



HEATSTROKE DEATHS OF CHILDREN LEFT IN VEHICLES

By: Katherine M. Dwyer, Associate Analyst

HEAT STROKE

According to the federal [Centers for Disease Control and Prevention](#), heatstroke occurs when "the body's temperature rises rapidly, the sweating mechanism fails, and the body is unable to cool down. Body temperature may rise to 106°F or higher within 10 to 15 minutes. Heat stroke can cause death or permanent disability if emergency treatment is not provided."

QUESTION

What are the laws and associated penalties in New York and the New England states for leaving a child in a vehicle who dies from resulting heatstroke? How many children in those states died from heatstroke in the past five years after being left unattended in vehicles? Is there a correlation between these occurrences and the penalty associated with it?

SUMMARY

Of the New England states and New York, only Connecticut specifically criminalizes, in certain circumstances, the act of leaving a child in a vehicle unattended. The other states do not specifically criminalize this behavior. But every state, including Connecticut, has laws under which, depending on the circumstances, someone may be charged when a child dies after being left in a hot vehicle. These include murder, manslaughter, and risk on injury to a minor statutes. In Connecticut, the penalties for these crimes range from a class C felony (punishable by one to 10 years in prison, a fine of up to \$10,000, or both) for risk of injury to a minor to life in prison without the possibility of parole for murder with special circumstances.

Although Rhode Island does not specifically criminalize leaving a child in a hot vehicle unattended, it authorizes police officers to issue verbal warnings in such circumstances. Also, Massachusetts is currently considering a bill that would subject a person to a fine for such an act.

From 2009-2013, there have been a total of six reported child deaths in New York and New England resulting from the child being left unattended in a hot vehicle. None of the deaths occurred in Connecticut. (One child is suspected to have died in Connecticut under these circumstances in July 2014 but the death is still under investigation.) We were unable to draw a correlation based on the limited data between the severity of the penalty and the incidences of these deaths.

LEGISLATION PROHIBITING LEAVING A CHILD UNATTENDED IN A VEHICLE

Connecticut

Under Connecticut law, it is a class A misdemeanor (punishable by up to a year in prison, up to a \$2,000 fine, or both) to knowingly leave a child under age 12 unsupervised in a motor vehicle for a time period that presents substantial risk to the child's health or safety. It is a class C felony (punishable by one to 10 years in prison, a fine of up to \$10,000, or both) if the child is left between the hours of 8:00pm and 6:00am ([CGS § 53-21a](#)).

Rhode Island

Rhode Island law authorizes law enforcement officers to issue a verbal warning to anyone who leave a child under age seven unattended in a motor vehicle. It prohibits the officer from imposing a fine or sanction for violating this law. It also specifies that law enforcement may not maintain a record of the warning ([R.I. Gen Laws § 31-22-22.1](#)).

Massachusetts

A bill currently before the Massachusetts Legislature imposes a fine on a person who leaves a child age eight or younger in a vehicle unaccompanied by a person at least age 14. It subjects violators to a \$200 fine for the first offense and \$500 for a second or subsequent offense ([H.1261](#) (2014)).

DATA ON CHILD HEATSTROKE DEATHS

Table 1 lists five-year data (2009-2013) on reported heatstroke deaths of children left in vehicles in New York and New England.

Table 1: Child Heatstroke Deaths (2009-2013)

State	Deaths					
	2009	2010	2011	2012	2013	Total
Connecticut	0	0	0	0	0	0
Maine	0	1	0	0	0	1
Massachusetts	0	0	1	1	0	2
New Hampshire	0	0	0	0	0	0
New York	0	1	0	0	1	2
Rhode Island	1	0	0	0	0	1
Vermont	0	0	0	0	0	0

Source: [Heat Stroke Deaths of Children in Vehicles](#), University of San Francisco, Department of Geosciences.

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