



NEW YORK STATE SENATOR

Patrick M. Gallivan

Senator Gallivan Announces Senate Passes Legislation to Toughen Penalty for Threats of School Violence

JIM RANNEY May 5, 2016

| ISSUE: **SCHOOLS, PUBLIC SAFETY**



Senator Patrick M. Gallivan (R-C-I, Elma) says the Senate has passed legislation that would toughen the penalty for those who threaten mass violence against a school. The bill (S430A) was introduced by Gallivan and amends the current law to include all threats, regardless of the method.

“Anyone who threatens violence against a school, its students or staff must be dealt with seriously and should be charged accordingly,” Gallivan said.

Under current law, an individual who makes a threat of fire, explosion or release of a hazardous substance on school grounds can be charged with a class D felony for falsely reporting an incident. But other types of threats are not treated the same under the Penal Law. For example, while making a bomb threat would be considered a felony; other threats against a school might be considered a misdemeanor. This bill would amend the law to make all threats of mass violence against a school a felony.

“The current law is inadequate and must be expanded,” Gallivan said. “Any threat of violence against a school creates fear for students, faculty, staff and parents. It also disrupts the learning process, often forcing schools to go into lockdown or cancel activities, not to mention the enormous strain it puts on law enforcement. Individuals who cause such chaos should face the harshest penalty possible.”

In the years since the original law was enacted, the nature and types of threats facing schools have changed, making it necessary to expand and strengthen the law by including any threat of intentional acts or continuing course of action that would cause serious physical harm to ten or more people upon school grounds.

In one such instance, a school community in Walton, Delaware County, was the victim of repeated violent threats shortly after the tragic events in Newtown, Connecticut. An individual used social media to explicitly target students and school events, though she did not specifically make a bomb threat. This bill would help ensure that all threats of mass violence against a school receive appropriate felony-level penalties.

The legislation is endorsed by the New York State School Boards Association and the New York State Council of School Superintendents. The bill is also supported by the Police Benevolent Association of the New York State Troopers, which represents more than 6,000 active and retired, uniformed members of the New York State Police.

The bill has been sent to the Assembly.

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RELATED LEGISLATION

2015-S430A

- Introduced

- ◦ In Committee Assembly
 - In Committee Senate

- ◦ On Floor Calendar Assembly
 - On Floor Calendar Senate

- ◦ Passed Assembly
 - Passed Senate

- Delivered to Governor
- Signed By Governor
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Relates to an intentional act or course of action that would cause serious physical harm to ten or more people

December 24, 2014

In Assembly Committee

Sponsored by Patrick M. Gallivan

Do you support this bill?