



News from the New York State Senate Coalition

FOR IMMEDIATE RELEASE

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State Senate Coalition releases bombshell report on dangerous sex offenders living near Universal Pre-Kindergarten and Kindergarten programs

After devastating New York State Court of Appeals ruling in Nassau, State Senate Coalition will act on a series of bills to strengthen protections for children against sex offenders

New York, NY – The New York State Senate Coalition today unveiled an alarming joint-investigative report, *“Keeping Our Children Safe From Sex Offenders,”* conducted by the offices of **Independent Democratic Conference Leader Jeff Klein (D-Bronx/Westchester)** and **State Senate Majority Leader Dean G. Skelos (R-Nassau)**, which uncovered startling violations of residency restrictions and a major loophole in the law.

The joint-investigative report comes on the heels of a devastating New York State Court of Appeal’s ruling relating to Nassau County. As a result, the New York State Senate Coalition will immediately act on key sex offender legislation — including closing the major loophole in the law and allowing localities to strengthen residency restrictions.

“As the author of Megan's Law, I recognize that the recent Court of Appeals decision is a clarion call for New York to take whatever steps are necessary to protect our children from dangerous sexual predators. I thank the members of the Senate Republican Conference — who have been at the forefront of the state's efforts on these issues for years — for their ongoing commitment to common-sense measures that keep kids safe. I urge the Governor and our Assembly colleagues to join us in enacting a swift and smart legislative solution,” **Senate Majority Leader Skelos said.**

The joint-investigation uncovered convicted pedophiles violating state law by living within 1,000 feet of grade schools with Pre-K programs and brought to light a dozen sex offenders residing within 1,000 feet of stand-alone Universal Pre-K programs not attached to grade schools— currently unprotected by state law.

“Time and time again, I find dangerous sexual predators convicted of committing heinous crimes against children living far too close to schools in violation of state law. This is absolutely unacceptable. But even more shocking is that the legal definition of ‘school’ does not necessarily include Pre-K and kindergarten programs. Right now a dozen predators live near stand-alone programs in compliance with state law — including one man who had sexual contact with a four-year-old girl. It’s our duty to protect all children from pedophiles in the spirit of the law and we must immediately close this loophole,” **said Senator Klein.**

“It’s an outrage that we continue to find sex offenders practically living in the backyards of schools despite a statewide sex offender registry in place. It’s also inconceivable that the law banning predators from living within 1,000-feet of schools doesn’t apply to our youngest students and we need to correct that immediately,” **said Senator Savino (D-Statens Island/Brooklyn).**

“The loophole revealed in this report is disturbing. Allowing convicted sex offenders to live near our pre-schools and kindergartens flies in the face of the intent of the law. I applaud Senator Klein in spearheading this initiative, and I am committed to working to keep our children and our streets safe. That is why I introduced a bill to ensure that sex offenders are properly assessed before being released into our communities. I look forward to working with my Senate colleagues to pass these necessary resolutions,” **said Senator Tony Avella (D-Bayside).**

“When talking about the safety and security of the children of New York, we cannot waste a minute in passing this vital piece of legislation. While I strongly disagree with the court’s ruling and the short term ramifications it has across our great state, it emphasizes the need to pass our legislation and keep registered sex offenders away from our schools. I urge my colleagues to pass this bill as soon as possible and the Governor to sign it,” **said Senator Golden,** a co-sponsor of a bill to allow localities to fortify sex offender residency restrictions.

On February 17, the New York State Court of Appeals sided with a sex offender who completed his parole and moved within 500-feet of a Nassau school, in compliance with state law, but against local law. The court ruled that only the state, not a locality, is authorized to create residency restrictions for sex offenders.

When session resumes this week, the New York State Senate Coalition will pass the following legislation:

- Allowing localities to fortify sex offender restrictions in ways that are no less restrictive than state laws (Senator Michael Venditto)
- Requiring school districts to distribute information about a sex offender’s residence upon notification from law enforcement (Senator Kenneth LaValle)

- Closing the loophole on the legal definition of a school to include Pre-K and Kindergarten (Senator Klein)
- Holding risk assessment hearings before a sexual predator is released into a community (Senator Tony Avella)

While Senator Klein’s bill to correct the definition of a school passed last year, it died in committee in the Assembly. Sadly, the joint-investigation uncovered five sex offenders living within 1,000-feet of a school in violation of state law and 12 residing near stand-alone UPK programs.

Sex Offenders Residing Within 1,000 ft. of a UPK Program affiliated with a Public School

Name	Address	Victim Age	School	Distance From School
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Bronx

Charles S. Grant	1160 Teller Ave, Bronx NY 10456	10 years old	PS 53 Basheer Quisim 360 E 168 th St, Bronx NY 10456	369 ft.
Dawud Mckelvin	955 Waring Ave 2D, Bronx NY 10469	11 years old	PS 89 Williamsbridge School 980 Mace Ave, Bronx NY 10469	422 ft.

