



NEW YORK STATE SENATOR

Martin J. Golden

Braunstein and Golden Call for Statewide Ban on Sex Offenders Residing Near Schools

MARTIN J. GOLDEN February 18, 2015

In response to a court ruling that localities in New York are prohibited from enacting rules restricting the residency of sex offenders, Assemblyman Edward C. Braunstein (D-Bayside) and Senator Martin Golden (R, C, I-Brooklyn) called for the passage of their legislation (A.547/S.2269), which would prohibit all level one, two and three sex offenders in New York State from residing within 1,000 feet of a school.

On February 17th, the New York State Court of Appeals struck down a Nassau County regulation banning sex offenders from residing within 1,000 feet of a school, ruling that state law on sex offenders supersedes all local regulations. The Court's decision puts over 100 local laws at risk.

"When talking about the safety and security of the children of New York, we cannot waste a minute in passing this vital piece of legislation. While I strongly disagree with the court's ruling and the short term ramifications it has across our great state, it emphasizes the need to pass our legislation and keep registered sex offenders away from our schools," said Senator Golden. "I urge my colleagues to pass this bill as soon as possible and the Governor to sign it."

“In light of the court’s ruling, it is imperative that the legislature pass our bill, which would ban all sex offenders from residing within 1,000 feet of a school,” said Assemblyman Braunstein. “Municipalities around the state have enacted laws against sex offenders to protect our children, and the court’s decision potentially places children around the state at risk from convicted sex offenders. In the court’s decision, Judge Eugene Pigott wrote regarding local laws: ‘That such laws are proliferating at an accelerated rate is hardly surprising, given the significant interest involved, namely, the protection of children from sex offenders.’ It is clear that the state must step in and act now to ensure the safety of students throughout New York.”

Laura A. Ahearn, Executive Director of Parents for Megan’s Law said, “As a result of the court’s decision, New York State’s most dangerous unsupervised registered sex offenders, including sexually violent offenders and sexual predators, are now free to move in directly across from elementary schools.” She further supports the efforts of state lawmakers, “acting swiftly to address this dangerous situation with legislation that places child safety as its top priority.”