STATE OF NEW YORK

7051

2021-2022 Regular Sessions

IN SENATE

May 26, 2021

Introduced by Sen. REICHLIN-MELNICK -- read twice and ordered printed, and when printed to be committed to the Committee on Crime Victims, Crime and Correction

AN ACT to amend the correction law, in relation to requiring the department of corrections and community supervision to include a searchable database of persons convicted of family offenses on its website

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 9 of the correction law, as added by section 2 of part OO of chapter 56 of the laws of 2010, is amended to read as follows:

§ 9. Access to inmate information via the internet. **1.** Notwithstanding any provision of law to the contrary, any information relating to the conviction of a person, except for a person convicted of an offense that would make such person ineligible for merit time under section eight hundred three of this chapter or an offense for which registration as a sex offender is required as set forth in subdivision two or three of section one hundred sixty-eight-a of this chapter, that is posted on a website maintained by or for the department, under article six of the public officers law, may be posted on such website for a period not to exceed five years after the expiration of such person's sentence of imprisonment and any period of parole or post-release supervision; provided, however, that in the case of a person who has been committed to the department on more than one occasion, the department may post conviction information relating to any prior commitment on such website for a period not to exceed five years after the expiration of such person's sentence of imprisonment and any period of parole or post-release supervision arising from the most recent commitment to the department**; provided further, that any information relating to a person convicted of a family offense defined in section eight hundred twelve of the family court act or an aggravated family offense defined in section**

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

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240.75 of the penal law or any offense defined in section 530.11 of the criminal procedure law shall be posted on such website in accordance with subdivision two of this section.

2. (a) Notwithstanding any provision of law to the contrary, for a person convicted of a family offense or an aggravated family offense, the department shall post on its website: (i) the current name, and any former legal name or known alias of such person; (ii) a description of the offense for which such person was convicted identifying such offense as a family offense or aggravated family offense; (iii) the zip code associated with such persons current or last known address; and (iv) such further identifying information as the commissioner deems necessary to effectuate the purposes of this subdivision.

(b) The department shall modify an existing searchable database on its website that shall allow the public to search for and access the information required to be posted in paragraph (a) of this subdivision. However, nothing in this section shall be interpreted as requiring the department to allow the public to search database entries by individual family offenses.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law.