

SEX OFFENDERS ON CAMPUS: Registry lets students know who's around, but some schools don't ask about criminal history

Michelle Tuccitto Sullo, Naugatuck Valley Bureau Chief Published 12:00 am, Saturday, July 10, 2010



One man was convicted of sexually assaulting a 14-year-old girl.

Another was caught with 99 images of child pornography on his home computer.

Both men are on the state Department of Public Safety's sex offender registry. They have another thing in common: They're among a number of people on the registry who list area college campuses as their school address.

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There are 11 sex offenders on the registry who list 60 Sargent Drive in New Haven -- Gateway Community College -- as their school address, for example. Their crimes range from first-degree sexual assault to possession of child pornography to sexual assault on minors.

Gateway has an early childhood center at its New Haven location.

Gateway officials said they don't normally publicize it to the student population when a registered sex offender attends classes there.

Gateway student Jacqueline Mastrianni was surprised to learn about the pasts of some of her fellow students.

"I wasn't aware of it, and it is kind of upsetting to hear about it now," said Mastrianni, who started at Gateway in June. "That scares me a lot, and I'll definitely keep an eye out. I have Mace (pepper spray) my dad gave to me."

Another Gateway student, Lawfe Dargbe, said she was aware of sex offenders attending Gateway, as she heard about it from a friend.

"It concerns me," she said. "I think I'll start taking precautions, like knowing who to make friends with."

State police spokesman Lt. J. Paul Vance encouraged all area students to check out the sex offender registry, which is on the Department of Public Safety's web site, at www.ct.gov/dps. Registered sex offenders must list their home, work and school addresses. If they fail to do so, it is a class D felony.

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Students can find out if a sex offender attends classes at their school by doing a search by their school's address. Awareness of individuals on the registry can help other students stay safe, Vance said.

"You can look people up by name, such as if you have new acquaintances," Vance said. "One needs to utilize the registry the way it is designed. Know who lives in or goes to school in your community."

Some colleges and universities are taking steps to screen offenders, such as asking applicants if they have felony convictions. But others, like Gateway and Southern Connecticut State University, don't ask about prior convictions.

One parent, whose family was victimized by a man on the registry, spoke on condition of anonymity and said, "Imagine a convicted child molester driving past a child day care center on his way to campus every day without the community being aware of his presence. Aside from the absurdity of relying upon a felon to tell the truth, schools that don't ask the most basic disciplinary question on their application -- 'Have you ever been convicted of a felony or other crime?' -- endanger their entire community."

Some universities accept the "common application," which asks if an applicant has ever been convicted of a misdemeanor, felony or other crime. If so, then it asks the applicant to detail the circumstances and reflect on what was learned from the experience.

Applicants to Quinnipiac University can either use the common application, or the university's application, which doesn't ask about convictions.

Alexander Lubka, 18, of Simsbury, was listed as recently as mid-June in Quinnipiac University's directory as a freshman. Lubka is on probation and on the sex offender registry for a 2007 conviction for molesting two minors. He had yet to list Quinnipiac's address as his school address.

The New Haven Register asked Quinnipiac University about Lubka, and shortly afterward, Lubka was removed from the university's directory.

John Morgan, associate vice president for public relations, issued the following statement:

"He is not a student here."

Lubka's father confirmed his son will not be attending Quinnipiac, and he referred further comment to his son's attorney, Robert Britt of Hartford, who did not immediately return phone calls.

Morgan would not elaborate on Lubka's case, whether Quinnipiac was aware of his status during the application process, or if Lubka's acceptance has been revoked. Morgan would not respond to questions about Quinnipiac's application process and what measures are taken to screen offenders.

A check last week of the University of Connecticut's e-mail system showed that Lubka has a UConn e-mail address.

Maj. Ronald Blicher of the UConn Police Department said, "I am aware that he is on the registry and as far as I know about his status as a student or potential student at this time, summer 2010, he is currently not attending UConn."

Michael Kirk, UConn's director of communications, said that while the school has not previously asked for an applicant's criminal history "we will start using a common application in fall 2011. A lot of other universities do it, so now we are going to start."

