



NEW YORK STATE SENATOR

Kenneth P. LaValle

LaValle: Senate Toughens Sex Offender Laws

KENNETH P. LAVALLE June 14, 2011

| ISSUE: **CRIME, VICTIMS**

New York State Senator Kenneth P. LaValle (R,C, - Port Jefferson) said the 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, 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.

“Protecting children and families are the cornerstone of this legislation,” LaValle said. “These bills are critical to increasing the penalties for violations and ensuring communities receive the appropriate notification about offenders’ residences.”

Bill S.2593, 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.

The bills will be sent to the Assembly.