



NEW YORK STATE SENATOR

William Larkin

Senate Passes Package of Bills to Toughen Penalties for Sex Offenders

WILLIAM J. LARKIN JR. January 26, 2015

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The New York State Senate Majority Coalition today announced the passage of a package of legislation that would help keep communities safer from sexual predators. The seven bills would help prevent the most dangerous offenders from having contact with children and college students, require more stringent residency reporting requirements for the sex offender registry, strengthen penalties for those who help sex offenders evade registration requirements, and create a public awareness program to educate schools, community groups, and clergy on issues related to sex offenders.

Senate Majority Leader and Coalition Co-Leader Dean G. Skelos said, “We must continuously focus on ways to keep families safe from sex offenders. Providing the public with accurate residency information and limiting the potential for children, college students, and others to have close contact with sexual predators are important protections our communities need.”

Legislation ([S851](#)) sponsored by Senate Coalition Co-Leader Jeffrey D. Klein (D, Bronx) would prohibit Level 2 and 3 sex offenders from being placed in temporary and emergency housing or homeless shelters where children are present.

Senator Klein said, “Allowing high-level sex offenders to stay in family shelters where vulnerable women and children are trying to get back on their feet is not only troublesome but dangerous. With more than 60,000 homeless New Yorkers sleeping in New York City shelters and thousands more out on the street, we need to take every measure to protect those in our care. Just days after finding two such predators residing at a Bronx shelter in my district, I am proud this legislation has passed the Senate. This marks a critical step in protecting the thousands of women and children seeking shelter and I look forward to seeing this important bill pass both houses in the coming weeks.”

Senator Michael Ranzenhofer (R-C-I, Amherst) has sponsored legislation ([S869](#)) making it a crime for anyone to knowingly harbor, house, or employ a sex offender who has failed to register or verify residence or employment and fails to contact their local law enforcement agency.

Senator Ranzenhofer said, “This legislation addresses the serious problem of dealing with those who protect convicted sex offenders who they know have not registered with the Division of Criminal Justice Services. Under the proposed bill, a person would be obligated to tell officials that a convicted offender is living with or working for them. I am pleased that this bill is moving through the legislative process.”

The Senate also passed a measure ([S2084](#)), sponsored by Senator John Flanagan (R-C-I, East Northport), which would prohibit a sexually violent or Level 3 sex offender who committed a crime against a child from being granted custody and unsupervised visitation with a child. These sex offenders would remain ineligible unless they provide clear and convincing evidence that custody or visitation would benefit the child.

Senator Flanagan said, “Many times, the children of sex offenders are at greatest risk for abuse and we must provide them with any and all protections to help keep them safe from harm. While parental rights are extremely important, the safety of any children involved must be the most important factor in any custody decision. Altering the permissible contact that a sex offender is able to have with children, including their own, can potentially save numerous children from emotional, physical and sexual harm.”

Legislation ([S1608](#)) sponsored by Senator John Bonacic (R-C-I, Mount Hope) would require reporting of multiple residences when a sex offender is living somewhere part-time. Under current law, offenders are only required to register their primary residence with the Division of Criminal Justice Services. The bill also requires the Division to develop a notification system to report offenders who have multiple residences.

Senator Bonacic said, “This is a necessary piece of legislation because often offenders spend significant amounts of time at residences other than their registered primary domicile or residence. That means the local police and the residents, families, and school officials are not informed of an offender in their community. This puts our children, unnecessarily, at

risk. This bill will fix that loophole.”

A bill ([S396](#)) sponsored by Senator Patrick Gallivan (R-C-I, Elma) would require the commissioner of the Office for People with Developmental Disabilities to contact local officials and school superintendents when a sex offender is transferred to a community program or residence within their municipality.

Senator Gallivan said, “Local officials have a right to know about the transfer of sex offenders into a community program or residential neighborhood so that they have time to properly address public concerns and security issues. Once notification is made, local officials will have the information necessary to appropriately respond and keep their community safe.”

Senator Joseph Robach (R-C-I, Rochester) sponsored a measure ([S833](#)), which would prohibit Level 3 sex offenders from living in student housing on college campuses and makes it a class A misdemeanor upon conviction of a first offense, and a class D felony upon conviction for a second or subsequent offense.

Senator Robach said, “Students should feel safe and not have to worry about their well-being when living on campus, but unfortunately sexual offenses and assaults happen far too often in college housing. We can take a step towards preventing such crimes by prohibiting Level 3 sex offenders from living on college campuses and in college dorms, which will help provide a safe learning environment for future generations.”

Legislation ([S845](#)), also sponsored by Senator Robach establishes a sex offender public awareness outreach program. This program would provide educational outreach to schools, community groups, and clergy on issues related to sex offenders.

“Preventing crimes in our communities starts at the grassroots level. The Sex Offender Public Awareness Program is a proactive approach to educating our schools, community groups and clergy about the release of sex offenders back into society so we can prevent further victimization. Government’s most fundamental role is to protect the public, this legislation helps us in that effort,” Senator Robach said.

The bills will be sent to the Assembly.