



NEW YORK STATE SENATOR

Martin J. Golden

Senate Passes Bill to Protect Communities From Sex Offenders

MARTIN J. GOLDEN June 14, 2011

The New York State Senate today passed additional restrictions for sex offenders to help protect children and families. The four bills strengthen the penalties for not registering as a sex offender or following other post-release conditions, expand the current registry to include certain criminals serving sentences after committing a sex offense as a result of mental disease or defect, and prevent sex offenders from preying upon mental health workers and patrons in library settings.

Bills S.1542 and S.1544, sponsored by Senate Majority Leader Dean G. Skelos (R, Rockville Centre), would increase penalties and make it a felony for certain sex offenders who fail to register or report a change of address. Currently, sex offenders who fail to register or report address changes face only a misdemeanor for a first offense. The penalty does not reach a felony level until a second or subsequent offense. In this proposed legislation, level 3 sex offenders would be punished with a felony for a first offense and would face a higher level felony charge for subsequent offenses.

The bills are in response to an incident in Cheektowaga, Erie County, where a 13-year-old girl was raped by a level 3 sex offender living in her neighborhood. Residents didn't know that a level 3 sex offender was living in that area because he had failed to report a change of address as required by law.

“The safety and well-being of our children and families are at risk each time a dangerous sex offender flouts the law and fails to register or follow release conditions,” Senator Skelos said.

“There is too much at stake, which is why this bill is critical to increasing the penalties for violations and ensuring communities receive the appropriate notification about offenders’ residences.”

Bill S.2593, sponsored by Senator John Flanagan (R-C-I, East Northport), includes new registry requirements for certain individuals who commit a sex offense and who have entered a plea or had a verdict rendered against them of “not responsible by reason of mental disease or defect”. It also provides for the sharing of important sexual violation history to mental health staff for their protection. Lastly, the bill would require individuals being released from a mental health facility and needing to register as a sex offender to complete the registration process or else have their discharge or release from a facility postponed.

“Expanding the reach of the state’s sex offender registry will increase its usefulness and that will help everyone achieve the ultimate goal of safeguarding the residents of New York State,” stated Senator Flanagan. “It will provide parents with the information they need to protect the children of our community and will allow all law-abiding New Yorkers to access the most up-to-date and complete information available to protect themselves. And most importantly, it will help provide all New Yorkers with the sense of security and safety they deserve.”

The Senate also passed bill S.3744, sponsored by Senator Andrew Lanza (R-I, Staten Island) which restricts certain sex offenders who are released on parole from entering public, association or free libraries. The bill was prompted by the assault of a child by a registered sex offender at a library in Massachusetts.

The bills will be sent to the Assembly.