



NEW YORK STATE SENATOR

Robert G. Ortt

## Senate Approves Measures to Protect Our Children From Sex Offenders

ROBERT G. ORTT February 26, 2015

| ISSUE: [LAW](#)



I'm proud to report that I've just voted to approve several pieces of legislation designed to help keep our local communities, families and children safe from convicted sex offenders.

Specifically, these bills would:

- Allow localities to fortify sex offender restrictions in ways that are no less restrictive than state laws;

- Require school districts to distribute information about a sex offender's residence upon notification from law enforcement;
- Close the loophole on the legal definition of a school to include Pre-K and Kindergarten;
- Hold risk assessment hearings before a sexual predator is released into a community;
- Prevent convicted Level 1, 2, or 3 sex offenders from residing within 1,000 feet of a building used exclusively as an elementary or high school;
- Prohibit a Level 2 or 3 sex offender from residing within 1,500 feet of their victim's residence;
- Fix a loophole that allows sex offenders to spend significant amounts of time at a residence other than the primary one registered with the state;
- Increase the information available to the public when a convicted sex offender is in contact with the community; and
- Prohibit Level 3 sex offenders from entering child care facilities as a condition of their sentencing.

Today's action comes on the heels of an important new Senate investigative report, "[Keeping Our Children Safe From Sex Offenders](#)," that recently uncovered startling violations of residency restrictions and a major loophole in New York State law. The investigation found convicted pedophiles violating state law by living within 1,000 feet of grade schools with Pre-K programs. In addition, over a dozen sex offenders are residing within 1,000 feet of stand-alone Universal Pre-K programs not attached to grade schools, currently unprotected by state law.

These revelations follow a recent New York State Court of Appeals ruling that sided with a sex offender who completed his parole and moved within 500-feet of a Nassau County school, in compliance with state law, but against local law. The court ruled that only the

state, not a locality, is authorized to create residency restrictions for sex offenders.

Ensuring the safety and security of children throughout New York is a top priority, and I will continue working tirelessly until these important measures become law.

I will be sure to keep you posted of my efforts.

Faithfully yours,

Robert G. Ort

State Senator, 62<sup>nd</sup> District