

TESTIMONY FROM NYCHA
OVERSIGHT – EXAMINING NYCHA’S COMPLIANCE WITH HUD’S ADMISSIONS REGULATIONS
AND NEW PERMANENT EXCLUSION POLICY
COMMITTEE ON PUBLIC HOUSING
TUESDAY, DECEMBER 15, 2015, 1:00 PM
250 BROADWAY COMMITTEE ROOM, 16TH FL., NEW YORK, NY

Chair Ritchie Torres, members of the Public Housing Committee, and other distinguished members of the City Council: good afternoon. I am David Farber, Executive Vice President for Legal Affairs and General Counsel for the New York City Housing Authority. Joining me today is Brian Clarke, Senior Vice President for Property Management Operations.

Thank you for the opportunity to discuss NYCHA’s admissions policies and to also update you on changes to our permanent exclusion process to better protect our communities. As a top priority for NYCHA, the NYPD and our many partners, public housing safety—from admissions to exclusions and evictions, requires a comprehensive approach. There is no single solution to keep the most serious offenders out of our communities, but through focused efforts centered on collaboration and communications, in addition to infrastructure upgrades, we can enhance safety in a meaningful way.

NextGeneration NYCHA, the Authority’s 10-year strategic plan, is focused on changing how we do business at every level, including public safety. Mayor de Blasio is committed to improving the quality of life and security of NYCHA residents through comprehensive safety enhancements such as lighting, cameras, security doors, and the recent announcement to improve permanent exclusion and evictions as a tool to remove individuals who pose a risk to public safety and those who harbor them in violation of their lease.

Admissions

Before we discuss changes to permanent exclusion, I'd like to walk you through NYCHA's application and eligibility process.

With high demand, low vacancy and turnover, there are currently 270,000 families on NYCHA's waiting list. As a landlord focused on resident safety and the wellbeing of the NYCHA NYCHA community, we take our responsibility to thoroughly screen applicants very seriously.

As part of NYCHA's admissions process, a candidate for public housing submits an application with information on the family's total household income, family composition, and current living situation. Applicants are placed on a preliminary waiting list and are notified if and when they have been scheduled for eligibility screening—typically an initial screening occurs within six to nine months before an applicant is offered a unit, and finally, when a family reaches the top of the waiting list.

Public housing is inclusive by design—as a public program, supported with government funding, all applicants that meet our income requirements are eligible for NYCHA housing. Ineligibility results when specific criteria screenings identifies relevant information about health and safety risks. NYCHA gathers relevant information by contacting past landlords, reviewing housing records and conducting a criminal background check on every member of the family age 16 and over.

Under HUD regulations, convicted sex offenders and those convicted of manufacturing methamphetamine (meth) on the premises of housing supported with federal funding are automatically permanently ineligible for admissions into NYCHA. Additionally, NYCHA sought input from justice groups on the types of criminal convictions and the periods of time, or “look back period” for specific offenses that would bar an individual from eligibility.

NYCHA verifies application data using a variety of databases and tools. NYCHA accesses HUD’s Enterprise Income Verification (EIV) database to verify income, Social Security data, employment and unemployment data, and other relevant information. NYCHA also reviews Housing Court records, public conviction records of The New York State Office of Court Administration, the National Sex Offender Website, and other public record databases.

Last year, NYCHA interviewed more than 14,500 individuals and rejected about 560 as ineligible—of those 560, 18% or about 100 applicants are rejected for criminality and 5 applicants were rejected as registered sex offenders. Meth manufacturing convictions, which typically impact more rural jurisdictions, does not play a major role in NYCHA ineligibility. No applicants were found to have meth manufacturing convictions last year or this year to-date. Most applicants are deemed ineligible for being over-income, not criminality.

We should note; all rejected applicants are entitled to appeal the decision in a hearing with an impartial hearing officer. Of the 290 appeals made last

year, only 13 rejected applicants were reversed. This year, we've seen a similar appeal rate—nearly 260 appeals, and 9 reversals to date.

Permanent Exclusion

While our admission process helps screen out safety risks on the front end—ahead of tenancy—permanent exclusion and eviction is our tool to eliminate risks, once tenancy has been established.

Permanent exclusion is a way to save tenancy; it removes the dangerous criminal without evicting the entire family. Typically, residents agree to bar the serious offender from their apartment in a signed stipulation with NYCHA in return for continued tenancy and allowing follow-up inspections by a NYCHA investigator. For context, NYCHA's team of investigators perform 10,000 site visits a year. If an investigator finds a dangerous criminal is found back in the apartment in violation of a permanent exclusion order or stipulation, the family can be subject to the termination of tenancy and eventual eviction following an impartial hearing officer's review and an eviction proceeding in Housing Court.

Aligned with HUD guidance, NYCHA does not use an arrest in and of itself as a basis to terminate tenancy. A serious arrest prompts NYCHA to further investigate and identify evidence and other facts that could build a case for tenancy termination or permanent exclusion. We scrutinize all factors of this arrest—and offender's history—to determine if we have cause to move it forward and prove the case.

Exclusions are permanent and last indefinitely unless the tenant applies to have the permanent exclusion lifted.

Last year, 425 individuals were permanently excluded. Broadly, we know at least 55 percent of permanent exclusions involved a serious drug crime charge, 20 percent involved firearms, 10 percent involved sex crimes, and approximately 9 percent of exclusions involved violent crimes. Often, a case includes multiple criminal charges.

As I mentioned earlier, the de Blasio administration recently announced improvements to the process for removing dangerous criminal offenders, which is centered on enhancing information sharing between the NYPD and NYCHA. These communication and process reforms address many of the issues highlighted in a recent DOI report on collaboration between NYPD and NYCHA.

Using the best public safety tools available, the City and NYCHA will be able to more accurately identify high-risk cases and move quickly to protect public safety. It is important to note that NYCHA is not expanding the criteria for eviction or exclusion; rather, the Authority is working with the NYPD to sharpen its policy so it moves more quickly to exclude or evict from NYCHA high-risk individuals who commit very serious offenses.

Conclusion

NYCHA is committed to serving our residents by implementing appropriate security measures that address all illegal activity that poses a danger to residents and the community. The Authority implemented its permanent exclusion policy in part to save the tenancy of families by, instead, excluding only the bad actor.

We plan to work with NYPD, MOCJ, our partners and residents to improve our diagnoses of crime drivers and intervention strategies at our developments. This follows a larger push towards comprehensive safety enhancements such as increased CCTV and lighting enhancements throughout our developments. Along with the NYPD and our agency partners, we will continue to work to ensure the safety of our residents.

