



ALLIANCE OF NEW YORK STATE YMCAs
**YOUTH AND GOVERNMENT
Legislative Bill**

Bill # 4

Referred to Committee:
4

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Action on the Bill

Assembly

Senate

___ ☐ Passed

___ ☐ Passed

___ ☐ Defeated

___ ☐ Defeated

AN ACT TO: Change the charge of endangering a child from a misdemeanor to a felony.

**The People of the State of New York, represented in the
Senate and Assembly do enact as follows:**

Purpose

Change the charge of endangering a child from a misdemeanor to a felony.

Summary of Provisions

Section 1: Definitions

Misdemeanors - are punishable by more substantial fines and sometimes jail time, usually less than one year. Any jail term would most likely be served in a local or county jail, rather than a state or federal correctional institution.

Felonies - are the most serious type of crime and are often classified by degrees, with a first degree felony being the most serious

Culpable - deserving blame

Negligible - failure to take proper care in doing something

Section 2: (or Section 1 if you have no definitions). Altering Section 260.10 to a misdemeanor to a felony for endangering welfare of a child.

Justification

The changing of endangerment welfare to a child from a misdemeanor to felony has been proposed several times before. In some U.S. states, substantially similar language is used for the crime of culpable negligence. The impact would be child endangerment rates would go down and previous child abusers will be afraid to commit this crime again; children will have more courage to report their friends or own endangerment; children will have more courage to report their friends and own endangerment. Take Erin Maxwell for example, she was an 11 year old girl who was abused with lack of food and awful living conditions involving being locked in her room with chicken wire covering the door and cat poop on her bed. Her step-brother, who was 25, strangled her to the point that when she was rescued by the police, Erin died later that night. Her dad and step-mom were arrested; another case was two children, twins, who were 14 months old weighed 9 pounds, which concluded that they were being starved. Another girl was forced to do the chores and if she didn't, she was starved. What is horrible, however, is all these people only served a little time in jail or they had different punishments which were very short timewise. If this was changed from a misdemeanor to a felony, cases like these wouldn't happen as much and if they did, they would serve 4 to 7 years in prison or serve the community for a period of time.

Fiscal Implications

The benefit of changing this bill will be that less people commit this crime, the tax lawyers, judges, and citizens have to pay to put these kids in new foster homes would decrease.

Effective Date

This bill will go into effect one year after passage.