

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON GENERAL WELFARE

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September 23, 2008

Start: 10:20 am

Recess: 2:35 pm

HELD AT: Council Chambers
City Hall

B E F O R E:

BILL DE BLASIO
Chairperson

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Annabel Palma
Jessica S. Lappin
James Vacca
Letitia James

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CHAIRPERSON DE BLASIO: Good

morning. [off mic] Excellent, we have a lively crowd this morning. [Pause] Council member Bill de Blasio, Chair of the General Welfare committee and I'm sorry we're starting a few minutes late today. Thank you all for being here, I'd like to acknowledge my colleagues that are present, I know council member Jimmy Vacca was here a moment ago and will be back and council member Tish James is here. I'd also like to thank the staff that had so much to do with preparing this hearing, this hearing has been worked on actually for many months and anticipated for many months. We had several delays for logistical reasons, but we're very much looking forward to getting at this very important issue today and I want to thank the folks who worked on this: Oona Peterson, Migna Taveras, Pakhi Sengupta, and Daniel Mansfield-- thank you all. Now, over four years ago in June of 2004, the Mayor announced the goal of reducing homelessness by two-thirds by the end of his term in 2009. [Pause] At that time, June 2004, there were 38,136 people in city shelters. This past Thursday night there were 34,347 people living in

city shelters. So we do give DHS credit for improvement, but that is essentially only about a 10% reduction in homelessness from the start of the Mayor's plan and, again, we are about four years into that plan. So we want to talk about today the other 90%, the folks that are still in shelter, the folks that are still on the street, the folks who were not helped as part of the plan to meet this very ambitious goal. And I think these charts here point out the difference--the very radical difference between the plan, which is--and, you know, correct me if I get this wrong, my erstwhile staff--the plan is the blue bars and the dark line is the reality. And that this goal, which I have said repeatedly was admirable, that two-thirds reduction in homelessness would profoundly affect our city, the quality of life, the economy of the city, everything about life in the city. The goal was the right goal and I daresay Commissioner Hess, who joined us in the course of that time, has done a lot and deserves a lot of credit in terms of trying to make the effort real to achieve the goal. But what's been accomplished is very little in comparison to the

goal, and we have so much more to do in the remaining year and a quarter of this administration and this Council. I keep trying to get across the point that the setting of goals is a crucial need in government. The government that--the administrations that don't set goals shy away from action. It often takes a bold goal to actually cause the resources and the focus and energy to be put to bear that actually causes result. So I have to say very clearly, we should be appreciative that a bold goal was set. What irks me, is there has not been a consistent pattern of follow-up and there hasn't been enough public debate on what it means to set a goal and then not achieve the results or anything near the results necessary. And my hope is that, in addition to the report done by the Independent Budget Office at my request, which was published this summer, that we will really focus the city's attention on this two-thirds goal and decide as a city what's real now, what can we do now. Can we still achieve that. I think it's objectively fair to say that's very, very hard at this point, but what goal can we achieved and what resources will

it take. I always use the Marshall Plan parallel. When this country decided we were going to rebuild Europe, we put in everything we had after World War II and you can see the result. When we decide to focus on something and make it a mandate, that everyone--public sector, private sector, all city employees--everyone's a part of, big things happen. I want to use a very, very, very current event to illustrate the point. Today you'll notice that the New York City murder rate has dropped significantly again and has contributed actually substantially to the decline of the national murder rate--this has been an amazing story over these last years. Well, I give the Mayor credit, he, to his credit, said this was something he wanted to do, he took responsibility for it, and we've seen real results. But when we turn back to the issue of homelessness, the goal was there but not the consistent pattern of achievement and not the acknowledgment that if we were falling short we had to change direction. We had to either add resources, change policy, involve the private sector, whatever it may be. So the bottom line now is that DHS's own numbers

make clear the distance we still have to travel.

And I appreciate that last night, DHS issued a report making its claims about what it has done over these last few years and there were some important points, some important initiatives, some progress that I appreciate and I'm sure we'll talk about it today. But in essence, that report does not change the basic numbers at all, particularly when it comes to families in shelter and I think we would all agree this is the most sensitive issue we face when it comes to homelessness.

Whole families, including very young children, who are in shelter instead of leading productive lives in the community. So we will of course discuss with the Commissioner the report issued yesterday but I daresay the immediate numbers in that report make clear that very little has changed most particularly in terms of families. I hope that out of this hearing will come the beginning of a consensus on what a realistic goal is for the next 15 months and I will offer some ideas of my own, but let me just spend a moment talking about what's happening around us that frames this discussion. We all know what's happened the last

1 week with the national economy, we've seen
2 substantial job loss in the city already. The
3 Mayor's Management Report indicates in July, this
4 past July, there with 36,000 people receiving
5 unemployment insurance, that number is going to go
6 up. People have been losing their homes and
7 apartments in this city increasingly; the number
8 of evictions has been rising--and that's a crucial
9 element in terms of the fight to stop people from
10 ending up in shelter--that number went up 4% in
11 the last year. And so it's obvious that there'll
12 be more and more people put into a situation where
13 they may need to seek shelter just because of the
14 economy around us and the cost of living. Another
15 thing we want to make sure we're discussing today
16 and beyond is if more and more people are seeking
17 shelter, and if the administration has not met its
18 goals for reducing homelessness, we need to make
19 sure that we don't fall as a city into the wrong
20 kind of temptation, which would be the temptation
21 to make entry to shelter more difficult. Now
22 Commissioner Hess is here, we're going to hear
23 testimony--he's a very honorable man in my view,
24 this is not a statement on him--I'm talking about
25

a whole agency and other city agencies. We do not want the pressure to achieve noble goals to lead people who work at the front line of these agencies to make decisions subjective decisions that in fact turn away more and more people and make entry into shelter difficult because of the pressure to achieve numbers that we should achieve. We also, on the back side of this issue, do not want people prematurely being sent out of shelter in unsustainable manner, being sent out of shelter in a way that will simply lead to them being homeless again and very likely coming back into shelter or living on the streets. This is a very tall order, we're trying to figure out how can we fundamentally reduce homelessness at a tough moment in history without taking the wrong route, which would be denying shelter wrongly or sending folks out of shelter inappropriately. Now on the entry side of that equation, of course there was some very important news last week with the city and the Legal Aid Society entering their settlement which was historic and I congratulate everyone involved. And I think the core message I take out of this settlement is that the right to

shelter is very clearly affirmed by all parties and therefore anyone who truly needs shelters should get the help they deserve. That spirit has to animate this discussion and everything that happens on the ground level. But meanwhile, we see other developments that suggest a challenge. Obviously we've had a debate over the PATH intake center and we all have different opinions on that. The Council is still very, very concerned and we certainly will ask about that today, that that policy at that center has been inappropriate, has led the families ending up on the street. Obviously a number of us are concerned about the Bellevue shelter and the changes that are being proposed and I think that's going to be an ongoing discussion between this committee and the Commissioner. Amongst the many, many issues and as part of the Bellevue discussion is what impact would be had on Brooklyn and on the Bedford-Atlantic shelter, but let's go to the core of the issue in terms of what we're talking about today. Would a change, a closure, a change in Manhattan's ability to take in people in need lead to more folks who don't get services? Would it lead to

more people on the street? Would it lead to more folks seeking shelter who cannot get it because it is now much farther away and much harder to access? Again, that could be part of an unfortunate trend of reducing our numbers the wrong way. On the question of exit from shelter, the goal, of course, is to make sure that when folks leave shelter, they can survive on their own in a very challenging economy. The HSP program was tried, it did not work. I give this Commissioner and this Administration credit for coming up with something different and recognizing the failure of the previous program, but immediately we've all raised a concern that the Advantage program, despite some positive elements, is based on a model of a very brief time frame for subsidizing folks in need and there are real concerns that if the time frame is not flexible, again, families will fall out of the system, either end up back in shelter or back on the streets. There's also been very disturbing reports about families, or, I'm sorry, about individuals ending up in so-called three-quarter housing, which is effectively unsafe

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2 boardinghouses with very little regulation. We've
3 raised this issue before--everything we talked
4 about today and we're going to be talking about--
5 has been raised repeatedly to DHS--none of this is
6 news to DHS--and we have heard some results, but
7 there's still a very real trend that I'm not sure
8 has been answered: folks being sent out of shelter
9 to a situation that is simply not appropriate and
10 not sustainable. [Pause] What I want to focus on
11 in terms of the real changes we can make is coming
12 up with a goal that we think is real and
13 sustainable that can actually reduce that number
14 of folks in shelter and on the street and
15 acknowledging a realistic goal and all embracing
16 it and putting everything we have into it and,
17 again, I think that means public sector, private
18 sector, everyone. I have five straightforward
19 suggestions, particularly reduce the number of
20 families in homelessness. We've talked a lot
21 about preventative services, and there's been some
22 growth for sure of the preventative services
23 approach of this administration, which I
24 appreciate, but we should go farther. One
25 example, it would cost less than \$900,000 to

provide anti-eviction services for an additional 5,000 families. If 20% of those families were helped to stay out of shelter, that would mean 1,000 families, that would mean a savings of over \$32 million in emergency shelter costs, so look at that comparison. Less than a million in anti-eviction legal services could save the city over 30 million in emergency shelter costs and there's clearly a great need in this economy for more of those anti-eviction legal services. That's one specific proposal--let's add in a very targeted way to our preventative efforts. Two, let's go farther with using Section 8 and our units in our public housing and NYCHA to provide some relief and get more families out of the shelter system into permanent housing. There's been debate over that over the years, but I think at this moment in our history we need to have a clearer goal 'cause we need to provide relief to that shelter system, and I think both the Section 8 program and NYCHA can sustain it. I'm suggesting giving somewhere around a thousand, it all depends on numbers each year, but giving around a thousand families each year, somewhere in the range of 800 to 1,300

families each year, Section 8 and NYCHA-that would mean earmarking 10% of available Section 8 and NYCHA units for families coming out of shelter. That specific targeting on a regular basis would, I think, relieve some substantial piece of this problem. Also, back on the Advantage program, a third point, let's lock-in as a matter of policy that flexibility so that the Commissioner and his agency, when they know a family needs an additional year, for example, of the Advantage program that they can give it to that family and keep that family going and on the path to self-sufficiency. When DHS submitted its proposal for the Advantage program to the state, it said clearly in writing it assumed there would be an attrition rate of families that would fall out of the program the second year, that that point it presumed a 25% attrition rate. I think part of how we stop that level of attrition is to make sure we can be flexible in the level of subsidy. Again, a very good human equation and a very good economic equation for the taxpayer to make sure that folks keep moving forward, do not end up in shelter. Let's redouble the efforts between the

city and the state on the construction of supportive housing. There is a good plan in place that was signed in 2005, but it's a plan that takes the building of units out as far as 2015. Let's accelerate that plan by 1,000 units a year and have more options for DHS to get folks to supportive permanent housing. By the way, that would also provide economic stimulus, which we very well may need in our economy. And finally, we talked before about these three-quarters housing, these inappropriate and unsafe boardinghouses. Let's ensure there are no more referrals of homeless adults to these dwellings. We have information that we've been given by advocates that identify over 100 such boardinghouses in the city that folks have been referred to by DHS or folks coming out of shelter have gone to. We have very few of those that we've consciously made an effort to stop folks from going to. Again, it's a road to nowhere. Homeless people end up in such a house, it's inappropriate, it's unsafe, and they end up in many cases either back on the street or back in shelter. That's an untenable situation. So those

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2 are five specific proposals which we'll be asking
3 the Commissioner about today, but they're all
4 issues that we have raised at various points
5 before in our hearings. Bottom line is, this is a
6 watershed moment, both for the city and the
7 economy, but also for our plans and policies on
8 homelessness. We're either going to attack this
9 problem while we have a very, I think, capable
10 team in place to do it and where we have a bold
11 goal leading us and hopefully, as I say, a more
12 realistic estimate of that bold goal that we now
13 all join in concert to achieve or we're going to
14 continue to go through a pantomime of having a
15 bold goal, of having a noble intent, but doing
16 relatively little to achieve it, which I think is
17 unacceptable and unfair, obviously, to the people
18 in need and does not say to the people of the city
19 that we're taken our mandate as seriously as we
20 should. With that being said, and before I turn
21 to the Commissioner, I saw council member Lappin
22 came in for moment I'm sure she'll be coming back,
23 so I just wanted to acknowledge her presence. And
24 now, Commissioner, we welcome your testimony.

25 [Pause]

COMMISSIONER HESS: I'm here today to provide an update on the common goal we all share: reducing homelessness in New York City and, Mr. Chairman, certainly appreciate your thoughts, comments, and ideas as a start to this hearing. Under the guidance of Uniting for Solutions Beyond Shelter, we have turned the New York City shelter system into one of the most effective systems in the country. This city has come a long way in addressing homelessness under Mayor Bloomberg. In the past, children would be forced to wait restlessly on the floor for days at an overwhelmed, ill-suited family intake center. Today, families have an effective facility, equipped to meet their needs. In the past, the city did not know how many people lived unsheltered on New York streets. Today, not only do we have an accurate count on this population, but we tailored our service options to meet their needs, including safe havens for chronically homeless individuals who have rejected the traditional shelter system. Before, many felt that shelter was their only option. Now, citywide prevention teams work to keep our neighbors in the

community. Last week, the city announced an agreement dismissing the McCain, Lamboy, Slade, and Cosentino collection of lawsuits that have governed homeless service system for families with children in New York for the last 25 years. This historic agreement recognizes the progress we have made and, more importantly, returns day-to-day management of the shelter system to DHS so that we can even further improve the system. [Pause] To date, more than 175,000 individuals have been placed into permanent housing under the Bloomberg administration--that's the equivalent of a city the size of Tallahassee, the Florida State capital. If we could report to you today that we were successful at reaching all of our targets, then that would mean that the targets were not ambitious enough. [Pause] Yet as I think about the many clients DHS has served over the years, I know that it would be a disservice to all of those that have successfully moved and on to independent living to measure success by number alone. We reject the idea that not reaching the targets means that we have not made tremendous progress. Our targets still serve as a driving force to

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2 excellence, I am aware of them each and every day.
3 [Pause] You know, effective action often stems
4 from listening. Street homelessness is a
5 challenge encompassing some of the most resistant
6 and chronic clients, so we stopped, listened, and
7 reformed our approach and achieved remarkable
8 results. [Pause] Our first step was
9 understanding the population we sought to help.
10 In the past, we were unable to properly quantify
11 the number of people in need of services on the
12 streets. As such, there was no way to determine
13 where to best focus our resources. Street
14 homelessness is the most visible form of
15 homelessness. As a condition of urban life, it is
16 intolerable for both humanitarian and quality-of-
17 life reasons. Despite that, when Mayor Bloomberg
18 first took office, no one could even tell you the
19 number of individuals on the street who needed--
20 who we needed to assist. This was unacceptable.
21 Therefore, in 2005, we implemented HOPE--the
22 annual citywide estimate of street homeless
23 individuals. This survey enabled us to understand
24 for the first time how many people were living
25 unsheltered, which in turn allows us to measure

the impact of our reforms over time. As Mayor Bloomberg says, you can't manage what you can't measure. The results of the fourth annual citywide HOPE count in January 2008 indicate that there are presently an estimated 3,306 homeless individuals on the streets of New York. This is a 12% decrease from the previous year and a significant 25% reduction--1,100 fewer New Yorkers on our streets since 2005. In addition to HOPE, through ongoing conversations with New Yorkers living on the street, we have learned what services they are most likely to accept and we have revised our approach accordingly. We have taken services curbside, bringing the door of the intake to the client, rather than asking the client to find the door. Outreach teams operate 24 hours a day, seven days a week, through all five of the city's boroughs. These dedicated teams are on the front lines bringing over 800 individuals from the street to housing since the program's inception last fall. Because we now understand the street homeless do not view shelter as a solution, nearly 300 Safe Haven and 150 stabilization beds have been brought on line for

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2 outreach placement, with a goal of 500 Safe Haven
3 beds by year-end. Our clients are receptive to
4 this individualized housing approach and we look
5 to see census numbers continuing to decline.

6 [Pause] The process that the city has--the
7 progress that the city has made toward overcoming
8 street homelessness, I believe, is a true victory.

9 [Pause] Take Mr. Smith, the 64-year-old homeless
10 man who was sleeping in the streets. When Street
11 to Home found him, he was encamped underneath some
12 scaffolding where he and a few other homeless
13 people would abuse crack cocaine. Street to Home
14 engaged Mr. Smith regularly and convinced him to
15 consider a transitional housing placement while
16 the outreach team worked with him to find
17 permanent supportive housing. He agreed to try
18 living in Safe Haven and found that the bed
19 without curfew allowed him to continue making
20 small amounts of money recycling cans and doing
21 odd jobs. Street to Home outreach staff assembled
22 the documents required for the supportive housing
23 application and in short order Mr. Smith was
24 matched with an apartment designated for
25 chronically homeless individuals with active

substance abuse issues. In less than four months, Mr. Smith went from living on a dirty, wet mattress on the streets of midtown Manhattan to his own one-bedroom apartment. [Pause] All the way through, he was highly engaged in the housing process and extremely grateful for the Street to Home's assistance. When asked about his crack abuse, he reported that he thought he could quit, but not while having to cope with the stresses of street life. Today, a man who may not have had a chance years ago, has a new, healthier life in his own home. [Pause] New York's entire approach to homelessness has changed. In the past, shelter was considered the only option. Today, when a family faces a housing crisis, the first line of defense is prevention. Community-based services, service providers intervene for those in need before they are forced to the breaking point, helping instill that shelter should never be a substitute for a home. [Pause] Under the Mayor's leadership, we started with a targeted approach introducing never before seen prevention programs in the areas of highest need. The demand for and success of HomeBase demonstrated an existing need

for these services in all New York communities.

Today we have moved from having no form of prevention programs under DHS to the agency expanding our HomeBase model throughout the city's five boroughs. Since its implementation in 2004 through July 2008, providers have assisted 10,250 families and individuals and nine out of 10 of clients receiving HomeBase services successfully maintained housing in the community for more than a year and it didn't stop there. We expanded prevention to include aftercare, working not only with clients at the front end, but as they exit the door of shelter as well, becoming our neighbors. Aftercare services offer clients stability as they reestablish themselves in the community, providing social services, information about work benefits, financial literacy, counseling, and more. [Pause] Prevention services can be effective. Let's look at the case of Thomas, a 47-year-old single man who was renting a room in a friend's apartment for \$100 a month. When the friend's daughter returned home, Thomas thought shelter was his only option until the Bedford-Atlantic shelter's assessment team

referred him to HomeBase. There, diversion unit was able to assist him in securing a one-bedroom apartment and obtaining a rent subsidy to supplement his earnings. Since moving into his new apartment, Thomas remains engaged in his community and is proof that there are alternatives to shelter. To compare the city's past and present prevention programs is to see undeniable progress. Before, prevention under DHS did not even exist. Today we see a citywide expanded services reaching out to those in need. [Pause] Families matter. At the beginning of the Bloomberg administration homeless families faced an overcrowded and chaotic intake center. The Mayor and DHS successfully overhauled the system, putting in place efficient and effective intake processes and accommodating new facility. The indignities clients suffered at intake center of the past were numerous. Over 150 families slept in the Emergency Assistance Unit each month. Domestic violence victims were not afforded any privacy, forced to recount their traumatic stories in front of an audience. Children slept on benches, the floor, and chairs waiting days for

services. The doctor's office lacked even a sink to wash up between patients. Brown paper peeled from windows blocking light in a halfhearted attempt to maintain client confidentiality. When Gail Nayowith, one of the three court-appointed special masters who recommend that the facility be leveled, described the conditions of the EAU, she called it, probably one of the most disturbing places on earth. [Pause] Today, we see an entirely different atmosphere at our PATH intake center which replaced the EAU in December 2004. Zero families are forced to wait overnight in uncomfortable conditions while in search of shelter. [Pause] In 2003, the intake process time was roughly 20 hours per family over the course of several days. Today, the application process takes six to eight hours, with families obtaining placement the same day. Recognizing the complex needs of families applying for shelter at PATH, domestic violence staff has increased threefold; ACS staff has quadrupled; and diversion staff has doubled from the old days of the EAU. Intensive support and services are available to clients throughout the application process. There

are multiple safeguards like fair hearings in place to ensure a thorough and fair review of a client's application for shelter. The city has transformed the family system into one that treats clients with respect and dignity. In 2003, a court-appointed special master panel was formed to study our family system and to make recommendations. The panel spent two years looking at all aspects of family services. DHS took the special master panel recommendations seriously and today has successfully implemented each and every one. We literally tore down the dysfunct [phonetic] system of the past the day the EAU was demolished and I'm happy to announce that the first phase of construction on our new family intake center has begun. [Pause] A state-of-the-art facility will build on our success, further enhancing our ability to serve clients. There can be no doubt that entry into the shelter system has been fundamentally changed. [Pause] When Mayor Bloomberg first came to office, the process of finding permanent housing for homeless New Yorkers were burdened under bureaucratic red tape. Section 8 vouchers allotted for housing were going

1 unused. Families languished in shelters for
2 months, even years, awaiting application approval
3 and so the city took action. First, we
4 revitalized our housing unit so that all available
5 Section 8 vouchers were used to move people into
6 homes. In order to better assist clients seeking
7 permanent housing, we put housing specialists in
8 shelters to work with clients to help them search
9 for and secure homes. DHS implemented Performance
10 Investment Program for providers, including
11 rewards for high placement rates and disincentives
12 for not having--not moving clients from shelter
13 into housing. We also focused on client
14 responsibilities, showing clients that moving into
15 permanent housing was not an option, but a
16 requirement [pause] and everyone able had a
17 responsibility to achieve it. Combined, these
18 efforts served to break the housing logjam.

19 [Pause] Federal support, however, waned and
20 families were not--families began in some cases to
21 use the shelter system as a gateway to Section 8,
22 so we decided to create something truly
23 revolutionary. Housing Stability Plus became the
24 premier rental subsidy offered to clients
25

throughout the country. In fact, HSP moved close to 9,000 people from shelter into housing in the first few years. It was an innovative solution resulting from the Mayor aggressively tackling the issue head-on. But over time it became clear that HSP was not working as effectively. The agency recognized its services must be as individual as our clients. In order to accommodate the many needs that clients were experiencing, we created a dynamic new subsidy program. Last year, DHS launched Advantage New York, the most generous municipal rental assistance in the nation. To date, more than 6,000 families and individuals signed leases thanks to Advantage. Families and individuals involved in Work Advantage are seeing their lives take shape and stability achieved. Of those continuing with the program, 88% remain employed, working an average of 35 hours a week. Nine out of 10 are paying the \$50 rent contribution and two-thirds have established bank accounts. Perhaps the most innovative aspect of Advantage is its built-in savings component that helps clients prepare for a successful transition. The city matches up to \$250 of each month's rent

in savings to create a rainy day fund for clients. The families--the average family savings over the first year nearly \$500. [Pause] We all have moments in our lives when times get tough and we may stumble [pause], but by working with these families to develop resources, we hope we can prevent a fall. In April 2007, the Daily News quoted an advocate as saying this new program threatens to create a revolving door back into shelter. I am pleased to tell you that statement has been completely false. As of June 2008, not one, not one Advantage New York family has returned to shelter. In April, I had the opportunity to talk to Iris, a former client at the help shelter in Brooklyn. She and her family ended up in shelters shortly after Iris became pregnant with her second child. After her husband qualified for Work Advantage, Iris's family started saving and with the assistance of a DHS housing specialist was able to find a new apartment to call their own. Iris, her husband, their beautiful sons are now enjoying their new home. These cases are becoming increasingly common. Since the first of this year, DHS has

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2 been averaging 111 lease signings a week under the
3 Advantage program. That's one lease signing every
4 19 minutes of the business week, one since this
5 hearing began, many more probably before the
6 hearing is over. [Pause] Moving clients to
7 housing is no small challenge. At no point though
8 did the Mayor ever walk away from this situation.
9 He used our lessons learned to continue to build
10 and evolve programs, using Section 8 and HSP as
11 stepping stones to the success of Advantage.

12 [Pause] In striving to achieve the goals of the
13 five-year plan, we have come a long way.

14 Development of innovative strategies to house New
15 Yorkers living on the streets, making prevention
16 the first line of defense against homelessness,
17 transforming our intake and eligibility processes
18 for families with children, and developing a
19 rental assistance program that rewards work and
20 takes into account client's individual needs, and
21 enables thousands of New Yorkers to leave shelter
22 and reenter the community. Last week, the city
23 achieved another milestone. The settlement of
24 McCain and the three related cases, thus ending 25
25 years of litigation and judicial oversight. As

part of this historic settlement, after a class action fairness hearing, these cases will be dismissed and the court will no longer retain jurisdiction and no further claims or motions can be brought before the court related to these lawsuits. The city will regain full control and oversight of its family service system. No longer having to enforce over 40 highly detailed court orders or spend precious staff time and agency resources complying with or litigating these cases. As part of the settlement, the parties agree that the city would continue its long-standing interpretation of state and local laws ensuring safe and decent emergency shelter for homeless families with children. The settlement also includes provisions that outline current agency standards and protocols for assessing shelter eligibility. Under terms of the agreement, these provisions sunset on December 31st, 2010, unless DHS were found and systemic noncompliance with provisions in a separate successful litigation. [Pause] As the court appointed special master paneling unanimously concluded over 3 1/2 years ago, after 22 years of

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2 systemwide litigation, the city of New York has
3 earned the opportunity to go forward into a new
4 era. This historic settlement paves the way for
5 us to continue our fight against homelessness
6 unencumbered by constant litigation, obsolete
7 court orders, and judicial supervision [Pause]
8 Our efforts have led for the first time in this
9 administration to a decline in every part of the
10 shelter system. Most remarkably in the past year
11 the number of adult families sleeping in shelter
12 on an average night dropped 19%. [Pause] From
13 October 2007 to August 2008 families with children
14 sleeping in shelter decreased by 5%. Over the
15 last four years we have seen the largest decline
16 in shelter census among single adults, we have
17 decreased the number of adults living in shelter
18 by 21% from 8,423 in August of 2004 to 6,643 in
19 August 2008. Street homelessness is down 25%. As
20 we tackle the homeless issue head-on, the lessons
21 learned along the way have created a framework
22 that will serve as a blueprint for future success.
23 We have come a long way from the system of
24 yesterday. There is no question in my mind that
25 today's New York City's homeless system is one

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2 that will have a lasting impact on future
3 administrations, but more importantly, it will
4 have a lasting impact on New Yorkers like Iris and
5 Thomas who now have a home of their own. I'd be
6 happy to take any questions Council may have.