We believe that smart policy-making in this area is critical to meet the goals of NextGeneration NYCHA and create safe, clean and connected communities.

We are happy to answer any questions you may have.



Redefining
public
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**Committee on Public Housing
Oversight Hearing:**

*Examining NYCHA's Compliance with HUD's Admissions Regulations and New
Permanent Exclusion Policy,*

Tuesday, December 15, 2015 at 1 p.m.

16th Floor Committee Room

250 Broadway New York, NY 10007, has been moved to 1:00 p.m.

Written Testimony by Runa Rajagopal, The Bronx Defenders

My name is Runa Rajagopal. I am the Director of the Civil Action Practice at The Bronx Defenders. The Bronx Defenders thanks the Committee for the opportunity to submit comments and testify regarding NYCHA's Compliance with HUD's Admissions Regulations and Permanent Exclusion Policy.

About The Bronx Defenders

Founded in 1997, our organization is nationally renowned for providing holistic and comprehensive legal services, which include civil, criminal and family defense, social services and community programs to approximately 35,000 low-income families in the Bronx each year. Our innovative, interdisciplinary, team-based model operates on multiple levels to address how an arrest and criminal charge alone can have a devastating impact on a person's life. In New York State, indicative of the rest of the nation, more than 1 in 3 people arrested are never convicted of any crime or offense, yet they suffer drastic collateral legal consequences and enmeshed penalties as a result of their arrest. This collateral damage, and the instability that results, can be far more devastating than any of the direct penalties that accompany the criminal conviction.

The Civil Action Practice

The Civil Action Practice is designed to defend against the many enmeshed civil penalties that arise out of a person's arrest. Criminal accusations in public housing can lead to a whole host of devastating civil consequences, not only for the person who stands accused but for her entire family. These consequences are often hidden and invisible to those accused of the crime, to practitioners, legislators and even to Judges and the courts. These consequences are scattered across sections of state statutes, local laws, and state and local agency regulations and policies; they can touch every aspect of a person's life and can occur any time after an arrest, leading to job loss, denial of benefits, deportation, loss of property or even eviction from one's home.

Housing is one of the most fundamental building blocks of a stable life and it has been proven that lack of access to housing and homelessness increases the risk of incarceration and subsequent re-incarceration.¹ The Bronx Defenders represents countless individuals and families in the Bronx who want to call or already call the New York City Housing Authority “home.” Because of their contact with the criminal justice system, they face possible denial of admission to or termination from public housing. Everyday we fight for our clients, the majority of whom are poor men, women and children of color who are overpoliced and disproportionately arrested and incarcerated for low-level offenses, *not* to be defined by and punished simply for an arrest or a conviction.

As the largest landlord in the country whose mission is to increase opportunities for low income New Yorkers and also to provide safe, affordable housing, NYCHA maintains broad discretion to make case by case decisions regarding an individual’s or family’s suitability to access or continue to live in public housing based on alleged criminal conduct. However, we often see how NYCHA does not use the discretion it has enough to make evidence based decisions and allow applicants admission or residents continued access to housing. Additionally, with respect to tenants, even where NYCHA does use its discretion to not terminate an entire family, it imposes probations and a harsh permanent exclusion policy based on allegations of undesirable conduct- that may or may not rise to the level of criminal conduct- breaking families apart and further making them susceptible to homelessness. **These practices must be reformed.**

**NYCHA SHOULD USE ITS BROAD DISCRETION TO ISSUE LEASES TO
APPLICANTS AND REMAINING FAMILY MEMBERS WHO HAVE A
“REASONABLE PROBABILITY OF FUTURE FAVORABLE CONDUCT”
DESPITE CONTACT WITH THE CRIMINAL JUSTICE SYSTEM.**

The U.S. Department of Housing and Urban Development (HUD) gives public housing authorities broad discretion in establishing and adopting written policies for admission of tenants and for screening family behavior and suitability for tenancy. *See* 24 C.F.R. § 960.202(a); § 960.203 (c)(1). HUD permits public housing authorities to consider a person’s criminal history involving physical violence to persons or property and other acts that would adversely affect the health safety or welfare of other tenants. In fact, there are only two explicit bans² based on criminal convictions for which a public housing authority must deny admission. *See* 24 C.F.R. § 960.205(b)(3). Beyond these restrictions, HUD encourages public housing authorities to consider all relevant information, including factors that indicate a reasonable probability of favorable future

¹ Guidance on Housing Individuals and Families Experiencing Homelessness Through the Public Housing and Housing Choice Voucher Programs, HUD PIH Notice 2013-15(HA), 8 (June 10, 2013), available at <http://1.usa.gov/1afx3vy>.

² Individuals found to have manufactured or produced methamphetamine on the premises of federally assisted housing and Sex offenders subject to a lifetime registration requirement under a State sex offender registration program. *See* 24 C.F.R §§ 960.204, 982.553; 982.553.

conduct and evidence of rehabilitation, to allow individuals who have paid their debt to society to rejoin their families. See HUD Letter to Public Housing Directors, dated June 17, 2011. Moreover, HUD gives public housing authorities specific directions in its November 2, 2015 Guidance to Public Housing Authorities on excluding the use of arrest records in housing decisions and states, among other things, that PHAs are not required to adopt one strike policies, that arrests alone are not evidence of criminal activity to support denial of admission or eviction, that the due process rights of applicants of tenants should be protected.³

On paper, with respect to admissions, NYCHA already has procedures and programs in place that embrace HUD's and the Federal Government's approach to reentry. When an applicant or remaining family member seeks to obtain a lease in his name, he is subject to procedures set forth in the management manual, the applicable general memoranda (GMs) and the Applications and Tenancy Administration Department Manual.⁴ Pursuant to its admissions standards, prior to declaring an individual is ineligible based on criminal background, NYCHA must give consideration to the time, nature and extent of an individual's conduct and factors that might indicate a reasonable probability of favorable future conduct, including evidence of rehabilitation and evidence of participation in social service or other appropriate counseling service programs when unfavorable information is received about the applicant or Remaining Family Member.⁵

However in practice, though we have seen a difference in NYCHA's approach in considering applicants and remaining family members who have criminal records under the current administration, we believe NYCHA can more rigidly adhere to HUD's guidance and their own procedures to make fair and just decisions to allow individuals and families to access public housing and not simply deny admissions because an applicant has a criminal history. Consider Miguel's story below.

