



NEW YORK STATE SENATOR

William Larkin

Larkin Announces Agreement On The Civil Commitment Of Sex Offenders

[WILLIAM J. LARKIN JR.](#) February 28, 2007

Senator Bill Larkin (R-C, Cornwall-on-Hudson) today announced that Governor Spitzer, the Senate and the Assembly have reached a three-way agreement on legislation that will help protect New Yorkers against repeat sex offenders.

The legislation authorizes a new program of civil commitment of individuals who have been convicted of sex crimes, but served their prison terms, and yet remain a clear threat to repeat these serious crimes.

The bill contains tough new penalties, eliminates parole for Article 130 sex offenses, mandates long periods of supervision, provides for indefinite civil confinement of dangerous predators, and mandates treatment for all offenders.

"I believe this measure is a very good starting point in our efforts to protect innocent people, and especially children, from individuals who would prey upon them," said Senator Larkin. "It is my hope that we can continue to work together to put even tougher laws on the books in New York State and keep dangerous sexual predators off the streets."

Under the agreement, the initial screening of cases will be done by mental health professionals who will decide whether the inmate has a mental abnormality that might

predispose them to commit sex offenses in the future. A final decision on this issue is entrusted to the unanimous vote of a jury after a trial. A judge will then determine the most appropriate form of management – either confinement for the highest-risk offenders, or strict and intensive supervision for those who pose a lesser risk.

In addition, the new legislation provides for the following:

Mandatory treatment for all sex offenders – both during incarceration and after release;
Longer periods of parole supervision for sex offenders; Establishment of a new crime of "sexually motivated felony;" and Creation of a new Office of Sex Offender Management in the State Division of Criminal Justice Services, which will develop comprehensive policies and standards for the evaluation, treatment and management of sex offenders.

The State Senate has been calling for the strictest civil commitment legislation for almost two decades.