



Schenectady County Legislature

DRAFT

RESOLUTION XX-07

Sponsored by Committee on Rules:

A RESOLUTION CALLING A PUBLIC HEARING ON PROPOSED LOCAL LAW NO. 06-2007

BE IT ENACTED by the Legislature of the County of Schenectady, as follows,

RESOLVED, that pursuant to section 20 of the Municipal Home Rule Law, a public hearing is hereby called upon proposed Local Law No. 06-2007, to be held before the Legislature of the County of Schenectady, in the Legislative Chambers in the County Office Building, 620 State Street, Schenectady, New York on the 22nd day of August, 2007 at 7:00 pm for the purpose of hearing all interested persons on the question of adoption of such proposed Local Law, which repeals Local Law No. 04-07 regarding establishing civil remedies for enforcing certain residency restrictions for persons who have been convicted of certain sex-related offenses; and, be it further

RESOLVED, that the Clerk of the Legislature be and he hereby is directed to publish a notice of such public hearing once in the Daily Gazette as provided for by law, such notice to contain the title of the proposed Local Law and an abstract of the text.



PROPOSED LOCAL LAW NO. 06—07

COUNTY OF SCHENECTADY

**A LOCAL LAW REPEALING LOCAL LAW NO. 04-07
REGARDING CIVIL REMEDIES FOR ENFORCING CERTAIN
RESIDENCY RESTRICTIONS FOR PERSONS WHO HAVE BEEN
CONVICTED OF SEX-RELATED OFFENSES**

Introduced by :

BE IT ENACTED by the Legislature of the County of Schenectady, as follows:

Section 1. Local Law No. 04-07 is hereby repealed.

Section 2. Effective date.

This law shall take effect immediately after its final adoption, filing and publication in accordance with section 27 of the Municipal Home Rule Law and section 2.12 of the Charter of the County of Schenectady.



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Schenectady County Legislature

RESOLUTION ??-07

Sponsored by :

A RESOLUTION ADOPTING LOCAL LAW NO. 06-2007

BE IT ENACTED by the Legislature of the County of Schenectady, as follows;

WHEREAS, proposed Local Law No. 06-2007, entitled:

A LOCAL LAW REPEALING LOCAL LAW NO. 04-07 REGARDING CIVIL REMEDIES FOR ENFORCING CERTAIN RESIDENCY RESTRICTIONS FOR PERSONS WHO HAVE BEEN CONVICTED OF SEX-RELATED OFFENSES

was heretofore introduced on August 14, 2007; and

WHEREAS, in accordance with the law, a public hearing upon proposed Local Law No. 06-2007, before this County Legislature, was duly held on the 22nd day of August, 2007; and

WHEREAS, said proposed Local Law in final form has been on the desks of the members of this County Legislature since the 14th day of August, 2007, constituting a period of over seven (7) days, exclusive of Sundays; now, therefore, be it

RESOLVED, that the aforesaid proposed Local Law No. 06-2007 entitled:

A LOCAL LAW REPEALING LOCAL LAW NO. 04-07 REGARDING CIVIL REMEDIES FOR ENFORCING CERTAIN RESIDENCY RESTRICTIONS FOR PERSONS WHO HAVE BEEN CONVICTED OF SEX-RELATED OFFENSES

introduced on the 14th day of August, 2007, be and the same is hereby approved and adopted as Local Law No. 06-2007.



Schenectady County Legislature

RESOLUTION XX-07

Sponsored by Committee on Rules:

A RESOLUTION CALLING A PUBLIC HEARING ON PROPOSED LOCAL LAW NO. 07-2007

BE IT ENACTED by the Legislature of the County of Schenectady, as follows,

RESOLVED, that pursuant to section 20 of the Municipal Home Rule Law, a public hearing is hereby called upon proposed Local Law No. 07-2007, to be held before the Legislature of the County of Schenectady, in the Legislative Chambers in the County Office Building, 620 State Street, Schenectady, New York on the 22nd day of August, 2007 at 7:00 pm for the purpose of hearing all interested persons on the question of adoption of such proposed Local Law, which amends Local Law No. 03-07 regarding establishing residency restrictions in the County of Schenectady for persons who have been convicted of certain sex-related offenses; and, be it further

RESOLVED, that the Clerk of the Legislature be and he hereby is directed to publish a notice of such public hearing once in the Daily Gazette as provided for by law, such notice to contain the title of the proposed Local Law and an abstract of the text.



Schenectady County Legislature

DRAFT
PROPOSED LOCAL LAW NO. 07—07
COUNTY OF SCHENECTADY

Introduced by XX:

**A LOCAL LAW AMENDING LOCAL LAW NO. 03-07 REGARDING
RESIDENCY RESTRICTIONS IN THE COUNTY OF
SCHENECTADY FOR PERSONS WHO HAVE BEEN CONVICTED
OF CERTAIN SEX-RELATED OFFENSES**

BE IT ENACTED by the Legislature of the County of Schenectady, as follows:

Section 1. Subdivision one of section 2 of Local Law No. 03-07 is amended to read as follows:

1. The term “sex offender” shall mean a person who has been convicted of a sexual offense as defined in subdivision one of section 168-a of the New York State Corrections Law, and who has received a level two or level three designation by the sentencing court pursuant to the provisions of section 168-n of the New York State Corrections Law,

Section 2. A new section 4 is added to Local Law No. 03-07 to read as follows:

Section 4. This local law permits a town, village or city located within Schenectady County, in order to provide further protection and safety for its

residents, to enact local legislation that is more restrictive in nature and that meets the specific needs of a locality, including, but not limited to, local legislation that increases the measurement of the residency restriction beyond two thousand feet or that prohibits loitering for the purposes of engaging in illegal conduct.

