



NEW YORK STATE SENATOR

James L. Seward

Protecting Our Seniors

JAMES L. SEWARD

Random, predatory violence has grown in America. Last year, Rose Morat, a 101-year-old Queens woman, was brutally attacked and mugged on her way to church. The same attacker went on to beat and mug 85-year-old Solange Elizee just a half an hour later.

Our elderly are particularly vulnerable to attacks from youthful, agile thugs. They often cannot and do not fight back.

That's why the state senate has just approved, and sent to the governor, a bill (S.6979) I cosponsored that would impose stiffer penalties for physical attacks on senior citizens. We first passed the bill last year, and I am glad to see the measure on its way to the governor to become law.

A person capable of committing cowardly attacks against our seniors is not just a mugger -- he is a danger to society and should be behind bars for as long as possible. For the past year, we have pressured the assembly majority to take action on legislation to impose tougher penalties on criminals who brutalize senior citizens. While it is unfortunate that it took them so long to take action, we are pleased that they are finally on board with us with this legislation that will protect our elderly New York citizens.

We cannot allow seniors to be targeted and assaulted simply because they are not physically able to defend themselves. When anyone gets mugged and assaulted, I consider it to be a serious crime, but assaulting the elderly is an outrageous and potentially life-threatening crime that clearly calls out for more severe penalties. We have an obligation to protect the most vulnerable in our society.

It is not okay to attack anyone -- ever. It's definitely not okay to attack any part of our population who for whatever reason can not defend herself, especially a senior. Preying on the elderly is despicable and senseless. Last year the brutal muggings of Rose Morat and Solange Elizee sparked outrage across the nation and illustrated the need for stronger state laws to combat crimes against the elderly. This legislation, once signed into law, will provide stronger criminal penalties and put any cowardly delinquent who attacks a senior citizen in prison.

There is no question that seniors are generally more vulnerable to crime and less able to protect themselves. New York has been shocked and outraged by heinous crimes against seniors, and just last month, an 87-year-old Bronx woman who was beaten by two men in their twenties.

Under current law, it is a class A misdemeanor to cause physical harm to another person. This bill would elevate the assault of a person sixty-five years of age or older when the perpetrator is more than ten years younger than the victim to assault in the second degree, a class D violent felony punishable by up to seven years in prison.

Someone once said that a government can be judged by how it treats its most vulnerable. As we consider how vulnerable seniors are to attack, we must take appropriate action to help protect our senior citizens. The bill will be sent to the governor for his consideration.

It is a good time to remind seniors with incomes of less than \$18,000 to file for a "circuit breaker" tax credit. It's for seniors and others who pay a disproportionately high amount of rent or property tax relative to their household incomes. The maximum credit is \$375, and all seniors have to do is file state tax form IT-214. And they can receive the credit, and file, even if they don't file a regular state tax return. Call my office at 607-432-5524 and ask for the IT-214 tax form.