



NEW YORK STATE SENATOR

Jeffrey D. Klein

Hundreds of sex offenders living dangerously close to pre-ks new report reveals

JEFFREY D. KLEIN August 29, 2017

| ISSUE: **SEX OFFENDERS, CHILDREN, SCHOOLS**

IDC exposes loophole in law which allows predators to live near standalone pre-ks and to show other instances where offenders are in violation of current law

New York, NY — Senators **Jeff Klein (D-Bronx/Westchester)**, **Diane Savino (D-Bronx)**, **Jose Peralta (D-Queens)** and **Marisol Alcantara (D-Manhattan)** released, “Preying on Pre-Ks,” a report examining a dangerous loophole allowing sex offenders to live near standalone pre-kindergartens throughout the city.

Under the current law the definition of the word school does not include standalone pre-kindergartens, and an investigation found 93 sexual predators convicted of committing crimes against children living within 1,000 feet of these facilities across New York City. Pre-ks attached to traditional elementary schools are covered, and 60 predators are violating the law which prohibits Level 2 and 3 sex offenders from living within the set distance.

“It flies in the face of spirit of the law that standalone pre-kindergartens and kindergartens are not considered schools. With a growing number of students attending pre-kindergarten programs, this glaring loophole in the law allowing predators to live right next door to children must be closed,” **said Senator Klein.**

“As we fight in Albany to increase access to school seats for younger children, it is imperative that we do all we can to keep them safe. We have been successful in implementing Universal Pre-K, and an expansion of that to 3 year old children- so naturally it is our duty to ensure that our most vulnerable are kept out of reach of predators,” **said Senator Savino.**

“It is unconceivable to me that sex offenders can be residing within one thousand feet of pre-k and kindergarten program locations in the city. Current law prohibits them from living within that distance from schools grounds, but incredibly, they can live near pre-k and kindergarten facilities. This is just unreal. We must act immediately to prevent this situation from happening, since it endangers the lives of thousands of children. We must ensure we keep those who preyed on our kids as far away as possible from schools. This is why the Assembly must act and pass these two bills that will go a long way to protect our most vulnerable New Yorkers. I want to thank Senators Klein and Avella for their efforts on this particular front,” **said Senator Peralta.**

“It is important that we do not stand idly by in the face of sexual abuse, and the loophole in current law that allows sex offenders to live near kindergartens and pre-K's urgently needs to be closed. Sexual abuse takes a terrible toll on our communities, and New York State must address the issue with the utmost seriousness,” **said Senator Alcantara.**

“As lawmakers, we have a duty to make sure that our children are always protected to the best of our state’s abilities. We also have a duty to make sure that the laws that are designed to protect us are as clear and enforceable as possible. It is my hope that, by requiring uniform standards, my legislation can once and for all clear up any confusion that existed so that we can begin enforcing this important law,” **said Senator Tony Avella.**

Senator Klein’s bill, S.1787, expands the 1,000-foot prohibition to include pre-kindergarten and kindergarten facilities. Without it, sex offenders can and will continue to live within steps of

a pre-K or kindergarten facility with no repercussion.

Senator Avella also proposed S.1271, which would require uniform standards for measuring the distance between a sex offender's home and nearby schools. This will clarify and correct any discrepancies in determining the distance between a sex offender's residence and schools to ensure compliance with the current law.

RELATED LEGISLATION

2017-S1787

- 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

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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 10, 2017

In Assembly Committee

Sponsored by [Jeffrey D. Klein](#)

Do you support this bill?

2017-S1271

- 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

- Directs the commissioner of corrections and community supervision to establish standards for the distance from school grounds of the residence of certain sex offenders on probation or parole

January 09, 2017

In Assembly Committee

Sponsored by **Tony Avella**

Do you support this bill?