



NEW YORK STATE SENATOR

Patrick M. Gallivan

Senate Passes Brittany's Law: Creates Statewide Violent Offender Registry

PATRICK M. GALLIVAN May 18, 2011

| ISSUE: **CRIME, VICTIMS, JUVENILE CRIMINAL JUSTICE**

Senator Patrick M. Gallivan (R,C,I – 59th District) announced today that The New York State Senate has passed Brittany's Law (S.3645B), a bill that would establish a statewide violent felony offender registry by requiring offenders to register with the New York State Department of Criminal Justice Services upon release from prison. The law is intended to increase the safety of all New Yorkers by providing access to the list of convicted violent offenders.

Brittany's Law is named for 12 year-old Brittany Passalacqua, who was murdered in Geneva, N.Y. in 2009 along with her mother Helen Buchel by a violent convicted felon who had been released from prison. The killer, John Edward Brown, was on parole at the time of the murder. He was released from prison after serving 2 ½ years of a three-year sentence for assaulting his infant daughter in 2003.

“Violent criminals are rarely one-time offenders, and people have a right to know who in their communities poses a clear danger to their families' safety, said Gallivan. “This legislation is a strong, preventative tool for law enforcement agencies and civilians alike.”

The violent felony offender registry would be similar to the New York State Sex Offender Registry. Offenders would be required to register once released from prison and must re-register annually. Information about the offenders would be compiled in the database. Other states have established a violent felony offender registry, including Montana, Illinois, Indiana, Florida, Kansas, Louisiana, Nevada, and Oklahoma.

“Brittany’s law comes too late to save the life of Brittany Passalacqua or her mother, but when enacted, it will save the lives of many other New Yorkers” said Gallivan. “During my tenure as Erie County Sheriff, the practice of disseminating information about known sex offenders became standard procedure and the immediate results were unmistakable. Predators living in our neighborhoods were no longer able to lurk amongst us. Like sex-offender registries before, Brittany’s law will empower citizens with information.”

A recent study by the University of Wyoming found that individuals under the age of 25 who commit violent crimes have the highest rate of recidivism. The Urban Institute Justice Policy Center based in Washington, DC conducted a study published in 2003 that found nationwide 53% of arrested males and 39% of arrested females are re-incarcerated.

Senator Gallivan has extensive experience in the field of criminal justice, rising to the rank of Captain in the New York State Police before being twice elected Sheriff of Erie County.

The bill has been sent to the Assembly.