



Pending Child Protection Bills Endorsed by VOTF-LI

One of the Goals of Voice of the Faithful
is to support those who have been
abused.

The child victims of clergy abuse
are our particular concern





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Victims of abuse will surely be comforted by any steps we take to prevent more abuse.

Powerful measures to further protect our children are now pending in Albany and we urge you to support them



Pending Child Protection Bills Endorsed by VOTF-LI

Why Legislation ?

**Almost 1 million child abuse cases
are reported each year.**

**Experts say many more go
unreported.**



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Why Legislation ?

There are 142 **registered** Level 2 and 3 child sex abusers in Nassau County.

There are 421 **registered** Level 2 and 3 child sex abusers in Suffolk County.



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Why Legislation ?

Studies indicate **that one in four convicted abusers are not registered.** So the actual number of registered child abusers in Nassau and Suffolk probably exceeds 700.



Pending Child Protection Bills Endorsed by VOTF-LI

The current mandatory reporting law

New York law seeks to provide some protection by requiring mandatory reporting of some child abuse under limited circumstances.



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The current mandatory reporting law

The **only** child abuse that must be
reported:

abuse by a parent or legal guardian



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The current mandatory reporting law

Law Enforcement is not immediately notified.

To whom is the abuse reported?

To the New York State Central Register

“The Child Abuse Hotline”



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The current mandatory reporting law

Who must report - the Mandated Reporters:

Physician	Osteopath
Physician assistant	Optometrist
Surgeon	Chiropractor
Medical examiner	Podiatrist
Coroner	Resident
Dentist	Intern
Dental hygienist	Psychologist



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The current mandatory reporting law Who must report - the Mandated Reporters:

Mental Health Counselor

**Marriage & Family
Therapist**

Creative arts therapist

Psychoanalyst

Hospital personnel

**Christian Science
practitioner**

Registered nurse

Social worker

**Emergency medical
technician**

Assistant district attorney

Investigator employed by DA

**Other law enforcement
official.**



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The current mandatory reporting law

Who must report –continued: . . .

School official

Social services worker

Day care center worker

Day care provider

**Employee or volunteer in a
residential care facility**

**Child care or foster care
worker**

Mental health professional

**Substance abuse
counselor**

Alcoholism counselor

Peace officer

Police officer

District attorney



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The current mandatory reporting law

Another Problem:

Who is not obligated to
report ??



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The Clergy



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The current mandatory reporting law

There are three major problems

First, The Clergy are exempted



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The current mandatory reporting law

The Second Problem:

**The Child Abuser is Narrowly Defined-
Only parent or guardian**

There is no mandatory reporting of abuse by :

- Doctor, Lawyer, Teacher, Mental health professional, Day care worker, Clergyman, **or any one other than the parent, guardian or legal custodian**



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The current mandatory reporting law

The Third Problem:

**Law Enforcement is not directly involved.
Reports go to The NY State Office of
Children and Family Services.**



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The bills endorsed by VOTF-LI correct these flaws of:

- **Narrow definition of Child Abuse**
- **Clergy not obligated to report**
- **Direct report to law enforcement not mandated**



Pending Child Protection Bills Endorsed by VOTF-LI

The Senate Bill: S477 --The Saland Bill

**The Assembly Bill A912– The McEneny
Bill**



Pending Child Protection Bills Endorsed by VOTF-LI

The Senate Bill: S477 --The Saland Bill

SPONSOR: SALAND

**COSPONSORS: SKELOS, BRUNO, ALESİ,
BALBONI, BONACIC, FLANAGAN,
FUSCHILLO, JOHNSON MARCELLINO, MEIER,
MENDEZ, NOZZOLIO, RATH, SPANO,
TRUNZO, VOLKER, WRIGHT, ALESİ, BALBONI**



Pending Child Protection Bills Endorsed by VOTF-LI

The Senate Bill: S477 --The Saland Bill

The Bill would make all members of the clergy mandated child abuse reporters. The confessional privilege is preserved



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The Senate Bill: S477 --The Saland Bill

Additionally, when mandated reporters suspect that a child is being abused **they must contact law enforcement directly.**



Pending Child Protection Bills Endorsed by VOTF-LI

The Senate Bill: S477 --The Saland Bill

Abusers are no longer limited to
parent or guardian



Pending Child Protection Bills Endorsed by VOTF-LI

The Senate Bill: S477 --The Saland Bill

There are two expanded definitions of the abuser:

A. Either a person 19 years or older who engages in the child abuse conduct . . . with a person less than 14 years old;
or



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The Senate Bill: S477 --The Saland Bill

B. a person 21 years or older who engages in the proscribed conduct with a person less than 17 years old where the adult "HAS AUTHORITY, PERCEIVED AUTHORITY, SUPERVISORY OR DISCIPLINARY POWER OVER THE PERSON LESS THAN SEVENTEEN YEARS OLD BY VIRTUE OF HIS OR HER CLERICAL, LEGAL, PROFESSIONAL, OCCUPATIONAL OR VOCATIONAL STATUS;"



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The Senate Bill: S477 --The Saland Bill

Child Abuse

"B) THE FOLLOWING CONDUCT, IF COMMITTED BY A PERSON DEFINED IN PARAGRAPH (A) OF THIS SUBDIVISION SHALL, FOR THE PURPOSES OF THIS SECTION, CONSTITUTE "CHILD ABUSE" AND SHALL REQUIRE A REPORT:



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The Senate Bill: S477 --The Saland Bill

(I) INTENTIONALLY OR RECKLESSLY INFLICTING PHYSICAL INJURY, SERIOUS PHYSICAL INJURY OR DEATH, OR

(II) INTENTIONALLY OR RECKLESSLY ENGAGING IN CONDUCT WHICH CREATES A SUBSTANTIAL RISK OF SUCH PHYSICAL INJURY, SERIOUS PHYSICAL INJURY OR DEATH, OR



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The Senate Bill: S477 --The Saland Bill

(III) COMMITTING OR ATTEMPTING TO COMMIT AGAINST A CHILD THE CRIME OF DISSEMINATING INDECENT MATERIALS TO MINORS . . . ("Obscenity and Related Offenses", Ed. note), OR

(IV) ENGAGING IN ANY CONDUCT PROHIBITED BY ARTICLE ONE HUNDRED THIRTY ("Sex Offenses", Ed. note) OR TWO HUNDRED SIXTY-THREE OF THE PENAL LAW ("Sexual Performance by a Child", Ed. note).



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The Senate Bill: S477 --The Saland Bill

The bill also requires Clergy to review records going back 20 years and report to the DA evidence of child abuse.

The Saland Bill has passed the Senate



Pending Child Protection Bills Endorsed by VOTF-LI

Summary

Current Law

Clergy exempted

Only Parent
/Guardian

Report to Agency

Saland Bill

- Clergy included
- All persons in authority
- Report also to Police



Pending Child Protection Bills Endorsed by VOTF-LI

Assembly Bill A912 McEneny

SPONSOR: McEneny

**COSPONSORS: Koon, Eddington, Galef,
Green, Higgins, Sidikman, Weisenberg**

MLTSPNSR: More than 40 assemblymen

**This assembly bill parallels the Senate
Saland Bill**



Pending Child Protection Bills Endorsed by VOTF-LI

Assembly Bill A912 McEneny

Mandated Reporters:

The list of mandated reporters is expanded to include **clergy**



Pending Child Protection Bills Endorsed by VOTF-LI

Assembly Bill A912 McEneny

The Abuser:

is expanded beyond parent/guardian to include the Mandatory Reporters.

(Doctors and other medical workers, teachers and other school officials, social services professionals, therapists, clergy, day care employees, etc.)



Pending Child Protection Bills Endorsed by VOTF-LI

Assembly Bill A912 McEneny

Child Abuse must also be reported to
law enforcement authorities.



Pending Child Protection Bills Endorsed by VOTF-LI

Assembly Bill A912 McEneny

The bill also requires Clergy to review records going back 20 years and to report to DA evidence of child abuse.

The Bill has passed the Assembly



Pending Child Protection Bills Endorsed by VOTF-LI

The Bills Differ in Definition of Abuser

Senate bill

- Anyone over 19 who abuses a child under 14.
- Authority figure over 20 who abuses any one under 17

Assembly bill

- Any Mandatory reporter over 19 who abuses a child under 18.