7 CHAIRPERSON DE BLASIO: Thank you
8 very much, Commissioner. I'd like to welcome
9 council member Annabel Palma. Commissioner, this
10 hearing is not about whether you've done good work
11 or your team has done good work or whether we've
12 made progress, and I appreciate there's a lot of
13 items in your testimony I agree with that
14 certainly indicate important steps forward. I
15 think some of them will be lasting, and that's why
16 I have said to you, I think you're doing a lot of
17 the right things. That's not what this hearing is
18 about. This hearing is about you, your
19 administration set a goal and you have really
20 failed to meet that goal, and I'm amazed that
21 having been given many, many opportunities to
22 acknowledge that fact constructively, no one in
23 the administration will dare say that. You love
24 to trot out the notion that you are all about
25 measuring numbers and if you can't measure it, you

1
2 can't manage it, and you are the truth tellers,
3 but you won't come to grips with the fact that you
4 set a goal and didn't even come close to meeting
5 the goal and I think that doesn't give the public
6 faith that they're being leveled with. The notion
7 is if no one forced you to set the goal, you set
8 the goal and there's been precious little
9 progress. That doesn't mean these other pieces
10 aren't very good, but it's about leveling with the
11 public about where we're going, that we know we're
12 going to keep moving forward, that we're not going
13 to slip backward, but let's just deal with the
14 immediate dynamic. Your numbers, your testimony
15 today, 34,000 plus people in shelter. When you
16 announced this plan, just about the time you
17 announced this plan, 38,000 plus people in
18 shelter. So these are your own numbers, they
19 don't lie. On the core question of whether we
20 have substantially moved people out of the
21 shelter, the answer is no. And, despite my great
22 respect for you, I find this sentence downright
23 Orwellian: If we could report to you today that we
24 were successful at reaching all of our targets,
25 that would mean that our targets were not

1
2 ambitious enough. I'm astounded by that. It's
3 not like you set a target that was a few thousand
4 families higher than you thought you could reach
5 to spur you on to action and you missed by a few
6 thousand and we could all say, you know, job well
7 done, you came really close--and this is, again,
8 when I say you, I'm not talking about the
9 individual of you, I'm talking about the entire
10 administration effort. You set a very impressive
11 goal as an administration, it's been four full
12 years, the numbers don't lie, we've made precious
13 little progress. So could you at least
14 acknowledge that you have not, I mean by your own
15 estimate of where you should be at this point,
16 that you have not met the goal you set out to
17 meet?

18 COMMISSIONER HESS: Mr. Chairman, in
19 the five-year plan update that we sent to your
20 office yesterday, it made I think widely available
21 today, I'd call your attention to page 3 of the
22 third paragraph where we say in part, the
23 ambitious goals set in 2004 remain out of reach in
24 the family shelter system where the decrease is a
25 disappointing 2% for families with children and 3%

1
2 for adult families--I think we've been very clear
3 and very honest on this matter. We also take a
4 hard look at the plan as a whole and we see that
5 86% of the items in the plan have been achieved
6 already, many others are still ongoing. And so I
7 do reject the fact that we haven't made tremendous
8 progress. I do acknowledge the fact that we've
9 seen a 25% reduction in street homelessness, a 21%
10 reduction in adult families and on the family with
11 children side and adult family side, the results
12 have been disappointing with a 3 and 2% decrease
13 to this point.

14 CHAIRPERSON DE BLASIO:

15 Commissioner, I've asked you the question over the
16 last year at budget hearings and other hearings.
17 What you referenced was the first time that I can
18 remember of even the slight acknowledgment of not
19 making the goal and we got this document about 6
20 o'clock last night, so forgive me if that doesn't
21 count in my view that there's a slight
22 acknowledgment here. I'm asking you point blank
23 and I just read your entire testimony and listened
24 to it and what I hear you doing is effectively
25 admitting a little bit that you didn't meet the

goal, but not grappling with the core reality.

So--

COMMISSIONER HESS: [Interposing]

Well, I [crosstalk]--

CHAIRPERSON DE BLASIO: --it's not, it's not about, it's not about how many of your numerical measures you've set up or pilot programs--these are all good, I'm not saying they're bad things. The core numbers are astounding, you started with 38,000 in shelter, you have 34,000 in shelter four years later. That's not a lot of progress and these are good, new elements of a plan, but I don't think you're saying to me you're going to cover 34,000 people in the next year and three months. Are you saying you can meet this goal in the next year and three months?

COMMISSIONER HESS: What I'll say to you today, Mr. Chairman, is that with respect to the number of people on the streets, the number of single adults in shelter, we've made tremendous progress. We're not where we want to be, we'll continue to work everyday in this administration to bring those numbers down further to move more

1
2 and more people into their own homes and off of
3 our streets. Whether these goals are achievable
4 or not is yet to be seen. With respect to
5 families with children and adult families, it's a
6 much tougher position to be in.

7 CHAIRPERSON DE BLASIO: I guess I
8 feel like if you put forward a goal and then for
9 all intents and purposes don't reference it, kind
10 of ignore it for a number of years--I'm not
11 talking about you, I'm talking about the whole
12 administration--compared to other types of goals
13 that this administration has set, this has sort of
14 been the stepchild, in my opinion, this has been a
15 hidden goal, because so little has moved forward
16 numerically and it's not talked about. And now we
17 are a year and three months out, and you're giving
18 I think an amorphous answer about whether it's
19 meetable or not. I think common sense says,
20 unfortunately, it is not. That doesn't mean we
21 can't make progress, that's why I'm suggesting
22 very tangible steps to make some tangible
23 progress. I would be heartened if you would say,
24 here is a new goal that we actually believe we can
25 meet or come very close to meeting and we're going

1
2 to put everything we got into meeting that goal,
3 rather than have an extraordinary goal that
4 continues to be ignored. So would you be opening-
5 -would you be open to setting a goal that is
6 attainable?

7 COMMISSIONER HESS: Well I can't
8 accept the premise that we've ignored the goals.
9 We are held accountable for those goals publicly
10 day in and day out and largely because we set
11 extraordinarily aggressive goals and we have a
12 level of transparency that's been unprecedented.
13 And so we hear about the goals every day, we're
14 very up front about where we stand with respect to
15 those goals every day and so they're far from in
16 the background, they're in the foreground. That
17 said, do we need to constantly reevaluate our
18 strategies and reevaluate where we can move over
19 the next period of time, whether that be six
20 months or a year or some longer period? I think
21 that's a fair conversation.

22 CHAIRPERSON DE BLASIO: I'm not
23 going to dwell on this because I don't think we're
24 going to get a whole long way today. I just am
25 saying this, to claim it is noble to set an overly

ambitious goal and then not reach it and that proves the nobility of the goal is absolutely backwards. You, of all administration, should be about creating a realistic goal and then putting everything you've got into reaching it. What I feel you've done in effect is you've let yourselves off the hook by saying, oh, it was such a incredibly ambitious goal, we never really thought we could attain it and aren't we great for even setting it and we're doing some of the right things towards it. Bluntly, in any other administration that would be laughed out of town, and that's not a comment on the fact that there aren't some good intentions here. The core question is, we need to level with New Yorkers about what's going to happen with the homeless going forward. How many folks we can help to self-sufficiency, how many folks we can get out of shelter, how many folks we can prevent from going into shelter. We're going into a tough time and if we keep having a non-conversation, if we set a goal that really doesn't mean anything, then we're bluntly going to get to the end of this administration and I wouldn't be surprised if 32

1
2 or 33 or 34,000 people are still in shelter and
3 that's just not acceptable. So why not come back
4 to the core notion of setting a goal we actually
5 think we can attain and putting in the resources
6 and changing the policies to attain that goal?

7 COMMISSIONER HESS: Well I think the
8 Mayor's been very clear, we have set aggressive
9 goals, it was always been our intent to achieve
10 those goals. We've seen some disappointing--

11 CHAIRPERSON DE BLASIO: That's
12 right.

13 COMMISSIONER HESS: --results of the
14 adult family and family with children. We're
15 frankly encouraged by our progress on the streets
16 of the adult side. I don't know that we're going
17 to be in a position to change our goal at this
18 point, I think what we will do is continue to
19 redouble our efforts with every resource that we
20 have to move as close to those goals as we can
21 over the remaining time that this administration
22 has in office.

23 CHAIRPERSON DE BLASIO: Okay. Look,
24 I want to raise very specific points and then I
25 know council member Vacca and others have

1 questions. In the budget hearings, we try to
2 understand, since it was obvious at that point
3 that the goals were not being met and the problem
4 was real, what policies were changing. This is
5 oversight, oversight says if you have a goal,
6 you're not meeting your goal, we say what are you
7 doing to change, right? What change of policy,
8 what addition of resources, what is going to
9 change the dynamic or are we quietly accepting
10 failure, which I don't think is what any of us
11 want to do. So we have said focus more on
12 prevention, you have always said that you believe
13 in prevention, but that it's an inexact tool, that
14 you don't reach exactly everyone in need,
15 sometimes you reach other people. I don't think
16 anyone doubts all prevention is helpful to people
17 and it's good in and of itself, but your argument
18 has been, I think it's an imperfect tool. I'm
19 going to argue again to you today, the small
20 distance we've made in terms of progress towards
21 our goal suggests we better start using some other
22 tools or using some tools more deeply or changing
23 our approach. So I say to you, the exact example
24 I gave: get 5,000 more families anti-eviction
25

1
2 legal services. If 20% of those people are helped
3 to stay out of shelter, 1,000 families helped,
4 that saves you upwards of 30 plus million dollars.
5 Why would you not do that and if you say to me, we
6 have a fiscal crisis, I would say to you I agree,
7 that's why I want you to spend less than \$1
8 million to save us \$30 million. Why would this
9 administration looking at these numbers not now
10 say we're going to go even deeper with prevention
11 and with anti-eviction legal services?

12 COMMISSIONER HESS: Well I think we
13 have said that. In fact, we testified on the
14 budget, we said that we've gone from 0 to \$20
15 million investment and we plan to expand that
16 moving forward. We also--

17 CHAIRPERSON DE BLASIO:
18 [Interposing] Why not do that now?

19 COMMISSIONER HESS: We also we said,
20 we now have citywide prevention in place for less
21 than a year. We've hired a team of the nation's
22 experts to evaluate that program, figure out
23 what's going well, what's working, so we can
24 expand it. If there's things that aren't working,
25 we'll stop doing them. So we are looking at that,

1
2 we don't disagree with you on that. I think
3 that's where we've had a meeting of the minds in
4 every hearing that we've had since my arrival in
5 New York.

6 CHAIRPERSON DE BLASIO: But we're
7 not moving fast enough and I agree with being
8 smart and I agree with planning, but my point is
9 we see a very tangible impact and we see a way to
10 save money for the taxpayer as part of the
11 equation. Why are we waiting to go farther?
12 That's--I mean, we're in a time of crisis. I
13 guess my whole concern here, Commissioner, is
14 these are crisis numbers, even with your glowing
15 verbiage, they're still crisis numbers. Why would
16 we not treat this as a crisis and move up our
17 plans to get more people the help they need, avoid
18 evictions and keep people out of shelter?

19 COMMISSIONER HESS: We've made
20 unprecedented investments in prevention, we'll
21 continue to look at it. You made your
22 recommendation this morning, I appreciate that
23 very much and we'll go back and look at it.

24 CHAIRPERSON DE BLASIO: All right.
25 Another one. There's been the debate over Section

1
2 8 vouchers over the years and the placement of
3 homeless folks in NYCHA, again, I think a lot has
4 changed in that discussion. I'm saying 10%, a
5 specific 10% allotment of Section 8 vouchers and
6 NYCHA units, again, that gets you over a thousand
7 new families into permanent housing. So to me
8 this has been a policy that has changed over time
9 and not had a stable long-term application. Could
10 we determine a number of vouchers and NYCHA units
11 that we would devote to getting people out of
12 shelter and stick to that number?

13 COMMISSIONER HESS: Well we actually
14 have about 3,000 available this year through our
15 HomeBase facilities and so we well exceeded your
16 recommendation [crosstalk]--

17 CHAIRPERSON DE BLASIO:
18 [Interposing] I'm saying a thousand additional.
19 I'm saying a thousand additional because, again,
20 your good efforts are not getting you the impact
21 you need to get anywhere near your goal,
22 therefore, expand upon your efforts. Why would
23 you not go the next step?

24 COMMISSIONER HESS: Well let's talk
25 about where they are located. We haven't used

1
2 them all, if we used them all, we could certainly
3 go back and ask for more. We have families that
4 are in process. I don't believe frankly that it's
5 helpful to have Section 8 vouchers in the shelter
6 system. I don't believe it's helpful for families
7 to come to the front door of the shelter system
8 and believe that that's their gateway to receiving
9 a Section 8 subsidy. But even if I believed that--
10 --and I haven't gotten over that hurdle, I don't
11 think I can get over that hurdle--but even if I
12 did, what I know about Section 8 processing times
13 are they're extraordinarily long, not everyone is
14 found eligible--in fact, only about 60% of
15 individuals that apply for Section 8 are found
16 eligible. The processing time now can take
17 anywhere from 6 to 8 to 10 to 12 to 15 months. I
18 think families are much better served by being
19 able to move out of shelter much faster under one
20 of the Advantage programs that don't have those
21 kinds of constraints that I just outlined with
22 respect to Section 8. And then at the end of the
23 day, if they're still having challenges they can
24 go to a HomeBase in their community, where they're
25 living, and if they need other kinds of support,

1 including perhaps Section 8 subsidy, they may get
2 it there. I think that's a better program.

3
4 CHAIRPERSON DE BLASIO: I understand
5 why in a perfect world that would be true, I
6 appreciate your logic. I think, again the whole
7 concept of this hearing is we're in a real
8 imperfect world. We have made very little
9 progress in terms of getting families with
10 children in particular out of shelter, we have not
11 made that much progress overall. We should be
12 throwing in the kitchen sink at this point trying
13 to find ways to get people out of shelter. So I'm
14 not going to debate with you whether Section 8 or
15 NYCHA availability gets people to take advantage
16 of the shelter system--you can have that debate, I
17 don't happen to agree with you, but I respect your
18 opinion. I'm suggesting to you that with all the
19 other safeguards and changes you've made, I don't
20 think it's the same culture it was four or five
21 years ago and I think you should be trying to use
22 the availability of Section 8 vouchers and NYCHA
23 units to speed your process with whatever controls
24 you find appropriate. But certainly the idea that
25 this is a tangible way to get people to permanent

1 housing that we're not taking full advantage of
2 says a lot to me about why our shelter number
3 isn't moving. But let me take you to Work
4 Advantage and the Advantage programs, which I
5 think in many ways have promising elements. Why
6 not lock in the notion of greater flexibility so
7 that you know if a family is not able to make it
8 to self-sufficiency on the timeline originally set
9 that you can creatively apply additional subsidy,-
10 -again, better for the family, keeps them out of
11 shelter, saves money for the taxpayer. It's the
12 rigidity of the program unfortunately reminds me
13 of one of the failings of HSP that led to its
14 demise, which was the rigidity of the step down of
15 subsidies.
16

17 COMMISSIONER HESS: Well, again, I
18 appreciate your thoughts on prevention, on Section
19 8 and on Advantage, we'll go back and look at each
20 of these. We have felt right along that two years
21 would be adequate, especially with the aftercare
22 that's in place and the citywide prevention
23 efforts and the access to other kinds of subsidies
24 that are available through HomeBase, but now that
25 we're, you know, I guess approaching the year and

1
2 a half point, it's a valid time to take your
3 recommendation, seriously go back and take a look
4 at it.

5 CHAIRPERSON DE BLASIO: Well I
6 appreciate that. Let me ask you two more here.
7 One, on accelerating construction of supportive
8 housing--again, this is both city and state--the
9 broad plans in place. Do you think we could
10 commit as a city and with the state to speeding
11 that timeline so a thousand additional units per
12 year could be completed by 2011 instead of as they
13 are currently scheduled 2015?

14 COMMISSIONER HESS: You know, I'm
15 not familiar with the financing and land
16 acquisition and all the rest that goes into the
17 development of supportive housing. I'm sure
18 Commissioner Donovan and others are doing
19 everything they can to keep that pipeline moving
20 as effectively and efficiently as they possibly
21 can. Again, out of respect for you and this
22 committee, we will go back and have that
23 conversation with Commissioner Donovan and others.

24 CHAIRPERSON DE BLASIO: I appreciate
25 it, that this is an example where I'd like to see

urgency because this is a very specific way to solve a part of our problem and I believe it's in our grasp. But, as you know, even in an efficient administration, such as the one you're a member of, some things get focused on and other things end up on the back burner--it's human reality. That's why I'm in effect trying to get everyone's attention to focus on this goal to say let's put it on the front burner. If Mayor Bloomberg and Governor Paterson said, no matter what, we're going to expedite this housing, this is going to become a priority of the city and state, I bet you it happens. It's a question of will it be the kind of priority it needs to be so we can get people out of shelter.

COMMISSIONER HESS: Well I appreciate that, but I have to say in fairness that the fact that we have 9,000 new units in supportive housing in the pipeline is a testament to the Mayor's priority on this issue.

CHAIRPERSON DE BLASIO: This is nothing about character, this is all about the numbers and the numbers say we've got to do even more. Finally, on the quote unquote, three-

1
2 quarters houses, the substandard boardinghouses
3 that many individuals have ended up and coming out
4 of shelter. Undoubtedly you've told me that DHS
5 has tried to create a list of do not refer house--
6 do not refer locations, that DHS has started an
7 effort at least to identify places that people
8 should not be sent to and discourage that. But,
9 unfortunately, again based on the research done by
10 advocates, there are still a tremendous number of
11 such three-quarters houses and people are still
12 going to them. So my point is not that DHS is not
13 trying, my point is we still have that merry-go-
14 round where folks go to an inappropriate location
15 and end up back on the street or in shelter. I
16 say we've got to redouble the effort to identify
17 every one of those locations, close them down if
18 we can, make sure DHS knows about every single one
19 of them, and that DHS stops people from going to
20 them, keeps them away from them, so we don't start
21 that vicious circle.

22 COMMISSIONER HESS: I think on this
23 subject which has been raised on a number of
24 occasions, we have provided a great deal of
25 guidance to providers on this, written guidance

1 that we'd be happy to share with the committee.
2 Obviously, we don't want anyone living in unsafe
3 or inappropriate conditions, that's not what we're
4 about. We don't want anyone being referred to
5 unsafe or inappropriate housing and so this is one
6 that we'll continue to look at and continue to
7 monitor and continue to work on, but I think we
8 provided some pretty strong guidance to providers
9 on this already.
10

11 CHAIRPERSON DE BLASIO: I'm going to
12 turn to my colleagues, Commissioner, and we'll
13 come back to some of the other issues I raised in
14 my opening after all of my colleagues have had a
15 chance to ask their questions, but what we're all
16 going to be pounding away on is tangible plans,
17 tangible results. So just to say on the three-
18 quarters houses, I don't doubt your intent, but I
19 think we need to see a lot more meat on the bone--
20 how are we going to stop folks from ending up in
21 these substandard locations. I'd now like to
22 turn--first of all, I'd like to welcome council
23 member Gale Brewer and I'd like to turn to council
24 member Jimmy Vacca.

25 COUNCIL MEMBER VACCA: Thank you,

Commissioner and Mr. Chairman, thank you,
Commissioner. My question revolves around the--
some of the statements here concerning the
Emergency Assistance Unit in the Bronx and also
about street homelessness down 25%. I must tell
you that in my district--and I was just speaking
to my colleague, Annabel Palma--our districts
touch each other in the East Bronx. The same
people who have been homeless 10 and 15 years ago
are still homeless today. I can tell you names, I
met Rudy again last week--I know him as Rudy.
Rudy has been homeless in Pelham Bay for 29 years.
He was in front of 3287 Westchester Avenue last
week, 8:30 in the morning lying on the sidewalk.
I asked him to move, he moved on. He has mental
health issues. I have called the police, I have
called homeless services, I have called the fire
department. I have called everyone, they say that
if a homeless person does not want help, unless
it's 32 degrees or less, if they do not want help,
they can do as ever they wish. They cannot lie in
the middle of the street, the police will ask them
to move on, but if they do not want help, they do
not have to have help. So if you look at my

1 district, at Pelham Bay train station--number six,
2 last stop of the IRT--you then go to Burr
3 [phonetic] Avenue--what we know as a veterans
4 monument sitting area--you then go to Westchester
5 Square, Owen Dolen Park, you then go to
6 Parkchester, in my colleagues district, we have
7 almost the same people every day with a variety of
8 issues who are causing quality of life issues--
9 substance abuse, alcohol use, urination in the
10 street. We want them to get help. We also have a
11 quality of life issue, as your testimony alludes
12 to. We think that this has gone on too long. We
13 in the Bronx think that to a degree we've kind of
14 been neglected, we understand that there is a
15 problem in Manhattan, but what are we doing about
16 situations like this, as I've pointed out, that
17 have gone on for years to the point where I know
18 the names of the individuals--many of them know
19 me, when they see me coming, they will no longer
20 lay on the park bench, they will sit up. I mean
21 they know who I am. That's how long this is going
22 on. What can we do?

24 COMMISSIONER HESS: Well,
25 councilman, thank you for that question. The

1 reality is in the Bronx, the Citizens Advice
2 Bureau has really done some remarkable work.
3 That's actually been--the Bronx has been our
4 biggest success story so far on the streets with
5 about a 50% reduction in the number of people
6 living on the streets in the Bronx. That does not
7 change the fact that there are a number of folks,
8 as you allude to, that you know by name that
9 you've seen year after year that are still on the
10 streets--that's true. I'd be happy to come out
11 with you and do a little outreach with you and Kop
12 [phonetic] and better understand kind of what's
13 going on with those folks and what we might be
14 able to do to help them move off the streets into
15 housing. Because they are the most--among the
16 most chronically homeless individuals, we want to
17 give them help and housing that they need and so
18 I'd be happy to commit to doing that with you.
19 That said, one of the things that you talked about
20 was that if the--someone is on the streets obeying
21 the law and not--doesn't want help or services, we
22 can't force them and that's true. It's true,
23 until and unless they become a threat to
24 themselves or others. And so there is a balance
25

1
2 to be reached between the individual rights that
3 people have and our desire to help folks move from
4 the streets into housing. And we don't--we're not
5 going to be in a position where we violate
6 individual rights, but we think that we've created
7 strategies and models and methods of intervention
8 that are working with much greater frequency than
9 they've ever worked before and we want to continue
10 to work on those models.

11 COUNCIL MEMBER VACCA: Commissioner,
12 I fully respect everyone having individual rights.
13 I will tell you that especially at Owen Dolen Park
14 when you're dealing with substance abusers, people
15 who frequent Westchester Square in my community
16 also have rights, too. When they see urination
17 publicly, when they see people hanging out on
18 benches with substance abuse issues, this is
19 frightening to many people, many people are
20 intimidated by this. And I do know if they don't
21 want help, supposedly they have the right to deny
22 help, but at a certain point, society I think and
23 the safety of the average person has to be
24 considered. Now I do take you up on your offer,
25 I'm willing to walk the streets with you anytime,

1
2 and I would set that up--and I do commend the
3 Citizens Advice Bureau, I've worked with them for
4 30 years and they're a good organization.

5 COMMISSIONER HESS: They do great
6 work.

7 COUNCIL MEMBER VACCA: I want to go
8 into the Emergency Assistance Unit in my borough,
9 although it's not in my council district. You
10 alluded to the situation at EAU for years and it
11 was a shame as to what existed prior to the
12 Bloomberg administration. Your proposal now,
13 although it's not in my Council District, I'd like
14 to think that I speak for a borough that has some
15 concerns. Your facility is going to house--first
16 of all, let me get this clear, approximately how
17 many clients did the old EAU serve and was it, was
18 it a fact that the old EAU was a citywide
19 emergency intake center? Was it emergency housing
20 center for the city of New York?

21 COMMISSIONER HESS: That's correct.

22 COUNCIL MEMBER VACCA: How many
23 families did it house on a typical evening?

24 COMMISSIONER HESS: We can get you
25 the exact numbers, I think the average is probably

between [Pause] 60 and a hundred families a day.

COUNCIL MEMBER VACCA: A day.

COMMISSIONER HESS: A day.

COUNCIL MEMBER VACCA: But the peak was in the evening hours.

COMMISSIONER HESS: Well it certainly would have appeared that way because there was so many families that were spending the night inside of the EAU and I'm sure those families also came out and hung out in the neighborhood and other things as well because they were there overnight.

COUNCIL MEMBER VACCA: You closed the EAU in 2005 approximately?

COMMISSIONER HESS: Actually, I think it was July 1st 2006 was the day we actually locked the door.

COUNCIL MEMBER VACCA: How many-- you're now going to build a five-story structure?

[Pause]

COMMISSIONER HESS: Seven.

COUNCIL MEMBER VACCA: Is it seven or five?

COMMISSIONER HESS: I think it's--

COUNCIL MEMBER VACCA: I thought I read five here.

COMMISSIONER HESS: Is it five?

COUNCIL MEMBER VACCA: It's seven stories.

COMMISSIONER HESS: Seven stories, I think. Is that right? Yeah seven.

COUNCIL MEMBER VACCA: What percentage of the building will be used to house homeless families as a EAU?

