



NEW YORK STATE SENATOR

Susan Serino

## KEEPING SEX OFFENDERS OUT OF OUR SCHOOLS

SUSAN SERINO August 24, 2018

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ALBANY, NY– In May of 2017, the Ossining Union Free School District made a horrific discovery when an anonymous tip informed school officials that one of its custodians had been arrested for raping a child in neighboring Dutchess County. Because of a loophole in New York State Law, no one was ever required to officially notify the district of the serious offense and the custodian remained employed by the district for over a year while out on bail. Today, just before the start of a new school year, Senator Sue Serino and Assemblywoman Sandy Galef announced that legislation they introduced to close this

dangerous loophole has finally been signed into law.

*Senator Sue Serino said, “No one who has ever harmed a child should ever have the opportunity to work in our schools. While the situation that occurred in Ossining is abhorrent, it spurred the school district, the community, and the state into immediate action to successfully close a potentially dangerous loophole in our law. When Assemblywoman Galef and I introduced this bill, it was about making sure that our schools and law enforcement have the tools they need to keep sex offenders out of our schools. I am glad that our colleagues recognized the importance of this legislation and I am incredibly proud to see it signed into law today.”*

*Assemblywoman Galef said, “We need to do everything we can to protect our children. With this new law, we are able to give local school districts and law enforcement all the tools available to make sure the community is notified of anything that could harm our children. The fact that this custodian was working in the Ossining school district for a year and only retroactive action could be taken to assure the safety of our students is unacceptable. I am so happy we got this vital piece of legislation passed because we can assure our children and their parents that they can feel safe.”*

This legislative victory comes on the heels of a concerted push by concerned members of the local community, led by local law enforcement, the school district itself and Senator Serino and Assemblywoman Galef.

Following introduction of the bill last year, Assemblywoman Galef held a press conference with concerned Ossining PTA representatives, the District Superintendent and the Ossining Chief of Police where they outlined the details of the troubling case. There, they noted that the longtime Ossining school custodian was convicted of two misdemeanors and two felonies, including the third-degree rape of a victim under the age of 17. During the course of the criminal case against him, the employee continued to work in the school while out on bail, in direct contact with students. It was not until an anonymous, handwritten letter was delivered to the district offices—after a guilty verdict was rendered—that anyone in the school community was made aware of these legal actions.

While many New Yorkers assume that extensive background checks would keep potentially dangerous individuals from gaining employment with a school district, current state law does not require schools to be provided with arrest notifications of employees hired before 2001. Because the custodian was hired before that year, the Ossining school district was left in the dark.

This bill closes that dangerous loophole by amending the Education Law and requiring local law enforcement to immediately notify school superintendents of the filing of an accusatory instrument (i.e., an indictment) alleging any sex offense—regardless of the year the individual was hired. Closing this loop hole and ensuring schools have access to this vital information will empower school districts to take immediate and appropriate action to ensure that these individuals do not have any contact with students.

***Ossining Superintendent Ray Sanchez said,** “We are grateful of the efforts of Assemblywoman Sandy Galef and Senator Sue Serino for this bill. They are helping to ensure that a situation such as this one does not occur in any other school district.”*

***Chief Kevin Sylvester, Ossining Police Department said** “We’re grateful for the work of the Assemblywoman Galef and Senator Serino in sponsoring this critical piece of legislation. While we strive to maintain clear lines of communication with our school district, this law creates yet another opportunity to increase the safety of students across our state,”*

***Members of the Lower Hudson Education Coalition said,** “By amending the education law to require that a superintendent or school administrator be immediately notified by the district attorney when an accusatory instrument alleging a sex offense has been filed against an employee, this potentially dangerous loophole would be closed and would ensure greater protection of our children.”*

Having been officially signed into law by the Governor, chapter 233, the bill is set to take effect immediately.

