



NEW YORK STATE SENATOR

John J. Flanagan

Senator Flanagan Supports Tougher Penalties For Sex Offenders

JOHN J. FLANAGAN February 10, 2015

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Senator John Flanagan (2nd Senate District) joined with his colleagues in the New York State Senate Majority to pass a package of legislation, including a bill that he sponsored, that would help keep communities safer from sexual predators. These seven bills would help prevent the most dangerous offenders from having contact with children and college students, require more stringent residency reporting requirements for the sex offender registry, strengthen penalties for those who help sex offenders evade registration requirements, and create a public awareness program to educate schools, community groups, and clergy on issues related to sex offenders.

The legislation that Senator Flanagan sponsored ([S2084](#)) would prohibit a sexually violent or Level 3 sex offender who committed a crime against a child from being granted custody and unsupervised visitation with a child. These sex offenders would remain ineligible unless they provide clear and convincing evidence that custody or visitation would benefit the child.

Senator Flanagan said, “Many times, the children of sex offenders are at greatest risk for abuse and we must provide them with any and all protections to help keep them safe from harm. While parental rights are extremely important, the safety of any children involved must be the most important factor in any custody decision. Altering the permissible contact that a sex offender is able to have with children, including their own, can potentially save numerous children from emotional, physical and sexual harm.”

In addition to Senator Flanagan’s legislation, the Senate package includes the following:

- [S851](#) would prohibit Level 2 and 3 sex offenders from being placed in temporary and emergency housing or homeless shelters where children are present.
- [S869](#) would make it a crime for anyone to knowingly harbor, house, or employ a sex offender who has failed to register or verify residence or employment and fails to contact their local law enforcement agency.
- [S1608](#) would require reporting of multiple residences when a sex offender is living somewhere part-time. Under current law, offenders are only required to register their primary residence with the Division of Criminal Justice Services. The bill also requires the Division to develop a notification system to report offenders who have multiple residences.

- [S396](#) would require the commissioner of the Office for People with Developmental Disabilities to contact local officials and school superintendents when a sex offender is transferred to a community program or residence within their municipality.
- [S833](#) would prohibit Level 3 sex offenders from living in student housing on college campuses and makes it a class A misdemeanor upon conviction of a first offense, and a class D felony upon conviction for a second or subsequent offense.
- [S845](#) would establish a sex offender public awareness outreach program. This program would provide educational outreach to schools, community groups, and clergy on issues related to sex offenders.

The bills were sent to the Assembly for further action.