



NEW YORK STATE SENATOR

Jeffrey D. Klein

## Senate Passes Klein Bill Empowering D.A.'s to Evict Drug Dealers and Violent Criminals from Neighborhood Homes

JEFFREY D. KLEIN May 6, 2013

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**ALBANY, NEW YORK** – On Monday afternoon, the New York State Senate passed legislation enabling District Attorneys to expedite eviction proceedings against individuals who use their home as a base for criminal operations. Senate Co-Leader Jeff Klein (D-Bronx/Westchester) is the prime sponsor of the legislation.

The legislation (S.2365), known as the “Bawdy House Bill,” gives District Attorneys clear jurisdiction to quickly intervene in cases involving the eviction of tenants who have been charged with conducting illegal activities within their home such as drug trafficking, gambling, human trafficking or the fencing off of stolen goods. Current law requires landlords to confront violent criminals in their homes, putting the lives of community members, and the landlord, at risk. As a result, many landlords never act on eviction proceedings, leaving nearby residents and communities in peril.

**Senator Jeff Klein said:** “Too often, current law leaves local law enforcement powerless to end recurring criminal activity in New York communities. This bill empowers local prosecutors to take the reins in these dangerous cases so that law enforcement can root out criminal activity and prevent violent retaliation against neighbors and landlords. We need to put an end to criminal safe houses, especially here in the Bronx, and I believe this legislation will

help us achieve this.”

Based on information collected by the Bronx District Attorney’s Office during the months of September through December of 2011, approximately 20% of relevant housing court adjournments were initiated by the landlord. The Manhattan District Attorney’s office reported similar numbers. Prosecutors attribute these adjournments to landlords becoming either discouraged by long delays or too frightened to persist in their efforts to evict criminal tenants. By allowing District Attorneys to become more active participants in these proceedings, both of these problems can be rectified.

Prosecutors reached out to Senator Klein about this legislation after an arrest for narcotic sales was made in the Spencer Estates neighborhood of the Bronx. For months after the arrest, delays in housing court prevented the landlord from ejecting the tenant, leaving neighbors with a persistent and dangerous threat in their community. Neighbors, intimidated and frightened by the continued criminal presence, were left without effective recourse. As the numbers demonstrate, the experience of Spencer Estates community members was far from unique.

**Bronx District Attorney Robert T. Johnson said,** “Without jeopardizing the rights of tenants, this bill will ensure that the information necessary to protect innocent neighbors is considered by the courts.”

The New York District Attorney’s Association, as well as the Bronx, Queens, New York and Suffolk District Attorney’s Offices all have expressed support for this legislation.