



NEW YORK STATE SENATOR

Charles J. Fuschillo Jr.

Senate Approves Legislation to Prevent Criminals From Escaping Justice Through Legal Name Changes

CHARLES J. FUSCHILLO JR. June 11, 2013

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Senator Charles J. Fuschillo, Jr. (R-Merrick) announced that legislation he sponsored to prevent criminals from avoiding the justice system by changing their name has been passed by the New York State Senate.

“It is far too easy for convicted criminals to avoid the legal system and hide their criminal histories simply by changing their name. Stronger safeguards need to be put in place so these criminals cannot conceal their past and hide from the law,” said Senator Fuschillo.

Courts across the state receive change of name petitions each day. However, because of the routine nature of these applications, many courts approve them without thoroughly verifying the applicant’s information.

The lack of appropriate verification gives criminals an opportunity to use these petitions in order to escape their legal obligations or hide their criminal histories. A legal name change creates an extra step for law enforcement, who must establish a paper trail in order to discover their true identities. Criminals can then take advantage of this delay and often escape detection in ordinary verification circumstances such as traffic stops.

This legislation (S737A) requires convicted violent felons and sex offenders to report their convictions on their name change petitions, as well as inform the prosecuting District Attorney and the sentencing court of their intention to change their name. Under the current law, only violent felons or sex offenders that are incarcerated, on probation, or on parole must report their convictions on the name change application.

Senator Fuschillo's legislation would also direct the state's Office of Court Administration to create new procedures which ensure that reasonable steps are taken to verify information provided on name change petitions so that criminals cannot change their name as a way to avoid detection.