Queens

Charles Medina	23-11 Cornaga Ave 4G, Queens NY 11691	14 years old	Wave Preparatory Elementary School 535 Briar Place, Queens NY 11691	844 ft.
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Staten Island

James Randolph	St. Elizabeth Ann HC 91 Tompkins Ave, Staten Island NY 10304	9 years old	PS 078 100 Tompkins Avenue Staten Island, NY 10304	316 ft.
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Brooklyn

Gregory Valdez	338 Forbell Street, Brooklyn, NY 12208	8 years old	PS 214 Michael Friedsam 2944 Pitkin Avenue, Brooklyn, NY 12208	739 ft.
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Sex Offenders Residing Within 1,000 ft. of a Community UPK Program

Name	Address	Victim Age	School	Distance From School
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Bronx

Ernest W. Clark	1265 Fulton Ave, Bronx NY 10456	8,12 years old	Habitot Es 3480 Third Ave. Bronx, NY 10456	633 ft.
Michael Nieves	3111 Heath Ave 62B, Bronx NY 10463	11 years old	Kingsbridge Heights Community Center 3101 Kingsbridge Terrace, Bronx NY 10463	369 ft.

Monserrate Rodriguez	1252 Noble Ave, Bronx NY 10472	9 years old	Sound Dale Day Care Center 1211 Croes Ave, Bronx NY 10472	633 ft.
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Queens

Samuel Maldonado	607 Woodward Ave 2R, Ridgewood NY 11385	14 years old	JC Daywatch Daycare 20 St. John's Rd, Queens NY 11385	211 ft.
Joel Navarro	217-19 110 th Ave Top Floor, Queens Village NY 11429	7 years old	St. Joseph's Episcopal Church 217-55 110 th Ave, Queens Village NY 11429	264 ft.

Manhattan

Damon Ford	125 West 25 th St, NY NY 10001	7 years old	TT of NYC, LLC 776 Avenue of the Americas, NY NY 10001	528 ft.
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Brooklyn

Arturo Ragler	501 New Lots Avenue, Brooklyn, NY 11207	7 years old	United Community Day Care 613 New Lots Avenue, Brooklyn, NY 12207	898 ft.
Angel Rios	501 New Lots Avenue, Brooklyn, NY 11207	7 & 5 years old	United Community Day Care 613 New Lots Avenue, Brooklyn, NY 12207	898 ft.
Garry Manson	32 Rochester Avenue, Brooklyn, NY 11233	7 years old	BCS Atlantic Avenue Early Learning Center 1825 Atlantic Avenue, Brooklyn, NY 11233	580 ft.
Mike Montes	25 Fairview Place, Brooklyn, NY 11226	6 & 4 years old	Joan Watkins Corp. DBA Pre-School Minds Day Care Center 3316-18 Church Street, Brooklyn, NY 11203	633 ft.
Jose Reyes	25 Fairview Place, Brooklyn, NY 11226	11 & 9 years old	Joan Watkins Corp. DBA Pre-School Minds Day Care Center 3316-18 Church Street, Brooklyn, NY 11203	633 ft.
Guillermo Ayala	32 Rochester Avenue, Brooklyn, NY 11233	14 years old	BCS Atlantic Avenue Early Learning Center 1825 Atlantic Avenue, Brooklyn, NY 11233	580 ft.

DOCCS fails to recognize a stand-alone Pre-K or kindergarten as a school because of the word's ambiguous definition in the statute. The Office of State Senator Klein discovered the loophole last year when a Level 3 sex offender moved close to the Carrig Montessori School, which only contains a Pre-K and Kindergarten.

Like Senator Klein's legislation to clarify the definition of a school, which passed last year with bipartisan support in the Senate, these bills also passed last year, but failed to pass in the Assembly:

- Banning Level 1, 2 and 3 sex offenders from residing within 1,000 feet of a building used exclusively as an elementary or high school (Senator Golden)

- Banning registered sex offenders from residing within 1,500 feet of their victims (Senator Terrence Murphy)
- Clarifying the definition of “residence” in SORA (Senator Robert Ort)
- Additional disclosure of workplace information if a sex offender is working in the community where he or she resides (Senator Andrew Lanza)
- An expansion of the definition of an institution for the care and treatment of children under age 18 to clearly include day care centers (Senator James Seward)

Last month, the New York State Senate Coalition passed legislation to protect children from sex offenders, which are awaiting passage by the New York State Assembly. The legislation includes:

- Prohibiting Level 2 and 3 sex offenders from residing in family homeless shelters (Senator Klein)
- Criminalizing housing or employing a sex offender who failed to register or verify employment (Senator Michael Ranzenhofer)
- Prohibiting certain sex offenders from being granted custody or unsupervised visitation with a child (Senator John Flanagan)
- Requiring sex offenders to report multiple or part-time residences (Senator John Bonacic)
- Requiring the Office for People with Developmental Disabilities to contact local officials when a sex offender is placed in a community residence within their municipality (Senator Patrick Gallivan)
- Prohibiting sex offenders from living in student housing (Senator Joseph Robach)
- Creating a sex offender public awareness program (Senator Joseph Robach)

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