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**Abuse by anyone would be preferred,
but the political realities bar this.**

**Hopefully the differences between the
bills will be reconciled and hopefully
the broader definition will prevail**



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The bills are by no means revolutionary:

- All states have mandatory reporting
- 18 states require **all citizens** to report
- 25 states expressly include clergy
- So 43 states are already ahead of us !!

Voice of the Faithful
of Long Island



What you can do

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**Write to your Assemblyperson and
Senator, or email them. Urge them to
support these bills.**

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**Urge your local organizations
(churches, temples, synagogues,
civic associations) to do the same**

Other steps to protect our children:

Parishioners: Make sure your parish is in compliance with the steps mandated by the Bishops' Conference:

- Standards of Conduct posted**
- Staff checked and certified**
- Safety Committee established**

Voice of the Faithful
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Sources of Information and Assistance

NY State Division of Criminal Justice Services

Phone: 1-800-346-3543

Web Address: [New York State Criminal Justice System](#)

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Sources of Information and Assistance

Parents For Megans Law

Phone: (631) 689-2672 (Monday through
Friday 10AM to 3PM)

Web Address: www.Parentsformeganslaw.com

Mail: Parents For Megan's Law
PO Box 145
Stony Brook, New York 11790

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Sources of Information and Assistance

**New York State Office of Children and
Family Services**

Child Protective Services

Web Address:

www.ocfs.state.ny.us/main/cps/

**Phone: 1-800-342-3720 This is the 24
hour a day/every day hotline.**

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Another Bill Supported by LIVOTF



Pending Victim Support Bill Endorsed by VOTF-LI

Statute of Limitations Markey Assembly Bill

A 8705

It provides that the Statute of Limitations for sexual abuse of children in **criminal** cases shall not begin to run until victim reaches age 23.

Currently the Statute starts to run at age 18 and ends five years later, barring actions after age 23. Under the bill actions can be brought up to age 28.



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Statute of Limitations Markey Assembly Bill

A 8705

It further extends the Statute of Limitation in a **civil action** for sexual abuse of of a child to five years after the victim reaches age 23, i.e., an action can be brought up to the time the victim reaches the age of 28.



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Statute of Limitations Markey Assembly Bill

A 8705

It also provides a **one year window** enabling victims of child abuse who are otherwise barred under the present statute, to bring a civil action.



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Statute of Limitations Markey Assembly Bill

A 8705

**This bill passed the assembly on June 16th,
was delivered to the senate the same day
where it was referred to the Rules Committee**



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Statute of Limitations Markey Assembly Bill

A 8705

JUSTIFICATION: Sex crimes, particularly those committed against children, are among the most heinous and deeply disturbing in our society. They are crimes that leave life-long scars, multiple victims and require an all encompassing strategy to combat.



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Statute of Limitations Markey Assembly Bill

A 8705

JUSTIFICATION: This proposal would extend the authority to prosecute and to bring a civil lawsuit for damages in child sexual abuse cases in three significant ways, regardless of whether or not DNA evidence is available. This bill will provide a remedy for those whose lives have been unalterably changed by the horror of childhood sexual abuse. Victims of these horrific crimes will get their day in court and be able to seek the justice they have been denied.



**Pending Victim Support Bill
Endorsed by VOTF-LI**

Another Bill



Pending Victim Support Bill Endorsed by VOTF-LI

Statute of Limitations Skelos Senate Bill S5554

On June 18th, The Senate passed a Statute of Limitations bill. New York State already exempts class A violent felonies, such as murder, first degree arson, and first degree kidnapping from the statute of limitations. These crimes were deemed so serious and damaging to the fabric of ordered society that no statute of limitations should apply.



Pending Victim Support Bill Endorsed by VOTF-LI

Statute of Limitations Skelos Senate Bill S5554

This bill will extend that exemption to class B violent felonies which includes crimes such as first degree attempted murder, first degree manslaughter, first degree rape and sodomy, first degree assault, second degree kidnapping, first degree aggravated sexual abuse, and course (sic) of sexual contact against a child in the first degree. Presently, these felonies are subject to a five year statute of limitations.



Pending Victim Support Bill Endorsed by VOTF-LI

Statute of Limitations Skelos Senate Bill S5554

**When available, the actual provisions of this bill will
be circulated.**

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What you can do

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Write to your Assemblyperson and Senator, or email them. Urge them to harmonize these bills and get them enacted into law.

*Voice of the Faithful
of Long Island* 

Thank You

