

8050

I N S E N A T E

June 8, 2016

Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the correction law, in relation to requiring the division of criminal justice services to provide the name and address of each level two and level three sex offender to each adult resident residing in the county in which such sex offender resides

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Paragraphs (b) and (c) of subdivision 6 of section 168-1 of
2 the correction law, paragraph (b) as amended by chapter 513 of the laws
3 of 2011 and paragraph (c) as separately amended by chapters 318 and 680
4 of the laws of 2005, are amended to read as follows:
5 (b) If the risk of repeat offense is moderate, a level two designation
6 shall be given to such sex offender. In such case the law enforcement
7 agency or agencies having jurisdiction and the law enforcement agency or
8 agencies having had jurisdiction at the time of his or her conviction
9 shall be notified and may disseminate relevant information which shall
10 include a photograph and description of the offender and which may
11 include the exact name and any aliases used by the sex offender, exact
12 address, background information including the offender's crime of
13 conviction, mode of operation, type of victim targeted, the name and
14 address of any institution of higher education at which the sex offender
15 is enrolled, attends, is employed or resides and the description of
16 special conditions imposed on the offender to any entity with vulnerable
17 populations related to the nature of the offense committed by such sex
18 offender. Any entity receiving information on a sex offender may
19 disclose or further disseminate such information at its discretion. In
20 addition, in such case, the information described herein shall also be
21 provided in the subdirectory established in this article and notwithstanding
22 any other provision of law, such information shall, upon
23 request, be made available to the public. PROVIDED, FURTHER, THAT THE
24 DIVISION SHALL, ON OR BEFORE FEBRUARY FIFTEENTH EACH YEAR, PROVIDE AND
25 DELIVER, BY MAIL, TO EACH ADULT RESIDENT OF EACH COUNTY, A LIST OF THE
26 NAME AND ADDRESS OF EVERY SEX OFFENDER RESIDING IN SUCH COUNTY.

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets [] is old law to be omitted.

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1 Such law enforcement agencies shall compile, maintain and update a
2 listing of vulnerable organizational entities within its jurisdiction.
3 Such listing shall be utilized for notification of such organizations in
4 disseminating such information on level two sex offenders pursuant to
5 this paragraph. Such listing shall include and not be limited to:
6 superintendents of schools or chief school administrators, superinten-
7 dents of parks, public and private libraries, public and private school
8 bus transportation companies, day care centers, nursery schools, pre-
9 schools, neighborhood watch groups, community centers, civic associ-
10 ations, nursing homes, victim's advocacy groups and places of worship.

11 (c) If the risk of repeat offense is high and there exists a threat to
12 the public safety a level three designation shall be given to such sex
13 offender. In such case, the law enforcement agency or agencies having
14 jurisdiction and the law enforcement agency or agencies having had
15 jurisdiction at the time of his or her conviction shall be notified and
16 may disseminate relevant information which shall include a photograph
17 and description of the offender and which may include the sex offender's
18 exact name and any aliases used by the offender, exact address, address
19 of the offender's place of employment, background information including
20 the offender's crime of conviction, mode of operation, type of victim
21 targeted, the name and address of any institution of higher education at
22 which the sex offender is enrolled, attends, is employed or resides and
23 the description of special conditions imposed on the offender to any
24 entity with vulnerable populations related to the nature of the offense
25 committed by such sex offender. Any entity receiving information on a
26 sex offender may disclose or further disseminate such information at its
27 discretion. In addition, in such case, the information described herein
28 shall also be provided in the subdirectory established in this article
29 and notwithstanding any other provision of law, such information shall,
30 upon request, be made available to the public. PROVIDED, FURTHER, THAT
31 THE DIVISION SHALL, ON OR BEFORE FEBRUARY FIFTEENTH EACH YEAR, PROVIDE
32 AND DELIVER, BY MAIL, TO EACH ADULT RESIDENT OF EACH COUNTY, A LIST OF
33 THE NAME AND ADDRESS OF EVERY SEX OFFENDER RESIDING IN SUCH COUNTY.

34 Such law enforcement agencies shall compile, maintain and update a
35 listing of vulnerable organizational entities within its jurisdiction.
36 Such listing shall be utilized for notification of such organizations in
37 disseminating such information on level three sex offenders pursuant to
38 this paragraph. Such listing shall include and not be limited to:
39 superintendents of schools or chief school administrators, superinten-
40 dents of parks, public and private libraries, public and private school
41 bus transportation companies, day care centers, nursery schools, pre-
42 schools, neighborhood watch groups, community centers, civic associ-
43 ations, nursing homes, victim's advocacy groups and places of worship.

44 S 2. This act shall take effect on the first of January next succeed-
45 ing the date on which it shall have become a law.