



NEW YORK STATE SENATOR

Timothy M. Kennedy

## Kennedy Urges Governor to Sign Jay-J's Law

TIMOTHY M. KENNEDY July 27, 2013

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*With Governor's signature, Jay-J's bill will officially become Jay-J's Law.*

*The bill has been delivered to the Governor; under state law he now has until the end of the month to sign it.*

CHEEKTOWAGA, N.Y. – Senator Tim Kennedy is urging Governor Cuomo to sign Jay-J's Law – which the State Legislature approved last month. The bill has been delivered to the Governor, and it is now waiting for his signature to become law. The Governor has 10 days – not counting Sundays – from July 19, the day the bill was delivered, to sign it into law, giving

him until the end of the month.

Kennedy guided the bill through the Legislature to help secure justice for Jay J. Bolvin, a three-year-old boy who suffered severe abuse at the hands of his own father. Jay-J's Law will help lead to stiffer penalties for severe, repeat child abuse by extending the look-back period, from three to 10 years, for previous convictions to be considered in cases of repeat abuse.

"With the Governor's signature, Jay-J's bill will finally and officially become Jay-J's Law," said Senator Kennedy. "Jay-J has inspired so many to stand up for new laws to protect children – and once the bill that carries his name becomes law, we will have taken an important step forward in the fight to end child abuse. We're hopeful the Governor will sign the bill in the coming days and help us finally secure justice for Jay-J. Repeat, violent abusers need to be kept behind bars for a long, long time, and young children deserve the stronger protections that come with stronger laws against child abuse. Jay-J's Law will empower law enforcement to impose aggravated assault charges on abusers that have a history of severely and repeatedly hurting defenseless children."

"It is imperative that the Governor signs Jay-J's bill into law," said Assemblyman Gabryszak. "Jay-J and his family have been through so much - and have fought right alongside us to ensure that this bill was passed. We cannot under any circumstances allow another child to be the victim of child abuse. Jay-J's Law will increase the penalties for repeat offenders and create a pathway for follow up legislation that will protect our innocent children in the future. I am confident that the Governor will sign this bill into law shortly in honor of little Jay-J."

Kennedy authored Jay-J's Law in late 2011 to improve the state's aggravated assault codes, and since then, he and Gabryszak have fought alongside Jay-J's family – grandparents Tabitha and Joseph Retzer and Uncle Kevin and Aunt Chris Retzer – to finally secure Senate

and Assembly approval of this important measure.

Currently, law enforcement can only charge someone with aggravated assault upon a person less than 11-years-old if they were previously convicted of assault or attempted assault within the preceding three years. Jay-J's Law amends the crime of aggravated assault upon a person less than 11-years-old by increasing the look-back period from three to 10 years.

Jay-J's father was first convicted of third-degree assault after beating another one of his sons and breaking his arm in 2007. Four years later, he left Jay-J with 11 fractured bones, a severe seizure disorder and a lifetime of developmental delays. Jay-J's father missed an aggravated assault charge by just one year, despite his history of violence against children. That's why the lawmakers say an increased look back period is a vital first step toward protecting children from repeated abuse.

This expanded look-back period of 10 years is a common-sense reform to a legal code that aims to provide special protections for children under 11 years old. Under Jay-J's Law, far more repeat abusers will be charged with the crime of aggravated assault upon a person less than eleven years old, which is a class E felony. When individuals are charged with numerous crimes for their violent acts, it becomes more difficult to plea out of certain charges or plea down to a soft prison sentence.

Kennedy intends to continue the fight for stronger laws to prevent child abuse. He is working on new legislation to enact even harsher penalties – which they will push for during next year's legislative session.

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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://kennedy.nysenate.gov>.*

*Assemblyman Dennis Gabryszak represents the State Assembly's 143rd District, which covers the towns of Cheektowaga and Lancaster. More information is available at <http://assembly.state.ny.us/mem/Dennis-H-Gabryszak/>.*