



NEW YORK STATE SENATOR

Terrence Murphy

Senator Murphy to Sex Offenders: Your Flight is Canceled, No more flying under the radar

TERRENCE MURPHY June 8, 2017

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Albany, NY - In April, Senator Terrence Murphy hosted a roundtable discussion at the Yorktown Town Hall with elected officials, advisory groups and law enforcement representatives to discuss updating Megan's Law and other legislation to protect children. One of the points discussed was the community's concern that a convicted sex offender who moves into New York State can reside in a community virtually anonymously for a substantial period while awaiting risk level designation. Senator Murphy has sponsored

S6548, legislation that will allow the dissemination of information on sex offenders from another state who have not been assigned a risk level in New York State.

"The prospect that potential victims do not know if a predator is living in their midst is terrifying," said Senator Murphy. "Some sex offenders try to fly under the radar. They go 'state shopping,' moving to a state where registry laws may not be as strict. We want to make sure that New York State does not become a sanctuary for sex offenders. This bill will ensure the public has an opportunity to learn of a convicted sex offender living within their community, while empowering law enforcement with a mechanism to better protect our children and families."

Putnam County Sheriff Donald B. Smith said, "I thank Senator Murphy for sponsoring a proposed amendment to the Sex Offender Registration Act that will allow law enforcement to notify our citizens promptly when registered sex offenders from other states move into New York. Under the current law, law enforcement is prohibited from making such community notification until the offender has had his or her risk level determined here in New York, which can take several weeks. Under the proposed amendment, vulnerable entities could be alerted immediately if certain offenders move into their neighborhoods, which will enhance public safety."

"The Alliance for Safe Kids (ASK) supports Senator Murphy's efforts to update Megan's Law," said Tricy Cushner, President of ASK. "As a community coalition, it is our responsibility to work with lawmakers and enforcers to stay on top of ever changing cyberspace trends. We all have a responsibility to remain current on news and information regarding cyber safety and share tools and resources with our community to help keep our children safe."

Because the disclosure of offender information serves as a function for public safety, the

community's right to know about an offender's presence in their community supersedes the offender's right to privacy.

This bill provides that information about a sex offender who has not been assigned a risk level in this state may be disclosed as if the offender is a level two offender. After a sex offender is assigned a risk level, the law enforcement agency having jurisdiction will carry out the dissemination of any additional relevant information.

Under the current law, law enforcement agencies can release information on designated sex offenders through community notification; however those sex offenders coming in from another state essentially fly under the radar until the Board of Examiners of Sex Offenders makes a determination, which could take up to two months.