



NEW YORK STATE SENATOR

Terrence Murphy

Murphy authors and passes first bill, victim safety zones

TERRENCE P. MURPHY February 26, 2015

| ISSUE: **CRIME, HOUSING, VICTIMS, RAPE, SESSION**



ALBANY, NY - While discussion of so-called "child safety zone" legislation has recently shot to the forefront after a state appellate court decision striking down municipal laws to enact residency requirements for sex offenders, those who have been involved in the issue for years today celebrated a significant legislative victory in Albany.

The Senate passed two bills, one co-prime sponsored by Senator Terrence Murphy that would allow a municipal local option to restrict residency for sex offenders, as well as a bill authored by Murphy that makes it unlawful for a convicted sex offender to reside near their

victim.

"This victory has been a long-time coming and I'm proud that after eight years, we can finally say that our towns and counties are free to pass child safety zone laws that will now withstand a legal challenge," Senator Murphy said. "Yet what we've learned is that while child safety zones may create a sense of security, many sexual assaults against children are perpetrated by someone the victim knows. Victims should not have to tolerate the emotional distress that coming into contact with their abuser may cause."

Murphy began his advocacy for child safety zones in 2007 with an organization known as Keeping Westchester Safe. He served on the State Assembly Sex Offender Watch Task Force, responsible for the genesis of the idea, pushing for its adoption in several counties including Putnam, which he now represents.

The courts struck down those initial laws, on the basis that a municipality could not preempt the state Division of Criminal Justice Services (DCJS) on sex offender placement, leading to the first statewide proposals for a child safety zone fix.

Municipalities tried to work around the court ruling by limiting their local laws to ordinances that dealt with offenders who were not under DCJS supervision, however, this month the appellate court rendered a decision which struck down those laws and led to the introduction of the new legislation passed today.

The law Murphy authored and passed is his first legislation to successfully pass the State Senate. It addresses expert concerns that child safety zone laws alone are not enough to protect victims by restricting sex offenders from residing within 1500 feet of the residence to their victim.

The other piece Murphy cosponsored allows localities to legally provide residency requirements for sex offenders. "I hope the State Assembly will move quickly to pass both these laws to protect victims and so our towns and counties finally have the option to legally define sex offender free zones such as schools, bus stops, child care facilities, parks, playgrounds, sports fields, dance studios and other facilities that attract children where we say to sexual predators, find someplace else to live," he said.