Miguel has lived in public housing for most of his life. He grew up in housing with his parents and siblings. As an adult, Miguel moved back to housing in 2003 at the request of his sick, elderly mother. She had many medical conditions, was home bound and had limited English proficiency- yet when she asked her son to move in, she let housing know and tried her best to get her son permission to live in her apartment in 2004. Even though she sent numerous letters and got assistance to submit the requisite forms, NYCHA never replied or affirmatively approved miguel. But since they did not hear from NYCHA, Miguel and his mother thought all was well.

³HUD PIH Notice 2015-19(HA) (November 2, 2015), available at <http://portal.hud.gov/hudportal/documents/huddoc?id=PIH2015-19.pdf>

⁴ See NYCHA Management Manual, Ch. IV, Subd. IV, F. Changes in Family Composition; Ch. VII, IV, E. Remaining Family Members; NYCHA GM-3692 Nov. 22, 2002 (revised), NYCHA GM 3716 and App. & Tenancy Admin. Dept. Manual, Chapter V, F.

⁵ See *Id.* at Ch. V, F1-F4.

Four years after Miguel moved back in, his mother died. He informed NYCHA that his mother passed away. They started an eviction proceeding saying that he never got permission to live in the apartment. Miguel pursued his rights as a remaining family member, but was told that two years after his mother submitted the form (in 2006), the Housing Manager found the form submitted previously and decided he was ineligible because of a conviction from 10 years earlier in 1996 (the conviction lead to 3 years of incarceration, at which time he was diagnosed and treated for mental health impairments. At the time Miguel's mother applied, Miguel was subject to a discretionary 6 year ineligibility period that started from when his sentence was completed.) No one informed Miguel's mother or Miguel of this decision to deny his request.

After connecting with The Bronx Defenders, Miguel fought for years- at the administrative level and through appeals- to fight for his right to a lease because his mother was never notified that he was not approved and because even though had a conviction from over 10 years ago, he was now a different man. After a total of 3 years of appeals, the Courts found NYCHA had violated Miguel's rights and directed NYCHA to have a hearing to consider Miguel's rehabilitation in 2013.

In 2013, Miguel was arrested for criminal drug possession. After being arrested, Miguel was held in Rikers Island pending trial because he could not afford the bail that was set for his release. He spent 8 months in Rikers and finally accepted a plea to criminal possession to be released. Miguel had a long history of drug use and has struggled with severe mental health impairments. He maintained that this incident was the first slip up he had since 1996. He participated voluntarily in drug abuse counseling and support, changed his mental health treatment and medication, subjected himself to weekly drug testing and had reconnected with his family to have stronger supports. Many of his neighbors wrote letters on his behalf and Miguel has always paid rent on time. The Housing Authority refused to give him a lease and never considered any of his treatment or rehabilitation. He now waits for NYCHA to make a decision on whether he can get a lease in his name and risks imminent homelessness.

NYCHA RESIDENTS ARE ENTITLED TO DUE PROCESS WITH RESPECT TO TERMINATIONS

Maria has lived in public housing for twenty-five years with her grandson and son who are 23 and 45, respectively. In 2012, her grandson was arrested for possession of marijuana near NYCHA grounds and took a disorderly conduct plea- a noncriminal disposition- to resolve the case. Maria's son was arrested in 2014 regarding criminal mischief for purportedly breaking a NYCHA building window. His case is still pending and he contests that he had any part in the destruction of NYCHA property. NYCHA initiated a termination proceeding against Maria citing the criminal cases against her son and grandson. Maria is advised that NYCHA is not interested in evicting her, because she, as the tenant of record, has been law abiding and desirable. However, to

resolve the case, she is offered a two-year probation and must permanently exclude one of her sons, preferably the son accused of criminal mischief. Maria refuses and now faces termination based on a non-criminal disposition and an allegation where the criminal case is still pending against her son.

Maria's story is typical of many of the families who seek our services. It is utterly confusing to tenants to face termination, probation and exclusion based on open cases and criminal cases that have resulted in low level or noncriminal pleas. We have concerns about NYCHA and the City's approach towards families like Maria's who may be connected to a person accused of a crime. If a tenant, occupant, family member or even a guest is arrested on or around NYCHA grounds, it is inevitable that the tenant of record will be subject to numerous civil consequences, including possible termination. An arrest can lead to a multitude of housing consequences for an entire family and the potential for eviction or some other housing punishment, is very high. This is irrespective of whether or not the accused individual is actually convicted of the crime of which he or she is accused.

Unlike in criminal court, tenants facing eviction or termination have no right to counsel. A tenant may be in the predicament of fending for herself in her housing cases, even if she has an attorney in the criminal case, the facts of which gave rise to the other housing consequences. Tenants are also not afforded any of the greater constitutional protections that exist in criminal court when facing eviction, including the higher burden of proof beyond a reasonable doubt, as the burden in most civil proceedings is the lowest standard of preponderance of the evidence, the presumption of innocence until proven guilt, the right to confront witnesses, the right against self-incrimination or the right to a jury, to name a few⁶. By facing concurrent cases (criminal and housing) Tenants are at risk of jeopardizing their criminal case, by making statements against their own interest or risk an adverse presumption lodged against them for remaining silent. Additionally, with the incredible backlog in criminal court, a tenant may be in the position of losing his home or some other punishment, like probation or exclusion of a family member, prior to ever getting his day in criminal court or even if the criminal case is dismissed.

Increased NYCHA and NYPD information sharing and expedited terminations can be problematic for all of these reasons. They can lead to the violation of rights of tenants and their family members, particularly if the criminal case of the accused is still pending or even dismissed and lead to unfair and unjust housing consequences.

⁶ See Mary M. Cheh, *Constitutional Limits on Using Civil Remedies to Achieve Criminal Law Objectives: Understanding and Transcending the Criminal-Civil Law Distinction*, 42 Hastings L.J. 1325, 1325-28 (1991)

PERMANENT EXCLUSION TEARS FAMILIES APART AND NEEDS TO BE REFORMED

Jenny has been a proud NYCHA resident for 40 years. She raised all six of her children in public housing. In 1997, her son was arrested and convicted for aggravated assault, conduct that was on NYCHA grounds. Prior to her son being convicted, Jenny faced termination and thus, signed an agreement to permanently exclude her son and also signed a five-year probation. She was unrepresented at the time. In 2000, Jenny was subjected to violation of probation proceedings when her other son claimed her address and she failed to get NYCHA's authorization for him to live with her and further failed to report his income. Even though she argued that her son was not actually living with her, but merely used her address, she signed another 5 year agreement to exclude her other son and pay NYCHA back all the money they claimed to which they were entitled. In 2010, while Jenny was in the hospital at the Emergency Room, her first son came to her apartment to change his clothes for a family funeral. Her son had been incarcerated for ten years and was homeless. He was let in by Jenny's daughter, unbeknownst to Jenny and promptly, NYCHA inspectors came to her apartment.

