



Department of Justice

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Northern District of New York

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PRESS RELEASE

Albany, New York —United States Attorney Richard S. Hartunian and James Parmley, U.S. Marshal for the Northern District of New York, today announced that SHAWN DOWNER, age 38, of Moira, New York, pled guilty on February 11, 2011 in United States District Court in Albany before the Honorable Thomas J. McAvoy to a one count Indictment charging him with failing to update his New York State sex offender registration information.

In connection with his plea, DOWNER admitted the following during his plea proceedings:

On or about November 15, 2005 SHAWN DOWNER was convicted in Superior Court of Barnstable, Massachusetts of the felony offense of possessing child pornography in violation of Massachusetts General Law Chapter 272, Section 29C. DOWNER was sentenced to time served and probation for four years. Under the laws of Massachusetts (as well as the laws of New York State if DOWNER resided in New York), DOWNER was required to register as a sex offender upon his conviction, and to update his sex offender registration information if he changed addresses. In addition, as a result of this conviction, DOWNER was required to register under the Sex Offender Registration and Notification Act.

DOWNER initially registered as a sex offender in the Commonwealth of Massachusetts on February 15, 2006. Between February 15, 2006 and May 18, 2009 DOWNER signed and filed various Massachusetts sex offender registration forms. On the last form signed and filed by Downer in Massachusetts, on May 18, 2009, Downer indicated he was living at a residence at 23 Courtland Way in West Yarmouth, Massachusetts. These forms advised DOWNER that he was to “immediately” contact authorities in any other state should he take up residence, employment or educational pursuits in another state. On the May 18, 2009 form DOWNER indicated that he understood all of his duties as a sex offender, including his duty to notify authorities of a change in his address.

In about the summer of 2009 DOWNER moved from 23 Courtland Way in West Yarmouth, MA to an apartment located at 851 State Route 11,

Moira, New York (which is located within the NDNY). DOWNER lived in this apartment from the summer of 2009 up until his arrest by federal authorities in October, 2010.

Massachusetts' most recent sex offender registry records show DOWNER signing and submitting the sex offender registration form on May 18, 2009 in which DOWNER indicated he was living at the 23 Courtland Way, West Yarmouth, MA address. This address is the most current address the sex offender registries in New York or MA have for the defendant.

Records show that from May 18, 2009 up through October, 2010 (the month in which DOWNER was arrested by federal authorities for the instant offense) DOWNER did not update his registration information in New York or Massachusetts. DOWNER knowingly failed to update his registration information in New York or Massachusetts.

Sentencing was scheduled by Judge McAvoy for June 13, 2011, at 3 p.m. in U.S. District Court in Albany. DOWNER faces a maximum penalty of 10 years imprisonment. He also faces a fine of up to \$250,000.00. DOWNER was detained pending his sentencing.

This case was investigated by the U.S. Marshals Service.

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