



NEW YORK STATE SENATOR

John J. Flanagan

Senate Passes Legislation To Monitor Sex Offenders And Protect Victims

JOHN J. FLANAGAN June 3, 2015

| ISSUE: **CRIME**



Majority Leader John Flanagan (2nd Senate District) announced that the New York State Senate has passed a package of bills that would provide increased monitoring of convicted sex offenders and improve access to important information to better notify employers, schools, and concerned members of the community.

“The Senate has consistently been a leader in the effort to protect all New Yorkers from sexual predators and it imperative that we continue to strengthen our laws. This package will take the next step by providing New Yorkers with greater access to the information they need to safeguard their families and requiring greater accountability of sex offenders. It is

my hope that the Assembly will join us in providing our residents with great peace of mind,” stated Senator Flanagan.

The package includes legislation ([S4765](#)), sponsored by Senator Rich Funke (55th Senate District), that would make it a felony for a sex offender to fail to appear at the hearing that will determine his or her risk level. The bill also would eliminate a defense currently available to a sex offender who fails to annually verify their address with the state Division of Criminal Justice Services (DCJS).

Currently if the sex offender has not changed his or her address, and does not annually verify that address, it is not a violation of the Sex Offender Registration Act. This bill makes that failure to annually verify a class E felony.

Senator Funke also sponsored another component of the package ([S4776](#)) that would expand the information available on the DCJS sex offender registry’s website. Currently, the Sex Offender Registration Act does not require all information about sex offenders to be accessible on the state Registry’s website. A person must call the 800 number operated by the Division to learn of low-risk offenders in the community.

While the 800 number has proven to be useful to businesses and volunteer agencies seeking to screen employees, the number is not available outside normal business hours and the caller must have extensive details such as the sex offender's name and either the offender's exact address, date of birth, social security number, or driver's license number. Making information about all registered sex offenders available on the DCJS website would expand the utility of the Registry and enhance the safety of New York's most vulnerable citizens.

Senator Funke said, “When it comes to keeping our kids safe from dangerous offenders, information is one of our most powerful preventative tools. Cracking down on offenders who fail to register as required by law and making identifying information more widely available are common sense solutions to help head-off assaults before they happen. I’m grateful to my colleagues in the Senate for passing these bills with strong bipartisan support.”

The third part of the package is a bill ([S4511](#)) sponsored by Senator Andrew Lanza (24th Senate District) that would help law enforcement and the community keep tabs on lower-level sex offenders. Currently, sex offenders must register with law enforcement by mail on a yearly basis, but Level 3 offenders must also appear in person at the law enforcement agency each year and provide a current photograph. Level 2 offenders, however, must only appear in person and submit such a photograph every three years. Requiring Level 2 sex offenders to appear in person would help law enforcement confirm that the offender is located at the address previously given and that their appearance has not significantly changed.

Senator Lanza said, “For obvious reasons the photographs of moderate and high-risk sex offenders contained in the sex offender registry must be updated and accurate in order for the registry to serve its critical purpose which is to allow the community to be able to know and appreciate any risk existing in our neighborhoods.”

And the final component of this package is [S3622](#) sponsored by Senator Robert Ortt (62nd Senate District). This piece of legislation would allow law enforcement to disseminate information about a Level 2 sex offender’s employment address to vulnerable populations. Currently, Level 2 offenders’ employment addresses are included in the online Sex Offender Registry, but law enforcement is only allowed to notify schools and other vulnerable populations of the offender’s residence.

Senator Ortt said, “As lawmakers, we have a vital responsibility to protect our neighborhoods from documented predators. This bill will strengthen community safety by providing individuals with abundant information - virtually at their doorsteps - about registered sex offenders not only living, but working amongst them. The more measures we take in protecting our children from potential harm, the better off our community will be.”

The bills have been sent to the Assembly.