Kirk referred questions about Lubka's status to Blicher.

No background checks

Yale University accepts the common application. A search of the sex offender registry didn't turn up anyone listing a Yale address.

Dorie Baker, press officer at Yale University, said Yale does not do background checks on applicants or current students.

"Why would we? It is really not part of the regular operations of Yale," Baker said. "They are not considered risks. Fortunately, it is still quite the exception that college students at Yale have anything in their backgrounds that would warrant a search."

Gateway's application states that it does not discriminate against any individual on the grounds of a criminal record, and the application doesn't ask for a criminal record disclosure.

Wilson Luna, dean of students at Gateway, said the school doesn't do criminal background checks. It does, however, get a list from the state of Connecticut of individuals on the sex offender registry, he said.

"We meet with the students and talk to them about their case, what they've done, the nature of the crime and the terms of their probation, so we can determine if the individual poses a danger to the campus community or not," Luna said. "The college has the ability to deny admission, but normally we try to help them out. We meet with them each semester to make sure things are going well and there are no other violations."

Most of those listed at Gateway had convictions for crimes involving children, including risk of injury to a minor and sexual assault on a minor. Charles Carolla, a West Haven man, who lists Gateway as his school address, was convicted of possessing child pornography.

For offenders whose cases involved children, Luna said Gateway will make efforts to have them attend classes at the North Haven campus, as there is an early childhood center at the college's Sargent Drive location in New Haven.

"They are told up front that they are to have no interactions near the early childhood center, and if they do, then they will be suspended," Luna said.

When asked if Gateway notifies other students about these offenders, Luna said it depends on the nature of the case, though they normally don't publicize it.

Luna said he isn't aware of any students being kicked out based on their prior records. Such a decision would be based on information from the state, the individual and probation officer, Luna said.

"Many of the individuals are still on probation and have to adhere to mandates imposed by the courts," Luna said. "These are people who have paid their dues and are ready to go back

to society."

Evelyn Gard, Gateway spokeswoman, said the objective of Gateway is to take people who want to improve their lives, regardless of what they have done before.

"We don't focus on their past, but on their future," Gard said. "A lot of times, getting an education is part of their rehabilitation."

Patrick Dilger, director of public affairs at Southern Connecticut State University, said SCSU does not ask applicants about prior convictions.

Ty Ballou of Branford, now 26, list Southern's address of 501 Crescent St., New Haven, as his school address on the state police's site, though Dilger said Ballou left in the spring.

Ballou initially was charged with first-degree sexual assault for an attack on a 14-year old girl when Ballou was 17 in Branford. He was convicted in 2002 of second-degree sexual assault on a minor.

According to Dilger, the university's police department keeps a record of registered sex offenders on campus.

"We don't do background checks on prospective students, and I believe it is pretty standard to not do it," Dilger said. "It would get expensive. With someone who has been convicted, they have already paid their debt, and education hopefully helps them with rehabilitation, their ability to get gainful employment and work their way back into society."

The university also gets notified if students commit crimes by working with Hamden and New Haven police departments, Dilger said.

At Central Connecticut State University in New Britain, part of the Connecticut State University system along with Southern, the application asks if an applicant has been convicted of any crime. Candidates are asked to elaborate on the circumstances. Five people on the sex offender registry list CCSU's address, 1615 Stanley St., New Britain, as their school address.

Honesty and self-disclosure

The majority of colleges and universities now ask applicants whether they have criminal backgrounds, according to Barmak Nassirian, associate executive director of the American Association of Collegiate Registrars and Admissions Officers, which is based in Washington, D.C.

About 66 percent of colleges that responded to an association survey indicated that they do so, according to Nassirian. Most ask for the information directly from the applicant, so the process relies on honesty and self-disclosure, he said.

"It is now the norm," Nassirian said. "A majority of colleges and universities now elicit information about past convictions and past disciplinary infractions."

Only a few do criminal background checks, he said.

"They can be very expensive if they are comprehensive and involve searching all states," Nassirian said.

"The whole issue of past criminal convictions and what institutions should or shouldn't do is vastly oversimplified in the public's mind," Nassirian said.