Section 3. Effective date.

This law shall take effect immediately after its final adoption, filing and publication in accordance with section 27 of the Municipal Home Rule Law and section 2.12 of the Charter of the County of Schenectady.



Schenectady County Legislature
DRAFT
RESOLUTION ??-07

Sponsored by XX:

**A RESOLUTION ADOPTING LOCAL LAW NO. 07-2007 AND PROVIDING
FOR THE IMPLEMENTATION OF VARIOUS CRIMINAL JUSTICE
INITIATIVES**

BE IT ENACTED by the Legislature of the County of Schenectady, as follows;

WHEREAS, proposed Local Law No. 07-2007, entitled:

**A LOCAL LAW AMENDING LOCAL LAW NO. 03-07 REGARDING
RESIDENCY RESTRICTIONS IN THE COUNTY OF SCHENECTADY FOR
PERSONS WHO HAVE BEEN CONVICTED OF CERTAIN SEX-RELATED
OFFENSES**

was heretofore introduced on August 14, 2007; and

WHEREAS, in accordance with the law, a public hearing upon proposed Local Law No. 07-2007, before this County Legislature, was duly held on the 22nd day of August, 2007; and

WHEREAS, said proposed Local Law in final form has been on the desks of the members of this County Legislature since the 14th day of August, 2007, constituting a period of over seven (7) days, exclusive of Sundays; and

WHEREAS, this Governing Body finds that the New York State Legislature should introduce and approve legislation that would: (i) develop comprehensive statewide management policies for persons who have been convicted of certain sex-related offenses; (ii) increase sentences and sanctions for convicted sex offenders; and (iii) implement a statewide program for the monitoring of convicted sex offenders using GPS technology; and

WHEREAS, this Governing Body encourages all county governments to consider enacting residency restrictions for persons who have been convicted of certain sex-related offenses; and

WHEREAS, this Governing Body recognizes that political subdivisions located within the County of Schenectady have the power to enact laws for the protection, safety, and well-being of persons within such political subdivisions, including laws that are more restrictive but not inconsistent with this local law regarding residency restrictions for persons who have been convicted of certain sex-related offenses; and

WHEREAS, this Governing Body finds that a successfully operated monitoring initiative for certain sexual offenders incorporating evidence-based best practices and services aimed at decreasing recidivism is important to protecting vulnerable populations; and

WHEREAS, this Governing Body finds that Schenectady County should develop and implement a plan to protect its children, from internet sexual predators; and

WHEREAS, this Governing Body recognizes that adequate and timely community notification of convicted sex offenders is a vital component toward ensuring the safety and protection of the residents of Schenectady County; now, therefore, be it

RESOLVED, that the aforesaid proposed Local Law No. 07-2007 entitled:

**A LOCAL LAW AMENDING LOCAL LAW NO. 03-07 REGARDING
RESIDENCY RESTRICTIONS IN THE COUNTY OF SCHENECTADY FOR
PERSONS WHO HAVE BEEN CONVICTED OF CERTAIN SEX-RELATED
OFFENSES**

introduced on the 14th day of August, 2007, be and the same is hereby approved and adopted as Local Law No. 07-2007; and be it further

RESOLVED, that this Governing Body encourages the New York State Legislature to introduce and approve legislation that would: (i) develop comprehensive statewide management policies for persons who have been convicted of certain sex-related offenses; (ii) increase sentences and sanctions for convicted sex offenders; and (iii) implement a statewide program for the monitoring of convicted sex offenders using GPS technology; and be it further

RESOLVED, that the County Manager is hereby directed to assist local law enforcement agencies within Schenectady County regarding the implementation and facilitation of community notification procedures outlined in Article 6-C of the New York State Correction Law, and to provide appropriate measures to improve and enhance such notification procedures and practices; and be it further

RESOLVED, that the County Manager is hereby directed to examine the efficacy of an initiative that would monitor former State and local inmates who reside in Schenectady County following their release from prison. The County Manager would provide a report and presentation on this matter to this Governing Body as soon as practicable; and be it further

RESOLVED, that the County Manager is hereby directed to take appropriate action to create a position in the Sheriff's Office whose duties and responsibilities would include

developing methods for intercepting and catching online sexual predators who use such online venues as “chat rooms” as a mechanism leading to the sexual abuse of children; and be it further

RESOLVED, that the County Manager is hereby directed to designate a person in an agency of Schenectady County who would assist local law enforcement communities by providing random checks of the residency of designated sex offenders; and be it further

RESOLVED, that the Clerk of the Schenectady County Legislature shall send a copy of this resolution, together with a certification of the vote had hereupon, to every member of the New York State Legislature, to every County Executive, every Chair of a Board of Supervisors, every Chair of a County Legislature for all counties within New York State, and to the Mayor of the City of New York.