



NEW YORK STATE SENATOR

Martin J. Golden

Senator Golden: New York Must Close Loophole That Protects Perverts

MARTIN J. GOLDEN May 9, 2012

| ISSUE: **CRIME**

Albany- State Senator Martin J. Golden (R-C-I, Brooklyn), in the wake of yesterday's New York State Court of Appeals decision in the case of *People v. Kent*, which dealt with the viewing of child pornography, has introduced legislation, S. 7407, to amend State law so to conform with federal regulations.

Senator Golden's legislation seeks to amend the law, that currently makes it a crime to possess an obscene sexual performance by a child, to also include knowingly accessing such material with intent to view. The legislation was sparked by the Court of Appeals ruling that found viewing child pornography did not constitute a crime under current law.

James D. Kent was convicted for having downloaded, saved and deleted 132 images. However, Kent could have been additionally held accountable for temporary files automatically stored from websites viewed.

Senator Golden stated, “I have introduced this legislation so that we can properly prosecute those who view child pornography here in New York State. Federal regulations are already in place to see that those who access child pornography face the stricter standards of the law. New York must adopt these same policies.”

Golden continued, “Child pornography is highly offensive in its very nature. It should not matter if you view it, read it, or download it. Simply the fact that you are viewing it is a crime and New York should treat it as such.”

Senator Martin J. Golden is a former New York City Police Officer and a member of the New York State Senate Codes Committee.

Assemblyman Joseph Lentol (D-Brooklyn) is the Assembly sponsor of A. 10161.