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QUEENS MAN WHO BABYSAT SEVEN-YEAR-OLD GIRL CONVICTED
FOR SEXUALLY ABUSING VICTIM FOR THREE YEARS

Defendant Faces Up to 25 Years in Prison at Sentencing

Queens District Attorney Melinda Katz announced today that Jose Niveló, 43, has been convicted of course of sexual conduct against a child for sexually abusing a seven-year-old girl over a three-year period starting in 2012. The defendant was babysitting the girl in his Queens home when the alleged abuse occurred. DA Katz, when she was an Assemblywoman, authored the course of sexual conduct against a child law to make sure predators were held accountable for violating children.

District Attorney Katz said, “The defendant was entrusted to care for this young girl while her mother worked but instead exploited his role as babysitter to sexually abuse the victim for years. This was a betrayal of trust in the worst possible way, bringing unimaginable trauma and pain to this young victim. During my time as a state lawmaker, I successfully championed legislation to aid in the prosecution of child abusers and I remain committed to seeking justice on behalf of all survivors, even if years have passed since they were harmed. The defendant has now been convicted and will be sentenced by the court for his heinous actions.”

Niveló, of 97th Street, in East Elmhurst, Queens, was convicted late yesterday after a week-long jury trial of course of sexual conduct against a child in the first degree. Queens Supreme Court Justice Ushir Pandit-Durant, who presided at trial, set sentencing for June 24, 2022. At that time, Niveló faces up to 25 years in prison.

According to the charges, in April 2012, the defendant, who regularly picked up the seven-year-old girl from school, began sexually assaulting her inside his then-home on Hampton Street in Elmhurst, Queens. The defendant groped her body and had her undress in front of him on numerous occasions. Furthermore, when the defendant moved to an apartment on 97th Street in East Elmhurst, when the child turned eight, he escalated the abuse by repeatedly engaging the child in acts of anal and oral sexual conduct.

Assistant District Attorney Carolynn Fitzgerald of the District Attorney’s Special Victims Bureau is prosecuting the case under the supervision of Assistant District Attorneys Eric C. Rosenbaum, Bureau Chief, Debra Lynn Pomodore and Brian Hughes, Deputy Bureau Chiefs, and under the overall supervision of Executive Assistant District Attorney for Major Crimes Daniel A. Saunders.

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