COMMISSIONER HESS: There'll be no families housed in the building.

COUNCIL MEMBER VACCA: What will be housed in the building?

COMMISSIONER HESS: Services. Services and intake application process will occur throughout the building, very rich services, but everybody will go through that in a business model, business day model and be placed in housing by the end of the business day each day and so no one will be housed at the facility. And the building is the size it is, frankly--and we can certainly give a presentation on this, we've done several and we'd be happy to do several more. The

1
2 building is the size it is to allow for a rich
3 array of services and for people to move
4 systematically through the building and complete
5 the application process in a departure lounge, go
6 directly to a bus and be transported to their
7 placement. So there's no need to leave the
8 building, there's no need to be kind of hanging
9 out on the streets or any of that. And so that's
10 how the facility's been designed.

11 COUNCIL MEMBER VACCA: How do you
12 answer people who say that this is one [pause]
13 very large center for the entire city, why are we
14 not having localized intake centers? Why is the
15 Bronx having a citywide intake center? Wouldn't
16 it be better to reduce travel of clients?
17 Wouldn't that be an inducement for people to visit
18 a referral center, rather than having one citywide
19 program located in the Bronx?

20 COMMISSIONER HESS: Well, it's
21 always a topic of some discussion. It's our
22 feeling that, in this case, families with children
23 have such specialized needs through the
24 application process and the application process
25 can go in so many different directions depending

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2 upon what the presenting issues are. So, for
3 example, if someone walks in the front door and
4 makes any indication or gives us any indication
5 that they've been a victim of domestic violence,
6 then of course, we want to get them immediately to
7 a domestic violence expert to interview them. And
8 so it's the kind of scope of services that are
9 necessary that we think makes the most sense to
10 have in one location and we provide transportation
11 from there to wherever the placement will be.

12 COUNCIL MEMBER VACCA: I bring to
13 your attention, Commissioner, that many residents
14 in my borough since the EAU has closed have
15 witnessed an improvement in conditions in the
16 surrounding community. They are concerned and I
17 would be concerned if that were my community.
18 They are concerned about what can they expect
19 insomuch as keeping their neighborhood secure
20 insomuch as clients being served, but insomuch as
21 having so many people from throughout the city at
22 one central location and that impact on the
23 surrounding community. This is a part of the
24 South Bronx, that is struggling to improve and
25 come back after years of many issues existing that

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2 were even created by the old EAU. How do you
3 answer people's concerns that this will just be a
4 saturation again, although in a different way, of
5 a community that did give back all those years and
6 did have problems as a result of the city
7 administering the EAU?

8 COMMISSIONER HESS: Look if we were
9 reopening the EAU, I would share those concerns
10 wholeheartedly. The old EAU was just a disgrace.
11 It was a disgrace inside, it was a disgrace
12 outside. The community had every right, in my
13 judgment, to be angry by what they saw and what
14 they experienced on a routine basis. We have
15 worked very hard to create a facility that will be
16 a world-class facility with world-class services,
17 without people having the need to leave the
18 building, without people hanging out on the
19 streets and being transported quickly and
20 efficiently to placements and treating people with
21 dignity and respect that need our services, but
22 also treating the neighborhood with dignity and
23 respect. Now having said all that, and I can say
24 much more, the reality is that individuals in that
25 community that lived through the horrors of the

EAU are going to--I would suspect are going to remain very, very concerned until our actions speak louder than our words can. They need to see, I suspect, that the facility opens and is run extraordinarily professionally and are good neighbors in the community. Now what we have to figure out, I think with the community, is how to put safeguards in place even before construction gets too far along whereby we can be thinking through things with appropriate community members like security and like transportation and like how we'll deal with a host of other issues that have occurred in the past--some of which will not be a problem. For example, in the new facility there won't be any need for trash to remain in large containers outdoors, drawing all kinds of problems and causing problems for the community, that won't be an issue here. But there's other issues that will, I mean, we need to think about traffic, we need to think about security, we need to think about are there ways that the community can be involved to satisfy themselves the facility is being well-run and well-managed and we ought to do that together now. And hopefully that will

alleviate some of the concern, but given the history of that facility I certainly understand why the neighbors would have concerns.

COUNCIL MEMBER VACCA: Thank you. I appreciate your understanding, I think that you can expect a very alert community there to hold the city to its commitments. They are concerned about this development and I think, as you point out, history there feeds that concern and I think-

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COMMISSIONER HESS: Certainly.

COUNCIL MEMBER VACCA: --justifies it.

COMMISSIONER HESS: I think you're right.

COUNCIL MEMBER VACCA: Thank you.

COMMISSIONER HESS: Thank you.

CHAIRPERSON DE BLASIO: Thank you, council member. Before turning to council member James, Commissioner, I have to take you back a step. I think that some of the concerns raised by council member Vacca certainly underline a lot of what I was trying to say. And I don't think it is alarmist to say that we are worried about where

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2 this system is going overall, particularly in a
3 bad economy. Commissioner, I don't think you had
4 the unfortunate experience of being in New York
5 City during the 70s and 80s. I don't remember
6 your whole resume, but I think you may have not
7 been with us for that episode. And you've
8 certainly seen some tough stuff along the way and
9 I, again, appreciate a lot of what you've done,
10 but I need you to understand how much that was a
11 very searing moment for our city and that street
12 homelessness was a very, very powerful part of
13 that, which is not to say we are not in a very
14 different place today. But I think what's
15 underlying this whole discussion is, our shelter
16 numbers are very, very high. They are close to
17 the all-time high in the history of the city and
18 everyone can report to you some sense of growing
19 street homelessness--I certainly share the
20 experience that council member Vacca does of my
21 constituents raising the concern to me more and
22 more--and you see that we've gone through one of
23 the greatest upheavals in the history of our
24 country's economy in the last week, we have no
25 idea what the results of that will be. So you

1 don't have to be an alarmist and say the sky is
2 falling to say as a matter of managing this city
3 and thinking where it's going, we should be
4 worried that we're not taking a step in the wrong
5 direction to a time that was just unacceptable. I
6 appreciate the passion with which you just
7 described the EAU and what was wrong with that and
8 you saw that and you did something about it, but I
9 can't even begin to tell you what this city was
10 like a quarter-century ago--that's a lot of why
11 litigation was so necessary. And [pause] I think
12 part of why I feel such urgency about holding you
13 to your goals is because if we don't make progress
14 now while we have some opportunity to do it, I
15 fear the slippery slope, I fear that we end up in
16 a situation we thought we would never see again.
17 Maybe not the same degree, but enough to have a
18 very negative impact on a number of families and
19 individuals, and certainly a number of
20 neighborhoods and businesses and everything. So
21 [pause] I guess I need to hear that you understand
22 that the fact that we're not meeting our goals--
23 we've made so little progress on our overall
24 goals, to me it's not intellectual exercise, it's

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2 very tangible. If we're not making that progress,
3 there is some place that we could be heading as a
4 city that's very, very dangerous and a lot of us
5 see some early warning signs of. Let me ask it
6 this way, is that part of your understanding? Is
7 that part of what this administration is looking
8 at is trying to make sure we don't end up back in
9 that direction?

10 COMMISSIONER HESS: Oh, absolutely.
11 I mean, we have no intention of retreating from
12 our work, of seeing us backslide. I think we have
13 huge challenges before us. As you say, none of us
14 know exactly where the economy is going or what
15 the impact of that will be, but we have a
16 responsibility to ensure that anyone who is truly
17 homeless is able to find shelter in our city. We
18 want to do everything we can to prevent them from
19 needing it and we'll beef that up and continue to
20 work to do that as hard as we possibly can. We'll
21 do everything we can to be sure that we're
22 prepared to treat everyone with dignity and
23 respect that needs to enter our system and to keep
24 their stay as short as possible, and we don't want
25 a backslide an inch. Not an inch. I think we're

1 much better prepared today than we were even a
2 couple of years ago. The level of commitment in
3 our service provider community, the level of
4 commitment on our outreach teams that are on the
5 street is unprecedented. But I also, with great
6 respect, hear your concern, and it is a concern
7 that we all share. I mean, we try to develop new
8 strategies each and every day to figure out what
9 the next round of strategies should be to help
10 people that are in crisis and need on our streets
11 and in our shelters and even before they get to
12 our shelters and we'll continue to do that. We'll
13 continue to try to put into place the foundation
14 that any future administration can build on to
15 prevent that slippage back toward the past. This
16 work is too hard and too important to the
17 individuals and families that come to us in crisis
18 and we help move back into their homes or help
19 move off the streets in their home to do anything
20 less.

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22 CHAIRPERSON DE BLASIO: But the
23 thing to me is this moment we're in right now may
24 be the best moment we see for a while. This year
25 we have a balanced budget and there's some plans

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2 in place to try and reduce homelessness, although
3 the numbers don't show the kind of progress we
4 need. That's why I'm saying to you and I'm
5 offering you suggestions today and I know my
6 colleagues have other suggestions, immediate
7 action in terms of prevention, in terms of Section
8 8, in terms of adding to the Advantage program,
9 because this may be your last best chance for a
10 while to actually bring down the numbers in
11 shelter. If you don't bring down those numbers in
12 shelter, I daresay there's a point where you could
13 have your shelter system at its maximum and that
14 by definition causes the EAU phenomenon to occur
15 again or more street homelessness. I think I know
16 enough about your capacity to say you're not that
17 far away from the maximum you could handle and I
18 never hope you get--I hope we never see that, you
19 know, I hope this is only a fear, but given earth
20 and [phonetic] swirling around us, it seems to me
21 that the prudent course--what our citizens would
22 want is a very focused effort to help people
23 productively out of shelter and help them not get
24 into it so intensely that we know we don't end up
25 on the doorstep of the crisis that used to be

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2 commonplace in this city. So I guess that's--I'm
3 trying to do a call to arms to you to say, do you
4 fully realize the moment we're in, that this may
5 be the good times and this may be the moment where
6 we can fix things that we could not fix a year or
7 two from now?

8 COMMISSIONER HESS: No, I fully
9 appreciate that. I mean, we appreciate that, we
10 focus on it every day, we ultimately think the
11 best days of this city are to come, but there is a
12 bump in the road. We don't know how long that
13 bump is going to last or how deep it is, but
14 clearly, the recent economic developments have not
15 been good, and we need to prepare for what impact
16 they will have down the road on our system.

17 CHAIRPERSON DE BLASIO: So in the
18 same vein, and then we'll go to council member
19 James, in the same vein, you gave me some broad
20 answers on the question of what goal you could
21 set. Could you at least say a minimum goal in
22 terms of reduction of number of folks in shelter?
23 Could you at least say that by the end of this
24 administration, you know that we'll be at least
25 5,000 fewer people in shelters or any goal that

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you know you absolutely can meet?

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COMMISSIONER HESS: Well, we have

one set of goals at the moment and they are

provided to us by the Mayor and we support those

goals. We will go back and take your, your

thoughts this morning on this subject and take a

look at it and come back and talk to you about it.

CHAIRPERSON DE BLASIO: Thank you.

Council member James.

COUNCIL MEMBER JAMES: Thank you,

Mr. Chair. The tone in your voice is underscored

by the following facts which are described in the

report that I was just handed and in the Mayor's

[pause] Management Report, which is hot off the

presses, dated September 2008. In the report that

I was just handed by the Department of Homeless

Services on page three, it indicates that the

summer of 2008 had the largest recorded demand for

family shelter since the city has been tracking

these numbers. The--

COMMISSIONER HESS: That's correct.

COUNCIL MEMBER JAMES: --the largest

demand for shelter in the summer--

COMMISSIONER HESS: That is correct.

COUNCIL MEMBER JAMES: --of 2008.

Let me go on to say that in the, in the Mayor's Management Report, which is dated September 2008, there has been a 25% reduction in street homeless. However, the number of single adult placements into permanent and temporary housing by outreach teams decreased [pause]--decreased from 2007 to 2008.

COMMISSIONER HESS: [Interposing]
Councilwoman, I'd like to explain that.

COUNCIL MEMBER JAMES: May I finish my statement? And it's due to the emphasis on higher-quality placements as a result of your focus on dealing with street homeless as opposed to single male adults.

COMMISSIONER HESS: That's correct, councilwoman. Historically outreaching placements were focused on shelter placements that often individuals left very quickly after a day or two and then returned to shelter and so you ended up counting those numbers multiple times. That is nowhere near the case as it used to be and in fact, the place, the vast majority of placements today and are much higher-quality placements that

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2 move toward permanent housing in a way that was
3 not possible in the past. And so the numbers are
4 last.

5 COUNCIL MEMBER JAMES: Single--the
6 single adults entering the system for 2004 were
7 18,171. Year to date, fiscal year '08, the number
8 has increased, the number is now 18,303. What I
9 cited to you again was so '04 and today we have
10 more homeless single adults entering the
11 Department of Homeless Services system. The safe
12 havens that you talked about, as well as safe
13 havens and the Housing First initiative, the Safe
14 Haven program, would you agree, only serves
15 individuals who are chronically homeless and does
16 not focus primarily--their primary focus is not on
17 the single adult population. It's primarily the
18 street homeless, yes?

19 COMMISSIONER HESS: Safe havens are
20 designed for people that have been living on the
21 streets, that's correct.

22 COUNCIL MEMBER JAMES: So it's not
23 for the adult population--the male adult
24 population that--your focus is on the street
25 homeless population.

COMMISSIONER HESS: I would call-- the distinction that I would make is that there are some people who have not lived on the streets that, for a variety of reasons, are in need of shelter and those individuals who have not lived on the streets and are in need of shelter may walk into an intake center as opposed to those individuals living on the street that may well resist going into a shelter system and may need a different type of intervention and, therefore, the safe havens are designed for those that have lived on the streets, yes.

COUNCIL MEMBER JAMES: I guess that explains why the number, number of single adult homeless has increased because the emphasis is on street homeless. Your New York/New York 3 agreement, which the city and the state entered into in 2005, committed to providing 9,000 supportive housing units over 10 years, an average of 900 units per year. How many units have been provided thus far, again, to the adult single population?

COMMISSIONER HESS: We can get you those numbers. HPD is the primary development

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2 source for those numbers and we provide the
3 applications for those units as they're made
4 available, but we can get you the schedule of
5 what's come out--online so far.

6 COUNCIL MEMBER JAMES: Would it be
7 fair to say that that agreement with the city and
8 the state to address housing--the shortage of
9 housing in the city of New York primarily is
10 targeted to populations which includes, but is not
11 limited to, individuals who are aging out of
12 foster care, individuals who have mentally
13 challenge, individuals who are exiting psychiatric
14 hospitals, and, again, the priority is not the
15 single adult population, is that a fair statement?

16 COMMISSIONER HESS: It's a fair
17 statement to say that this--that supportive
18 housing is targeted to special needs individuals,
19 the vast majority of it is targeted to single
20 adults. There are some units that are also
21 available to families, but the majority of the
22 units are available to single adults.

23 COUNCIL MEMBER JAMES: Okay. And
24 how many single adults, as far as you know, have
25 been provided permanent homes under this

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2 agreement?

3 COMMISSIONER HESS: We can get you
4 those exact numbers, I don't want to speculate.

5 [Pause]

6 COUNCIL MEMBER JAMES: And you
7 report, again that was just handed to me, you
8 indicated that the--you were decentralizing the
9 intake center and that you are now--it is now the
10 emphasis of the city of New York--the direction
11 has been changed and basically DHS has determined
12 that chronically street homeless individuals are
13 better served through safe havens. Again, the
14 men's intake center is separate and apart from the
15 street homeless population. So by decentralizing
16 the men's, the men's intake center, you are not
17 focusing primarily on the street population, but
18 you're focusing on a separate population, which is
19 again single adults, is that true?

20 COMMISSIONER HESS: Yes.

21 COUNCIL MEMBER JAMES: Okay. So by
22 decentralizing the intake center, by moving away
23 from that direction, how does this address the
24 10,000 or some odd individuals who are currently
25 in the intake center?

COMMISSIONER HESS: The initial--

COUNCIL MEMBER JAMES: [Interposing]

I apologize, the 18,303.

COMMISSIONER HESS: The initial plan to decentralize men's intake was based on the premise that if you created additional points of access for individuals living on the streets that they would then come into shelter through those intake centers. [Pause] That proved not to be correct. We actually did a little bit--a pilot, whereby people could go directly into shelter beds from the street and those beds remained empty. Clearly, people on the street were not, by and large, there were some exceptions, but by and large, not interested in entering the shelter system. And so we had to rethink how we were going to provide street outreach, the kinds of housing that we were going to provide to people, make accessible to people living on the streets. And we've done that and we're continuing to do that and we're continuing to try to come up with the right mix to address those needs and help reduce the number of people sleeping on the streets of our city. That said, the individuals

that are not living on the streets, but are coming into an intake center tend to be able to get to a particular place and so they have up until now gotten to 30th Street, for example--and that's in spite of the fact that the largest number of individuals that arrive at 30th Street actually are actually arriving from Brooklyn, about 30% are arriving from Brooklyn and coming to 30th Street. I think 28-29%, something like that, are coming from the Bronx to 30th Street. The people actually coming from Manhattan is the third-largest group. And so when we looked at that and looked at the variety of opportunities, we had decided to move our intake center to Bed-Atlantic, as you know, in Brooklyn. Bed-Atlantic, again, was a facility that had a challenging history. We looked at it as an opportunity to reduce the number of beds at Bed-Atlantic from 350 to 230. We looked at it as an opportunity to close Peter Young Shelter that's across the street from the Bed-Atlantic Armory that was 150 beds. We looked at it as an opportunity to keep the same staffing and security levels in place at Bed-Atlantic so that there would be a much greater security to

1 client ratio and staff to client there had been in
2 the past. We looked at it as an opportunity to
3 downsize our operations at Bed-Atlantic, to make
4 it smaller, more safe, more efficient. We looked
5 at it as an opportunity to take a portion of the
6 facility and turn it into potential community use,
7 that being the drill for Bed-Atlantic, and we
8 looked at it as an opportunity to even--as we had
9 done at Fort Washington and at Park Slope--create
10 a great community resource for the facility and we
11 were willing to take the extraordinary step, I
12 thought, of saying that we'd even pay for half of
13 the facility out of DHS capital funds. And so
14 that was kind of the thought process that led us
15 in that direction. Having said all that--

17 COUNCIL MEMBER JAMES: [Interposing]
18 Commissioner Hess, has when you opened the Park
19 Slope facility, did you ask the community of Park
20 Slope to accept an intake center, yes or no?

21 COMMISSIONER HESS: Yes.

22 COUNCIL MEMBER JAMES: You asked
23 them to take an intake center?

24 COMMISSIONER HESS: Well, we have a
25 women's intake center there. No? I'm sorry.

COUNCIL MEMBER JAMES: No, no.

COMMISSIONER HESS: I'm sorry?

GEORGE NASHAK: The mental health shelter.

COMMISSIONER HESS: Oh.

COUNCIL MEMBER JAMES: Okay.

COMMISSIONER HESS: I'm sorry, we do have, we do have an intake center in Brooklyn for women.

COUNCIL MEMBER JAMES: You have a facility there, but you do not have an intake center, right?

COMMISSIONER HESS: No, there, it's a mental health facility.

COUNCIL MEMBER JAMES: And the one in the Bronx where you provided a recreational facility to the residents of the Bronx, did you ask them to take a intake center in exchange for a recreational center?

COMMISSIONER HESS: Actually, actually in the--it's not in the Bronx, it's in Harlem--

COUNCIL MEMBER JAMES: [Interposing]
Did you ask the residents--

COMMISSIONER HESS: --at Fort
Washington--

COUNCIL MEMBER JAMES: --of Harlem?

COMMISSIONER HESS: --and they have
a rather large mental health facility.

COUNCIL MEMBER JAMES: So in the
borough of Brooklyn and Bedford-Atlantic, we
currently have an assessment center, you want the
residents of Brooklyn to continue to house the
assessment center and take an intake center and
that's only in exchange for a recreational center.
That is an untenable position to put any elected
official in--

COMMISSIONER HESS: [Interposing] I
wouldn't characterize it as an exchange for--

COUNCIL MEMBER JAMES: --and/or the
residents of the community.

COMMISSIONER HESS: --anything.
What I tried to describe to you, councilwoman, is--
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COUNCIL MEMBER JAMES: [Interposing]
No, I recognize--

COMMISSIONER HESS: --the full
package that led to our thought process.

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2 COUNCIL MEMBER JAMES: --I recognize
3 the full package and we thank you for the full
4 package, but as I said to you on Friday--and I let
5 it be known to everyone and to the reporters who
6 reported incorrectly my position--I reject that
7 package. Let me also go on to say, Commissioner,
8 that--let me ask you this other question, you've
9 closed a number of intakes, centers for the adult
10 single population and, in fact, last count, you
11 closed six, correct, in the city of New York?

12 [Pause]

13 COMMISSIONER HESS: Six single
14 shelters?

15 COUNCIL MEMBER JAMES: Yes.

16 [Pause]

17 COMMISSIONER HESS: We'll get you
18 the list of shelter closings. That doesn't sound
19 right to me, but we'll double-check.

20 COUNCIL MEMBER JAMES: Let me just
21 check your testimony. [Pause] You closed six
22 single adult facilities on page 16 of your report.
23 [Pause] Downsize shelters to reinforce savings,
24 page 6, chapter 7, shift resources into preferred
25 solutions. It says you closed six and it says

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completed. Are you aware of that?

COMMISSIONER HESS: What's--give me the page again?

COUNCIL MEMBER JAMES: Sixteen.

COMMISSIONER HESS: Sixteen. And the number?

COUNCIL MEMBER JAMES: Chapter 7.

COMMISSIONER HESS: Chapter 7.

COUNCIL MEMBER JAMES: Including Camp LaGuardia, which was the city's largest--

COMMISSIONER HESS: [Interposing] Yes, I see it.

COUNCIL MEMBER JAMES: Okay.

COMMISSIONER HESS: Thank you.

COUNCIL MEMBER JAMES: No problem. Are you familiar with the six that you have closed thus far?

COMMISSIONER HESS: Largest was Camp LaGuardia, there are several others, I don't recall them by name, but we could certainly get you the list.

COUNCIL MEMBER JAMES: Can you recall where these men went to?

COMMISSIONER HESS: I'm sorry?

COUNCIL MEMBER JAMES: Can you recall where these men went to?

COMMISSIONER HESS: By and large, on facilities we've closed, we've worked very hard to place individuals into permanent housing before the facilities are closed and in the vast majority of cases that has happened. And then the individuals that are left still in the facility at the time of closing are transferred to other shelters.

COUNCIL MEMBER JAMES: It says it resulted in a 1,426 bed reduction. Are you speculating or is it a fact that all 1,400 men have, in fact, gone--received permanent housing?
[Crosstalk]

COMMISSIONER HESS: I am telling you that in all cases where we closed a facility, we have spent months working with the clients of that facility to move into permanent housing. In those--in the vast majority of cases, that has happened. In every shelter closing there has been some number of individuals left that had not moved for whatever reason into permanent housing and those individuals have been moved to other shelter

facilities.

COUNCIL MEMBER JAMES: According, again, to the Mayor's Management Report, the average length of stay for single adults in a shelter is 87 days. [Pause] Eighty-seven days. Eighty-seven days. Normally, it's my understanding, that according to some report I read, that normally most individuals, their length of stay should only be at least 21 days. Why is it 87 days?

COMMISSIONER HESS: [Pause] People in shelter in our city have a variety of opportunities to move back into the community. Some people move back in the community very quickly, others not as quickly. All of our efforts are geared to supporting individuals and families to move back into the community sooner rather than later. The average length of stay will vary from time to time, I think the 87 days is not inconsistent with where it's been over, over time. I don't think there's been any dramatic change there.

GEORGE NASHAK: Twenty-one days...

[Pause]

COMMISSIONER HESS: Twenty-one days that you're alluding to is the length of time currently that individuals that enter the shelter system stay in an assessment bed before they're assigned to a shelter facility.

COUNCIL MEMBER JAMES: So Bedford and Atlantic is currently an assessment center. It's your testimony today that the length of time that men remain at Bedford and Atlantic is limited to 21 days.

COMMISSIONER HESS: That's the average length of time.

COUNCIL MEMBER JAMES: And to--

COMMISSIONER HESS: [Interposing] So it's not to say there aren't individuals that stay longer.

COUNCIL MEMBER JAMES: Would it be-- would you agree that for the most part, the large majority of the individuals at Bedford and Atlantic stay--remain at Bedford and Atlantic for longer than 21 days?

COMMISSIONER HESS: No, I don't believe that's true and, in fact, individuals who sometimes stay longer may have left shelter for

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2 some period of time and then come back and that
3 interruption sometimes causes the assessment
4 period to be longer than it otherwise would be.

5 COUNCIL MEMBER JAMES: I guess I
6 have to do what council member Vacca has done and
7 go out and get some names and acquaint myself with
8 some of the individuals who I've seen from time to
9 time, who I know have been there longer than 21
10 days and, in fact, have been there for the average
11 about six months.

12 COMMISSIONER HESS: I think that,
13 you know, we'd be happy to look at those
14 individual cases and explain why that's happened,
15 if, in fact, it has happened.

16 COUNCIL MEMBER JAMES: Again,
17 according to the Mayor's report, it says that
18 single adults placed into permanent housing return
19 to the shelter on an average of 12%. What is the
20 reason for the return, do you have any idea?

21 COMMISSIONER HESS: I think it's a
22 variety of issues that cause people to return.
23 Some people believe they having a housing option,
24 maybe with family or friends that they believe can
25 work out, sometimes it works out, sometimes it

1
2 doesn't. I think there is a whole variety of
3 reasons why from time to time people need to
4 reenter the shelter system and, frankly, we're
5 happy to be there for them.

