



NEW YORK STATE SENATOR

Tony Avella

## State Senator Avella Secures Promise From Commissioner Banks on Sex Offenders in Family Homeless Shelters

ANDREI VASILESCU July 1, 2016



**Queens, NY** - Senator Avella announced that, upon communicating with Steven Banks, Commissioner of the Human Resources Administration (HRA) who leads the Department of Homeless Services (DHS), the Commissioner has made a commitment to no longer place Level 2 and 3 sex offenders in the Pan American homeless shelter. Moreover, Banks committed to finding a solution so that no family homeless shelters will be shared by Level 2 and 3 sex offenders. In the meantime, Avella requested that Commissioner Banks provide in writing why the agencies believe they are restricted from denying Level 2 and 3 sex offenders

access to family homeless shelters.

Following Senator Avella's June 28th rally outside of the Pan Am shelter, DHS released a statement claiming that the agency is prevented by "court orders" from exercising its discretion in the placement of dangerous Level 2 and 3 sex offenders within the city homeless shelter system. Avella asked Commissioner Banks to provide copies of these orders so that the full extent of the Court's mandate can be understood.

"There is nothing in the law that mandates the placement of Level 2 and 3 sex offenders in family shelters. While the city may be required 'to provide shelter to everyone in need, including those with criminal justice involvement', the general requirement to provide shelter is not a specific mandate about where to provide that shelter and that is the fundamental issue that Senator Klein and I have repeatedly brought forward to the city," **said State Senator Tony Avella.**

Regardless of whether a Level 2 or 3 sex offender is currently under court-imposed "residency restrictions", that would specifically state where they can and cannot live, the city of New York has discretion as to exactly where to place such sex offenders within in its shelter system - be it in a single adult shelter or with their family in a location that is not amongst other family shelter residents.

"The city can certainly fulfill its obligation to provide shelter to all persons in need, including Level 2 and 3 sex offenders, and keep them with their families, and it can do so in a manner that does not place other homeless families with children at risk. As Chair of the Children and Families Committee and Chair of the Task Force on the Delivery of Social Services in New York City, I applaud Commissioner Banks' commitment to finding a solution and for agreeing to no longer place dangerous sex offenders in Pan Am, but the City will need to follow through on this promise immediately," **said Senator Avella.**

"I am happy to hear that Commissioner Banks has stated that the city has removed the two Level 3 sex offenders residing at the Pan Am family shelter, and that he's looking to find a solution going forward. Protecting our city's most vulnerable - those children and families who reside in family homeless shelters - must be our first priority, and as we have seen time and time again, promises are not enough. That is why I introduced legislation that would prohibit sex offenders from residing in shelters that also house families or children. New York City's most vulnerable need more than repeated commitments. We must ensure that no family living in a shelter has to fear for their children's safety," **said State Senator Jeff Klein.**