Jenny, unrepresented at her hearing, was terminated from NYCHA, citing that she already had two prior chances and was unable to control her household and prevent the excluded son from returning. Jenny and her family now face homelessness.

NYCHA's policy of permanently excluding the offending family member when the "bad actor" is not the tenant of record is a disproportionately punitive and highly invasive policy that rips apart families. It is the policy of effectively evicting the person allegedly engaging in the offensive conduct from the household, permanently, so that the rest of the family can continue to keep their home. For the life of the tenancy, in the current apartment or any apartment the tenant moves to thereafter, the excluded individual cannot reside in or even visit the apartment. To make sure the tenant complies with this exclusion, NYCHA will conduct surprise inspections of the entire apartment, any time between 9 am and 7 pm. If the individual is found on premises, in Jenny's case found 13 years after the initial permanent exclusion was signed and for the purpose of changing clothes for a funeral, NYCHA will move to terminate the tenancy. Further, if the tenant fails to open the door to inspectors, NYCHA will also move to evict the tenant and her family. Because this exclusion is permanent, Tenants have to affirmatively move to remove it, even if it is based on conduct by a family member from ten or twenty years ago.

It is not unusual for tenants to regularly make the difficult decision to permanently exclude their sons and grandsons from their homes to safeguard the rest of their family, even if the criminal case is still pending and there has been no conviction of guilt and

even if the accused conduct is of a minor nature. The punishment of permanent exclusion needs to change for many reasons.

First, focusing on interventions on low-risk people can actually increase their likelihood of recidivism and can decrease public safety. Permanent Exclusion, in particular, can increase risk by removing a person from their family, and thus from family and community supports that are proven to reduce recidivism. Additionally, excluding residents from NYCHA rarely addresses the low risk to public safety-it only relocates the problem. Moreover, any new permanent exclusion policy must narrowly tailor the use of exclusion to support safe NYCHA developments, but curtail its use as a punitive measure. Good data on termination proceedings must be collected and periodically reviewed to both ensure NYCHA compliance with its own policies and to reflect on the effectiveness of NYCHA practice. Lastly, research shows that a person's risk of recidivism declines quickly over time. HUD, the federal government, and New York State all recognize the importance of second chances for people who have been involved in the criminal justice system. Thus, exclusions from NYCHA should never be permanent. This punishment in NYCHA needs to change.

CONCERNS REGARDING THE DEPARTMENT OF INVESTIGATION REPORT

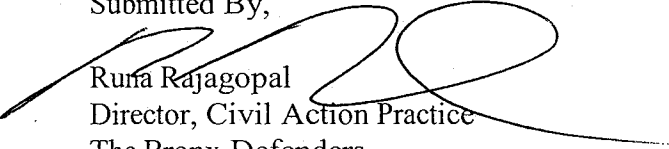
On December 8, 2015 the Department of Investigation issued a report regarding "problems with NYPD and NYCHA's roles in controlling violent and narcotics crime and removing criminal offenders from public housing," issuing various recommendations, including increased NYPD information sharing regarding arrests and strengthening harsh permanent exclusion policies. The report is problematic on several fronts and taking into account the above concerns. No residents or advocates were interviewed or consulted for this report; in particular, for the cases that were cited as examples of the failure of the current practice, the parties to those cases were not interviewed or consulted. It also assumes, without asking and without any evidence that permanently excluding an individual or evicting a family is effective for increasing public safety. It also assumes that aggressive pursuit of permanent exclusion outweighs all of the immense costs to individuals and families. All contentions of the report and case examples are based on arrest reports, and the report assumes that everything in the arrest report is true. No consideration is given to the criminal court process that happens after an arrest or the rights of the accused.

CONCLUSION

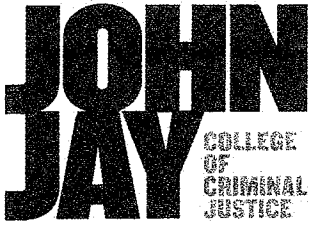
We want to encourage an evidence based, case by case approach to public safety problems to ensure a balance is struck regarding the goal of protecting the community and protecting the basic, fundamental, constitutional rights of tenants and their families. NYCHA needs to use the broad discretion it has to make fair and just assessments regarding who is eligible for a lease and for the ability of families to remain housed, despite having members who have had contact with the criminal court system.

Moreover, the practice of permanent exclusion must be reformed. We hope to work with Council, the Mayor's Office, NYCHA and other community stakeholders to ensure our most vulnerable communities continue to have access to safe, affordable housing and to meet these goals. Thank You.

Submitted By,



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**Oversight: Examining Compliance of NYCHA's Admissions Regulations with
HUD's Admissions Regulations and New Permanent Exclusion Policy**

**New York City Council
Committee on Public Housing**

December 15, 2015

**Testimony of
Alison Wilkey, Esq.
Policy Director
The Prisoner Reentry Institute at
John Jay College of Criminal Justice**

My name is Alison Wilkey and I am the policy director at The Prisoner Reentry Institute at John Jay College of Criminal Justice (PRI). The mission of PRI is to spur innovation and improve practice in the field of reentry by advancing knowledge; translating research into effective policy and service delivery; and fostering effective partnerships between criminal justice and non-criminal justice disciplines.

PRI has a multi-faceted, multi-year focus on housing for the growing number of people with criminal records. PRI's work recognizes the link between homelessness and incarceration and the impact that both have on family preservation, health and well-being, and on re-offending. Working in partnership with community organizations, PRI's reentry housing work has focused on creation of specialized housing and on NYCHA's use of permanent exclusions. PRI convened a Working Group on NYCHA Exclusions and has taken the lead through its coordinating efforts to advance a policy that tailors the use of exclusion to support safe NYCHA developments, but curtails its use as a punitive measure. Our work is informed by the growing body of knowledge about risk management and public safety that demonstrates that sweeping application of permanent exclusion can undermine tenant safety by eliminating the factors that research has shown mitigate against the risk of future recidivism—factors like family and social support.

This testimony will focus recently released guidelines on the use of arrest records from the U.S. Department of Housing and Urban Development (HUD) and on providing information to supplement and contextualize the findings of the Department of Investigations December 2015 report.

