

Cape shelter bans Level Three sex offenders

By Associated Press

Monday, August 29, 2005 - Updated: 01:31 PM EST

BARNSTABLE, Mass. A Cape Cod homeless shelter is no longer accepting the most serious sex offenders, saying it doesn't have the financial and human resources to monitor them.

The 60-bed NOAH Shelter in Hyannis, the Cape's only full-time facility for single homeless adults, enacted the policy banning Level 3 sex offenders earlier this month, The Cape Cod Times reported Monday.

"We're hesitant to throw people out on the street," said Rick Presbrey, executive director of the Housing Assistance Corp., which operates the shelter. "It took us a while to come to (this) conclusion."

Presbrey said sex offenders from all over the Cape come to Hyannis because NOAH is the only homeless shelter on the peninsula. He said the new policy serves to diminish the probability that sex offenders would congregate in a single neighborhood.

Level 3 sex offenders are those considered by the state to be most likely to re-offend. Presbrey admits it may be difficult to keep them all away because of the difficulty in identifying them.

"We're not on a national database of sex offenders," he said. "We don't give lie detector tests."

The state helps underwrite homeless shelters, but does not control access, said Dick Powers, a spokesman for the Department of Transitional Assistance.

"Individual shelters set their own policies," he said. "We respect a shelter's right to implement policies that help to guarantee the safety of both shelter residents and the residents of the community."

Sex offenders won't be given shelter in Hyannis

By Joe Burns/ jburns@cnc.com

Thursday, September 8, 2005

Sex offenders judged likely to re-offend will no longer be allowed access to the NOAH Shelter, the overnight housing facility in Hyannis.

The decision by the Housing Assistance Corporation (HAC) to ban Level 3 sex offenders from the site was made last month. The decision is the result of the increasing number of homeless sex offenders being forced out of their homes because their status and whereabouts were made public through the state sex offender registry.

"We've seen a growing trend across the state of people seeking shelter because they can't live in traditional communities as easily as the rest of us," said HAC Executive Director Rick Presbrey.

There are currently 10 registered level three sex offenders living in Hyannis. Four of those offenders are now homeless in Hyannis, at least one of them had previously had been staying at the NOAH Shelter. Presbrey said that individual caused no problems while he was staying there.

Homeless sex offenders may be more difficult to keep track of. On Tuesday the Boston Herald reported that it took Framingham police two weeks to locate a registered sex offender who was wanted for rape because the offender was homeless.

There are no plans to ban others who had been convicted of violent crimes from the shelter

"The issue is that Level 3 sex offenders are outed to the public and so the public doesn't want them around their neighborhoods and so they're inclined to come to the shelter. People who have committed other crimes and have gotten out of jail live throughout our communities," Presbrey said. "There hasn't been any change in the proportion of ex-criminals that come to NOAH."

Presbrey said he does not know if NOAH Shelter could be legally challenged for barring an individual who is not wanted by the police, is sober, well behaved and in need of shelter.

"No one has ever challenged NOAH Shelter and its ability to restrict admission. It's an interesting question," Presbrey said.

Presbrey said that they would not seek to prevent a Level 3 offender from seeking medical treatment at Duffy Health Clinic, which is at the shelter site.

NOAH Shelter is an overnight facility for adults and it is not in position to monitor the activities or whereabouts of those who use the shelter.

"We don't know where any one person is going to be on a given night. We certainly don't know where they're going to be during the day," Presbrey said.

A campus for the homeless that would provide 24-hour services, seven days a week has been the goal of HAC, but so far efforts have met with frustration. But should such a facility become available, banning Level 3 offenders would be reconsidered. "We would review it under those circumstances," Presbrey said.

Presbrey cautions that even though police provide NOAH with a list of local registered offenders, it isn't enough to assure that sex offenders out kept of the shelter.

"The reality is that if they come from off-Cape we don't know and if they come from out-of-state we don't know," Presbrey said.

In response to HAC's decision, The Community Action Committee of Cape Cod & Islands (CAC) has decided it will no longer admit Level 3 sex offenders into its Pilot House program.

Pilot House, in Hyannis, is a housing and treatment facility for homeless people with either mental health or substance abuse concerns.

"We were aware that NOAH had come out with a policy with regard to Level 3 and we wouldn't be able to take the overflow from NOAH," said CAC Executive Director Estella Fritzingler. "We recognize there's a need to house them [but] we don't have the facilities or the staffing to take Level 3 sex offenders."

There is currently one Level 3 sex offender living at Pilot House. He will be leaving soon, said Fritzingler, adding that his departure isn't related to his Level 3 status or for punitive reasons.

"We are not planning on bringing any in," she said.

While Pilot House won't be screening individuals to see if they are Level 3 offenders, the police provides them with updated sex offender lists.

"We're aware of who the sexual offenders are," Fritzingler said.

Pilot House has no plans to bar Level 2 sex offenders, who are not publicly identified, from the facility.

"We don't have a perfect answer to Level 3 offenders, They're not always immediately identified and we're not going to be looking to specifically identify sexual offenders," Fritzingler said