6 COUNCIL MEMBER JAMES: I want to go
7 back to the safe havens, as well as to the New
8 York, New York supportive housing programs. What
9 is the--is there a certain eligibility for one to
10 again gain access to the safe havens and/or
11 supportive housing units? It's my understanding
12 that some single adult individuals are ineligible
13 for these types of housing situations. Is it--

14 COMMISSIONER HESS: [Interposing]
15 what we--

16 COUNCIL MEMBER JAMES: --again, is
17 it only limited to chronically homeless
18 individuals?

19 COMMISSIONER HESS: Yes.

20 COUNCIL MEMBER JAMES: Okay.

21 COMMISSIONER HESS: Safe havens are
22 designed to meet the needs of chronically homeless
23 individuals.

24 COUNCIL MEMBER JAMES: So these
25 individuals who enter the assessment center and

1
2 those individuals who enter the intake center,
3 some of them are not chronically unemployed,
4 they're unemployed, they're homeless. They're
5 homeless before, whatever reasons, tragedies in
6 their life--

7 COMMISSIONER HESS: [Interposing]
8 Well they're not living on the street.

9 COUNCIL MEMBER JAMES: They don't
10 live in the street, they're--

11 COMMISSIONER HESS: [Interposing] So
12 that's right, if they don't live on the street
13 they would not be eligible for access to a Safe
14 Haven. Where you get eligible for a--

15 COUNCIL MEMBER JAMES: Right.

16 COMMISSIONER HESS: --Safe haven bed
17 is the outreach worker determines that you are a
18 chronically homeless individual, they have a
19 vacant and they transport you to that vacancy.

20 COUNCIL MEMBER JAMES: So about half
21 of the individuals in the intake center, again,
22 are not eligible for these types of programs.
23 What programs are they eligible for? Which,
24 again, I guess explains to me why the number of
25 homeless, again, of single males has increased in

1
2 this year. I mean, it suggest--I mean, to me it
3 explains the numbers.

4 [Pause]

5 COMMISSIONER HESS: Well I think
6 we're confusing two populations. People living on
7 the streets--

8 COUNCIL MEMBER JAMES: Right.

9 COMMISSIONER HESS: --is a distinct
10 population.

11 COUNCIL MEMBER JAMES: No, I
12 understand. The people living on the street,
13 they're eligible for safe havens and for
14 supportive housing. Individuals in the intake
15 program who are not chronically homeless are not
16 eligible. What are you doing--

17 COMMISSIONER HESS: [Interposing]
18 Well that's not necessarily true, they're
19 certainly eligible for shelter. They--

20 COUNCIL MEMBER JAMES: [Interposing]
21 Fifty percent of them are not.

22 COMMISSIONER HESS: --they go
23 through, they go--I'm sorry?

24 COUNCIL MEMBER JAMES: Fifty percent
25 are not. What percentage in the homeless, in the

intake center are not eligible for safe havens and/or for the New York/New York agreement program? What percentage would you say?

COMMISSIONER HESS: Well as I tried to explain, safe havens are available for chronically homeless individuals living on the streets--

COUNCIL MEMBER JAMES: Correct.

COMMISSIONER HESS: --not for individuals that have come into an intake center.

COUNCIL MEMBER JAMES: Correct.

COMMISSIONER HESS: Of the individuals that come in the intake center, they're all eligible for shelter. They all go through an assessment period, they're all then, based on that assessment, assigned to the appropriate program shelter where the program staff helps them align their variety of exit strategy with their needs and helps them move toward those exit strategies--

COUNCIL MEMBER JAMES: [Interposing]
But the exit--

COMMISSIONER HESS: --and move back into housing.

COUNCIL MEMBER JAMES: --but the exit strategy is not safe havens and/or the New York/New York agreement program, yes?

COMMISSIONER HESS: It is not safe havens, it may well be a New York/New York placement.

COUNCIL MEMBER JAMES: Okay. So the New York/New York program can include individuals who are chronically homeless and individuals going into the intake center, yes?

COMMISSIONER HESS: That's correct.

COUNCIL MEMBER JAMES: Okay. So now, what programs are eligible or are available for the individuals in the intake center? What are we doing to address the needs of those in the intake center since, again, there were 10,000 or 18,000 some odd individuals in the intake center?

COMMISSIONER HESS: Supportive housing is an option. Returning to be housed with family or friends is an option. Utilizing the variety of Advantage programs is an option--

COUNCIL MEMBER JAMES: [Interposing]
Can I just stop you there? Supportive housing, how many supportive housing units are available in

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the city of New York?

COMMISSIONER HESS: Oh, I think
there's [pause] yeah, I mean, we have--

COUNCIL MEMBER JAMES: As of today.

COMMISSIONER HESS: --I think there
--

[Off mic]

COUNCIL MEMBER JAMES: Very few
vacancies? Very few vacancies.

COMMISSIONER HESS: Very few
vacancies, but there's thousands of supportive
housing units been built and thousands more that
are being built.

COUNCIL MEMBER JAMES: But as of
today, as was testified by the deputy, there are
very few vacancies today. What about the
Advantage? How many units are available under
Advantage and/or vouchers? As of today.

COMMISSIONER HESS: The number of
single individuals in shelter with Advantage
vouchers is hundreds.

COUNCIL MEMBER JAMES: Hundreds?

COMMISSIONER HESS: Hundreds.

COUNCIL MEMBER JAMES: Less than

1,000?

COMMISSIONER HESS: I'd say less than a thousand's correct.

COUNCIL MEMBER JAMES: Okay. And last night how many individuals were--how many individuals entered into the Bellevue intake center last night?

[Pause]

[Off mic]

COMMISSIONER HESS: Give us just a second, we'll look it up.

COUNCIL MEMBER JAMES: Sure.

[Pause]

COMMISSIONER HESS: What is it?

GEORGE NASHAK: Hundred and 16.

COMMISSIONER HESS: Hundred and 16.

COUNCIL MEMBER JAMES: And as far as you know, how many individuals are currently being housed at Bedford and Atlantic?

COMMISSIONER HESS: Bedford-Atlantic?

COUNCIL MEMBER JAMES: As of last night.

[Pause]

COMMISSIONER HESS: 185.

[Pause]

COUNCIL MEMBER JAMES: And is Peter Young still open?

COMMISSIONER HESS: Yes.

COUNCIL MEMBER JAMES: Okay. And how many beds are at Peter Young?

COMMISSIONER HESS: Hundred and 50.

COUNCIL MEMBER JAMES: And are there any other intake centers in the city of New York and/or facilities where homeless men are being housed on a temporary basis? [Pause] And if so, what's the total number?

[Pause]

COUNCIL MEMBER JAMES: Six thousand-

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GEORGE NASHAK: Eight [off mic]

COMMISSIONER HESS: George, why don't you come and join me at the table so you can--

COUNCIL MEMBER JAMES: [Interposing]
Six thousand eight hundred and forty-six single men were housed last night in the city of New York?

GEORGE NASHAK: That's the number...

[Pause]

COUNCIL MEMBER JAMES: Of
individual.

GEORGE NASHAK: [Off mic] last
night.

CHAIRPERSON DE BLASIO: Could you
please introduce yourself for the record?

[Pause]

GEORGE NASHAK: My name is George
Nashak, the deputy commissioner for Adult Services
at DHS.

COUNCIL MEMBER JAMES: How are you?

GEORGE NASHAK: So there were 6,846
individuals sheltered by New York City last night
in the formal shelter system. Of those 4,953 were
single adult men.

[Pause]

COUNCIL MEMBER JAMES: And again, so
the 4,953 single men that were housed in the city
of New York last night, what is the plan to
address their housing needs by DHS?

GEORGE NASHAK: Well, councilwoman,
they were sheltered, they weren't housed last

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2 night, so--

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COUNCIL MEMBER JAMES: Okay.

4

Sheltered.

5

6 GEORGE NASHAK: --we expect each of
7 our providers, the directly operated providers, as
8 well our contracted providers, to create a
9 specific independent living plan for everybody
10 they're working with in the shelter system. That
11 plan is tailored to the needs of that individual
12 and what brought them to homelessness in the first
13 place. In some cases, people have disabilities
14 that lead them to require things like supportive
15 housing where they will get housing plus on-site
16 support services. In some cases, there are
17 basically economic issues, someone needs to return
18 to the job force, who needs to get a subsidy to
19 return to a [crosstalk]--

20

COUNCIL MEMBER JAMES: [Interposing]

21

Do you believe that by the end of this

22

administration's term that you will have permanent

23

24 housing for those 4,953 single men? Do you think
25 you'll meet your goal?

26

[Pause]

27

GEORGE NASHAK: We place out of the

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2 shelter system approximately 10,000 people a year.
3 Do I think that a large percentage of those 4,900
4 people will be placed in housing by the end of
5 this administration? Yes. Will they be replaced
6 by new people coming into the system, who will
7 then need to have the same experience? Yes.

8 COUNCIL MEMBER JAMES: Going back to
9 the decentralization of the men's intake center,
10 you indicated earlier that 30% come from Brooklyn,
11 30% from the Bronx, 30% from Manhattan, and I
12 presume 10% from Queens and/or Staten Island.

13 COMMISSIONER HESS: Not exactly.
14 It's 30% from Brooklyn and let us give you the
15 other exact numbers. 20--

16 COUNCIL MEMBER JAMES: And how did
17 you come to this determination?

18 COMMISSIONER HESS: This is what is
19 self-reported when people walk into intake on
20 their applications. Thirty percent from the
21 Bronx--I mean, 30% from Brooklyn, 29% from the
22 Bronx, 26% from Manhattan, 13% from Queens, and 2%
23 from Staten Island.

24 COUNCIL MEMBER JAMES: So let me ask
25 you this question, going back to your change in

1
2 direction on decentralizing the men's intake
3 center, have you thought about each borough
4 housing their percentage of the homeless
5 population? For instance, in the Bronx, don't you
6 believe that they should take care of their 30%?
7 The Manhattan as well and Brooklyn as well?

8 COMMISSIONER HESS: We have
9 facilities across all five boroughs of the city.
10 With respect to the specific question that you're
11 alluding to with Bedford-Atlantic and the intake
12 operation there, we have said after hearing from
13 you and others that we would take a look at
14 opportunities to have an access point in Manhattan
15 and continuing and we're in the process of doing
16 that.

17 COUNCIL MEMBER JAMES: Have you
18 identified that access point?

19 COMMISSIONER HESS: Well, the access
20 point is 30th Street at this point in time, will
21 be at 30th Street we believe until June of next
22 year and so we're going to seek other options or
23 beginning to explore other options now.

24 COUNCIL MEMBER JAMES: And the other
25 options that you are seeking, can you--have you--

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do you have any specific locations?

COMMISSIONER HESS: No, I think we've been on the record to say that we will look at every city facility that we have.

COUNCIL MEMBER JAMES: So you're currently thinking about maintaining the facilities that you have now and utilizing one of those facilities as an intake center as opposed to opening--as opposed to finding an additional location.

COMMISSIONER HESS: We'll look at all of our options. Our first cut at this is looking at existing DHS operations, yes.

COUNCIL MEMBER JAMES: And your plan to change the Bellevue Center or to transform it into a luxury hotel has been described. Is that still the plan of this administration?

COMMISSIONER HESS: My plan is to continue the progress we've made to eliminate or downsize where possible our largest facilities, we did that in the case of Camp LaGuardia, we're doing that now in the case of the downsizing at Bed-Atlantic, we've done that in the case of Charles Gay, which once housed over a thousand

men--

COUNCIL MEMBER JAMES: [Interposing]

Let me ask you this--

COMMISSIONER HESS: --but now has three separate facilities, we'll continue to do that at 30th Street.

COUNCIL MEMBER JAMES: Let me ask you this question, after September 2009 when you plan on closing Bellevue, what your plans for the Bellevue site?

COMMISSIONER HESS: The Bellevue location, we have said repeatedly, we expect to cease operations there by June of 2009.

COUNCIL MEMBER JAMES: June. And then the plans for that site?

COMMISSIONER HESS: The plans for that site is it reverts to the city inventory and it'll be disposed of in or redeveloped in whatever means the administration seems--deems appropriate.

COUNCIL MEMBER JAMES: Do you have any idea what those means would be at this point?

COMMISSIONER HESS: You know, I read the papers like everybody else, I've heard there's some discussion around hotels and other things. I

1 don't--I'm not privy to the specific plans.

2 COUNCIL MEMBER JAMES: And do you
3 know whether or not those revenues would be--they
4 would go into the general fund as opposed to back
5 to DHS?
6

7 COMMISSIONER HESS: I don't know the
8 answer to that question.

9 COUNCIL MEMBER JAMES: And you also
10 understand that to convert that property to a
11 luxury hotel would require the support of the City
12 Council, you've heard that right?

13 COMMISSIONER HESS: I have heard
14 that.

15 COUNCIL MEMBER JAMES: Yeah? And I
16 guess you've also heard that right now the City
17 Council does not support that.

18 COMMISSIONER HESS: I've heard that
19 certain members don't support that.

20 COUNCIL MEMBER JAMES: Okay. So let
21 me just say again, publicly, I will not compromise
22 with wrong. It is my position that I will protect
23 my community. We have accepted our fair share of
24 social services and human services in North Crown
25 Heights and Bedford-Stuyvesant. We will stand up

1
2 for the needs of the homeless, we will protect
3 them, we will provide for the homeless that are
4 currently housed within our community. And I know
5 that you recently resolved a long-standing
6 litigation with the Legal Aid Society, but as I
7 said Friday, you've opened up new hostilities and
8 new litigation. Thank you.

9 [Pause]

10 CHAIRPERSON DE BLASIO:

11 Commissioner, I want to connect with that point on
12 the larger question here of where we're going with
13 our number of folks in shelter and how the growing
14 pressure I think we're going to feel from our
15 economy, from the need to do better on our plan
16 could have unintended consequences and how we're
17 going to manage that and make sure that in pursuit
18 of a good goal, something bad that doesn't happen.
19 So let's start right here with Bellevue and Bed-
20 Atlantic. I think I will at least give you credit
21 that, unlike many other people we've all
22 encountered along the way in the administrative
23 branch over the various administrations, at least
24 you've come into this equation talking about some
25 things you could do for the Brooklyn community as

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2 part of the equation. But, unfortunately, the
3 most important thing that could have been done to
4 start the discussion didn't happen is exactly what
5 council member James is talking about, which would
6 be to have a location in Manhattan that would
7 serve people where they obviously need the
8 service. Even DHS's own numbers prove that the
9 level of intake that has occurred in Manhattan
10 makes it the obvious first choice for a huge
11 number of folks in need of service. So [pause]
12 this discussion in a sense started backwards with
13 the effort to focus on Bedford-Atlantic without
14 any real discussion with community leaders or
15 elected officials to seek a consensus before the
16 plan was initiated, but the biggest missing piece
17 was there was no commitment to a Manhattan site.
18 So what I hear now is, I guess, some progress in
19 the sense that you're seeking a Manhattan site.
20 I'm a little confused since this question of
21 Bellevue, both its own problems as a site,
22 separate from its value as land, you know, that
23 question's been out there for a while, then the,
24 obviously, the interest in the administration
25 getting the value for the land. I mean, none of

1 this is new, so I'm confused why long ago there
2 wasn't a census taken of possible properties that
3 could have allowed for an effective location in
4 Manhattan and the right kind of location, not just
5 a superficial office, but a location that offered
6 the appropriate services. So I would just urge
7 you to realize there's no way to continue the
8 discussion productively until that is done
9 tangibly. There's no way any of us in Brooklyn
10 are going to have faith in the discussion until we
11 see an actual result that involves Manhattan. And
12 that's a general fair share point, picking up on
13 council member James's point about each borough
14 should handle its fair share. But it's even more
15 aggravated by the fact that there's an
16 overwhelming focus on Manhattan in the terms of
17 where people actually go looking for services and,
18 bluntly, the history of Manhattan not having
19 covered its fair share in any number of social
20 service areas. So I'm not sure all that history
21 was clear to you as someone relatively new here,
22 but I just want to be very clear that discussion
23 doesn't work unless the Manhattan location is put
24 on the table from the beginning.
25

[Pause]

COMMISSIONER HESS: I appreciate your thoughts on this, Mr. Chairman. I think this has been a process that has evolved in ways that are surprising on a number of fronts and disappointing on others, but we're here today. We are trying to act responsibly and appropriately. We're trying to find the kind of common ground that will allow us to provide the best services we can to homeless individuals who have a need to walk into an intake center and respect the needs of communities at the same time and we'll continue to do that.

CHAIRPERSON DE BLASIO: All right. What would you say to the critique that if we don't find an effective and appropriate and large enough Manhattan location that in effect we could have a certain number of folks who do not seek help and therefore remain on the streets? What do you say to the critique that if you pull out of Manhattan entirely or don't have the right capacity in Manhattan, that your number of people seeking shelter will go down, but it will go down for the wrong reason?

[Pause]

COMMISSIONER HESS: I think I'd rather focus on developing a solution that works. I would say that having--it's a tough argument, we've only had one intake center up until now and people find their way to it. That said, I have a great deal of respect for you and for this committee, I think all of us can honestly say that this whole intake process has played out in ways that are surprising and disappointing from a number of vantage points. I'd like to see us figure out how to do the right thing by our clients and our communities and move forward and we're committed to trying to do that.

CHAIRPERSON DE BLASIO: All right. Now, let me stay in this vein here, the question in my mind is we're going to be pushing you to achieve better numbers, get more folks out of shelter the right way. We don't want that ever to turn in to the temptation of folks down the line in the DHS system or any other agency to get people out of shelter the wrong way, which means sending people out who are not ready and don't have the right options or not letting people in to

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2 begin with. So I've raised the concern about how
3 this Bellevue situation, this Bed- Atlantic
4 situation could unfortunately contribute to people
5 not coming into shelter who actually need shelter
6 because they can't access it appropriately and I
7 daresay Bedford-Atlantic is well off the beaten
8 path in terms of where most people in the city can
9 effectively reach. Now in the same vein, I do not
10 want to have another debate on the PATH intake
11 process, we fundamentally disagree in terms of
12 [pause] the reapplication process and folks who
13 have been turned away, we don't have to re-
14 litigate that, we just plain disagree. But I
15 would like to hear your current numbers since you
16 initiated the change at the PATH center and turned
17 away families that were reapplying. How many
18 families have you turned away to date?

19 [Pause]

20 COMMISSIONER HESS: Let me begin by
21 putting into context the fact that the
22 reapplication process that you allude to starts
23 with a family applying for shelter. When that
24 family applies for shelter, they are given 10 days
25 of conditional placement in shelter. During those

10 days we do a thorough eligibility investigation with two field investigators returning to the prior residences, talking to the primary tenants, looking at the space, determining whether the family has an available housing option and is that housing option safe and appropriate. If we believe that they do not have a viable housing option or if the housing option that may be available is not safe or appropriate, then we find them eligible for shelter. If we find that they do have a viable housing option that is safe and appropriate, then they are found ineligible for shelter. If they then--we ask them at that point to return to the housing option we know them to have after the thorough investigation. If they then leave and don't return to that housing option or go somewhere else or come back to PATH, when they've returned to PATH, we will ask them if there has been a change in circumstance. If they tell us that there's been a change in circumstance, that change in circumstance is considered. If that rises to now having an immediate need for shelter, we house that family. If, in fact, nothing has changed, then we again

ask them to return to the housing option that we know them to have available. And so that has happened a number of times since the new policy was put into place--266 times to be exact--where a family has returned and upon their return has not had a change in circumstance and we've asked them to return home. Now having said that, there has also been 263 occasions where families have returned and when they've returned, they made us aware of special circumstances, and we re-house those families.

CHAIRPERSON DE BLASIO: Okay.

COMMISSIONER HESS: There's also been 46 families that were given a new conditional placement upon their return based on a change in circumstance that established an immediate need for shelter. And so to the extent that families have returned, in well over half the cases [pause] they have demonstrated either special circumstances or a change in circumstances and been re-housed in shelter. On 266 occasions, there did not have a change in circumstance or an immediate need and were asked to return to the housing option that the investigation had shown

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2 them to have.

3 CHAIRPERSON DE BLASIO: All right.
4 Commissioner, just keep it simple 'cause I
5 appreciate your recitation, but obviously we've
6 been over this before. I'm trying to get to a
7 simple point, 266 families is a lot of people and
8 that involves obviously a lot of children and my
9 problem with this always has been these are
10 subjective judgments, this is not--there's not a
11 perfect computer out there that figures out
12 whether someone's giving you all the right
13 information and how tenuous or stable their
14 situation is. Obviously, a number of these
15 families have come and reapplied because they
16 didn't have a viable situation, they argue the
17 case, your case workers thought otherwise, maybe
18 sometimes your case workers are right, I'm sure
19 sometimes they were wrong and you end up with
20 families on the street. So you could say, well
21 those 266 families, every single one of them
22 really didn't belong here. I'm sure that's wrong
23 and I'm sure a number of those families ended up
24 in a very negative situation, because it is a
25 subjective judgment and that's the same point I'm

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2 trying to raise, that there's going to be pressure
3 now, I think, on people to achieve the goals we
4 need to achieve, but I don't want those goals
5 achieved the wrong way. So 266 families, that's a
6 lot and the margin of error means a lot of folks
7 affected.

8 COMMISSIONER HESS: Mr. Chairman, I
9 would agree with you and the fact that that is
10 true is why we have a whole series of checks and
11 balances in place throughout the application
12 process. And in fact, if a family is found
13 ineligible for shelter because they have another
14 housing option, then they have a right to request
15 a legal conference, they also have a right to
16 request a state fair hearing that will be
17 expedited. And so there is a variety of
18 safeguards in place. I have to say that with
19 respect to families that have exercised their
20 rights, and we encourage them to do that, on over
21 94% of the cases, the state administrative law
22 judges have found in favor of the city and the
23 decisions the city has made with respect to the
24 housing options available. That's not perfect,
25 and I admit that, but it's pretty good.

CHAIRPERSON DE BLASIO: Well I

respect your argument, I'm not sure I agree that there's such consistency in the process because I am familiar with the way that the original assessment is made of whether people have options, and I am certain that a case worker may see an option that doesn't really exist in real life.

And I'm also certain a lot of times all of the information is not available to them when they have to make that judgment and again there is pressure to come up with a no, rather than a yes.

So I wanted to get the numbers from you, you've given me the numbers, we disagree. It's all part of a larger concern that we're not turning away people for the wrong reasons and that takes me to your report from yesterday, and you use a phrase in here that everyone in New York City could agree with in theory, but that worries me in application. You talk about client responsibility and you talk about the fact that you're going to apply client responsibility standards in a manner that you think is more meaningful. Let me say very clearly, there's no one up here doesn't want accountability and doesn't want client

responsibility, I think all of us feel deeply that we only want the folks who really need the services getting them. We don't want anyone else taking advantage of it, we don't want anyone staying in the shelter long than they need to be. We want to--in fact, because I am worried about where things are going, I want to make sure only those in greatest need are getting what they need first. And [pause] so, again, intellectually, who could disagree with client responsibility, but what does it mean in practice. Where does it take us. Again, what pressure does that put on the average DHS worker or caseworker to move people out of shelter quickly, maybe prematurely. Is this going to be a dynamic where client responsibility becomes a catchword for hurrying people along in the process, whether they are actually ready to stand on their two feet or not?

COMMISSIONER HESS: Mr. Chairman, a number of times today, you have made the point, and I think forcefully and rightfully so, that we need to honor the eligibility process as it is, that we should not in any way be putting pressure on people to find families with children that come

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2 into our front door as ineligible if they do not
3 have another housing option. You have talked
4 about the need to ensure that people move back in
5 the community, which is a goal we all share, but
6 we need to do that appropriately and I just want
7 to assure you that we share your concerns on these
8 issues. We have a very, I think, vigorous, robust
9 eligibility process that is well documented, I
10 think it needs to be followed, we'll monitor that
11 closely as we always do. The eligibility of
12 people coming into the shelter system is
13 something, and the investigation that goes along
14 with it, something we take very seriously, we work
15 very hard to get it right on every occasion. You
16 are also right that we're not perfect and when we
17 are made aware of a mistake, that we correct it
18 quickly. And so we'll continue to do our best to
19 strive toward the perfection that we all like to
20 achieve there, understanding that the system of
21 this and complexity is difficult. With respect to
22 families leaving the shelter system, yes, we
23 believe that shelter should not be considered a
24 home, as I know you share that view. We believe
25 that families and individuals should have the

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2 opportunity to get the support they need and then
3 move back to the community as quickly as possible
4 and we want to do everything we can to help them
5 do that. With our HomeBase citywide now providing
6 aftercare, they'll get support even after they
7 move back into their own homes. We don't want to
8 be forcing people out of shelter and so we're
9 going to do everything to help people. Now when
10 it comes to the personal responsibility, I think
11 that is a tool, that is an important tool that
12 people have to understand that this is a two-way
13 street. The taxpayers of this city are enormously
14 generous in providing services and housing to
15 people in shelter and support, and individuals
16 that are able to work towards moving back into the
17 community should be doing that, and so it does
18 need to be a two-way street. The issue of
19 personal responsibility is one that, you're right,
20 I think we can all agree to intellectually and it
21 does come down to how is it going to be
22 implemented and we're going to be looking at that
23 very carefully and we'll be happy to come back and
24 have some conversations with you about that. But
25 the bottom line on this is that with client

responsibility, just as with the eligibility process, there will be something of a lengthy process because of all of the protections and checks and balances that will be built into the system along the way, including fair hearings in front of state administrative law judges and other safeguards along the way. So [crosstalk]--

CHAIRPERSON DE BLASIO:

[Interposing] But, Commissioner--

COMMISSIONER HESS: --something we'll take very seriously.

CHAIRPERSON DE BLASIO: I appreciate that, but what does it mean? You are--it seems like a sort of a very--a passage in here, very heavy with meaning and yet it is not explained. You said there's 2,500, over 2,500 families--and this is again from your report yesterday--over 2,500 families in shelter currently have rental assistance support available, yet remain housed by the city. Every single one of those families, if they can stand on their own and if the support's there, of course, I agree, we want them to get to self-sufficiency, but what does it mean in practice. Is this a change in policy, are you

going to be doing something different in the shelters? Are case workers going to be instructed differently as result of what you're saying here?

