



NEW YORK STATE SENATOR

Susan Serino

SERINO BILL TO PROTECT VULNERABLE NEW YORKERS AGAINST SEX OFFENDERS PASSES SENATE

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ALBANY, NY—[Earlier this year, an extensive story by CNN brought the issue of sexual abuse of vulnerable elderly individuals to the forefront and sparked a conversation about the need to better protect those who cannot protect themselves.](#) Today, Senator Sue Serino (R, C, I—Hyde Park) announced that her bill to do just that by closing a loophole in the law to better protect vulnerable New Yorkers from repeat sex offenders passed in the Senate.

“Sexually abusing a vulnerable elderly adult or a disabled individual is a truly heinous crime and we have a responsibility to ensure that New Yorkers have the information they need to protect themselves and their loved ones,” said Senator Serino. “That means closing this perilous loophole and ensuring that dangerous sex offenders are registering as such so that employers and community members have that information readily available.”

Specifically, the bill (S. 5392) sponsored by Serino amends the Sex Offender Registration Act (SORA) making ‘endangering the welfare of a vulnerable elderly person or an incompetent or physically disabled person by subjecting such person to sexual contact without consent’ an offense that requires registration as a sex offender.

While the law was amended in 2010 to include the abuse of a mentally incompetent or physically disabled person, the state’s Correction Law was not amended to make it a registerable crime. As a result, this glaring loophole allows a perpetrator to

allude registration, thereby inadvertently subjecting some of our state's most vulnerable individuals to sexual abuse.

Further, under current law, if a sex offender is convicted in another jurisdiction, the registration as an offender in New York is only automatic if they were convicted in their home state for a felony. This bill would ensure that the state does not become a sanctuary for out-of-state sex offenders by strengthening the law to require out-of-state offenders to register as such should they move to New York.

The bill, a departmental offered by the NYS Division of Criminal Justice Services (Departmental #99), passed today with bi-partisan support and has been sent to the Assembly.