HUD Guidelines

Research shows that a person's risk of recidivism declines quickly over time. New guidelines from the HUD and new rules from the New York State Division of Housing and Community Renewal (DHCR) require NYCHA and all public housing authorities to take an individualized and nuanced approach to decision-making regarding criminal activity and criminal records.

On November 2, 2015, President Obama announced new actions to promote rehabilitation and reintegration of people with criminal records, including the new guidelines from HUD.¹ Those new guidelines specifically limit the actions that a housing authority can take with respect to arrest records alone.

HUD reiterated in the report "the troubling relationship between housing barriers for individuals with criminal records and homelessness," further stating that "the difficulties in reintegrating into the community increase the risk of homelessness for released prisoners, and homelessness in turn increases the risk of subsequent re-incarceration." The report goes on to clarify that the Federal Government does not require punitive policies that mandate exclusion or eviction based on criminal conduct. Rather, the guidelines stress the importance of individualized determinations, due process, and ensuring that policies do not have a disparate impact on people of color.

¹ U.S. Department of Housing and Urban Development Office of Public and Indian Housing. (2015). Guidance for Public Housing Agencies (PHAs) and Owners of Federally-Assisted Housing on Excluding the Use of Arrest Records in Housing Decisions. PIH 2015-19.

Similarly, the new rules from DHCR shift the focus of housing authorities to making individualized determinations that rely on evidence of rehabilitation.² These changes acknowledge the body of research showing that with the passage of time, a person's risk of recidivism is no greater than the risk of arrest of the general public.³

Based on these new guidelines and the underlying research, our recommendation is that all exclusions should be time-limited so that they automatically lift after a specified time period has passed. There should also be a process to lift exclusions early, if the person demonstrates that they are unlikely to pose future risk.

The Guidelines also focus on the inadequacy of relying on arrest records when considering any action that would impact a person's tenancy. The Guidelines state clearly, "before a PHA or owner denies admission to, terminates the assistance of, or evicts an individual or household on the basis of criminal activity by a household member or guest, the PHA or owner must determine that the relevant individual engaged in such activity." Thus, NYCHA's efforts to streamline information sharing with the NYPD and expedite serious cases is not objectionable as long as NYCHA is not taking final action to exclude or terminate any individual based on arrest records alone.

Department of Investigations Report

The Department of Investigations (DOI) report titled "NYPD and NYCHA's Roles in Controlling Violent and Narcotics Crime By Removing Criminal Offenders from Public Housing" shed light on information sharing processes that were unknown to both advocates, attorneys, and tenants. However, the report is missing key areas that must be considered in order to appropriately address safety in public housing.

1. The reports assumes, without asking and without any evidence, that permanently excluding an individual or evicting a family is effective for increasing public safety.

Excluding residents from NYCHA does not necessarily address risk to public safety—in many cases, it only relocates and exacerbates the problem. Although it is important to identify tenants and their guests who pose a specific risk of serious harm to the safety and security of other NYCHA tenants and staff, considerable caution must be applied when making the decision to permanently exclude tenants and family members. Exclusion can fracture pro-social supports that help prevent future offending, undermine engagement with rehabilitative programming, and lead to greater insecurity and instability that may serve as a driver of future offending.⁴ Thus, permanent exclusion can have a negative effect on public safety reaching far beyond the physical space of NYCHA locations. A policy that does not result in increased safety and also exacerbates the City's homelessness crisis does not make sense.

² 9 NYCRR 1627-7.2.

³ Blumstein, A. and Nakamura, K. (2012). 'Redemption' in an Era of Widespread Criminal Background Checks. National Institutes of Justice Journal. Issue No. 263.

⁴ Rutter, Michael. (1987). Psychosocial resilience and protective mechanisms. *American Journal of Orthopsychiatry*, Vol 57(3), 316-331.

2. It assumes without discussion that aggressive pursuit of permanent exclusion outweighs all of the immense costs to individuals and families.

The viewpoints of residents, advocates, or tenant attorneys were not included in the report. Thus, there are no examples of the cost to families when permanent exclusion is pursued aggressively. NYCHA should operate with a presumption in favor of maintaining family unity and housing stability, and use exclusions only in exceptional circumstances when they are absolutely necessary to the safety of a family or development. Determinations to exclude a family member should always be made on an individualized basis accounting for a range of factors including but not limited to seriousness of the conduct, how recent it was, the age of the tenant, the practical relationship between the conduct and the safety of the development, and evidence of rehabilitation. Because tenants were not interviewed, none of the case examples in the report are informed by mitigating circumstances that may have existed.

3. The report does not consider the criminal court process that happens after an arrest or the due process rights of tenants.

NYCHA is not a law enforcement entity. While it has an obligation to seek and support the safety of tenants, it is not a prosecuting or law enforcement agency and it should not usurp the role of the criminal justice system to punish. Thus, a permanent exclusion policy must narrowly tailor the use of exclusion to support safe NYCHA developments, but curtail its use as a punitive measure. NYCHA can and should rely on the decision-making processes of the criminal justice system to inform and guide its own assessment of risk.

The narrow focus of the DOI report failed to include the process that happens after arrest, even though an arrest is simply the starting point of the criminal justice process. The case examples cited in the report are based on arrest reports. However, arrest charges are often different from the arraignment charges decided by the prosecutor, and these in turn are different from the ultimate conviction charge.

While the DOI report did not take into account the criminal justice process after arrest, anecdotal evidence suggests that in recent years NYCHA has become more attune to that process. In particular, when the criminal justice system determines that a person could benefit from rehabilitative programming, NYCHA has often delayed taking final action. This comes from a common sense understanding that at the point that a person is receiving court-directed supervision in the community and engaging in services designed to reduce the chance of reoffending, destabilizing that person by excluding them from their home is likely to be counter-productive. Therefore, the recommendation by the DOI to resolve cases quickly must be tempered to facilitate the important role that housing plays in preventing future reoffending and supporting rehabilitative programming.

Conclusion

Evidence and research must guide our approach to safety in NYCHA. Our burgeoning understanding that use of punitive measures can unwittingly increase that risk should provide the foundation for a policy that increases safety of tenants and supports families. Thus, the focus of future inquiry must be whether, and under what circumstances, permanent exclusion actually increases safety and how NYCHA can tailor the use of permanent exclusion so that it does not unwittingly increase recidivism and break apart families and communities.



