



NEW YORK STATE SENATOR

Alessandra Biaggi

SENATOR ALESSANDRA BIAGGI INTRODUCES BILL TO EXPAND PROTECTIONS FOR ELDERLY NEW YORKERS IN GRAND JURY PROCEEDINGS

ALESSANDRA BIAGGI January 16, 2020

ALBANY, NY – State Senator Alessandra Biaggi has introduced legislation ([S7126/A1854](#)) to amend the criminal procedure law and expand access to support services to vulnerable elderly New Yorkers testifying in grand jury proceedings.

This bill allows for a social worker or informal caregiver to be present and provide care to vulnerable elderly witnesses in grand jury proceedings for all offenses. Under current law, elderly witnesses can only be accompanied by a social worker for certain crimes, denying some vulnerable elderly witnesses the assistance they need.

State Senator Alessandra Biaggi (D-Bronx/Westchester) issued the following statement:

“The elder adult population in the Bronx has increased by **26 percent** over the past decade, with at least 182,889 elder New Yorkers across the borough. As our aging community in New York continues to grow, it is important that we update all areas of the law to accommodate their needs – including the justice system. It is essential that the health and wellbeing of aging New Yorkers are not harmed while participating in grand jury proceedings. The presence of a support person can provide the elderly with the confidence needed to give full and accurate testimony, and instill a greater sense of trust in our court system. This bill

builds on the existing statute that authorizes this necessary care for some crimes, and expands access to elderly witnesses participating in grand juries for any offense.”

“This legislation expands upon a law enacted in 2014, which I also sponsored, that allows elderly or vulnerable individuals to have a social worker or informal care worker present at grand jury proceedings related to serious crimes like murder and sex offenses. This bill would expand these provisions to encompass any and all cases regardless of the severity of the crime, provided that the district attorney consents,” said **Assemblyman Robin Schimminger**.

“Since the 2014 law has yielded positive results, my colleagues and I have realized the need to take further steps to ensure that district attorneys are able to obtain the information they need to prosecute offenders and that those individuals who need assistance while testifying are cared for properly. I look forward to working with Senator Biaggi to enact this measure into law.”

“The Center for Elder Law & Justice strongly supports the legislation proposed by State Senator Biaggi and Assemblymember Schimminger. We represent many victims who struggle to report their abuse, and in fact, The National Council on Aging estimates that only 1 in 14 cases of elder abuse are ever reported. This added support during the legal process will eliminate barriers to justice, and provide much needed assistance to vulnerable older adults who must share their traumatic experiences with a grand jury,” said **Karen Nicolson, CEO of The Center for Elder Law & Justice**.

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RELATED LEGISLATION

2019-S7126

-
- 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 permitting support to a vulnerable elderly person testifying in grand jury proceedings

January 07, 2020

In Senate Committee [Codes](#)

Sponsored by [Alessandra Biaggi](#)

Do you support this bill?