



NEW YORK STATE SENATOR

Timothy M. Kennedy

Jay-J Joins Senator Kennedy to Lobby Albany; Jay-J's Law Passes Through Senate Committee

TIMOTHY M. KENNEDY May 21, 2013

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Senator Tim Kennedy introduced Jay-J's Law, which aims to crackdown on severe and repeat child abuse.

With Committee approval, bill heads to Senate floor. Push continues to get bill through Assembly this year.

ALBANY, N.Y. – Three-year-old Jay J. Bolvin, his grandfather Joseph Retzer and his Uncle Kevin and Aunt Chris Retzer visited Albany Monday to lobby members of the State

Legislature and urge them to pass Jay-J's Law (S.530/A.2623) this year. Jay-J's Law – which is sponsored by Senator Tim Kennedy – aims to crackdown on repeat child abuse. Kennedy, D-Buffalo, announced the bill was passed through the Senate Codes Committee Monday afternoon.

Now that the bill has passed through committee, it heads to the Senate floor for a vote of the full chamber. Jay-J's Law could be voted on as soon as the end of this week.

“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,” said **Senator Kennedy**. “We're thrilled Jay-J's Law has passed through committee, and we're eager for it to reach the Senate floor for a vote. Once Jay-J's Law receives Senate approval, it will be up to the Assembly to take action on this much-needed reform to prevent child abuse. We intend to urge them to act swiftly. It's time we crackdown on child abuse and ensure people who hurt children end up behind bars for a long, long time.

“We owe Jay-J's family our deepest gratitude for their relentless advocacy to protect the children of our state and for their commitment to helping Jay-J recover from the injuries caused by the abuse he suffered,” Kennedy added.

“Jay-J's Law is a common-sense bill to make sure violent abusers are punished severely for hurting children. It won't change the suffering Jay-J went through – or the struggles he faces now – but Jay-J's Law will help protect children across New York State,” said **Jay J's Uncle Kevin Retzer**. “We're excited to have received so much support, and we're hopeful the bill will pass the Senate very soon. This year, we need the Assembly to step up and help protect the safety of New York's children by passing Jay-J's Law. We want to thank Senator Kennedy for always having our back and pushing this bill through the Senate, and thanks also to everyone across the state who has pledged their support for Jay-J's Law.”

As an infant, Jay-J suffered severe abuse at the hands of his own father. It left Jay-J with 11 fractured bones, a severe seizure disorder and developmental delays. Essentially, a life sentence for Jay-J, but his father got off with a relatively light sentence of one-and-a-third to four years, even though it was his second conviction of child abuse. His first conviction happened outside of the three-year window in which someone can be charged with aggravated assault on a child in instances of repeat abuse.

Jay-J's Law extends that aggravated assault look-back period to 10 years, and it stiffens penalties for severe repeat abuse.

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

- It 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 – far 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, city of Lackawanna and most of the city of Buffalo. More information is available at <http://kennedy.nysenate.gov>.