



NEW YORK STATE SENATOR

Dean G. Skelos

Senate Passes Brittany's Law, Creates Statewide Violent Felony Offender Registry

Dean G. Skelos

May 17, 2011

Registry would help law enforcement track violent offenders after release from prison

The New York State Senate today passed Brittany's Law (S.3645B), a bill that would establish a statewide violent felony offender registry by requiring offenders to register with the New York State Department of Criminal Justice Services upon release from prison. The law is intended to increase the safety of all New Yorkers by providing access to the list of convicted violent offenders.

Sponsored by Senator Joseph Griffo (R-IP-C, Rome) and Senator Mike Nozzolio (R-C, Fayette), Brittany's Law is named for 12 year-old Brittany Passalacqua, who was

murdered in Geneva, N.Y. in 2009 along with her mother Helen Buchel by a violent convicted felon who had been released from prison. The killer, John Edward Brown, was on parole at the time of the murder. He was released from prison after serving 2 ½ years of a three-year sentence for assaulting his infant daughter in 2003.

"The recidivism rate of violent offenders necessitates the need for a new law that will help keep our communities safe," said Senator Griffo. "Our goal is to avert future tragedies for New York families who will never recover from losing a loved one because this registry isn't in place. New Yorkers have the right to know when violent offenders are living in their midst and this initiative will help law enforcement identify criminals who continually commit violent acts."

Passalacqua's grandmother Dale Driscoll, has been leading the fight to establish a violent felony offender registry in honor of her granddaughter.

"This is a tremendous victory for our State in the fight against violent crime," said Senator Nozzolio. "By putting measures in place for law enforcement to track violent offenders and keeping our communities informed of their whereabouts, Brittany's Law will save lives. I thank Dale Driscoll for all of her hard work and encouragement in helping Senator Griffo and I fight to enact this legislation to honor the memory of her daughter and granddaughter. I also thank Senator Griffo for his invaluable efforts in developing this legislation."

"My family and I are tremendously grateful to Senator Nozzolio for his outstanding efforts to get Brittany's Law adopted in the New York State Senate," said Dale Driscoll. "Nothing can ever bring Helen or Brittany back, but if this legislation prevents another family from suffering the heartbreak that we have been through, my daughter and granddaughter will not have died in vain."

“Violent felons are likely to repeat violent crimes when released from prison. Protecting the public from violent offenders such as John Edward Brown is a primary government interest,” said Assemblyman Mike Spano (D,C,WF-Yonkers) who sponsors this measure in the Assembly. Similar to the sex offender registry, this bill would allow police to keep better track of violent offenders and show criminals that we are serious about cracking down on violent invaders who compromise our safety.”

The violent felony offender registry would be similar to the New York State Sex Offender Registry. Offenders would be required to register once released from prison and must re-register annually. Information about the offenders would be compiled in the database. Other states have established a violent felony offender registry, including Montana, Illinois, Indiana, Florida, Kansas, Louisiana, Nevada, and Oklahoma.

A recent study by the University of Wyoming found that individuals under the age of 25 who commit violent crimes have the highest rate of recidivism. The Urban Institute Justice Policy Center based in Washington, DC conducted a study published in 2003 that found nationwide 53% of arrested males and 39% of arrested females are re-incarcerated.

The bill has been sent to the Assembly.