**Written Comments of Youth Represent
New York City Council
Hearing of the Committee on Public Housing
Oversight – Examining NYCHA’s Compliance with HUD’s Admissions Regulations and
New Permanent Exclusion Policy
December 15, 2015**

Youth Represent is a holistic youth defense and advocacy organization. Our mission is to ensure that young people affected by the criminal justice system are afforded every opportunity to reclaim lives of dignity, self-fulfillment, and engagement in their communities. We provide criminal and civil reentry legal representation to young people age 24 and under who are involved in the criminal justice system or who are experiencing legal problems because of past involvement in the criminal justice system. Our interdisciplinary approach allows us to understand the full extent of our clients’ legal and practical challenges so we can effectively represent them as they make the journey from courtroom to community. We have represented dozens of young people and their families facing termination or exclusion from the New York City Housing Authority. Thank you to the committee for the opportunity to provide testimony.

Two weeks ago our Executive Director Laurie Parise testified before the Committee on Public Housing about our client Anthony, whose family was placed in termination proceedings because he was charged with gun possession. Anthony was 19 years old. He made a mistake and succumbed to peer pressure, but the criminal justice system didn’t see Anthony as a lost cause. He was allowed to enroll in an alternative to incarceration program and eventually vacate his felony plea. Not only was he never a threat to the safety of his neighbors, he’s a valued member of his family and community. NYCHA recognized this, and allowed him to stay in his home. Today he’s working at a YMCA helping kids like his younger self stay out of trouble

In the testimony we submitted we said that there are thousands of ‘Anthony’s in this city. The following week, the New York City Department of Investigation released a report that underscores that very point. Among other things, the DOI reviewed dozens of termination of tenancy files handled by NYCHA. Appendix B of the report provides some details about 28 selected termination of tenancy cases withdrawn by NYCHA. It’s impossible to know much about any of the people implicated in these files from the few sentences available about each case. We don’t know anything about the tenants and families involved or the context of the arrests. We don’t know whether any of the individuals arrested also care for disabled siblings or aging parents, whether they are battling addiction, whether they have completed diversion programs or enrolled in college. But here’s what we do know, just from the sparse information provided:

- 10 out of the 28 cases presented were withdrawn because the most serious criminal charges against the person arrested were sealed, either pursuant to outright dismissal, a plea to disorderly conduct, or, in one case, a Family Court adjudication because the defendant was only 15 years old.
- 4 of the 28 were withdrawn because the most serious charge the alleged household member pled guilty to was misdemeanor-level marijuana possession.
- 3 cases were withdrawn because they were duplicates.
- 3 cases were withdrawn because NYCHA was already pursuing eviction of the tenant on other grounds, or the tenant had already agreed to vacate the NYCHA apartment.
- In 2 cases, a person who had already been permanently excluded was arrested for drug sale *behind* a NYCHA building—not in the apartment and not even in the building—so

NYCHA instructed the SIU to continue visits rather than moving to evict the entire family.

- 3 cases were apparently withdrawn because the person arrested had given a random NYCHA address to the NYPD upon arrest but had no connection to the subject apartment—no family or other ties to the tenant of record and no previous use of the address in any context. In one of these cases the tenant of record (TOR) subject to the withdrawn termination was 86 years old and living alone. In another, the TOR was 90 and living alone.
- 1 case was withdrawn because it was referred to NYCHA's family services department.
- 1 case was withdrawn because the person arrested in the household did not live there and had merely attended a party in the household. NYCHA continued to pursue permanent exclusion of that person from his mother's apartment in the same development.

To summarize: in more than a third of the withdrawn termination cases presented in the DOI report, the reason for the withdrawal was that the underlying criminal case had been dismissed or disposed as a non-criminal offense and therefore sealed. In four more cases, the most serious conviction charge was misdemeanor-level marijuana possession. And in many other cases NYCHA withdrew the termination for good reason. This review suggests that in many cases NYCHA is doing exactly what it should be doing: delaying final determinations about terminations and exclusions until criminal conduct has been fully adjudicated by the criminal justice system.

While the criminal justice system is not perfect, it has the benefit of 35,000 police officers as well as District Attorneys, judges, and a substantial infrastructure supporting the

investigation and adjudication of crimes. NYCHA, by contrast, is a landlord responsible for more than 2,500 buildings, suffering from a well-documented dearth of resources to combat deteriorating living conditions in those buildings—including conditions like working elevators, door locks, buzzers and intercoms that are critical to safety in developments. NYCHA should not be spending precious resources duplicating the work of the criminal justice system by investigating alleged criminal activity by tenants. And under no circumstances should NYCHA evict a family or require the permanent exclusion of a family-member based on unproven allegations of criminal or otherwise undesirable activity.

The subject of this hearing is NYCHA's new Permanent Exclusion policy, but it is impossible to consider the Permanent Exclusion process in isolation from the Termination of Tenancy (ToT) process. Most Permanent Exclusions arise from ToT proceedings and are agreed to by family members only under the threat of eviction. And violations of Permanent Exclusions are regularly punished with ToT proceedings. Permanent Exclusion and Termination of Tenancy—eviction—are both drastic sanctions that should never be used to punish minor infractions and low-level offenses. Even for more serious offenses, these punishments should be used sparingly, only after individualized assessment and careful consideration of mitigating evidence. This is especially true for NYCHA residents, who face near-certain homelessness if evicted from their affordable apartments. And it is most true of all for young people who are facing Permanent Exclusion: No family should have to choose between keeping an affordable apartment and permanently excluding a child.

None of this is to say that safety at NYCHA is not a real problem that demands real, lasting solutions. But our city has a history of addressing real concerns about safety with overly punitive and racially biased policies that we later regret. In the 80's and 90's, we responded to

genuine concerns about drug addiction and drug-related violence with mandatory minimum drug sentences. We built dozens of prisons to house thousands of young black and Latino men, many of whom had never been convicted of a violent crime. We have spent the last 15 years trying to undo some of these harms—reforming sentencing laws, spending millions of dollars on reentry services, and fighting political battles to close prisons—and a huge amount of work remains to be done. In the 2000’s we responded to fears about gun violence with a stop and frisk policy that targeted hundreds of thousands of innocent Black and Latino New Yorkers every year and was finally declared unconstitutional in Federal court. We will be working to repair the chasm of trust between the NYPD and communities of color for years to come.

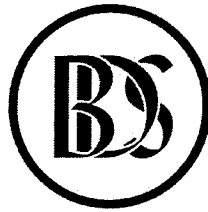
In the same vein, it has been a mistake to make permanent exclusion—the banishment of a person from his family forever—our default sanction even for serious criminal conduct. And it would be a still graver mistake to make the use of these sanctions swifter and harsher, especially in the context of a national conversation about how we can promote successful reentry by removing barriers to stable housing and family unity. There is no research or data demonstrating that harsher policies would make NYCHA developments safer, or even that NYCHA’s current ToT and Permanent Exclusion policies increase safety.