COMMISSIONER HESS: What we're saying here is that personal responsibility will be a process. To the extent that people are cooperating in supporting themselves and their move to permanency, we want to support and help them. To the degree that we have some number of families with children in this case that are unwilling to go look for apartments or go down that path toward permanency, that we then will have a process, they may move to a next step facility. They may beyond that go through a client responsibility process that could find them before an administrative law judge at some point in time explaining why they're not working towards permanency.

CHAIRPERSON DE BLASIO: Is this a new policy?

COMMISSIONER HESS: This is a old policy that was kind of changed--well not kind of, it was changed during the two years of the special master panel review and has not been not been

exercised since that time.

CHAIRPERSON DE BLASIO: Okay. To summarize on this point, what I've put out to you today, and you did respond to some of my suggestions, you said you'd come back, but I put out what I think are positive solutions. Greater focus on prevention, particularly anti-eviction legal services, greater use of Section 8 and NYCHA units, more flexibility in terms of the Advantage program to recognize people's circumstances, speeding up the creation of permanent supportive housing, and more tangibly addressing the issue of the three-quarters houses and the other substandard options that people end up in that lead them back, unfortunately, to the streets or to shelter. Those are to me positive in the sense of we're solving problems or we're providing new opportunities and we're actually trying to make the number of people in shelter on the street go down for the right reasons with lasting results. What this--we've talked about in this last few minutes is in effect, what could be the negative elements of an approach? What could be the disincentives, which, again, I think need to be

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2 approached very, very carefully because I fear
3 that the negative strategies don't cost anything
4 and then, therefore, become very, very appealing
5 to the folks in any administration, especially the
6 numbers crunchers. And I would just feel that
7 you've made a compelling case that you believe in
8 due process and I appreciate that. I couldn't
9 disagree more that that doesn't make me feel any
10 better about what's happening at PATH because I
11 still think that means real families end up in a
12 very bad situation. But where I'm trying to sort
13 of draw the line today in terms of how this
14 committee and this council approach oversight over
15 the next 15 months is to say, you know, we're
16 going to be watching this question very carefully.
17 If the numbers of folks in shelters start to
18 decrease, which would be a good thing, we want to
19 make sure it's decreasing for the right reasons,
20 not for the wrong reasons and we're going to be
21 watching very carefully to make sure that a new
22 approach like this is not being applied
23 overzealously on the ground--I'm not saying you,
24 I'm saying you got a lot of folks who are going to
25 be under a lot of pressure to produce--we're going

1
2 to be watching to make sure this policy is not
3 carried out in the wrong manner. I want to just
4 take you to one or two more things here before we
5 conclude this section of your testimony. I just
6 think the people of the city deserve to understand
7 the overall numbers, we see the numbers in
8 shelter, again, relatively small change, a lot of
9 folks in shelter right now, over 34,000 by your
10 count--your very current count. How much more
11 capacity do you have in shelter today if--if there
12 was a horrible situation and people needed shelter
13 immediately in this city, how many more people can
14 you accommodate at this very moment?

15 COMMISSIONER HESS: We would provide
16 shelter to as many people as needed tonight.
17 That's our legal obligation and we will meet that
18 obligation.

19 CHAIRPERSON DE BLASIO: How many
20 more beds do you have? I mean, what is your
21 maximum at this point?

22 COMMISSIONER HESS: Well in a, in
23 actual under contract capacity I think we're
24 running a vacancy rate of 2 to 3%, in that range.
25 Beyond that, we have some ability to add some

1 additional units. Beyond that, we have a process
2 whereby we can--actually the administration can
3 come back to council, I believe, for some
4 emergency authority on some of these things. And
5 so, beyond that, our department over the last
6 number of years has also been given the
7 responsibility of preparing to house New Yorkers
8 in the event of a coastal storm plan and so
9 there's interaction with schools and other places.
10 And so I think there's a variety of options, I
11 hope none of them are ever necessary to exercise,
12 but we understand our moral and legal obligations
13 to house however many New Yorkers come to us in
14 need tonight and we will meet that obligation.

16 CHAIRPERSON DE BLASIO: Well I
17 appreciate that, I guess I'm trying to get at just
18 a different point. Right now, you're at 34,165
19 folks in shelter, again, not that far from the
20 all-time high, unfortunately. If I'm listening to
21 everything you just said, it sounds like you've
22 got a few thousand more beds available to you at
23 any given point and then after that you're going
24 to brand new expenditures that have to be
25 authorized by the council or use of other public

1
2 buildings or schools, etc., but that in real
3 terms, it's not a huge number available to you.
4 Is that a fair statement?

5 COMMISSIONER HESS: That's a fair
6 statement.

7 CHAIRPERSON DE BLASIO: Okay. So I
8 think that just, and I would just add that as a
9 side point, I think--I appreciate what you've done
10 with the safe havens and outreach teams, I think
11 every council member appreciates the notion of the
12 way you've changed the outreach teams and made
13 that more of a part of the solution that's been
14 very present in our communities and I appreciate
15 that. But by definition, the safe havens and
16 outreach teams have limited capacity, even if
17 you're trying to expand it. Compared to these
18 overall numbers, it's a smaller part of the
19 solution, would you agree with that?

20 COMMISSIONER HESS: Yes, but it's
21 not the only additional pieces that are available
22 to us. So, for example, in addition to the safe
23 havens and stabilization beds and drop-in centers
24 and church beds, I mean one of the things that
25 we're doing now as some of these contracts are

1
2 beginning to wind down is, I think we'll be
3 issuing a new concept paper here very shortly that
4 will try to figure out how we can best utilize not
5 only outreach teams and the great work that
6 they're doing and the safe havens and
7 stabilization beds, but also incorporate the
8 services that are available in drop-in centers and
9 the tremendous benefit that we receive across this
10 city from faith-based organizations that provide
11 beds every night. And so there's a whole series
12 of these pieces that we constantly work to figure
13 out the best way to integrate each of these
14 variety of services to be as effective as
15 possible.

16 CHAIRPERSON DE BLASIO: And I
17 appreciate that as an idea, but in tangible
18 reality, again, I think first of all, if you add
19 all that up, it still sounds to me like you're
20 effecting maybe several, maybe a thousand, several
21 thousand people if you take the outreach teams and
22 the safe havens and the church centers versus,
23 again, a shelter census of 34,000, a street census
24 that's very high as well. So I appreciate that
25 that's-- I don't think anyone is saying those

1
2 aren't good directions to go in, I think we're
3 saying they don't necessarily change the big
4 picture. I do also note that several drop-in
5 centers have been closed recently so, you know,
6 some capacity is going up, while others are going
7 down. In the same vein, aftercare which I
8 absolutely commend you for, in addition to the
9 focus on prevention, aftercare, to me, sort of
10 seals the deal when it's done right and if it
11 keeps someone self-sufficient, again, the taxpayer
12 should be thankful every time someone gets to
13 self-sufficiency and stays there. But, again, I
14 don't think in reality the aftercare numbers are
15 so stunning, meaning I don't think you have the
16 resources to provide aftercare to everyone. I
17 think it's--sounds to me like a fairly small
18 percentage that you can actually reach with
19 aftercare of those who leave shelter. Would you
20 agree with that?

21 COMMISSIONER HESS: Well, I would
22 say that not everyone who leaves shelter is going
23 to need aftercare and so have we been able to
24 strike the right balance between those that need
25 it and those we're able to provide it for? I

1
2 think it's a little early to tell. You know, we
3 haven't been a year into citywide aftercare and so
4 I think that's all the more reason why we need to
5 assess and evaluate and figure out if we've got
6 the balance right and if we do, great. Probably
7 we don't, you usually don't get it right the first
8 time out of the box with these things and so we'll
9 have to make some adjustments along the way, I
10 suspect.

11 CHAIRPERSON DE BLASIO: I appreciate
12 that. Okay, in conclusion, Commissioner, I think--
13 -and, first of all, thank you for your time here
14 today and for the work your team's done to prepare
15 for this. We obviously have some real
16 disagreements and we have some other areas where
17 we appreciate very much the directions you've
18 taken the agency. What I'd ask of you in short
19 order--and we will find the appropriate venue here
20 to come back and address this question--is that we
21 make sense of these overall numbers. If you
22 accept the notion that we have to always guard
23 against the wrong kind of decisions at the front
24 end of the process or the back of the process.
25 And if you accept the notion that we have a very

high number of people in shelter and we're not making the kind of progress we want on our overall goals. And if you accept the notion that some of the new things you've instituted--the safe havens, the outreach teams, the aftercare--are all helpful but are not yet in a position to change the big picture numbers very, very substantially. This equation adds up still to me that we've got to do a lot more and we've got to do it quickly and we've got to do it boldly to have any real impact on this crisis and, again, I argue this is a better time to do it than what's up ahead. So I ask of you, when we next meet that you provide us with a very clear sense of what can be obtained and what it's going to take and I bet you would find that this council would be the first to look for every possible way to support you with resources and whatever policies it took if we believe that it would be a way to really substantially reduce the number of people in shelter the right way. On that we would believe that, in fact, our constituents would find us correct in that because it would be the right thing for the city and the future of the city, it

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2 would also be the right thing for the taxpayer to
3 get people to self-sufficiency. So when we meet
4 again, I hope we will have a very specific plan
5 that addresses those issues.

6 COMMISSIONER HESS: We'll look
7 forward to doing that and continuing this dialogue
8 and working with the--just the very professional
9 staff of DHS and throughout the provider community
10 to achieve the best possible results we can
11 achieve for any man, woman, or child that ever
12 experiences homelessness in the city. And we
13 appreciate the opportunity to share our thoughts
14 on this with you and members of your committee
15 today.

16 CHAIRPERSON DE BLASIO: Thank you
17 and I think we have a little statement to conclude
18 from council member James.

19 COUNCIL MEMBER JAMES: Just a last
20 statement that I do not believe that it's in the
21 best interest of the homeless population,
22 particularly in the Bronx and/or Manhattan to
23 track to Brooklyn to receive services. I do not
24 believe that it's in their best interests and I
25 believe that you really need to find other

portals, other access points throughout the city of New York. I believe this will be a barrier to individuals who--vulnerable individuals and families seeking assistance and, again, I stand firm in my opposition against an intake center in Atlantic--at Bedford and Atlantic as a result of all of the services that we currently have in our community. Thank you.

CHAIRPERSON DE BLASIO: Thank you, Commissioner.

COMMISSIONER HESS: Thank you, Mr. Chairman.

CHAIRPERSON DE BLASIO: Our next panel will be from the Independent Budget Office, Brendan Cheney and Kerry Spitzer. [Pause] Okay. If we could have from the Independent Budget Office Brendan Cheney and Kerry Spitzer, please take your places. Let me start by thanking the Independent Budget Office. I think everyone knows that there's an incredible service they do for New York regularly by being an independent and objective voice of what's happening with our budget and our economy and I turned to them in the spring and said, could we look at the reality of

1
2 the goals that the administration set on
3 homelessness and really understand what has been
4 achieved, what has not, what's worked, what
5 hasn't, and could we get an independent view of
6 that. And I very much appreciate the hard work
7 that went into that assessment, and I, when it
8 came out some weeks ago, I found it to very much
9 further debate on these issues. So I thank you
10 both for the work you did on that and we welcome
11 your testimony.

12 [Pause]

13 BRENDAN CHENEY: Good afternoon,
14 Chairman d Blasio and members of the General
15 Welfare Committee. I am Brendan Cheney, budget
16 and policy analyst for the New York City
17 Independent Budget Office. Seated with me is
18 Kerry Spitzer, also a budget and policy analyst
19 with IBO. Thank you for the opportunity to
20 testify at today's hearing. In 2004, the Mayor
21 announced Uniting for Solutions Beyond Shelter, a
22 five-year plan with the ambitious goal of
23 decreasing homeless shelter populations and the
24 street homeless population by two-thirds by 2009.
25 In July of 2008, we produced a report at the

request of council member de Blasio focusing on the Mayor's homelessness prevention efforts, an important part of the Mayor's five-year plan. Our report found that while prevention spending has been increasing, shelter populations were not declining as the plan anticipated. In fact, the family shelter population increased from 2005 through 2007 before declining in fiscal year 2008. The single adult shelter population declined from 2004 through 2008, but is not currently on target to reach the goals of the plan. The Mayor's plan envisioned using savings from a decline in the shelter population to fund other efforts to alleviate homelessness, but rather than savings, spending has increased. Family shelter costs have increased 13% or \$47.9 million and single adult shelter costs have increased 11% or \$22.5 million since 2004. Savings could materialize if single adult shelter rates continue to decline and family shelter rates also decline as they have been recently. The question will then be whether budget conditions allow them to reinvest or whether they will use the savings as a budget reduction. City expenditures on homelessness

prevention grew from 160.6 million in 2004 to 191.2 million--an increase of roughly \$30 million or 19%. Part of the increase in prevention spending comes from the implementation of HomeBase as a pilot program in six community districts in September 2004. The program funds community-based organizations that help families at risk of homelessness secure services and one-time cash assistance. The department states that the program has been successful and points to statistics showing the increase in shelter entrants was less in the six community districts than in comparable community districts. In fiscal year 2008, the city expanded the program citywide with seven nonprofit groups responsible for 12 catchment areas. As the program has expanded citywide, it has also expanded its mission to include aftercare and diversion services. Regardless of how many fewer people are in the city shelters and whether or not the decline has met targets, it is essential that we better understand the factors that affect changes in the shelter population. Policy makers need to evaluate on a regular basis which of the

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2 homelessness prevention programs are most
3 effective, as well as the effectiveness of rental
4 assistance programs in moving people quickly from
5 shelter into permanent housing. They must also
6 look at other matters that influence trends in the
7 shelter population, such as overall economic
8 conditions and housing prices. It is only through
9 comprehensive looks at the interplay of all these
10 factors that we can ensure that we are investing
11 in the programs that can best reduce shelter stays
12 that are costly in both fiscal and human terms.
13 Thank you again for the opportunity to testify and
14 I would be happy to answer any questions that you
15 have.

16 CHAIRPERSON DE BLASIO: Thank you
17 very much. Again, this report, I think it's
18 interesting, this was all happening sort of in
19 plain sight, but until the IBO actually made sense
20 of the numbers and put an independent stamp on it,
21 I feel like--excuse me--this reality was happening
22 and no one is really addressing it and we, you
23 know, we've continued to ask over the years in
24 this committee why we weren't making more progress
25 and why we weren't focusing on new policies, but I

1 think what you did really crystallized the debate
2 and I thank you for that. I kind of have a
3 concern though in terms of what I think the
4 overall goal of your study was versus--I think the
5 title to an extent obscured the bigger picture a
6 little. I think the narrow question whether the
7 homelessness prevention efforts have worked versus
8 the overall strategies in numbers. So I just--I'm
9 editorializing, but, of course, welcome your
10 comment. I feel like the big picture question is
11 where are the numbers going, I think you
12 documented that well, and are all of our
13 strategies working or not and I think we can
14 safely say they're not working enough. I think
15 the subset question of prevention, there's no
16 question that prevention is not a quick fix and it
17 doesn't mean that you reach exactly every person
18 at the right time and, you know, you have a sort
19 of one-to-one impact or you find the exact person
20 at the exact moment about to be on the verge of
21 homelessness and get that person and stabilize
22 the. By definition, you have to reach a lot of
23 people to find the ones who really might be in
24 that situation and, from my point of view, it's
25

all to the good because all those folks are being helped and maybe some are on an immediate verge of homelessness, others it might be later, others it might just get them on a better long-term path.

But I am struck on page 4, I think [pause], page 4 of your original report that you point to the information from the Mayor's Management Report regarding homelessness and those numbers are quite strong in terms of the correlation between folks who did receive HomeBase preventative services and their avoidance of shelter. So I just want--I'm editorializing, but, again, welcome a comment, I feel like [pause] what we have with prevention is a success story, but one that we have to understand the limitations of. And I feel we should go deeper into it, constantly refine it, constantly try and figure out how to get at the--those in greatest need, and I daresay the anti-eviction piece to me is the most compelling element because there you have families that are very obviously are in a particular danger and you can find them and there's a specific service they need. So I guess I'm saying I think we should deepen the prevention effort, improve it, etc.,

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2 but I do not feel that the overall problem with
3 the numbers and shelter have to do with the
4 prevention programs--I have--I feel it has to do
5 with a series of policies and realities. How do
6 you respond to that?

7 BRENDAN CHENEY: Right, I mean, I
8 think that the goal of the report was to look at
9 the city's prevention efforts and then to put that
10 in the context of the greater shelter trends and
11 the Mayor's five-year plan. And I think what we
12 found striking was that despite these increased
13 efforts, that the city wasn't making progress and
14 we certainly, you know, have--we certainly aren't
15 trying to say the prevention isn't effective and
16 shouldn't be implemented. Instead, I think we're
17 trying to say that despite these efforts, they're
18 not meeting their goals and so we need to take a
19 fresh look at why not, find out which of the
20 prevention efforts have been most effective, which
21 haven't, if more resources need to be invested or
22 if they just need to be realigned. I mean, I
23 think that that's--I think it's the big question
24 we found when we were finishing up our analysis.

25 CHAIRPERSON DE BLASIO: And just one

1
2 quick follow-up. I know you've heard me say, the
3 point, I'm just not sure if you acknowledge this
4 in here, but just respond to it, that whenever we
5 fail to stop someone from going into shelter,
6 meaning whenever we fail appropriately to find a
7 way to help a family and they do end up in
8 shelter, that the cost of shelter is much greater
9 than the cost of various preventative efforts or
10 support we might provide, like rental subsidies
11 and anti-eviction legal services. I'm assuming
12 you could take the simple equation of the cost of
13 monthly shelter to the average monthly stay versus
14 the cost of those subsidies or legal services per
15 family. It's a pretty daunting number in terms of
16 impact on the budget and the taxpayers, so just
17 want to hear you confirm, do you agree that
18 [pause] when it works, prevention is a much more
19 cost effective solution?

20 BRENDAN CHENEY: Yeah, I mean,
21 absolutely, there's no doubt about that. I think
22 we try to look at how much is spent per person per
23 year on shelter costs and then compare that to how
24 much has been spent per person in some of the
25 prevention programs. I mean it's hard to make a

1
2 direct comparison, of course, because like you
3 said, not every time you spend money on preventing
4 someone from going into shelter, they necessarily
5 wouldn't--that it's not necessarily they would
6 have ended up going into shelter and I think
7 that's what's under dispute. But, I mean, there's
8 no doubt that there is a--that shelter costs are
9 far higher than prevention costs are per person.

10 CHAIRPERSON DE BLASIO: It's very
11 helpful. Okay. Thank you. Appreciate--oh, wait,
12 do you have a question?

13 COUNCIL MEMBER JAMES: Yeah.

14 CHAIRPERSON DE BLASIO: Can't stop
15 yourself, can you? Council member Tish James.

16 COUNCIL MEMBER JAMES: Just one
17 question. It appears based on my review of the
18 documents and all the testimony that the
19 administration's focus is on the street homeless,
20 and that's been their primary focus and on
21 prevention. Would you agree with that statement?

22 [Pause]

23 BRENDAN CHENEY: Well, I mean, it's
24 clear that the administration has put a lot of
25 focus on, definitely on their outreach programs

1
2 and the safe havens and they have been increasing
3 their efforts on prevention as well. I don't know
4 that we can say whether or not it's at the expense
5 of their programs dealing with the people that are
6 in shelter and they have tried a number of
7 different rental assistance programs. So I don't
8 know that we can necessarily say objectively
9 whether or not they've been--whether those other
10 programs are at the expense of helping the people
11 in shelter.

12 COUNCIL MEMBER JAMES: And in your
13 testimony, you indicate that the single adult
14 shelter population has declined, but according to
15 the Mayor's Management Report, the number of
16 single adults entering the system has in fact
17 increased.

18 BRENDAN CHENEY: Yeah, the numbers
19 we looked at were [pause] the average number of
20 people in shelter over the course of the year and
21 so that's going to be slightly different from the
22 number of people that have entered and so--

23 COUNCIL MEMBER JAMES: Got it.

24 BRENDAN CHENEY: --number of people
25 in shelter varies, depending on how quickly you

get them out and how many people are entering.

COUNCIL MEMBER JAMES: No, I understand, okay, that makes sense. Thank you.

CHAIRPERSON DE BLASIO: You were very efficient and to the point, thank you, council member James. And thank you very much to our colleagues from the Independent Budget Office. Thank you for being here and, again, thank you for the work you did on this issue.

BRENDAN CHENEY: Thank you.

CHAIRPERSON DE BLASIO: Now we would like to call up from Coalition for the--wait, I have a mixed panel. Legal Aid Society, Steve Banks, welcome; and from Coalition for the Homeless, Lindsey Davis and Lakima Anderson? If I'm getting any names right, please tell me--or names wrong, please tell me.

[Off mic]

[Pause]

CHAIRPERSON DE BLASIO: Sure. And [pause] okay this--have I missed someone? [Pause] I see four people.

LINDSEY DAVIS: This is Pascual Viay [phonetic].

CHAIRPERSON DE BLASIO: Oh, okay
Pascual Viay, welcome and if Ms.--

LINDSEY DAVIS: And Ms. Anderson,
also.

CHAIRPERSON DE BLASIO: Ms.
Anderson, come on up, welcome. Before, I welcome
the testimony of this panel, I want to say to
everyone, but I want to particularly single out
Steve Banks and Mary Brosnahan that--it struck me
the other day, the press conference where the
settlement of the litigation, the McCain
litigation was announced, that it's been 25 years,
that for many of us who observed these issues over
the years, I think it was fair to say it was
doubtful this day would ever come. And I also had
the strange feeling come over to me that I started
working for the city of New York first in 1983 and
my life was passing before my eyes, but I want to
commend you both because I think as the dialogue
with the Commissioner suggested--and I don't know
if you were here for all of it, the beginning in
particular--that anyone who lived through the
beginning of the homelessness crisis and
understood the sheer magnitude of it and how

1 little government responded and how
2 inappropriately government responded, would
3 instantly recognize why litigation was necessary
4 and why activism was necessary and there is no way
5 we would be where we were today in terms of some
6 of the eventual improvements in our system. And
7 certainly no way we'd be at the point of the right
8 to shelter being recognized so consistently and
9 formerly had you two and many other good people
10 not fought literally for decades. And, had you
11 given up at any point, I daresay the bad patterns
12 of government would have reasserted themselves and
13 we would not have the progress that we have and
14 that's kind of a strange statement considering
15 that the theme of this hearing is talking about
16 how many people we still have in shelter and how
17 much farther we have to go, but I guarantee you,
18 had you not done what you did, we would be in a
19 much, much worse, almost an unbelievably worse
20 situation. So I would just ask that everyone
21 appreciate your achievement and congratulate you
22 for the settlement. I think we should give you
23 guys a round of applause for that.

24 [Applause]
25

CHAIRPERSON DE BLASIO: And now back to exploring what we haven't achieved and so it was a brief shining moment, but now we go back to... So who would like to start the testimony today? And please introduce yourselves as you start your testimony.

STEVEN BANKS: Good afternoon, my name is Steven Banks for the Legal Aid Society. Thank you very much, Mr. Chair. We appreciate those comments, appreciate your support over the years as well, council member James, and we know there's some important battles yet to come involving homeless people and your community and others as well. [Pause] We really do want the Department of Homeless Services in this city to do well in their efforts to reduce the numbers of people in the shelter system, assuming, of course, those efforts are lawful and people are treated decently and receive the assistance that they need. [Pause] I want to say a couple things about the settlement and then highlight a few areas based upon the testimony and your questioning that might be useful to you as you go forward. The first thing I want to just make

clear for the record, and I know the chair knows this 'cause you were present last week when it was announced, but the settlement isn't a referendum one way or the other on what the Department of Homeless Services or the city is doing. The settlement is a legal framework to protect children and families in difficult economic times no matter who the Mayor is, no matter how difficult the budget is, the settlement creates a legal framework to protect children and families. There's been a lot of talk about ending oversight and the need to end oversight and the problems that oversight creates. The litigation was never, and will never be, about court oversight. The litigation is about whether or not New Yorkers who happen to be homeless are treated decently in accordance with legal requirements. And so let me just highlight to you what are the key provisions of the settlement. I know when people hear about the McCain litigation being dismissed and other cases being dismissed one doesn't naturally ask well, so what's left and what is left is a very powerful legal framework for children and adults. What is left is a series of agreements,

principally an agreement in a case called Boston versus the City of New York that was filed last week on behalf of Ebony Boston. Just a number of months ago, Miss Boston and her child spent several nights sleeping without any shelter in New York City--one night on the ferry terminal, one night on the subway--as a result of not being able to get shelter. And there are other families that are named in these papers who have had equally difficult circumstances that require legal redress. The final agreement is--results in a final judgment in which the city has agreed to a permanent injunction requiring the provision of shelter to families with children who lack alternative housing. That judgment is enforceable before any justice of the Supreme Court who could apply all available remedies to achieve compliance with the final judgment--enforcement orders, coercive remedies, contempt--all of the remedies that are available to enforce that judgment. That is a significant step forward legally for children and families in this city who have been living with preliminary injunctions entered in the 1980s that could potentially be swept away at any time.

