



NEW YORK STATE SENATOR

Jeffrey D. Klein

## Klein Bill Banning Sex Offenders from 1,000 feet of Pre-K & Kindergartens Passes Senate

JEFFREY D. KLEIN April 5, 2016

| ISSUE: **SEX OFFENDERS, ELEMENTARY & SECONDARY EDUCATION, VIOLATIONS**

**ALBANY, NY** - The New York State Senate on Monday passed legislation sponsored by **Senator Jeff Klein (D-Bronx/Westchester)** to prohibit Level 2 and 3 sex offenders from residing within 1,000 feet of a pre-kindergarten or stand-alone kindergarten facility. The bill would also require that a quarterly list of all elementary and secondary schools in the state is obtained by the Commissioner of Corrections and Community Supervision, in order to ensure that current residency laws are being enforced.

“Entire communities are being left vulnerable to dangerous sexual predators who often strike more than once. There's a reason why the law does not allow pedophiles to live within 1,000 feet of a school. Parents expect those laws to protect all children and be enforced. I am pleased that my bill to prohibit sex offenders from residing near a pre-kindergarten or kindergarten has passed the Senate, and that this legislation will also go a long way towards ensuring that the law is properly enforced,” **said Senator Klein.**

Last year, the Independent Democratic Conference released, “Keeping Our Children Safe From Sex Offenders,” which revealed disturbing violations of residency restrictions and numerous sex offenders living dangerously close to both traditional and stand-alone UPK programs in New York.

The analysis also uncovered over 130 instances where registered sex offenders were listed under incorrect zip codes. The discover renders useless the zip code alert system, which parents and community members utilize to receive notification when a sex offender moves into the area.

Two of the sexual predators found in that investigation – Michael Nieves and Damon Ford – are already back in prison. Ford violated his parole after police found him purchasing synthetic marijuana. Nieves also violated parole conditions when police were called to his home for a domestic dispute.

In August, yet another predator was found residing near a school. Mark Mercado, who was released from the Gowanda Correctional Facility in western New York, had relocated to The Bronx. He was found within 950-feet of a stand-alone UPK at the Westchester Tremont Day Care Center, which serves approximately 100 local children.

First introduced in 2014, the bill overwhelmingly passed the State Senate in 2014 and 2015.

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#### RELATED LEGISLATION

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### **2015-S1520**

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- Introduced
  - ◦ In Committee Assembly

- In Committee Senate
  
- ◦ On Floor Calendar Assembly
  - On Floor Calendar Senate
  
- ◦ Passed Assembly
  - Passed Senate
  
- Delivered to Governor
  
- Signed By Governor
  
- 

Prohibits sex offenders whose victim was a child and level 3 sex offenders from knowingly being within 1,000 feet of a facility where pre-kindergarten or kindergarten instruction is provided

January 13, 2015

In Assembly Committee

Sponsored by **Jeffrey D. Klein**

Do you support this bill?