovers from the violent abuse he endured, he’s relying on us to stand up for him and help secure justice for all children who’ve been abused or neglected across our state.”

Kennedy is encouraging the community to participate in Monday’s Million March Against Child Abuse in the City of Buffalo and show support for efforts to keep children safe. The march starts at Lafayette Square at 11:30 a.m. and then heads toward City Hall for a rally to raise awareness and call for an end to child abuse and neglect. March organizers hope to bring attention to the need for stronger laws, like Jay J’s Law, to put a stop to child abuse.

Across the state and nation, more than 300 cities are holding events in coordination with the Million March Against Child Abuse. Kennedy will be in the State Capitol Monday for the Senate's legislative session and will participate in the event planned for Albany.

Jay J's Law will crackdown on repeat child abuse by enacting the following changes to the penal code:

- Jay J's Law amends aggravated assault upon a person less than 11 years old. An individual will be guilty of aggravated assault if he severely injures a child and has been previously convicted of assault or attempted assault upon a child in the preceding 10 years, instead of the current three years.
- Aggravated assault upon a person less than 11 years old is increased from a class E felony to a class D felony. A third child abuse conviction would make aggravated assault upon a person less than 11 years old a class B felony.
- In severe cases, Jay J's Law will also allow law enforcement to charge individuals who recklessly commit serious repeat child abuse with first-degree assault, a class B felony.

A class D felony carries a maximum sentence of 7 years, while a class B felony has a maximum sentence of 25 years – much stronger penalties than what was given to Jay J's violent abuser.

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Senator Timothy M. Kennedy represents the New York State Senate's 63rd District, which is comprised of the town of Cheektowaga, the city of Lackawanna and nearly all of the city of Buffalo. More information is available at <http://kenedy.nysenate.gov>.