

## **Jul-31-06 Governor Corzine Signs Child Protection Window Guard Law**

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### **GOVERNOR CORZINE SIGNS CHILD PROTECTION WINDOW GUARD LAW**

**NEWARK** - Governor Jon S. Corzine today signed the Robert E. Dwight, Jr., Raquan Ellis and Zahir Atkins Memorial Child-Protection Window Guard Law.

The law, named in memory of three New Jersey children, provides new requirements for the installation and maintenance of child safety window guards and enhanced penalties.

"The tragedies that occurred to the Dwight, Ellis and Atkins families are something that no family should ever have to experience," said Governor Corzine who signed the bill at La Casa de Don Pedro, a Newark-based non-profit. "Now serving as an additional line of protection for New Jersey's children - alongside Megan's Law and the Amber Alert - is the Robert E. Dwight, Jr., Raquan Ellis and Zahir Atkins Memorial Child-Protection Window Guard Law."

According to the National SAFE KIDS Campaign, approximately 18 children ages 10 and under die each year from window fall-related injuries. An estimated 4,700 children ages 14 and under are treated in hospital emergency departments annually for injuries sustained from falling out of windows.

The state's window guard law adopted in 1995 requires landlords to install child-protection window guards upon the written request of a tenant. However, incidents of children falling from open windows continued to occur despite the presence of a window guard.

The new law provides new requirements for the installation and maintenance of child safety window guards and enhances penalties for failure to comply with the

law. These include increased civil penalties for first-time offenses and a fourth-degree criminal penalty for repeat violators.

The law specifies that all window guards must be designed and installed so that the space between lowest section of the top horizontal bar of the window guard and the bottom of the upper window sash is less than four inches. Window stops will be allowed as a safety enhancement device but only when used in addition to properly installed window guards.

The law also extends the category of tenants who would be entitled to window guards to renters of units in common interest communities such as a condominium or cooperative. In addition, the bill extends the ability to request window guards to tenants of rental units in which a child under 10 is regularly present for a substantial period of time. Previously, the law only allowed tenants to request window guards if the child resided in the unit.

The bill (S-458/ A-2023) was sponsored by Senators Ronald L. Rice and Sharpe James and Assemblymen Jerry Green and Craig Stanley. The bill was co-sponsored by Senator Diane B. Allen and Assemblyman Robert M. Gordon.