



NEW YORK STATE SENATOR

William Larkin

Larkin Announces Civil Commitment Bill Signed Into Law

[WILLIAM J. LARKIN JR.](#) March 13, 2007

Senator Bill Larkin (R-C, Cornwall-on-Hudson) today announced that Governor Spitzer has signed the bill that will enforce civil commitment on repeat sexual predators.

The new law establishes the Sex Offender Management and Treatment Act to allow the ongoing supervision and custody of sex offenders upon the expiration of their criminal sentences.

Under the new law, mental health professionals will determine whether a detained sex offender has a mental abnormality that predisposes him or her to commit future sex crimes. The Attorney General's office would have the burden to prove the mental abnormality to a jury. Upon a unanimous finding, a judge would order an individual either confined to a mental health facility or require the individual to undergo intensive supervision after his or her release from prison.

In addition, the new law establishes mandatory treatment programs during incarceration and after release. It creates a new crime of "sexually motivated felony," and it mandates longer periods of post-release supervision for sex offenders. The law will create the Office of Sex Offender Management in the State Division of Criminal Justice Services to develop a comprehensive policy and standards for the evaluation, treatment and management of sex offenders.

"As I have said many times over the last twenty years, the civil commitment law is absolutely necessary in our efforts to keep a close watch on these individuals," said Senator Larkin. "It will help us better monitor the most dangerous sexual predators and protect potential victims. While I still believe we can put even tougher laws on the books concerning sex offenders, this new measure is an important step in keeping them in line."