1 And indeed the administration had brought a
2 litigation two years ago that was going to reach
3 its culmination last week. The aim of that
4 litigation was to sweep away those orders from the
5 1980s that preliminarily said that children and
6 families should be provided with shelter. What
7 was agreed to last week finally resolves the issue
8 and, as I said, no matter who the Mayor is, no
9 matter what the economic times are, shelter will
10 be required to be provided to children and
11 families who have no alternative housing and
12 that's an order that's enforceable in any court in
13 the city. Secondly, the city agreed to a final
14 judgment incorporating a preliminary--a permanent
15 injunction requiring that shelter meet basic
16 standards and be safe and sanitary and decent and
17 in accordance with state and local law and that
18 shelter be provided in a timely and appropriate
19 manner in accordance with state and local law.
20 And that final judgment is also enforceable by any
21 Supreme Court Justice with all the powers,
22 including enforcement orders and coercive
23 remedies, such as contempt, to ensure that that
24 order is enforced. The orders that we had gotten
25

in 1980s required the provision of habitable shelter, but those too were preliminary orders that would have been swept away if the litigation had gone the way that the city had aimed the litigation to go by bringing a motion to eliminate those orders. So, again, in terms of ensuring that shelter be habitable, that shelter be decent, that shelter be provided in a timely fashion and appropriate manner to vulnerable children and families, it's a significant step forward in terms of protections. The final judgment also includes a procedure that includes a number of different components to try to improve the current circumstances experienced by families with children in the shelter system. The procedure, which I will highlight for you, is to be in place until December 31st, 2010, and as distinct from the final judgment on the right to shelter and the right to habitable shelter and the right to timely shelter and the right to appropriate shelter, the procedure could end after December 31st, 2010, but it will continue on a showing of systemic non-compliance, again, before any justice of the Supreme Court and the procedure itself is

enforceable by any justice of the Supreme Court with all the enforcement powers that can be brought to bear to achieve compliance with the final judgment, including enforcement orders coercive remedies, such as contempt. The final judgment spells out and specifies a process for the city to determine shelter eligibility for families with children. The procedure requires the provision of written notice of ineligibility or eligibility, depending on the circumstances. The procedure requires compliance with legal requirements with respect to terminating shelter, which we'll come back to in a minute, particularly concerning your questions with respect to 200-2,500 families with children. The procedures also spell out requirements with respect to the reapplication process for families who might have been found ineligible for shelter. The procedure makes it clear that a permanent address is not required to receive Medicaid, food stamps, and public assistance. The procedure sets forth a protocol for access to shelters and intake centers by legal representatives, and the procedure also requires certain eligibility data to be on the

1 Department of Homeless Services website or
2 disseminated in some other manner so that everyone
3 can see what is going on with respect to the
4 eligibility process in the shelter system. The
5 final judgment also sets up a process with respect
6 to the state's obligations. The final judgment
7 requires the state to have a system of priority
8 hearings in place and most importantly or, equally
9 important, the city--the state is required to
10 apply at those hearings the same exact eligibility
11 requirements which are part of the procedure in
12 the final judgment with respect to the city.

14 We'll come back to the statistic of 94% of
15 families losing their hearings in a moment, but
16 the procedure requires the state administrative
17 law judges to apply a particular eligibility
18 criteria. And the final judgment also includes a
19 requirement that families with children that have
20 pregnant women or newborn children be provided
21 with lawful shelter and that, too, is enforceable.
22 So that's the legal framework backdrop and it has
23 lot--that backdrop and framework have many
24 implications as we go into these difficult
25 economic times. We were struck by the testimony

1 and the plan that was released [phonetic] last
2 night, which seemingly says and, maybe it wasn't
3 intended, but it seemingly says that the city's
4 had difficulty meeting its planned goal of
5 reducing by a substantial portion the numbers of
6 families in the shelter system because there are
7 2,500 families that are eligible for permanent
8 housing, but remaining in the shelter system. I
9 hope that wasn't the intent. The ink on the
10 agreement of last week is but one week dry. That
11 would certainly be an intolerable public policy to
12 focus attention on 2,500 families who could
13 potentially lose a roof over their head based upon
14 the insinuation that those families are standing
15 in the way of the city achieving its goals. I
16 hope that wasn't what was meant, but rest assured
17 that the injunction that was agreed to last week
18 would protect families because the injunction
19 requires the city to apply shelter terminations in
20 a lawful manner in accordance with applicable law.
21 The law in New York State says that shelter can be
22 taken away from New Yorkers who are unwilling, as
23 distinct from unable, to comply with shelter rules
24 or shelter procedures. I find it hard to accept
25

that there are 2,500 families in the shelter system living in single rooms with their families that are unwilling to comply with efforts to move them into permanent housing. Similarly, with respect to other issues, if the view is that fair hearings are an adequate remedy for the current situation, because 9,400--94% of families lose their hearings, one of the most significant breakthroughs in the agreement of last week was to ensure that the administrative law judges are applying lawful eligibility procedures and criteria in those hearings. Our staff, dedicated paralegals and staff attorneys, find repeatedly in the past that families lose their fair hearings only to be ultimately made eligible because even the city is able to see that ultimately they are eligible, as opposed to the state hearing officers who were applying criteria that, in our view, was not lawful. So I would expect to see some change with respect to the outcome of those eligibility hearings, if appropriate criteria is applied. On the other hand, the procedure provides for the city itself to provide particular eligibility criteria and it's our hope that that criteria will

be applied in order to avoid some of the problems that you, the Chair, focused on in terms of families being turned away improperly, but the injunction certainly protects families who are turned away improperly and, if need be, we wouldn't hesitate to enforce it. But again, we hope that that won't be necessary, but we stand ready to do so. There were a number of points made by both the Chair and you, council member James, that I just want to highlight going forward. One is the focus on the increased numbers of families seeking shelter and I believe that, Chair, you referred to the plan that talked about last night that the most numbers of families had sought shelter over the summer. We should all caution ourselves because the city budget that was adopted in June contains less funding for anti-eviction services than in the FY '08 budget. So we have to juxtapose less funding for anti-eviction services in FY '09 against the historic numbers of families seeking shelter in FY '09 and the economic downturn that is upon us that certainly would have implications for all levels of the city. And I think that it is extremely

important that the administration, the council, work together to try to get the kinds of prevention services in place that are needed to stem the kinds of numbers that are now entering the shelter system. I realize that mid-year budget modifications are usually for cuts, but the old adage is, an ounce of prevention is worth a pound of cure. Secondly, there's been discussion about those 2,500 families and it's interesting that there are 2,500 families that might be standing in the way of the progress that everyone wants, but the length of stay in the shelter system is actually decreasing in the family shelter system. So this sort of, the facts seem to be going the opposite direction. What the facts on the ground do highlight is something that the Chair's questions highlighted, which is the decision made four years ago to undo a policy that was established by Mayor Koch [pause]--I want to just say that again--to undo a policy that was established by Mayor Koch that prioritize relocations from the shelter system into the housing authority that permitted the administrations of Mayors Koch, Dinkins, and

Giuliani to relocate substantial numbers of families under difficult economic times in the 80s and then in the early 90s. Those times were difficult, but probably not as difficult as the times we're about to go through, but those administrations used the tool of relocating families to the Housing Authority in order to try to limit the numbers of families in the shelter system as a way of providing better outcomes for children, but also containing costs. And I know that there have been a number of oversight hearings where the lack of prioritization for families for Housing Authority relocation has been discussed, I think it's about time that the policy was reinstated that Mayor Koch had implemented and similarly the prioritization of Section 8. Now, the answers that have typically been given with respect to Section 8 is there's limited numbers of Section 8, but certainly that argument doesn't apply to the Housing Authority apartments where there's a set number of vacancies every year that could be made available to reduce the numbers of families in the shelter system to reach the levels that the administration has commendably set. With

respect to street homelessness and the reduction of street homelessness in the city, which is highlighted in the plan, I have to completely agree with council member James about the potential impact of closing Manhattan-based impact--Manhattan-based intake. Closing Manhattan-based intake flies in the face of what we do know about where homeless people tend to congregate in every city, including our city, which is where there are transportation centers and where there are open spaces such as you find around transportation centers, and that's why intake was put in Manhattan, as a way of trying to ensure that people who are on the street could come in. And, although there are a number of creative things that the administration has been trying to do with respect to single adult homelessness, the facts remain--and I know committee is aware of the facts--that in the dead of the winter an awful lot of single men come in to the Bellevue intake center and I don't think those single men in the dead of winter in the deadly cold are going to get Central Brooklyn, no matter what we might think now when the weather

1
2 isn't that way. Imagine the odyssey that those
3 men will have and what that will mean for them,
4 let alone all the other issues that I know are
5 concerns to Brooklyn representatives. Last, but
6 not least, there's the issue with respect to
7 relocating single adults to substandard housing.
8 A number of these issues lend themselves to
9 legislation, but certainly relocating single
10 adults to substandard housing is a problem that
11 has to be stopped. It creates a revolving door in
12 the sense that men, and women as well, but
13 certainly men who are moved from shelter into
14 three-quarters houses and other illegal and unsafe
15 housing circumstances will ultimately come back
16 into the shelter system. And that has happened in
17 a number of cases to the extent that substandard
18 housing is used to a greater degree in order to
19 reduce the numbers in the single adult shelter
20 system, it'll happen to a greater degree. And the
21 council has the authority and the ability to
22 legislate and to prevent that from continuing to
23 happen and we would encourage you to do so. Happy
24 to take any questions or wait 'til later.

25 CHAIRPERSON DE BLASIO: Why don't we

hear from the whole panel and then we'll see what questions we have. Who would like to go next?

[Pause]

CHAIRPERSON DE BLASIO: I don't think it's on.

LINDSEY DAVIS: All right:

CHAIRPERSON DE BLASIO: There you go.

LINDSEY DAVIS: Now it's on. So thank you for the opportunity to testify. We gave you some background information and I'm just going to summarize, hopefully briefly, that information. My name is Lindsey Davis, I'm the community organizer at the Coalition for the Homeless. I spend a significant amount of time in shelters and providing technical assistance to clients hoping to remain stable in their housing subsidy programs in the community. Hopefully, these experiences will inform my testimony today. Despite what you have heard here today, the numbers speak for themselves. The Bloomberg administration claims that they have accomplished 86% of the goals in the Mayor's original plan, Uniting for Solutions Beyond Shelter. However, the expressed primary

goal of the Mayor's plan--to reduce the numbers of individuals and families sleeping in city shelters each night--has not been accomplished. In fact, four years after the Mayor announced his plan, New York City's homeless population is dramatically larger than the city's own targets and more New Yorkers are sleeping in shelters than when the Mayor took office, which is evidenced by the charts that someone was kind enough to make. These increases are the result of the city's flawed policies and programs, not as the administration has indicated, the fault of clients who have not complied with the requirements in the shelters. The Bloomberg administration's decision to cut off homeless services from--homeless New Yorkers from federal housing assistance, the city's reliance on flawed local rent subsidy programs, such as Housing Stability Plus, and now the Advantage subsidies, which offer one-size-fits-all assistance and little in the way of aftercare, as you'll hear from the clients who are here. And finally, the city's ongoing use of illegal boarding houses to shelter homeless adults living with physical and mental disabilities have

made this decade the worst for homeless individuals and families since the Great Depression of the 1930s. These policies illustrate that the Mayor and the administration's officials remain mired in the mistaken ideology that family homelessness is a behavioral problem or an issue to be managed away, not what it primarily is--a problem of housing affordability and adequate resources. Here with me today are formerly homeless individuals and families who have lived the consequences of these mistaken policies and programs. They can attest to the everyday experience of the city's successes and failures. Unfortunately, they represent many thousands of other current and formerly homeless clients facing similar hardships. Before we hear from them, I just want to address a few points in DHS's testimony and the progress report that was issued last evening. First of all, the city has said that it has streamlined and overhauled the application process at PATH and, as we heard from Mr. Banks, and as many of the clients who come into our offices every day indicate, roughly--the city's own numbers state that roughly two-thirds

of homeless families are required to reapply multiple times for shelter and many who are in our waiting rooms everyday provided with little, if any, assistance in pulling together necessary documentation of why they have become homeless that the Department of Homeless Services requires. Many families have also been denied shelter and come to us having spent any number of nights sleeping on trains, in public spaces, laundromats, fast food restaurants, and hospital emergency rooms. For them, the shelter application process has not been streamlined. In addition, we have heard reports of homeless parenting youth turned away from PATH and told to access only temporary shelter from youth shelters which are able to serve in some instances only 28 families in total at any given time. Many times these families are sent back to PATH to reapply for shelter, and it is true again, this system has not been streamlined for these families and I think you'll hear later today from some individuals who have more first-hand knowledge of the situation facing these youth. Secondly, the city claims that it has not met outlined targets because they have not

1 had the freedom to apply client responsibility
2 rules to families in shelter when they are non-
3 compliant with plans to assist them in moving from
4 shelter to permanent housing--and I'll just
5 briefly reiterate what Mr. Banks had said--the
6 city's own numbers do not indicate that the
7 problem is with the numbers of families leaving
8 shelter, but instead indicate that there are an
9 increasing number of individuals entering shelter,
10 up by 200 families from August of 2004. While the
11 average length of stay for homeless New Yorkers is
12 decreasing, down by more than 50 days in the past
13 year. Thirdly, the city says that it has
14 emphasized employment as the key to leaving
15 shelter and maintaining permanent housing in the
16 community in the family shelter system through the
17 Work Advantage rental subsidy. While Work
18 Advantage does require families to engage in work
19 part-time and does not, as its predecessor, HSP,
20 did, serve as a work disincentive. Two recent
21 studies of families in shelter indicate that
22 homeless families face significant barriers to
23 employment and self-sufficiency. A study done by
24 the Vera Institute which was commissioned by the
25

Department of Homeless Services indicated that a random sample of homeless families--of that random sample, 55% had no high school diploma or GED, 10% had completed eighth grade or less, and all those, 79% of homeless families had worked during some point in the past five-year period. Before entering shelter, on average, they were only employed one time for less than one year during that five-year period. Both this study and another study undertaken by Homeless Services United, a membership organization for shelter providers throughout the city, indicated that homeless families were typically working low-skill, low-wage jobs that provided limited opportunities for development and growth. This is the kind--this kind of work is not what will help families move--not what will help homeless families succeed as the recipient of the Work Advantage program, which lasts only for a period of one or two years before families are required to pay the full fair market rent for their apartments on their own. And, as you indicated before, the city's own estimates state that 25% of those families will return to shelter, which is a

total of 1,500 of the current 6,000 people who have left the shelter system. [Pause] I guess fourthly, the Mayor's progress report claims that they have moved 12,013 families from shelter to permanent housing with Section 8 --and, of course, any referral of families into long-term stable housing assistance is clearly a step in the right direction. However, as indicated by the New York Times on January 30th of 2007, the city was allocated 22,000 Section 8 vouchers--10,000 for 2007 and 12,000 for 2008. As a result of city policies denying homeless families access to a priority for federal housing assistance, including Section 8 and NYCHA, only a small percentage of the available vouchers have been provided to New York City's families most in need. It is our position, as I know you have made clear, it is also your position, that what scarce federal housing assistance New York City receives should be targeted to families most in need at significant cost savings to the city of New York and the families living in housing instead of shelter. In addition, homeless families--homeless prevention is stated by the Department of Homeless

Services to provide assistance to all Advantage recipients. As you'll hear from Ms. Anderson, I hear regularly from clients who have been denied aftercare assistance by either a HomeBase or an aftercare provider or have been told that they cannot be provided with assistance by the programs in place to help ensure their stability in permanent housing. We have also heard anecdotally that HomeBase programs must remaining so focused on diverting clients from shelter, the primary measure of their performance in their contracts with the city that they cannot adequately allocate resources to aftercare and providing assistance in the community. The 25% recidivism rate is sure to increase without adequate aftercare and social services for these clients. One exam--I'll move on to just say that to address the street homeless sort of problem and the move of the Bellevue shelter to Bedford-Atlantic. We have testified in the past, and I'll just say briefly, that any plan to move the intake center for homeless men from its central location in Manhattan nine miles away to Central Brooklyn is a plan to increase street homelessness and the numbers of people who suffer

serious injury or harm on the streets. And with respect to the reduction of homeless--the numbers of homeless individuals who are living in the shelter system and referrals to illegal boardinghouses, there's been a 93% increase in referrals to independent living, which captures these referrals to what clients refer to as three-quarter houses or illegal boardinghouses. I have personally witnessed DHS and shelter staff force clients into these illegal and unsafe homes at threat of loss of shelter and many times they have been told--to answer your question, council member James--that they cannot wait in shelter for supportive housing that may be the most adequate permanent housing option for them. And in part, that is due to the vacancy rate that is so low and the fact that most of the units that are going to come online from the New York/New York 3 agreement are going to--that are targeted to single adult homeless men are coming online towards the end of the planned units, closer to 2012 through 2015. So those units are not currently available to homeless individuals living in the shelter system. Finally, I just wanted to offer a few solutions,

1 which we've already heard a little bit of today.
2 Reducing homelessness is a question of resources.
3 As a result, the answer to the current crisis is
4 safe, adequate, truly permanent housing for
5 homeless men, women, and children. Very briefly,
6 a few steps that the city can take to reduce the
7 numbers of people in shelter and try to move
8 towards accomplishing the goals that they've set
9 forth in their plan include targeting federal
10 housing aid to the homeless. As we've mentioned,
11 the city has 22,000 housing vouchers from the
12 Section 8 program from the federal government
13 available to them, few of these have been targeted
14 to the homeless. The administration's logic for
15 this policy shift was to prevent families from
16 entering shelters simply to receive housing
17 assistance. However, the numbers of families
18 seeking shelter did not decline, in fact, as
19 previously mentioned, the numbers of homeless
20 family applying for shelter at PATH have increased
21 consistently over the past few years. Reversing
22 this misguided policy and providing access to a
23 priority for federal housing assistance for
24 homeless families will move thousands of homeless
25

families to permanent housing and save the city taxpayer dollars spent on emergency shelter. Repairing the flaws in the rental assistance programs that are locally funded. Essentially, as you have mentioned, allowing--

CHAIRPERSON DE BLASIO:

[Interposing] I'm sorry, I'm going to interrupt--

LINDSEY DAVIS: Yeah.

CHAIRPERSON DE BLASIO: --just 'cause we're, we're going to have a little bit of a time crunch soon--

LINDSEY DAVIS: Sure.

CHAIRPERSON DE BLASIO: --so I just want to say, if it's already been mentioned--

LINDSEY DAVIS: Yeah, I'm [crosstalk]--

CHAIRPERSON DE BLASIO: --it's been mentioned--

LINDSEY DAVIS: --yeah, and--

CHAIRPERSON DE BLASIO: --so anything new, feel free--

LINDSEY DAVIS: --as you've mentioned, extending the time limits for the Work Advantage program to families who are in crisis to

1
2 allow them to be successful at receiving the
3 program, I think is an essential goal. And
4 finally, ending the referral of homeless New
5 Yorkers, as you'll hear from Mr. Viay, to illegal
6 boardinghouses, from which many individuals are
7 returning to shelter and where we're afraid that
8 many individuals are actually going to suffer harm
9 or maybe death, is a key goal that really is
10 important to many single adults living in shelter.
11 So, with that, I'll move on and let Ms. Anderson
12 and Mr. Viay share their experiences.

13 CHAIRPERSON DE BLASIO: We welcome
14 your testimony.

15 LAKIMA ANDERSON: Hi, good
16 afternoon, my name is Lakima Anderson, I want to
17 say hello to the panel.

18 CHAIRPERSON DE BLASIO: Hello.

19 LAKIMA ANDERSON: I had both
20 programs that DHS provided for the people in the
21 shelter. I had Housing Stability Plus and I have
22 currently Children's Advantage program. Now HSP
23 when I first moved into the--got into the shelter,
24 my housing specialist in the shelter, helped me
25 try to find an apartment that was going to be

adequate for me and my son at the time. Now when I moved into my apartment and I had--[coughs] excuse me--a HSP voucher [coughs]--

CHAIRPERSON DE BLASIO: Have some water, it'll help.

LAKIMA ANDERSON: Thank you.
[Pause] Sorry. Now when I got my voucher and I moved into my apartment [coughs].

CHAIRPERSON DE BLASIO: I think it's the word apartment that's, that's throwing.. We'll call it my unit.

LAKIMA ANDERSON: [Coughs] [Off mic] really want to start talking now, I want to cough.

CHAIRPERSON DE BLASIO: That's right.

LAKIMA ANDERSON: When I moved into the unit, which was at 209 Ralph Avenue in Brooklyn--it looked fairly nice when I went to go see it. The housing specialist did not go with us to see the apartment--thank you--anything like that, we went on our own. [Pause] [Off mic] Maybe this might help.

CHAIRPERSON DE BLASIO: Woman of technical assistance, thank you for the throat

1
2 lozenge--that's a good citizen right there. Would
3 it be--would you like to take a break for a
4 moment, let your colleague go? All right, there's
5 a plan. We're going to hold your testimony right
6 it was, you can pick it up in a moment. And Mr.
7 Viay, we would welcome your testimony.

8 PASCUAL VIAY: Yes, my name is
9 Pascual Valley [phonetic]. I was in a--I went--I
10 was homeless and I got homeless by--I was running
11 my business through my truck, I used to deliver
12 auto parts. One morning I was going to work and--
13 I used to live in the Bronx, by the way--I was
14 going to work, some lady ran the light. I was
15 going, she smacked up on my car--my truck. It
16 wasn't affordable to fix it, so I--and at the same
17 time, I had my own place. I managed to hold
18 myself for a little while, after a little while,
19 my friend told me I should go into the--to
20 Bellevue. [Pause] So I decided okay, I went to
21 Bellevue and from Bellevue, they send me to Camp
22 LaGuardia, from Camp LaGuardia--I was there for
23 nine months in Camp LaGuardia--the nine months
24 Camp LaGuardia send us over to St. Nicholas and
25 155th Street was--they had a program where there

1 was called Praxis. Now Praxis was supposed to
2 work out something with VOA, which is Volunteers
3 of America, they had a contract with them for six
4 months. Now in between them six months, they were
5 supposed to try to get us permanent housing and
6 what happened was, they never got us the--it ran
7 out of six months, ran out. So then they gave us
8 an offer, we had a meeting downstairs and they
9 told us that they couldn't get us housing, that
10 the time limit was up, so they gave us an offer.
11 They told us have--to go into a three-quarter
12 house, either we take the three-quarter house or
13 we go back to Camp LaGuardia. [Pause] So most of
14 us decided to go to--into the three-quarter house
15 in Brooklyn, 69 Kingston Street, I think it's
16 Darrow, I think the name is. And, by the way, he
17 has multiple sclerosis, just like I do. [Pause]
18 And we told the owner of the place, well anyway,
19 we moved there, after about two months there was
20 word around that there was ticks in a bed, so we
21 told the owner that was running the place, we told
22 him, he didn't believe us. After a while, I
23 started getting little bites, so what I did, I
24 went to the Coalition and I tell them about it and
25

1 they managed to get me out of there. [Pause] And
2 that's when I went to--what was it? I think
3 Peter--no, not Peter Young, this other shelter,
4 [off mic] Ready, Willing, and Able? And then from
5 there, they transferred me to--'cause that was
6 only an assessment place for only, for 21 days.
7 After the 21 days, they send me to Peter Young,
8 that you were just--people were talking about.
9 And then from Peter Young, I--well anyway when I
10 was in the three-quarter house, three-quarter
11 house was a place that it had bugs, it had mice,
12 there was--he got violations from the fire
13 department, from the housing--because housing came
14 to them, he wasn't giving heat in the winter time,
15 so they called 4-1-1, they came and they [off mic]
16 us, so they violated for that and then the
17 department, I think the fire department came and
18 they told him he had to make a fire escape--that
19 never came, he started the work, but he never
20 finished it. And from what I hear now 69
21 Kingston, since I moved out, most of my friends
22 were still there--most of them moved out now,
23 matter of fact, they in Bedford and Atlantic now,
24 they--just you were talking about. [Pause] And
25

that's, from there--well it's been a struggle from there on. But fortunately for me, I've managed through the help of the Coalition.

[Pause]

CHAIRPERSON DE BLASIO: Thank you very much and really there's nothing that's more important to us than hearing the real experiences of people and, you know, and whatever--

PASCUAL VIAY: [Interposing] I mean the three-quarter houses, they're not--even if you tell the person what's going on--I had a nurse 'cause I have multiple sclerosis, I was having a nurse coming to the house to give me shots and the owner of the place wasn't too happy about it because of the way he was keeping the place. It wasn't run right, the kitchen was sloppy, he won't clean, the stairs were all dirty, dusty. I mean there was mouses running all over the place. After a while she didn't never came back.

CHAIRPERSON DE BLASIO: Thank you very much.

PASCUAL VIAY: You're welcome.

CHAIRPERSON DE BLASIO: How are you feeling now?

LAKIMA ANDERSON: [Off mic]

CHAIRPERSON DE BLASIO: All right.

