



NEW YORK STATE SENATOR

Martin J. Golden

GOVERNOR CUOMO SIGNS BILL STRENGTHENING LAWS AGAINST INTERNET ACCESS OF CHILD PORNOGRAPHY

MARTIN J. GOLDEN September 10, 2012

As a former New York City Police Officer and Senate sponsor of the bill New York and our nation were shocked and offended when they learned of a loophole that prevents the appropriate prosecution of individuals who view child pornography. Our children, families and all citizens are safer because of this new law that puts in place stricter penalties against this wrongful behavior. New York now conforms with federal regulations and rightly classifies viewing child pornography as a crime.

In 1996, New York state enacted a law prohibiting the possession of child pornography. However, in a case decided on May 8, 2012, the New York Court of Appeals held that existing law did not prohibit “accessing and viewing” child pornography on the internet. The Court specifically invited the State to amend the Penal Law to criminalize accessing child pornography with the intent to view it on the internet. The new law addresses that glaring loophole.