

Introduced by Legislator Mejias

LOCAL LAW NO. 23–2007

A LOCAL LAW to amend the Nassau County Administrative Code in relation to monitoring the computer use of registered sex offenders on probation.

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

Section 1. Intent.

This legislature finds that sex offenders are prone to recidivism; the community has an interest in protecting vulnerable populations from sex offenders who may relapse into criminal behavior. This legislature further finds that computer technology leaves children vulnerable to exploitation and harm by sex offenders using the internet. It is the purpose of this legislation to facilitate the identification of convicted sex offenders who prey on children over the internet by requiring the registration and monitoring of sex offender's computers.

§ 2. Computer monitoring program.

The Probation Department in conjunction with the office of the District Attorney shall, at their discretion, recommend to a sentencing judge 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 the crime was facilitated by the use of a computer, shall, as a condition of probation register with the Probation Department each computer that he or she uses for personal use and consent to the installation on any such computer of monitoring software to track the online activity of such persons.

§ 3. Penalties

The failure to register each computer that he or she uses for personal use and consent to the installation on any such computer of monitoring software shall be a violation of probation.

§ 4. County not liable

Nothing in this title shall be deemed to impose any civil or criminal liability upon or to give rise to a cause of action against any official, employee or agency of the county for failing to act in accordance with this title.

§ 5. If any clause, sentence, paragraph, subdivision, section or part of this local law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

§ 6. This Local Law shall take effect one hundred twenty days after it shall have become a law.