



NEW YORK STATE SENATOR

Susan Serino

Serino Takes Proactive Approach to Protecting Communities From Sex Offenders

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Bill Increasing Penalties for Public Lewdness Passes in Senate

ALBANY—Senator Sue Serino (R, C, I—Hyde Park) announced today that her bill to increase penalties for public lewdness offenders passed in the Senate on Wednesday.

“When it comes to public safety, I believe in being proactive—especially when it comes to protecting our children,” said Senator Serino. “Public lewdness is more than offensive, too often it indicates the potential for recidivism and signals a desire to commit more sinister crimes.”

A person is guilty of public lewdness when an individual intentionally exposes the private parts of their body in a lewd manner or commits any other lewd act in a public or private place under circumstances in which they may easily be, or intend to be, seen. While it has long been considered nothing more than a nuisance crime, this bill was written as a direct response to law enforcement officials who reported that many perpetrators of public lewdness have a long history of committing such acts and other sex crimes.

Currently, New York law contains a single crime of public lewdness and designates it as a class-B misdemeanor. Therefore, the current law does not require these perpetrators to register as a sex offender. Further, it fails to enhance the punishment if the act is committed against a child.

Senator Serino's bill (S. 3693-A) aims to fill these dangerous gaps and deter these offenses by raising the penalty for repeat public lewdness offenses and provides a much needed felony offense for perpetrators that prey upon children. Specifically, the bill designates public lewdness in the fourth degree and establishes a class E felony of public lewdness in the second degree for multiple offenses. Further, it designates public lewdness in the first degree as an offense which results in permanent disqualification for employment as a school bus driver and designates public lewdness in the first degree as a sex offense requiring the perpetrator to register as a sex offender.

“ By increasing penalties for repeat offenders and by providing a felony for perpetrators that prey on children, we are sending the message that we have no tolerance for this kind dangerous behavior. Passing this bill is an issue of public safety and will go a long way in keeping these offenders away from our children,” concluded Senator Serino.

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