



NEW YORK STATE SENATOR

Andrew J. Lanza

Senate Passes Package of Bills to Toughen Penalties for Sex Crimes

ANDREW J LANZA April 18, 2013

The New York State Senate has passed a package of bills cracking down on rapists and sex offenders by creating new crimes and increasing penalties.

Legislation (S.1459) cosponsored by Senator Andrew Lanza ensures significantly longer prison sentences for serial rapists. Under current law, it is possible for a judge to issue concurrent sentences for multiple counts arising from separate and distinct acts of rape. The legislation would require consecutive prison sentences for each separate count of first-degree rape when an individual is convicted of multiple counts, keeping dangerous felons off the streets for as long as possible.

“The crime of first-degree rape, one of horrific violence, is often repeated either against the same victim, or against several victims,” Senator Lanza said. “Without this change, someone who commits two, three, more acts of rape can be sentenced as if they only committed one act. It’s conceivable a rapist convicted of multiple counts could receive as little as five years in prison. That is unacceptable.”

The Senate also passed legislation, (S.2510) cosponsored by Lanza, that creates new felony-level “Computer Sex Crimes”, which are offenses in which criminals use computers and the Internet to commit sex crimes against children under the age of 17.

“As more and more children have technology readily available, especially computers, we need to do all we can to make sure they are secure,” said Senator Lanza. “Increasing penalties against those who prey on these vulnerable children will deter criminals from committing such crimes.”

The anonymity that comes with using the Internet has made it easier for criminals to find their victims, especially children. These crimes also frequently involve individuals using a false identity in an effort to engage in sexual contact with minors. This bill also gives law enforcement additional tools to investigate these types of crimes.

Senator Lanza also sponsored a bill (S.1391) that increases the penalty for failure to register or report a change of address by a Level Three Sex Offender.

Currently, sex offenders who fail to register or report address changes only face a misdemeanor for the first offense. The penalty does not reach felony-level until a second offense. This bill punishes first-time offenders more harshly, and offenders would face a higher-level felony charge for subsequent offenses. Level Three Sex Offenders are considered to be the most dangerous and the most likely to repeat their crimes.

The Senate also acted on a bill that adds a new crime to protect children. The bill (S.988) creates the felony crime of endangering the welfare of a child if a person has previously been charged with child endangerment. Currently, the crime is a misdemeanor offense no matter how many times an individual has been charged with that crime in the past.

“Repeat child endangerment offenders are individuals who have shown no regard for children’s safety time and time again,” said Senator Lanza. “It makes no sense that current law does not allow these individuals to face enhanced penalties for repeatedly putting children directly into harm’s way. This legislation would correct that inequity and allow law

enforcement to bring felony charges against repeat offenders who continually endanger children's welfare."

This bill would ensure the safety of our children by taking into account when a person with a history of child abuse continues to commit these crimes, and toughens the penalties for them.

These bills will be sent to the Assembly.

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