



NEW YORK STATE SENATOR

Robert G. Ortt

Ortt: Protect Victims, Schools From Sexual Predators

ROBERT G. ORTT February 22, 2015

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NY Court of Appeals Says Localities Can't Prohibit Where Sex Offenders Live

State Senator Robert Ortt (R,C,I-North Tonawanda) today announced legislation (S.2609) that will prohibit convicted sex offenders from living near schools or in close proximity to their victims. Ortt said this legislation, which he is co-sponsoring, is even more critical after the New York State Court of Appeals ruled this week that local governments do not have the authority to restrict where sex offenders can live.

“Protecting our communities from the most horrific of criminals should be among the most basic functions of government,” said Ortt. “Unfortunately, current law allows serious sex offenders to reside next door to schools, or live across the street from their victims. This legislation will address this blatant gap and the serious concerns of law enforcement, schools, parents, and victims.”

Ortt’s legislation would prohibit convicted Level 2 and Level 3 sex offenders from residing within 1,500 feet of their victim; entering or residing within 1,500 feet of school grounds; and from attending or participating in school events or activities. Violators would face a class E felony charge, punishable by up to one to four years in prison. The bill has been referred to the Senate Crime Victims, Crime and Correction Committee.

Ortt is also sponsoring legislation to clarify the definition of residency to as it pertains to sex offenders. Currently, offenders can register at a primary address, but spend significant time elsewhere, violating the original intent of reporting requirement laws. Ortt expects the Senate to take this measure up, as well as a host of other public protection initiatives, this legislative session.