LAKIMA ANDERSON: Hi again, my name is Lakima Anderson, let me start over. I am mother of three children, my son is five and I have twin girls that are two. When I first entered the shelter system, I just had one child, he was about, give or take, one years old. I was in the shelter for a year and three months before I got the HSP program, which inevitably put me right back in the shelter anyway after I got the Children Advantage program. But then--when I got the HSP, I moved into the apartment. I noticed after about a couple of weeks of living in the apartment, it was--just wasn't right, things wasn't going on right. It was a lot of squatters going in and out of the building, you know, a lot of drug activity in the building, and I contacted DHS, the Quality Assurance Unit quote unquote. The only thing they told me they can do for me at that time when I first called them was to either, if I paid my own first rent and security and [off mic] to move, that's the only thing they could do. They couldn't give me like a transfer, they

1
2 couldn't help me out with funding or if, you know,
3 moving out or anything like that. I tried to, you
4 know, explain to them, well, I found this
5 apartment through your organization--your housing
6 specialist helped me find this apartment. Well
7 how come you all can't delete the--oh no, we
8 cannot delete an apartment once you sign the lease
9 for it, it is too much paperwork and they didn't
10 want to do it. So I had to live in the conditions
11 in my apartment for a year and almost two--about a
12 year and about five, six months. There was--first
13 of all, it was a living [phonetic] conversion,
14 meaning that I didn't have--I only had one window
15 and one door in the apartment. I didn't
16 understand how that passed inspection, number one,
17 because when I had numerous problems, I had to
18 call HPD 'cause my landlord didn't do anything for
19 the building. He constantly--there was always no
20 heat, no hot water, I had to go as far as to get
21 on the news, like Channel 4 and get into the
22 paper, like the Daily News and things like that.
23 That's how I got into relations with Lindsey, the
24 Coalition of Homeless. I was telling her the
25 situations in the apartment, I was telling her

1 that DHS was not helping me at all, they more so
2 was just giving me the brush-off like, oh, well,
3 that's not my problem, that's your problem now,
4 you picked the apartment and you got to deal with
5 it until your five-year HSP is up. So about June
6 of '07--I moved into that apartment on Ralph in
7 October of '05--so about June of '07, I had a
8 visit from ACS. They said that the conditions in
9 my apartment were not suitable for my children, at
10 that time I already had my twins and they were a
11 couple of months old. And I had already been on
12 the news 'cause a couple of months when I bring
13 them home--they were preemies, so the nurse was
14 coming, things like that, we had no lights in the
15 whole entire building for a whole week and a half.
16 Channel 4 came out, some representing from HRA
17 came out and told us we can go to any local center
18 and get reimbursed for whatever food or whatever
19 we lost when the lights went out. The news people
20 came, they told us that the lights were going to
21 be back on--they actually had Con Edison outside
22 at the time digging in the street and--to find out
23 what the problem was with the lights. After that,
24 when the ACS came, I had to go back to the
25

shelter, that they said it was not adequate for my apartment--my apartment wasn't adequate for me and my kids, I had to go back to the shelter. I stayed in the shelter for about 11 months. I just recently got this Children's Advantage program. I just signed my lease for the program May 7 of this year. So and already I've had problems. I called DHS to let them know, listen, on my lease, it says one name, but that person, I don't know who he is, haven't met him, never talked to him, anything like that. Now the broker, which is Curly [phonetic] Thomas, that's who I seen when I signed the lease. He tells me if you have any problems, oh, give me a call, so on and so forth, but whenever I call him I don't ever get anybody. Nobody at all. I had already, since I've been in there, my children's room has leaked--'cause I have a three-bedroom, 'cause I have my daughters are two and my son is five, so they all get their own room. The ceiling had leaked from my daughter's room. When I called the broker, he said, oh, yeah, I knew about that, I forgot to tell you. How do DHS--if they were doing a proper assessment or the quote unquote Section 8

1 requirements that they're supposed to have for
2 these apartments now, that they're supposed to be
3 putting us in--how can this--if it's going to
4 quote pass inspection requirements, how is the
5 ceiling leaking less than four months me being in
6 there? It hasn't--we haven't had no tornadoes or
7 no hurricanes that it blew off the roof and, you
8 know, that's why I'm [off mic] in my apartment.
9 No, that was the first leak, then the second leak
10 came into my room. I called the same broker,
11 called him, I'm going to fix, I'm going to [pause]
12 that he sent someone over to do something, but the
13 only think they did was patch it up and that was
14 it--it leaked again. Called DHS, let them know
15 that was going on, they said the only thing I can
16 do is to go to landlord-tenant court. But I mean,
17 at this point in time, it's to me--I feel like
18 they're not doing their proper job because they're
19 not checking these landlords, they're not checking
20 it--or not even, not even the landlords, they're
21 not checking the clients, they say that they have
22 this advocacy, there's no, there's no aftercare
23 'cause when I signed my lease--I just signed my
24 lease in May--when I called the number they gave
25

me for aftercare, they told me that they didn't have any funding left to take care of the people-- all these people that [off mic] giving aftercare for. So they told me that it's up to me to check on my Section 8 application and to make sure that everything is going good with my section application. It's not their job 'cause they're not getting any funding from the city, they got cut, and that's basically how it, how it's going to go--that's what they told me. So called DHS back, told them listen, what happened to the aftercare, I quote unquote supposed to have aftercare and, you know, to find out and make sure I'm doing okay, to find out what's going on in my apartment. Is my apartment good, is the landlord doing what he's supposed to do, so on and so forth. Nobody doesn't know anything, everybody is mums the word, nobody knows nothing. Nobody could tell me anything, only thing they tell you is call quality assurance and quality assurance only knows but so much, they're only so qualified, they can't answer simple questions that say, let's say, Bob Hess [phonetic] should be answering and things like that, they don't know the answers to what he

1 knows. Or not even--even to go even a step higher
2 in Bloomberg, he knows the basic of everything.
3 Quality assurance doesn't know--only [off mic]
4 what we call and we tell them and complain about
5 or what they tell them to do and that pretty much
6 is nothing. [Off mic] tell us to do, oh, go
7 housing tenant court. We could have found enough
8 in calling 3-1-1, we didn't to, you know, don't go
9 through DHS to do that. I mean, I feel that it's
10 not fair to the people in the shelter like me who
11 have children that have gone through this--not
12 only once, but twice. And how it's going now,
13 there's no aftercare, there's nobody checking up
14 on these people, there's no one calling these
15 people, 'cause I know when you sign a lease, you
16 got to give your social security number, the
17 address you're moving to, they have a, either a
18 cell phone number or a house phone number or some
19 kind of contact information to get a hold of you.
20 They're not making the initiative to contact these
21 people to find out what's going on to make sure
22 they're okay, that they have lights, they have
23 gas, they have adequate heat and hot water, things
24 of that nature--they're not doing that. Once you
25

1
2 sign your lease, they wash their hands with you,
3 that's it. You can call until you're blue in the
4 face, it doesn't make a bit of difference, they're
5 not going to do anything. I had to go as far as
6 to get to the news and get into the newspaper,
7 call and be on the television--channel 12, channel
8 4, channel 9--from the conditions from my HSP
9 apartment. If the way how my apartment is going
10 now with the Children's Advantage, it's going to
11 be the same thing. [Pause] It's going to run
12 right back into the same thing, I'm going to end
13 up being on the news again, and then I'm going to
14 end up being right back in the shelter 'cause
15 nobody's not checking anything. If nobody is not
16 checking it to make sure--like my landlord, he's
17 not doing anything at all like [pause]--he's not
18 really doing anything like right now when they
19 have like meter readings, things like that,
20 they're supposed to come, they're supposed to have
21 someone to be on premises to make--give the people
22 access to the meters--they don't, he's not doing
23 that right now. I'm getting [off mic] over
24 payments because there's nobody there to estimate
25 the meters. So I mean, let me just cut it short.

1
2 DHS is not doing their job, they sit here--Bob
3 Hess sit here and say that he's doing stuff,
4 they're not doing anything. I even spoke to him
5 myself a long time ago and he told me I should
6 have never went to the press because I went to the
7 press to get help, he said they were trying to
8 help me, trying to get me from a transitional
9 apartment from the HSP apartments to another
10 apartment. They wouldn't help, the only thing
11 they told me to do was find my own apartment, give
12 my own one month and security and then that was
13 it, they'll give me the transfer, that was all
14 that they told me they could do, that was it so...

15 CHAIRPERSON DE BLASIO: Well I very
16 much appreciate, you know, everything you're
17 saying, and Mr. Viay, you as well, these--it's
18 very sad to say that the examples you're giving us
19 immediately contradicts all the assurances that
20 were given and I think all of us up here have
21 learned to be kind of jaded about those
22 assurances. I remember a conversation with the
23 Commissioner when he was beginning the process
24 around the Advantage program and he was glowing
25 about the fact that people who were in the program

1 would have all sorts of direct support and I said
2 does that mean a person would have an actual
3 caseworker or, you know, a facilitator, someone
4 who would work with them regularly, consistently
5 and he's like, well we couldn't do that, but
6 we'll, you know, they'll have all sorts of numbers
7 they can call and everything's going to be great.
8 And, you know, we've all been around bureaucracies
9 long enough to know that never happens--

11 LAKIMA ANDERSON: Yeah.

12 CHAIRPERSON DE BLASIO: --and then
13 to hear your cases, it's very sobering and it's
14 even more sobering to me because both of you are
15 very articulate, your very strong-willed, strong
16 people, and you're laying out, you know, you
17 obviously have been fighting for your rights. You
18 had the brains to go hook up with the Coalition
19 and work together, I mean that's--I'm glad that
20 that's gotten you some support, think of all the
21 people who aren't as able as you to do that and it
22 really strikes you that, you know, how many people
23 are being left behind. But no, this is powerful
24 to me, the--I think it really calls upon us in
25 addition to try and continue to push the

administration to actually find a way to get more folks to self-sufficiency, but to recognize also that the amount of investment it takes and not kid around about it. That if you're going to get someone an apartment, it has to actually work and if you're going to provide aftercare, you actually have provide aftercare, not just talk about providing aftercare or else you're just going to have people end up back in a bad situation. So it's very, very helpful and we're going to use the examples you gave us going forward. I want to ask one question also of Mr. Banks and then if council member James has any questions. You mentioned, I mean, we're obviously frustrated all of us on the council on what happened with the funding. You pointed out the anti-eviction cut, which I think is one of the more backward cuts of the entire budget season. We've been frustrated in our ability to get honest answers and clear answers from the administration. You suggested legislation, you know better than anyone in the world probably how complex the barriers are in terms of our ability to legislate around social services, what specifically would you suggest?

STEVEN BANKS: Well, I would have brought my pen and paper and given you a few examples.

CHAIRPERSON DE BLASIO: All right. You can give me the introduction, we could have a fuller discussion at another time.

STEVEN BANKS: I get it. Obviously, just to highlight that anti-eviction issue. The cuts are both to the DHS anti-eviction programs and to the HSP programs such to the extent in the project modification process that that could make a difference. In terms of use of city housing relocation priorities, certainly the local government could prioritize relocation of homeless families of children to the Housing Authority. There's no state preemption issues there, there's no social services law limitation there, you have the ability to do that. Similarly, you could certainly specify that there needs to be a Manhattan intake center. That is similar to the law that was passed in 1999 that specified that there had to be an intake center for families to be open 24 hours a day. So under that same power, you would have the ability to say that the siting

1 of the intake center has to be in Manhattan,
2 there's again no state preemption issue there.
3 And you could as well set forth prohibitions on
4 housing quality in terms of relocation of
5 permanent housing, again, no state preemption
6 there because you're essentially the local
7 government with administrative code that has
8 certain limitations on the kinds of properties
9 that--or real estate that people live in, in the
10 city. So, for example, for a long time there, you
11 know, there was a series of laws that the council
12 passed specifying what shelter conditions would
13 look like, let alone what permanent housing
14 conditions could look like. So you could have a
15 local ordinance prohibiting relocation to any
16 permanent housing that doesn't have--meet codes
17 and have a proper certificate of occupancy under
18 your general health and safety, general welfare
19 powers.
20

21 [Pause]

22 CHAIRPERSON DE BLASIO: Very
23 effective answer, I think you should go into the
24 law. You seem to have a mind for it. All right,
25 well that's very, very helpful and we would

1
2 obviously like to pursue first and foremost the
3 budget mod piece because that could be upon us
4 quite soon. I don't mean that I think it's going
5 to be easy, but I think we shall focus our
6 energies there and obviously the legislative
7 pieces and see what we can do with that. Council
8 member James, do you have a question?

9 COUNCIL MEMBER JAMES: Yes, I think
10 so.

11 CHAIRPERSON DE BLASIO: Well,
12 welcome.

13 COUNCIL MEMBER JAMES: Mr. Banks,
14 94% of those cases where the ALJ decided did not
15 apply the proper criteria, were any of those cases
16 reversed and how many were reversed?

17 STEVEN BANKS: We found when we
18 looked at studies at various points in time that
19 one out of three of the families that were losing
20 hearings were ultimately being found to be
21 eligible, which is what led to an aspect of the
22 litigation that was settled last week to ensure
23 that at those hearings, the proper legal standards
24 are being applied--even in a situation which there
25 was a dispute between the Legal Aid Society on

1
2 behalf of our clients in the city as to what the
3 eligibility criteria should be. The city was
4 still ultimately saying that certain families who
5 were the losing hearings should be made eligible.

6 COUNCIL MEMBER JAMES: Right.

7 STEVEN BANKS: And so an important
8 part of the settlement was to have the same
9 criteria used in the eligibility process and at
10 the hearings and make sure that eligibility
11 criteria was lawful. So once the court approves
12 the settlement and those procedures are going to
13 be in place, we're hopeful that that will make the
14 hearing process meaningful. Up to this point, it
15 hasn't been meaningful.

16 COUNCIL MEMBER JAMES: And at that
17 hearing stage, were most of the families
18 represented by counsel?

19 STEVEN BANKS: No, none of them
20 other than one or two--

21 COUNCIL MEMBER JAMES: [Crosstalk]

22 STEVEN BANKS: --test cases that we
23 did. Again, this--the local legislature could
24 create a right to counsel for those kinds of
25 hearings. It doesn't seem like there were that

many of them.

COUNCIL MEMBER JAMES: Right.

STEVEN BANKS: It appears that in-- from October of 2007 until September 2008, there appeared to be 266 of them, or 200 or so, in which the families themselves weren't able to get shelter granted on their reapplication. If I understand those statistics--

COUNCIL MEMBER JAMES: Right.

STEVEN BANKS: --correctly, it seemed about half the families the city was saying, yes, they really do need shelter even though they had been told moments before or days--

COUNCIL MEMBER JAMES: Right.

STEVEN BANKS: --you know, that they weren't going to get shelter. The remaining number of families could go to hearings and they could be represented and perhaps would have better outcomes for those families and less risk of children ending up on the streets. That, again, was the point of agreeing to the injunction last week to ensure that there was a clear legal protection that bars people who have no other place to go--

COUNCIL MEMBER JAMES: Right.

STEVEN BANKS: --from being left without shelter.

COUNCIL MEMBER JAMES: And this agreement only focuses on families, it does not take into consideration the needs--any reform in the area for single adults.

STEVEN BANKS: No, in the single adult area there is already an underlying consent order that requires the provision of shelter to homeless single adults who are homeless by reason of mental, physical, or social dysfunction or meet the financial needs standard for public assistance and so there is already a right to shelter that exists for men and--single men and single women and what there was not was an ongoing clear enforceable right to shelter for children and families. Some of the eligibility issues that we've talked about, you know, certainly our concerns ultimately in terms of some of the plans that you have--

COUNCIL MEMBER JAMES: Right.

STEVEN BANKS: --been struggling with in Brooklyn.

COUNCIL MEMBER JAMES: Right, and does the consent order, does it focus on creating these artificial barriers to gaining access to the system, i.e. moving it to Bedford and Atlantic? Does it basically say that it has to be in a convenient location, convenient to the homeless?

STEVEN BANKS: Well let me choose my words carefully since--

COUNCIL MEMBER JAMES: Okay.

STEVEN BANKS: --they may end up in an affidavit sometime.

COUNCIL MEMBER JAMES: Yes. As well as mine.

STEVEN BANKS: The consent order that protect men and women from dying on the streets is a powerful protection that would be violated, in my view, if you had to travel nine miles to gain access to shelter and particularly on those cold days of the year--and I know, you know the statistics that Coalition for the Homeless has been able to present about the need and the demand for people coming in off the streets to Bellevue. So I do think that the consent order protects our clients from having

geographical barriers to get access to shelter in the first instance.

COUNCIL MEMBER JAMES: And do you believe that could be a basis for OTADAs [phonetic] rejection?

[Pause]

STEVEN BANKS: It should be.

COUNCIL MEMBER JAMES: Okay.

STEVEN BANKS: Whether it will be or not, you or I both might have our views.

COUNCIL MEMBER JAMES: Yes. Coalition for the Homeless, I apologize, I'm having a senior moment. But thank you for all that you've done on behalf of the constituents that I represent, but I do agree with you that it's--that the homelessness issue really relates to affordability in the city of New York and how significant number of housing units in the city of New York, particularly those that rent for less than \$600 and below \$1000 we've been losing them in record numbers, and that the city of New York is responsible for creating and subsidizing more luxury housing than ever before. And that is really an indictment of this administration, which

1
2 explains why the numbers for the homeless
3 population has gone through the roof, would you
4 agree with that?

5 [Pause]

6 LINDSEY DAVIS: I certainly think
7 the loss of the affordable housing stock for low-
8 income New Yorkers is tangentially related to the
9 numbers of people who end up coming in to shelter
10 and I also definitely think that the coming
11 economic sort of downturn is going to very
12 specifically affect the numbers of people coming
13 in to shelter, both for single adults and for
14 families with children. And I think we all can
15 sort of take pause and understanding that that
16 things only serve to get worse, at least in terms
17 of the economy and what that means for people's
18 housing situation.

19 COUNCIL MEMBER JAMES: Right. And
20 as you know, I represent what is now becoming more
21 Little Manhattan and we've been fighting against
22 that in downtown Brooklyn. And as you know, I
23 represent Ingersoll, Whitman, and Farragut, public
24 housing, which sits on very, very, very valuable
25 land with--overlooking Manhattan skyline, which is

1 absolutely beautiful and there's a significant
2 number of units in that public housing which are
3 empty. They've been warehousing those units for a
4 very long time. We suspect that they're trying to
5 bring in more middle income and working families,
6 and I believe that they should be opening those
7 apartments to the homeless. Is there a mandate in
8 the city of New York that would require NYCHA to
9 accept families on the homeless list to--as a
10 first priority?
11

12 LINDSEY DAVIS: The Department of
13 Homeless Services has a priority. The highest
14 priority for Section 8 and NYCHA is called N-0,
15 which is referrals from the Department of Homeless
16 Services, but prior to the implementation of the
17 Advantage programs and the new sort of models with
18 HomeBase in terms of diversion of homeless
19 families, they were not making any referrals of
20 homeless families to that priority and any
21 homeless family or single adult could apply for
22 Section 8 the same way anyone in the general
23 population could and would then receive, I think
24 what is called the N-2 priority, which is much
25 lower. Now the only way that a homeless family,

as I mentioned in my testimony, can get a Section 8 voucher is to be referred either by diversion from a HomeBase office when they're applying for shelter and perhaps already sort of at the shelter's door or through the Children's Advantage or Fixed Income Advantage programs. Otherwise, people in shelter can, actually, can no longer apply because the waiting list is closed. So there is a priority, but it isn't necessarily used.

COUNCIL MEMBER JAMES: And I know Mr. Banks mentioned Koch twice and the former agreements with the prior administration's beginning with former Mayor Koch, where there was a referral system from the homeless to NYCHA and that agreement apparently is not being complied with in this administration? Is that your sentiment, Mr. Banks?

STEVEN BANKS: Under the Koch, Dinkins, and Giuliani administration and then the beginning of the Bloomberg administration, there was an annual setting of what the numbers of families that would be referred from the shelter system for that N-0priority that--

COUNCIL MEMBER JAMES: Right.

STEVEN BANKS: --was just referred to and at the point in time of December 2004--or October 2004 actually when the policy of the city was changed, that there would not be any referrals, there's been no further annual agreements between--that the Mayor has approved as between the Housing Authority and the Department of Homeless Services.

COUNCIL MEMBER JAMES: And this is something that the City Council and I'll be contacting the Chair of Public Housing, this is something that we really need to focus on, particularly in light of the economic climate in the city of New York and the growing number of homeless. Ma'am, I'm sorry, I didn't catch your name, I'm sorry.

LAKIMA ANDERSON: Ms. Anderson.

COUNCIL MEMBER JAMES: Ms. Anderson? So your--where do you--you're in Brooklyn now, right?

LAKIMA ANDERSON: Yes, ma'am.

COUNCIL MEMBER JAMES: And you're still on--is it Rogers? What's your--

LAKIMA ANDERSON: [Interposing] No, I live on New Lots [phonetic] Avenue now.

COUNCIL MEMBER JAMES: On New Lots Avenue, okay. So before you get to channel 4, channel 12, and channel whatever, we hope that there's a representative here from Department of Homeless Services who can meet your needs and contact the landlord and hopefully avert you having to go to landlord and tenant court to address this problem. And, again, on behalf of the city of New York we apologize that they have not followed up and have provided you with the care that you and your children deserve.

LAKIMA ANDERSON: Thank you very much.

COUNCIL MEMBER JAMES: You're welcome. And, young man, you have been in my district, the address that you mentioned is 69 Kingston?

PASCUAL VIAY: Yes.

COUNCIL MEMBER JAMES: That's in my district, Peter Young is in my district, and Bedford and Atlantic and you have been at all three. So I consider you a constituent and I--

right now, what was your experience at Peter Young and Bedford and Atlantic, can you tell me?

PASCUAL VIAY: Well, Peter Young right now, they got me a place to stay.

COUNCIL MEMBER JAMES: Okay. They did.

PASCUAL VIAY: Yeah.

COUNCIL MEMBER JAMES: And is that where you're staying now is it three-quarter housing?

PASCUAL VIAY: Yes, no well, I was in a three-quarter house, from there I went back to the shelter--

COUNCIL MEMBER JAMES: Yes.

PASCUAL VIAY: --and then from the, from the--when I went to Bellevue, Bellevue sent me to Peter Young.

COUNCIL MEMBER JAMES: And how long did Peter Young take to get you a permanent house?

PASCUAL VIAY: Oh wow, about, wow, a year and four months.

COUNCIL MEMBER JAMES: And did you receive any services at Bedford and Atlantic?

PASCUAL VIAY: Well at that time I

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2 was--when I got there I was on PA--

3

COUNCIL MEMBER JAMES: Okay.

4

5 getting--I was applying for disability. So
6 through the Coalition and my doctors, they finally
7 got me disability.

8

COUNCIL MEMBER JAMES: Did anyone at
9 Bedford and Atlantic help you?

10

PASCUAL VIAY: Well not really, the
11 ones that really helped was the Coalition.

12

COUNCIL MEMBER JAMES: Okay.

13

PASCUAL VIAY: With the push of the
14 Coalition, they managed to get me to Muhlenberg
15 houses.

16

COUNCIL MEMBER JAMES: I am of the
17 opinion that nothing has changed at Bedford and
18 Atlantic and I'm glad Peter Young assisted you and
19 I'm glad that you now have permanent housing.

20

PASCUAL VIAY: I hear that they're
21 planning to close Peter Young.

22

COUNCIL MEMBER JAMES: That's the
23 plan. And also they plan on--they would like to
24 let me say--

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PASCUAL VIAY: [Interposing] Make it

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into an SRO, that's what I heard.

COUNCIL MEMBER JAMES: I have not heard that but we'll continue to--

PASCUAL VIAY: [Interposing] That's what I heard.

COUNCIL MEMBER JAMES: --look at that and the Chair is whispering or yelling in my ear and so let me conclude my comments. Thank you.

CHAIRPERSON DE BLASIO: Thank you. No, we just have a lot more people want to be heard, so I want to give them a chance. Thank you so much to this panel, we appreciate it. Now I'd call up Brian Levinson of State Senator Serrano's office and Christy Parque of Homeless Services United. While they're coming up, I'd like to note that we've been given testimony from Zoilo Torres, a Partnership for the Homeless could not be here and we will enter his testimony into the record. [Pause] So Brian and Christy, okay.

[Off mic]

[Pause].

BRIAN LEVINSON: Good afternoon, my name is Brian Levinson and I represent State

1
2 Senator Jose M. Serrano, we cover the Manhattan
3 and the Bronx. And I come before you today to
4 discuss a similar crisis as the Brooklyn
5 relocation, but this time in the Bronx. As we've
6 heard from council member Vacca and some of the
7 other council members, the city plans to construct
8 a seven-story emergency assistance unit at 151st
9 Street and Walton Avenue, it actually might not be
10 an Emergency Assistance Unit, at the very least,
11 they've changed the name, but I guess we're not
12 sure what else they've changed. It will be the
13 only intake center for homeless families in the
14 entire city. Families from as far away as Staten
15 Island and Bensonhurst will be forced to travel
16 all the way to the South Bronx for intake, then
17 presumably they will be thrown back to the far
18 reaches of the city for temporary placement. In
19 his testimony last week before an assembly
20 committee, Commissioner Hess said that he would
21 review the idea of keeping some male intake
22 services open in Manhattan, but we would ask why
23 not expand intake for homeless families as well.
24 Why are there no family intake centers in
25 Manhattan or other boroughs? After all, families

by their very nature lack great mobility. It is a dangerous proposition to transport children halfway across the city, especially when those children are young and in strollers. Moreover, children will almost certainly be prevented from attending their schools of origin, in violation of the federal McKinney-Vento Act. I urge the city to establish a homeless intake center that is truly decentralized with well administered and appropriately sized facilities in each borough, especially Manhattan. In other words, I do not dispute the need for an EAU in the Bronx, we need one--more families are being priced out of the Bronx and priced into homelessness. But one EAU is too few and seven stories are too many. The EAU formerly housed on 151st Street and Walton was notorious for its treatment of homeless families. The building was infested by rats and roaches, food was unsanitary, metal benches served as beds, people afflicted by chickenpox, measles, and influenza were all thrown into the same quarantine room. Victims of domestic violence were too easily stalked. It was difficult to receive passes to attend substance abuse treatment. And

perhaps the biggest indictment of all, eligibility for qualified families was consistently denied.

Let us learn from past mistakes and learn from the advocates and grassroots leaders on the ground, we desperately need borough-based intake and overnight placement in order to best provide for homeless families. The alternative will simply plant new seeds of mismanagement. Thank you.

CHAIRPERSON DE BLASIO: Thank you.

And let me just say, please let Senator Serrano know--who was obviously our colleague and was a wonderful colleague--that we are very--we share a lot of this concern and obviously this might be the beginning of a reexamination of the need to decentralize these services and make them more borough-based, so we certainly want to work together with you on that.

BRIAN LEVINSON: Thank you very much.

CHAIRPERSON DE BLASIO: Thank you.

Welcome your testimony.

CHRISTY PARQUE: In a timesaving effort, I'm just going to hit some highlights of my testimony.

CHAIRPERSON DE BLASIO: You are my hero because in general, I wish people would summarize more often because we hear it better way when you summarize anyway. So thank you for summarizing.