The questions of how to balance safety with due process, what really works to promote safety in public housing, and how best to spend scarce resources don’t have easy answers. But organizations of tenants, advocates who represent them, and researchers who study the issue are eager to work with NYCHA to find solutions. Not reactive solutions that make things worse in the long-run, but smart, sustainable solutions that will make NYCHA developments and the families that live in them safer and stronger.

In our client Anthony’s case, delaying the termination proceeding saved him from

becoming homeless before his 20th birthday. The criminal justice system saw hope for Anthony, and NYCHA helped realize that hope by allowing him to stay in his home with this family.

There are indeed thousands of ‘Anthony’s in this city. And his story should be the rule, not the exception.



**BROOKLYN
DEFENDER
SERVICES**

TESTIMONY OF:

**Sergio Jimenez – Director, Civil Justice Practice
*BROOKLYN DEFENDER SERVICES***

Presented before

The New York City Council Committee on Public Housing

**Oversight Hearing Examining NYCHA's Compliance with HUD's Admissions Regulations and
New Permanent Exclusion Policy**

December 15, 2015

My name is Sergio Jimenez and I am the Director of the Civil Justice Practice at Brooklyn Defender Services (BDS). Our organization provides innovative, multi-disciplinary, and client-centered criminal defense, family defense, immigration, civil legal services, social work support and advocacy to more than 40,000 indigent Brooklyn residents every year. I thank the New York City Council Committee on Public Housing, and in particular Chair Ritchie Torres, for the opportunity to testify on New York City Housing Authority's (NYCHA) Permanent Exclusion policy.

BDS is fortunate to have the support of the City Council, as well as other elected officials and the Office of Court Administration, to supplement the services we provide as the public defense office in Brooklyn for people who have been arrested, those who are facing child welfare allegations, and those who are facing deportation. Through both legal advocacy in court and direct advocacy with various agencies, we assist people in fighting evictions, maintaining their public benefits, staying in school, keeping their jobs, and protecting their consumer rights. Our Civil Justice Practice aims to reduce the so-called collateral consequences for low-income people who have had interactions with the criminal, family or immigration justice systems. We also assist criminal defense attorneys and their clients by identifying potential civil ramifications of guilty pleas and strategizing ways to minimize the risk of eviction, loss of employment, and educational consequences as a result of a criminal conviction. We serve many clients who might

otherwise be left to navigate these challenges alone. Finally, in addition to our in-house work, we engage with the community and hold external educational clinics in close partnership with community-based organizations and elected officials.

The Need to Reform NYCHA's Permanent Exclusion Policy

There are many ways in which residents of NYCHA live a Tale of Two Cities. Nearby schools are often very segregated. Urgent repairs in public housing are subject to long delays with no meaningful accountability, while private landlords face enforcement action from the City. And while the New York City Council is working to lift people out of the homelessness crisis and expand affordable housing options, NYCHA instead plans to take away more people's housing of last resort¹ through more aggressive eviction actions and increased use of Permanent Exclusion.

While the Permanent Exclusion policy might be well-intended and arises from the legitimate concerns of many residents and agency officials, it is among the starkest examples of our government's counterproductive approach to crime and social problems. **There is no evidence or indication that increasing evictions—and exacerbating our City's homelessness crisis—improves public safety.** Recent statements by the Administration, the report by the New York City Department of Investigation, and media reports all apparently presume the efficacy of evictions in reducing crime; none have provided any justification for this approach.

Recommendations:

- 1.) NYCHA should end the exclusion of New Yorkers except in the most serious cases, in which residents or prospective residents in question present a clear threat to the physical safety of their neighbors.
- 2.) NYCHA should immediately cease excluding residents based on arrests, after which a person is supposed to be presumed innocent, and instead limit criteria for exclusions to those required by federal law, or at least to serious felony convictions that are balanced against mitigating factors.
- 3.) Youth under the age of 21, seniors, and those with intra-household caregiver relationships should never be evicted from their homes for an arrest or conviction. If necessary, NYCHA should provide for the transfer of the entire household to another apartment to resolve conflicts in a particular building.

¹ Matter of Featherstone v Franco, 269 AD2d 109, 111 [dissenting mem]; *see also*, Matter of Sanders v Franco, 269 AD2d 118; Mireya Navarro, *As New York Rents Soar, Public Housing Becomes Lifelong Refuge*, THE NEW YORK TIMES (Aug. 3, 2015) available at <http://www.nytimes.com/2015/08/04/nyregion/as-new-york-rents-soar-public-housing-becomes-lifelong-refuge.html>

Background

As you may know, federal law requires public housing authorities to evict and exclude people from admission based on certain limited criteria, including those convicted of “drug-related criminal activity for [the] manufacture of methamphetamine on the premises of federally assisted housing” and those subject to lifetime inclusion in State sex offender registries.² While those are the only two mandatory exclusions, NYCHA has created a discretionary model that builds on these criteria and excludes people arrested—not convicted, but arrested—even for low-level, non-violent offenses, regardless of the dispositions of their cases.

Arrests do not tell us anything about a person. First and foremost, that person is presumed innocent unless convicted, and thus any statutory consequence in public housing calls for questions of constitutionality. Secondly, in New York, many targeted communities, particularly people of color, find interactions with law enforcement to be a regular occurrence, despite no wrongdoing. This is especially true in public housing, where police officers regularly question residents’ right to be in their own buildings. Moreover, despite recent reforms, our City, State, and Country continue to rely on over-policing, mass incarceration and long-term supervision in lieu of effective policies and programs to address mental illness, poverty, addiction, homelessness, and widespread invidious discrimination. These issues disproportionately impact NYCHA residents and their families. For example, the ongoing war on drugs continues to ensnare large numbers NYCHA residents and their family members. Likewise, the high unemployment rate among public housing residents—only 47.3% of families have one or more employed member³—tells us residents are particularly vulnerable to arrest for crimes of poverty, such as turnstile jumping or petit larceny. In fact, an estimated 7.1 million people in New York State, or 36%, have RAP sheets. This statistic exemplifies the enormous reach of the dragnet of our criminal justice system. As a society, we must not define people by their criminal histories. As a property owner and residential dwelling manager, NYCHA should not evict them on such a discriminatory basis. This is particularly true given that NYCHA has been found to be “housing of last resort,” both by the courts and by the public.