People naturally want students to be safe; meanwhile, millions of Americans have criminal convictions, he said.

"Often, a teenage kid did something stupid, but they have been punished and are now allowed back to society," Nassirian said. "It is not like they are Jack the Ripper. Should we further punish them? That is not the job of colleges, but the job of the criminal justice system."

"We do have an obligation to protect our students, but that is a far cry from keeping out everyone with a criminal record," he added.

Tragic events such an incident this spring at the University of Virginia often trigger discussions about how to better screen students, he said.

A student there, Yeardey Love, was killed in May, and another student, George Huguely, has been charged in connection with her death. Huguely reportedly had prior arrests for public drunkenness and resisting arrest.

Carol Wood, assistant vice president for public affairs at the University of Virginia, said after the slaying, university President John T. Casteen III posed a number of ways that laws and

practices might change in order for universities to know if students have had previous arrests.

One idea Casteen has mentioned is criminal background checks on students who acknowledge on their applications that they have had a prior arrest, according to Wood. Another idea was to look at whether it was possible for law enforcement agencies to report to colleges and universities when a college student was arrested, she said.

"We do not plan to pursue background checks of applicants," Wood said. "President Casteen did meet with Virginia's governor to discuss the idea of having law enforcement agencies report student arrests. The governor has turned the idea over to state police for review and comment, although all have acknowledged that there are a number of hurdles to making this an effective process. No decision has been made at this point."

According to Wood, another idea being considered is to have judges who sentence college students make it part of the sentencing that students report back to their colleges and universities. Currently, the University of Virginia does require applicants to report any arrests and convictions, she said. It also requires enrolled students to report any arrests to the Dean of Students' Office. A student who doesn't report such information could be subject to suspension or dismissal, she said.

Nassirian said it can be easy after a tragedy to see signs that it was going to happen, but it is "really hard to see it beforehand."

"People assume a criminal conviction is a sure marker, but you could be excluding a lot of people who could have been rehabilitated, and overlooking people who are real threats, but

have no past crimes," Nassirian said.

Brian Garnett, a spokesman for the Connecticut Department of Correction, said there are three categories of released registered sex offenders in Connecticut: those under no supervision, those on probation and those on parole.

The department supervises those on parole, according to Garnett, while those on probation are supervised by probation officials under the state judicial branch.

"We certainly would know if those on parole are in college," Garnett said.

In those cases, the parole department makes independent notification to both the school and the sex offender registry, according to Garnett. It is up to the schools what they do with the information, he said.

According to Garnett, the number of parolees attending college is low, with about a half-dozen notifications to schools each year.

"Before a parolee sex offender is even allowed to attend a school, there would be a long discussion with the school about issues like where the offender would live, before we'd consider allowing the person to attend," Garnett said.

Melissa Farley, spokeswoman for the state judicial branch, said probation officers have authority to do community notifications, but it isn't required. Farley didn't have any statistics on the number of registered sex offenders on probation who are attending institutions of higher learning.

According to state statute, if a registered sex offender notifies the Department of Public Safety that they are a student at a trade or professional institution, or institution of higher learning, the department shall notify the law enforcement agency with jurisdiction over that school.

Michelle Cruz, state victim advocate, said she believes it would be difficult for schools to screen all students.

"There has to be a reason for background checks, because of privacy rights," Cruz said.

Cruz said the state police have done a "wonderful job" with the sex offender registry.

"That is one way for people to get information on sex offenders," Cruz said. "It is just one tool, but it is a good tool."

Cruz cautioned against a potentially false sense of security that might come from college screening processes and from checking the sex offender registry.

"These (offenders on the registry) are just the ones who got convicted and required registration," she said. "People also need to learn about personal safety."

Simsbury Police Capt. Matthew Catania said people tend to think of schools as a safe haven for learning, an environment free from predators. Local police are notified about sex offenders in their community, he said.

"At a minimum, you should have to disclose on college applications if you have a felony record," Catania said. "Then, you are closer to being able to provide a safe school community."

Call Michelle Tuccitto Sullo at 203-789-5707. Register reporter Alexandra Sanders contributed to this story.

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