



NEW YORK STATE SENATOR

Tony Avella

NBC New York- I-Team: NY Senate Passes Bill to Close Sex Offender Residency Loophole

TONY AVELLA June 8, 2015

The New York state Senate has passed a bill that requires the state to establish a uniform standard of measuring and enforcing sex offender residency rules following an I-Team report that revealed a discrepancy in how far from a school offenders can live, the I-Team has learned exclusively.

The bill, sponsored by Queens state Sen. Tony Avella, a Democrat, was passed by the Senate late Monday and will go to the state Assembly, where it is expected to be reviewed in the coming months.

In April, the I-Team exposed a legal loophole that allowed level 2 and 3 sex offenders on parole or probation to live at the Bellevue Men's Shelter over the last several years, despite a state law saying they must live at least 1,000 feet from any school.

The private Churchill School and Center is just around the corner from the shelter, and depending on how someone measures the distance from the men's city shelter on 30th Street, that distance can be above or under the mandatory 1,000-foot rule.

A state lawmaker is proposing clearer, more uniform sex offender residency laws after NBC 4 New York's I-Team discovered a discrepancy in the rules about how close sex offenders can live to schools.

Under standards by the state Department of Corrections, which places and monitors paroled sex offenders, the front door of a sex offender's residence should not be less than 1,000 feet from the front door of a school.

By those measurements, those sex offenders were OK to stay at the Bellevue Men's Shelter.

But the state penal code measures the required distance in a different way: it says the front door of the sex offender's residence should not be within 1,000 feet of any part of the school property. By those standards, the 13 sex offenders at the Bellevue Men's Shelter were living much closer to a school than the law allows.

Avella said at the time he was shocked the sex offenders were allowed to live so close to a school.

The man allegedly hid in a women's bathroom stall Saturday, waiting for a victim. Brynn Gingras reports.

The Queens senator's bill, if it passes the Assembly, would clarify which agency is responsible for conducting the measurements and would determine where the measurements will be taken from. The senator's bill would also mandate measurements to be taken from the school property line.

The sex offenders living at the shelter got attention in April after one of them, Randy Stover, was arrested on charges he ambushed and raped a woman in a Murray Hill bar restroom.

Stover was not on probation at the time while living at the shelter.

In response to the I-Team investigation, the city transferred 16 sex offenders from the Kips Bay shelter to other city locations.

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