Housing as a Matter of Justice and Public Safety

Many NYCHA residents are understandably frustrated by higher crime rates in their developments relative to the City at large, and as community leaders, Council Members are best positioned to facilitate an honest, intergenerational conversation about evidence-based approaches to public safety. Stable housing and healthy support networks are two key elements in any person’s ability to overcome the multifaceted challenges of being poor in New York. Housing is essential to educational continuity, finding and keeping jobs, adhering to physical and mental health care regimens, and accessing critical services including drug rehabilitation and therapy, all of which impact crime rates and recidivism. Likewise, robust support networks help us get by and hold us accountable. Both are shattered by NYCHA’s exclusion policy, which pushes individuals into shelter and tears apart families upon threat of evicting their entire

² 24 CFR § 960.204

³ http://www.nyc.gov/html/nycha/downloads/pdf/res_data.pdf

household. This remains true when, as Commissioner Bratton stated in July of 2015, NYCHA is seeing a historically low level of crime.

The lack of viable housing options that is endemic to our city results in increased rates of crime and recidivism, and taking housing from those who have it only exacerbates this problem. Our City and State criminalize poverty in general and homelessness in particular. People are sent to Rikers at a cost to taxpayers of more than \$500 per day for skipping a \$2.50 fare they likely cannot afford. They are arrested for “feet on the seat,” often for sleeping on the train, or trespassing for sleeping in a stairwell. However, the displacement and marginalization caused by NYCHA’s exclusion policy can also lead to more serious crimes that impact public safety. For example, disruptions in psychopharmacological drug and therapy regimens, which are extremely difficult to follow while moving from shelter to shelter at irregular hours, can lead to violent incidents. Helping people stay in their homes is thus a matter of public safety.

The following client story exemplifies the problem:

Ms. C

BDS’ Criminal Defense Practice picked up Ms. C’s case following a single alleged purchase of drugs from her apartment. She was arrested more than a year after the incident, despite a statement by the confidential informant that described someone three inches taller and about fifty- seventy pounds heavier. Ms. C was released on her own recognizance and her charges have been progressively reduced as her case is going on its third year. Our office expects a full dismissal when the case is fully litigated. However, during the course of the determination of this criminal matter, NYCHA brought a termination of tenancy proceeding based on the allegations. Ms. C will not be able to defend herself at NYCHA without considerations to her criminal case, which places her housing of last resort in jeopardy. After bringing the initial charges, NYCHA is now threatening an additional charge that Ms. C’s brother, who suffers from mental illness, had a criminal record. There have been no incidents of violence through the entirety of Ms. C’s tenancy but now, Ms. C will have to make another terrible choice: risk her family’s housing or permanently exclude her extremely vulnerable brother. Asking families to make these choices as a result of questionable, non-violent allegations runs counter to the values espoused by HUD in their latest efforts at facilitating re-entry of tenants into NYCHA.

Real Reform

There are many ways to improve the process by which exclusions and evictions are determined. Residents sometimes unknowingly agree to prohibit a family member from ever visiting their apartment—a disturbing occurrence that NYCHA will not let them fix. They usually go through the proceedings *pro se* (without representation). They deal directly with NYCHA’s prosecuting attorneys, as opposed to receiving a hearing with an impartial officer, without being informed of the attorneys’ role in the matter. Those with limited English proficiency do not receive adequate translation services. Troublingly, these agreements are five pages of legalese, which are often not thoroughly explained to tenants agreeing to them. Certainly, providing additional funding for civil legal service providers to represent every NYCHA resident facing termination proceedings and providing robust translation services would improve case outcomes. Already, the Council provides funding for *pro se* help by funding

Housing Court Answers to set up information booths, which deserves praise. That said, the mere fact that NYCHA is planning to reinstate its public “Not Wanted List” should be a clear indicator to the Council that this policy is informed by stigma and not sound judgement. Simply improving the process is insufficient. The primary driver of reform should be dramatically reducing the number of people forced from their homes through changes in NYCHA policy to make eviction an absolute last resort.

Conclusion

The soaring rates of poverty and homeless in New York are, at best, deeply problematic. Certainly, as one of the wealthiest cities in the world, we can do better. We are in crisis. Indeed, many of New York’s elected and appointed officials in every level of government consider expanding housing opportunities to be among their top priorities. Yet NYCHA’s opaque and lopsided exclusionary policies are an anomaly that endures only because of a misunderstanding about what makes us safe. Given the adverse impacts of unstable housing on individuals, communities, and our city as a whole, I respectfully urge Council Members to follow the federal government’s recent example and work to expand re-entry in public housing authorities. This effort would require initiating conversations with the public housing communities in your districts about the broad-based exclusion of fellow residents, including those who have made mistakes, and helping to empower those who have been directly impacted by this policy to help lead the fight for reform.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: DAVID FARBER

Address: _____

I represent: NYCHA

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Brian Clarke

Address: _____

I represent: NYCHA

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 12/15/15

(PLEASE PRINT)

Name: Allison Wilkey

Address: 43 Saint Marks Ave Fl 2

I represent: The Prisoner Reentry Institute at John Jay College

Address: 547 W. 59th St., NY, NY

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 12/15/2015

(PLEASE PRINT)

Name: Berard Jimenez

Address: _____

I represent: Brooklyn Defender Services

Address: 180 Livingston St. Suite 300 Brooklyn NY 11201

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 12/15/15

(PLEASE PRINT)

Name: Kate Rubin

Address: 774 E. 10th St Brooklyn NY

I represent: Youth Represent

Address: 11 Park Place NY, NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 12/15/15

(PLEASE PRINT)

Name: Chief Michael Harrington executive officer

Address: NYPD Housing Bureau

I represent: _____

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 12/15/15

(PLEASE PRINT)

Name: CAPT Howard GOTTESMAN

Address: NYPD Housing Bureau

I represent: _____

Address: _____

◆ Please complete this card and return to the Sergeant-at-Arms ◆

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Runa Rajagopal

Address: The Bronx Defenders

I represent: 360 E 161ST BX NY

Address: _____

◆ Please complete this card and return to the Sergeant-at-Arms ◆

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 12/15/15

Name: MARIA TORRES (PLEASE PRINT)

Address: 1236 Clay Ave W

I represent: Clay Ave T. A.

Address: Same

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: 12.15.15

Name: Sandra Killest (PLEASE PRINT)

Address: _____

I represent: Child Welfare Organizer Project

Address: 80 E 110th St Ste 111

Lehman Houses
Please complete this card and return to the Sergeant-at-Arms