

Introduced by Legislators Montano, Schneiderman, Browning, Gregory, Barraga, Kennedy, Romaine, Horsley, Losquadro, Beedenbender, Alden, Nowick, Stern and Cooper

RESOLUTION NO. 1021 -2009, PREVENTING REGISTERED SEX OFFENDERS FROM MAINTAINING ACCOUNTS ON SOCIAL NETWORKING WEBSITES

WHEREAS, individuals convicted of sexual crimes ("sex offenders") are at an increased risk of recidivism; and

WHEREAS, due to the increased risk of recidivism and in the interest of protecting society's most vulnerable populations, many sex offenders are required to register under the New York State Sex Offender Registration Act ("SORA"); and

WHEREAS, social networking, online gaming and internet dating websites such as Facebook, MySpace, World of Warcraft, eHarmony and Match.com are increasing in popularity across the United States and in Suffolk County; and

WHEREAS, these websites allow each user to create individualized profiles which are shared with other site users; and

WHEREAS, some of these websites allow high school aged children to establish accounts; and

WHEREAS, these websites rely on individuals providing truthful information about themselves, with little oversight to ensure the veracity of the information provided; and

WHEREAS, due to the quasi-anonymous nature of these websites, children who use them may be in danger of being exploited or harmed by sex offenders that use these websites to find potential victims; and

WHEREAS, Suffolk County seeks to protect its most vulnerable residents from exploitation or victimization; now, therefore be it

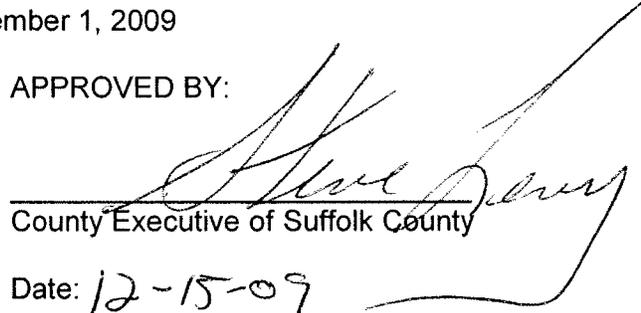
1st RESOLVED, that the Probation Department is hereby authorized, empowered and required to recommend to sentencing judges that any person convicted of an offense which requires SORA registration, or any offense of endangering the welfare of a child where any part of the commission of such crime was facilitated by the use of a computer shall, as a condition of probation: 1) register with the Probation Department each computer that he or she uses for personal use, 2) consent to the installation of monitoring software on any such computer to track the online activity of such person, and 3) agree not to access social networking, gaming and internet dating websites, including, but not limited to, Alternative Universe, Bebo, Craigslist, Facebook, Friendster, MySpace, Second Life, Twitter, Windows Live Spaces, Xanga, World of Warcraft, eHarmony, Match.com, and Yahoo! Personals or Games; and be it further

2nd RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations,

rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: December 1, 2009

APPROVED BY:



County Executive of Suffolk County

Date: 12-15-09

SUFFOLK COUNTY
County Legislature
RIVERHEAD, NY



This is to Certify That I, TIM LAUBE, Clerk of the County Legislature of the County of Suffolk, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was duly adopted by the County Legislature of said County on December 1, 2009 and that the same is a true and correct transcript of said resolution and of the whole thereof.

In Witness Whereof, I have hereunto set my hand and the official seal of the County Legislature of the County of Suffolk.

A handwritten signature in cursive script that reads "Tim Laube".

Clerk of the Legislature

Intro. Res. 1590 Res. No. 1021

December 1, 2009

Motion:

Romaine, Schneiderman, Browning, Beedenbender, Losquadro
 Eddington, Montano, Alden, Lindsay, Vilorio-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Co-Sponsors:

Romaine, Schneiderman, Browning, Beedenbender, Losquadro
 Eddington, Montano, Alden, Lindsay, Vilorio-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Second:

Romaine, Schneiderman, Browning, Beedenbender, Losquadro
 Eddington, Montano, Alden, Lindsay, Vilorio-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

LD	Legislator	Yes	No	Abs	NP	R	
1	Edward P. ROMAINE						
2	Jay H. SCHNEIDERMAN						
3	Kate M. BROWNING						
4	Brian BEEDENBENDER						
6	Daniel P. LOSQUADRO						
7	Jack EDDINGTON						
9	Ricardo MONTANO						
10	Cameron ALDEN						
11	Thomas F. BARRAGA						
12	John M. KENNEDY, JR.						
13	Lynne C. NOWICK						
14	Wayne R. HORSLEY						
15	DuWayne GREGORY						
16	Steven H. STERN						
17	Lou D'AMARO						
18	Jon COOPER						
5	Vivian VILORIA-FISHER, D.P.O.						
8	William J. LINDSAY, P.O.						
	Totals	18					

MOTION
<input checked="" type="checkbox"/> Approve
Table: _____
Send To Committee _____
Table Subject To Call _____
Lay On The Table _____
Discharge _____
Take Out of Order _____
Reconsider _____
Waive Rule _____
Override Veto _____
Close _____
Recess _____
APPROVED <input checked="" type="checkbox"/> FAILED _____
No Motion _____ No Second _____

RESOLUTION DECLARED
<input checked="" type="checkbox"/> ADOPTED
NOT ADOPTED _____

Roll Call _____ Voice Vote

Tim Laube

Tim Laube, Clerk of the Legislature