



NEW YORK STATE SENATOR

Catharine Young

Greater Local Control, Closure of Loopholes Highlighted By Senate Report on Sex Offenders

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Legislation introduced following State Senate Coalition's report detailing numerous sex offenders living near Pre-K and Kindergarten programs

ALBANY – Following a comprehensive investigation by the New York State Senate Coalition that resulted in a startling report detailing numerous sex offenders living near Pre-K and

Kindergarten facilities, Senator Catharine Young (R,C,I- Olean) will join fellow lawmakers to pass legislation that closes loopholes in existing laws and increases local authorities' ability to restrict living arrangements for sex offenders.

This week the Senate Coalition released the results of their investigation that found a dozen cases of convicted sex offenders legally living within 1,000 feet of stand-alone Universal Pre-K and Kindergarten programs. The report came after a New York State Court of Appeals ruling earlier this month that struck down sex offender residency restrictions enacted by local municipalities in Nassau County. According to the ruling, the laws passed by the municipalities preempted state laws on sex offender residency, thus making them unenforceable.

The Senate is now moving legislation - expected to pass on Thursday - that will allow localities to enact stronger sex offender residency restrictions; requires school districts distribute information about a sex offender's residence upon notification from law enforcement; closes existing loopholes on the legal definition of a school to include Pre-K and Kindergarten facilities; and establishes risk assessment hearings before a sexual predator is released into a community.

"Ensuring that communities can maintain the strongest protections against dangerous sexual predators is the overriding concern of the Senate. Knowledge is power when it comes to the safety and security of the youngest New Yorkers and parents should be assured their children are safe from sexual predators on school grounds.

“The findings from the Senate’s report are startling. The letter of the law may have fallen behind the times but the spirit of the law is clear. Sex offenders should not be able to maintain residency this close to these facilities and now it is time to correct this loophole,” said Senator Young.

According to published reports, at least 118 municipalities across the state have enacted laws to keep sex offenders from living close to schools, parks, playgrounds, day care centers and other places where children gather. All of these local restrictions could be in jeopardy as a result of the Court of Appeals’ ruling.

“Earlier this year my colleagues and I took action to protect our children from these dangerous predators and closing these additional loopholes in the law will bring about even greater protections. The Assembly must now follow suit and pass these important protections for our children and families,” concluded Senator Young.

In January, Senator Young joined her Senate colleagues to pass a package of seven bills to keep communities safe from sexual predators. Included in the package were measures to prohibit Level Three sex offenders from living in college housing; establishment of a sex offender public awareness outreach program; and a prohibition against sex offenders being placed in temporary and emergency housing or homeless shelters where children are present.