



NEW YORK STATE SENATOR

Andrea Stewart-Cousins

Closed Sentencing Loophole for Repeat Sexual Abusers

ANDREA STEWART-COUSINS June 15, 2013

A bill designed to close a loophole in the sentencing law for persistent sexual abusers has passed the senate. Sexual abuse is a serious crime that deserves serious consequences. When persistent sexual abusers fall through criminal loopholes it puts all New Yorkers at risk for harm and this bill was created to prevent that.

When criminals are convicted of multiple acts of sexual abuse in a ten-year period they are defined as “persistent abusers,” eligible for enhanced sentencing as Class E felons. Unfortunately a loophole allowing time in prison to count toward the ten-year look back period allows offenders who have not demonstrated extended restraint while living in society to escape the enhanced felony sentencing.

[Senate Bill S.612](#), sponsored by Democratic Senator Michael Gianaris, closes the loophole preventing time spent in prison from being counted toward the tenyear look back period. Persistent sexual abusers pose too great a threat to New Yorkers to allow these loopholes to exist.