CHRISTY PARQUE: I'm feeling merciful, because I have eight pages of testimony, so I do hope that you do --I do hope you take the time to read the full testimony which you submitted. First of all, I want to introduce myself. My name is Christy Parque, I'm the Executive Director of Homeless Services United. HSU is a coalition of 60 nonprofit agencies serving homeless and at-risk adults and families in New York City. We provide advocacy, information and training to member agencies to expand their capacity to deliver high-quality services. And I'd also like to say those significant numbers that we've seen, numbers going down I'd like to attribute that to the hard work of my member agencies. I'd like to thank everybody for committing time to this important issue. We'd also like to thank the Bloomberg administration and the City Council for a much-

deserved and a much appreciated 3% COLA for human service workers. We know that the key to success of any program to prevent homelessness or move clients from homelessness to housing is having a compassionate, professional, well-trained, and well compensated workforce. Staff working on the front lines of the battle to overcome homelessness appreciate the COLA as a vote of confidence and recognition from the city for their hard work and commitment. I'm going to focus on four areas.

Before I do that, I just want to preface that we appreciate the City Council's guidance and wisdom and look forward to working more with them on analyzing options that have been proven effective and how do we expand those services that my members are already providing that have given us the numbers we have. At the same time, we support the idea of creating innovative programs and in a sort of a beta testing format so that we are working on a base format of what's already worked, get those numbers down and at the--on the other hand, also looking at what hasn't been working, what populations aren't we serving. So we look forward to working with you and DHS and our state

1
2 and other city agency partners on that and we're
3 open to any dialogue around that. The four areas
4 I want to focus on quickly are measuring progress
5 towards homelessness and reduction, that's the
6 first area. We commend the city, you know, we
7 commend Bloomberg for his action plan of 2004, it
8 was a catalyst that did serve to yield significant
9 progress and we're seeing that with some of the
10 innovative programs that my colleagues have talked
11 about New York/New York 3 and safe havens. We
12 also congratulate the city on the McCain
13 litigation, we see this as a landmark achievement
14 to preserve the foundation of New York's
15 commitment to homeless families by preserving this
16 right to shelter for this population. It also
17 paves the way for really positive changes that we
18 think could happen. However, it is now apparent
19 that the administration is likely to fall well
20 short of its target and overall reduction of two-
21 thirds despite the hard work of my members and
22 they're, you know, toiling everyday to try and
23 help the--some of the most vulnerable New Yorkers.
24 We're still, you know, suffering to try and get
25 those numbers down as quickly as possible and make

1
2 sure that people are moving in to safe, stable
3 housing. That being said, it would be naïve to
4 lay responsibility for the shortfall of meeting
5 this target solely on the feet of Department of
6 Homeless Services or the Bloomberg administration.
7 Achievement of these targets can only be attained
8 with major affordable housing commitments
9 requiring state and federal investments that the
10 city does not control--and I just want to step
11 aside for a moment and say that I offer our
12 willingness to work with the City Council and with
13 the state and other city agencies to look at how
14 we can leverage city, state, and federal funding
15 to bring more services into the city, whether it's
16 supportive housing, affordable housing, or other
17 services that people mentioned, like aftercare and
18 things like that. On a professional note of how
19 these numbers that we're struggling to control,
20 there's a pressure that my members are feeling.
21 We are concerned that the city alone has taken on
22 most of this burden and the resulting pressure of
23 showing homeless reductions very quickly. Two-
24 thirds in five years, this in turn has imposed
25 pressure on my providers who provide homeless

services, who are responsible for implementing these programs and policies by DHS. Increasingly, my members and all city contracts that they have are not sufficient to cover the basic operating expenses of an effective program. Private dollars, which historically have been used to enhance core services for clients and develop new and innovative service models are now being used to support the base cost of operating programs in shelters. We know that programs and staff and clients suffer when there's cuts to their programs and you can read further testimony about that.

The second area we want to draw attention to is access for the homeless or those at risk for homelessness. We urge prudence and data-driven planning when implementing broad policy changes. Two access examples are drop-ins being closed or intakes being moved to other boroughs. The recent--those three decisions could yield reversals in the decreases we've seen in a single side. We need to evaluate more data and make sure that we're really looking at the efforts of shelter, intake, outreach, drop-in centers, and safe havens, and what their impact is on getting

those numbers down. And we also welcome and congratulate DHS for issuing an updated report which they have not done in about 3 1/2 years, so we welcome that and are very appreciative of that. We are very pleased to on August 14th to hear that DHS's announced that they will be opening an additional Manhattan intake center in tandem with the proposed Brooklyn site, we welcome this as a positive step in realizing the potential set forth in the action plan. And the third area is looking at diverse exit strategies from homelessness. Again, I support many of the ideas that were mentioned by our colleagues here and the testimony covers at length. The ultimate goal of the homeless providers is to assist consumers to return to the community and to stably house safe living situations. Without the option of long-term rental subsidies, like we've talked about Section 8 and other long-term subsidies, people face the risk of returning to shelter after short-term subsidy terminate. So we are very happy to hear that you and other city--our city partners are interested in looking at how we can maximize public housing and Section 8 vouchers, as well as

we ask that there be a second look taken at the two-year time limit given to the Advantage programs. Just on a positive note, we do want to commend DHS on the Advantage program in that they really did some good policy design when they looked at creating assessment of the apartments that people were moving into on Advantage that they should be held at the same habitable standards as Section 8, which could be really a timesaver when people are moving from one program into another. We also want to commend DHS on their efforts to advocate on behalf of the clients when they relieve--when they have sanction PA cases and usually DHS with their advocacy have been able to resolve those.

CHAIRPERSON DE BLASIO: Okay.

CHRISTY PARQUE: And the fourth area is reinvesting--

CHAIRPERSON DE BLASIO:

[Interposing] I'm sorry, I'm sorry with all due respect, everyone, it's no one's fault here, I just literally have to leave--

CHRISTY PARQUE: Okay.

CHAIRPERSON DE BLASIO: --soon and I

really want to give everyone a chance, so if you have written testimony, please help us and just, everyone, summarize, summarize, summarize.

CHRISTY PARQUE: Okay.

CHAIRPERSON DE BLASIO: Go ahead, finish up.

CHRISTY PARQUE: Okay. Just reinvesting for the future, we just want to make sure that progress continues and we encourage transparent and regular accounting of savings attributed to downsizing any programs, especially in this time when we're facing an economic crisis. Again, thank you for your time and commitment for addressing the needs and concerns of homeless New Yorkers. Thank you.

CHAIRPERSON DE BLASIO: Thank you very much, we appreciate both your testimony. Next panel, final panel, then we have some public testimony. I'm going to say right now and I'll say it again, public testimony will be limited very scrupulously to two minutes each, no more. So for the final panel we have Sandra Target, Taggart, I'm sorry. Douglas Grace and Terry [phonetic] Grace. [Pause]

[Off mic]

[Pause]

MALE SPEAKER: You put me in a jam,
we're not doing this anymore. Okay, this
conversation [off mic]

[Pause]

CHAIRPERSON DE BLASIO: Who would
like to go first?

[Pause]

SANDRA TAGGART: All right. Thank
you for this opportunity to address the impact a
homeless intake center for single men would have
on Crown Heights North. Section 203 of the 1989
city charter required the City Planning Commission
to adopt criteria to further the fair distribution
of burdens and benefits associated with city
facilities. The charter mandate was prompted by
the widespread perception and sometime reality
that some communities were becoming dumping
grounds for unwanted city facilities. Crown
Heights North is one of those communities where
dumping and saturation are realities. In the
publication criteria for the location of city
facilities, the definition of a new facility

includes the substantial change in use of an existing facility. Adding an intake centers to the assessment center Crown Heights North fits this definition. Also stated in that publication the sponsoring agency and the City Planning Commission will take into account the number and proximity of all other facilities. The purpose of these criteria is to foster neighborhood stability and revitalization by furthering the fair distribution among communities of city facilities. Site them so that they balance efficiency, etc. and the social, economic, and environmental impacts of city facilities upon surrounding areas. Lessen disparities among communities and the level of responsibility each bears for the facilities. Preserve the social fabric of the city's diverse neighborhoods by avoiding undue concentration of institutional uses in residential areas. [Pause] Our community district, CD 8, is oversaturated with social services to the breaking point. It has 6.3 times the median of social service beds for Brooklyn. According to the 2008 data, Community District 8 has 1,321 beds; Bensonhurst, CD 11, has only 79--a great disparity. Crown

Heights North is also home to numerous three-quarter houses and halfway houses and 1,253 people in methadone day treatment. [Pause] We have been struggling with serious criminal activity in spite of the progress we have made in improving safety and quality of life. Drug traffic is evident on many streets. Year to date over last year, murder has increased by twice the city average and rape by three times. And I have been told by people who live near the shelter of men taking drugs on private property, of a young girl who was accosted and then protected by her neighbors, and of lewd behavior on the street. Because we have a disproportionately high number of social services, these problems exist in our community. Under the proposed plan, there will be a daily flow of unscreened and unknown men into the community. This will include inevitably people whose behavior will negatively impact the community by undermining the safety, health, and culture of our community, impeding the economic development we need to provide jobs and services for the people who live in the community now, and increase the already large number of men loitering and

panhandling and selling and using drugs on the streets. Crown Heights North and neighboring Bedford Stuyvesant are already struggling with problems that precipitously affect quality of life. Adding an intake center would increase these problems beyond the ability of these communities to cope. There are thousands of bright, beautiful, energetic children living in our community that are subjected daily to desperate and sometimes dysfunctional adults. These are not realities we want our innocent children to confront at an early age. [Pause] The city should return to Mayor Bloomberg's 2004 plan and improve on it by creating multiple local intake sites in each borough and place them such that they do not negatively affect residential neighborhoods. DHS should execute its plan to reduce the beds at the Armory shelter and to close Peter Young immediately. These improvements should not be contingent on the acceptance of an intake center. Place a moratorium on locating social service in Crown Heights North and put in place a plan to reduce all social service beds to 210 to bring us to the median in Brooklyn. If

1
2 agencies continue in non-compliance, corrective
3 measures should be enacted. Crown Heights North
4 and its neighboring communities are diverse, old-
5 fashioned, friendly neighborhoods of churches,
6 community organizations, and beautifully tended
7 gardens, where under the watchful care of
8 neighboring adults it's still possible for
9 children to play outside. The city's plan would
10 overwhelm these neighborhoods and all this would
11 be lost. Our communities deserve respect. They
12 are among the few remaining culturally rich
13 neighborhoods that were once ubiquitous to New
14 York. Now so unique, they should be preserved,
15 not destroyed. Thank you.

16 CHAIRPERSON DE BLASIO: Thank you
17 very much, it's very helpful, you've done a lot of
18 work, I know, on the statistics and the research,
19 and it's very helpful and you know we are going to
20 work very closely with you and agree 100% with
21 what you're trying to get across here. So thank
22 you very, very much. We welcome your testimony.

23 [Pause]

24 DOUGLAS GRACE: My name is Douglas
25 Grace and I'm the director of outreach ministry--

CHAIRPERSON DE BLASIO:

[Interposing] Well wait, wait, I don't welcome it that much. I want--I noted from the beginning that Ms. Taggart had timed her testimony carefully, you've got a lot more verbiage here. Can you summarize? I'd really appreciate it.

DOUGLAS GRACE: Oh yes, I will do that, yes.

CHAIRPERSON DE BLASIO: I do welcome it in spirit. I just want to technically welcome it to a lower level.

DOUGLAS GRACE: Right. As I said I'm the Director of Outreach Ministry at Madison Avenue Presbyterian Church where we operate three shelter ministries, including an overnight shelter and a feeding program and the overnight shelter is in partnership with St. James Episcopal Church. Many of us in the faith community have been watching with trepidation as we see leadership of the Department of Homeless Services has been quietly and secretly dismantling a 25-year history of partnership and collaboration between New York City and the faith community, particularly through the emergency network shelter system of the

Partnership for the Homeless. Since the 1980s when Mayor Koch first asked the faith community to assist the city's effort to end homelessness, our congregations have been on the front lines.

Vulnerable persons come to our doors every day seeking help. They sleep in our shelters, eat at our feeding programs, and receive other life-saving services. The number of homeless people walking the upper East Side streets and coming to our churches each day has dramatically increased this summer. We believe that the reason for this is the fact that DHS closed our Neighborhood Center for Homeless People on East 77th. That was done without any consultation from the Coalition of Congregations who originally opened and funded the center. The city cut our Neighborhood Center's \$1.2 million operational funding just after one of the partner congregations, Madison Avenue Presbyterian Church, invested a commitment to its partnership responsibility to the city of over \$1.5 million in capital improvements to its shelter space. In addition, the very week the Neighborhood Center for Homeless People was forced to close feeding programs in our neighborhood

1 along with other drop-in service ministries,
2 jumped in attendance by over 50%. Yet DHS
3 continues, and even just today, to tell us that
4 the homeless numbers have declined in the upper
5 East Side and that all former clients of the
6 Neighborhood Center were placed in other programs.
7 However, we know that at least 30% of the former
8 guests remain on our streets. Combining that
9 figure with persons who are newly homeless, our
10 neighborhood is without an adequate and needed
11 government response. While this evidence is
12 anecdotal at this point, we are currently engaged
13 in our own professional statistical analysis of
14 the reality we are experiencing rather than
15 relying on DHS's numbers. We believe that
16 neighborhood-based centers are the critical link
17 in providing the needed case management to restore
18 people back to wholeness. In addition, most
19 recently, just as of two weeks ago, DHS also
20 announced its discard of faith-based shelters and
21 beds who operate less than five nights a week,
22 claiming that there is no need for the beds--and
23 that's further outlined in Zoilo Torres' testimony
24 that he submitted--but that has a potential of 850
25

beds that will be discarded, all at a time when they're saying that those beds are not needed but yet we're seeing an increase on our streets from people who are homeless. We fear that the decision to close our neighborhood center and dismantle our neighborhood network will only be further exported to other vital drop-in centers around the city and we're already hearing signs of moving the drop-in centers into Safe Haven models, particularly as we now see another intake centers are claiming an intake center will be added to Manhattan, our concern is that they're going to dismantle the drop-in center and the faith-based beds and force us into Safe Haven models. [Pause]

I should say that I would encourage the committee to take a look at some of the ministries that are going on in Philadelphia where the Safe Haven model was previously implemented. Both the Broad Street Ministry and Project Home are two ministries in two projects that have recently reported the reality that safe havens are not dealing with the totality of the homeless population. And just as our neighborhood center was closed and they announced the closing, Project

Home came from Philadelphia to speak with the staff of the Center to see about how to open a drop-in center--a neighborhood-based drop-in center because the safe havens weren't working. I'll close with by saying that we heard Commissioner Hess talk about a concept paper, but I think it's important to remind ourselves that concept paper is now two months overdue and we're concerned that as the public attention continues to be, or lack thereof, to be brought to what DHS's concept paper is that it's now going to be too late. We're already being told that some of the drop-ins--or some of the faith-based centers will be closed before we've had a chance to even see the concept for 2009 and beyond. Thank you.

CHAIRPERSON DE BLASIO: Thank you very much. Do you have separate testimony or...

[Off mic]

CHAIRPERSON DE BLASIO: Okay, please.

TERRY GRACE: I can just add a little bit. My name is Terry Grace, I am on the Mission Committee as the Housing Advocacy Coordinator. At St. James Episcopal Church, I am

1
2 also on the Episcopal Diocese [phonetic] and
3 Social Concerns Commission. And I wanted to speak
4 as a volunteer who stays overnight at the Madison
5 Avenue Presbyterian shelter that we share with
6 them. We have well over a hundred volunteers who
7 give of their time so that somebody will not have
8 to stay overnight in the street or stay overnight
9 in the park or on a bench or on the steps of one
10 of our churches. And we do this because it's our
11 call and we think the city is a better place
12 because we respond this way as people of faith.

13 [Pause] If we became a Safe Haven, all of our
14 volunteer time would be thrown out, and it would
15 cost the city a lot of money to replace us and
16 these 1,300 or 850, whatever it's dropping down to
17 now, beds are really important because it's that
18 many, in our case men, who can stay overnight and
19 be in a safe, comfortable environment and it costs
20 very, very little. And I just--I think it's a
21 taxpayer and it's a volunteer and we have been,
22 St. James and Madison Avenue founded the
23 neighborhood coalition for shelter 25 years ago
24 and then the Neighborhood Center for Homeless
25 People and now we're being asked basically to give

up our ministry because it's not necessary. We believe it is necessary, the poor will always be with us and we believe that as people of faith, our city can do better than we are and we can do it if we all pull together, including the faith community instead of spending 2 1/2 hours testimony where no one talked about faith beds until the very end and it was brought up by the Chairman of this committee. So thank you.

CHAIRPERSON DE BLASIO: Thank you.

And no, I'm very, very appreciative that you're raising it on a level of A this unfortunate habit of the administration to talk about a plan and not flesh it out and not think about unintended consequences. And, again, that's why I'm trying to get the world to focus on the fact that there was this vast goal that effectively has been ignored and what does all that mean. But second, I think the point about the members of the faith community are trying to do something which is all about what their lives are committed to, that actually tangibly helps people so that basically we're losing on both sides of the equation--the people in need and obviously the people who have

committed themselves to it. You know, there's got to be a smarter way for government to embrace that rather than hold it at arm's length. So I very much appreciate your testimony, we will definitely work together on this. Ms. James, please--

COUNCIL MEMBER JAMES: Let me just--

CHAIRPERSON DE BLASIO: --in a very focused manner, please.

COUNCIL MEMBER JAMES: --thank you.

No, just to the man--to the community of faith.

Obviously as a woman of great faith, I recognize that we've got to do all that we can to address the needs of the least of God's children, and I support you and salute you and hope that we could go back to the days where Mayor Koch joined hands with you and said that we really need to work together to address the needs of the homeless.

I'm going to ask the Chair and this Committee to hold a hearing on that subject because it's something which is close to my heart and look forward to the testimony. And obviously to, Sandy, thank you for all the work that you're doing. We will be successful and once we will--we will be successful, hopefully we can do our fair

share to meet the needs of the least and the vulnerable who live amongst us and, as you indicated, the poor are not going anywhere. Thank you.

CHAIRPERSON DE BLASIO: Okay. Thank you.

TERRY GRACE: Thank you for holding this hearing.

CHAIRPERSON DE BLASIO: And thank you to this panel very much. Thank you. Okay, now we're going to public testimony again two minutes each. I'd like to call up Nancy Downing of Covenant House, Susan Wieler--I hope I'm saying that right--of Citizens' Committee for Children and Joseph Lopez of the Ali Forney Center. We have written testimony, which will go into the formal record from Shalawn or Shaylawn--I hope I'm saying that right--Langhorne, of Community Board 8, thank you for that. And to each of the folks giving public testimony, again, if you've written something, please summarize it, it's very helpful to us and we're going to have a timer which you will be able to see to your left, which will activate [pause] and go ahead Ms. [crosstalk]--

NANCY DOWNING: [Interposing] Yes, I'm Nancy Downing, I'm from--I'm the senior staff attorney for Covenant House, New York. We serve under, youth who are under the age of 21 who are homeless or runaway. Rather than read my testimony or tell you about the over 200 young mothers who have been referred to Covenant House by PATH since January of this year, I'm going to tell you just one story about one woman, who I think illustrates the problem that we're seeing. I had a young woman come to my office and she is one of many who I have seen over the last several months, who was about 19 years old, had a little baby. Had come to Covenant House once before, was referred, diverted by PATH to Covenant House, which means that her intake form, her application doesn't count, it's not considered, although she's technically being denied shelter, she is not given the right to a fair hearing because her application is as though she never applied, because she was diverted to Covenant House. She came to Covenant House, we had no beds available, so she had to go back up to PATH. At which time, she was given a 10-day stay. At the end of the

10-day, they said that she could return to her mother's house. Now she hadn't been living with her mother for a number of months, she had lived in rental housing, she had rented a room because she couldn't get along with her mother. When she didn't have enough money to pay for the room, she went back and lived with her mother for a short period of time, they got into it again, and so her mother tossed her out. PATH found, however, that the mother--that she could go back and live with her mother. They gave her a notice saying this, she went back to the apartment with the notice, her mother immediately tossed her and her child out into the hallway and all of her belongings out into hallway. The young woman called the police, the police came, they took a report of the situation, but the mother refused to allow her into the apartment, so the young woman had no other place to go, so she went back up to PATH. She was given an overnight stay and the next day, she was told that she could live with her mother, despite the fact that she had a police report in her hand that her mother said no. Okay? So then the supervisor tells her--

[Beep]

CHAIRPERSON DE BLASIO: You can finish your sentence.

NANCY DOWNING: The supervisor tells her that, well you can go back and live with your mother and she said well, my mother won't let me come back and live with her. So the young woman asked, well how about a fair hearing and the supervisor told her, well a fair hearing will do you no good, because you're under the age of 21. This is a constant problem that we're having. Because you are under the age of 21, they are sent to an under-21 shelter, they are not counted on the DHS list as homeless and they are not being given services by this city. And I think it's a disgrace.

CHAIRPERSON DE BLASIO: Well, that's very helpful with the--I want to separate the two pieces. On the first piece, the fact that there's this catch-22, go live with your family, your family won't have you. This has been widely reported and I'm astounded that the DHS does not acknowledge this reality and act on it and you heard that today.

NANCY DOWNING: They don't
acknowledge it even when it's not a family member.

CHAIRPERSON DE BLASIO: I agree, but
I'm saying writ large, the fact that they are
missing the boat and sending people to nowhere is-
-we've seen this from the beginning and nothing
has changed and you would have thought today the
Commissioner could've acknowledged that. So we
want to keep working on that issue. Separately,
my staff would be happy to work with you and we
could send a letter to the Commissioner as a
beginning on this under 21 issue because I think
you're exactly right, if that sort of a loophole
where we're not even getting a count of how many
people are involved, that kind of begs the
question what our real numbers are. So we would
like to work with you on that. Mr. Lopez.

JOSEPH LOPEZ: Good afternoon,
Joseph Lopez, Coordinator, Policy and Training at
the Ali Forney Center. We are program that work
with runaway, homeless, and street involved young
people between the ages of 16 and 24. We run a
day center plus some transition emergency program,
some which are in the council member James's

district. We're here to also acknowledge that we also have had under 21 young people go to Bellevue and be turned away at Bellevue and told that they are not old enough, they need to be over 21 to access shelter. We have been documenting these cases, we are working with Covenant House and other providers and on this issue and hope that the council will also step in and help us to get DHS to acknowledge that they are basically breaking the law by not allowing any young person over the age of 18 access to shelter. On another level we have--we may be seeing the bigger problem when it comes young people. There are a couple of drop-in centers in New York City that are providing extreme services to these young people at low threshold methods that are in jeopardy of losing their funding due to federal changes and some of the funding streams that fund these programs. And Ali Forney is one of those programs that's in jeopardy through some HOPWA funding that we get to operate our drop-in center, we were told by the federal government that that money now needs to be put toward housing and not put towards supportive services, and that may jeopardize our

drop-in center on 22nd Street to the point where it may be closed and hundreds of young people that access case managers, showers, lunches, referrals to other programs may end up on the street or having to travel to far places to access services. So we were hoping that the Council, particularly this committee because it seems like the 18 to 24 year old population in this city seems to be some type of political game between DYCB [phonetic] and DHS, because they fall between the cracks, would somehow work with us to try to either secure funding or get DHS to acknowledge that this group does exist and that they develop programming in their system--

CHAIRPERSON DE BLASIO: Yes.

JOSEPH LOPEZ: --specifically for this age group.

CHAIRPERSON DE BLASIO: We have held hearings on that matter with the Youth Services Committee. We are committed to try and bring some rationality to the policy, securing new funding, I just want to caution everyone--

JOSEPH LOPEZ: Yes, we don't--

CHAIRPERSON DE BLASIO: --it's going

1
2 to get worse before it gets better. But on the
3 central point you're raising that, again, we need
4 to address this where's the coordination between
5 the two agencies, who's got the ball. We're
6 absolutely working on that--and I'm sorry to cut
7 you off at that but the two minutes is the two
8 minutes. Yes, take it away.

9 SUSAN WIELER: Yes, it's on. My
10 name is Susan Wieler and I'm the senior policy
11 associate at the Citizens' Committee for Children
12 of New York. We're an independent, multi-issue,
13 child advocacy organization dedicated to ensuring
14 every New York child is healthy, housed, educated,
15 and safe. Thank you for testifying. I think I
16 just have two points that haven't been made to
17 date and I think I can do in two minutes. So the
18 first one, well it has been referred to, but I'd
19 just like to reiterate that the families in the
20 DHS Work Advantage program get at most two years
21 and DHS tells us that for work, their--most of
22 these families we're talking about a single earner
23 family making 8 or \$9 an hour. For them to be
24 able to afford their rent in two years, CC--we've
25 crunched the numbers and Vic Bauck [phonetic] at

CSS has crunched the numbers and other groups--and they're going to have to be making \$20 an hour.

So I challenge anybody to double their salary in two years, you know, no less someone with a at most, a GED or a high school diploma. The second

point is that the settlement included an outline of the eligibility--the new administrative procedures for eligibility at PATH. We're hoping

that this procedure will reduce errors and at previous hearings, there's has been a lot of talk about--and a lot of discussion about why so many

families are found eligible on the second and third and fourth time. We feel that in order to understand why this is, we would like DHS to

collect some data on why families are found eligible on the second and third and fourth time.

What happened there? That way we can know, how many--how much is error and how much is change of circumstance? Was it a DV situation that they

missed? Was it a overcrowding situation that they missed or was it a change in circumstance and, if so, what. And if we had that data and, now that

the litigation has been solved, if we had--if it was publicly available, we could get to the bottom

of some of these problems. Thanks.

CHAIRPERSON DE BLASIO: Thank you, appreciate your summarizing. I agree with you that that has been very elusive, that last piece and we've actually tried a few times to get some straight answers, without luck. But, again, we are always welcoming collaboration and if there's another foray, another letter, another follow-up we need to do to try and get to the bottom of that, we'd be happy to and Oona and Migna would happily work with you on that.

SUSAN WIELER: Okay.

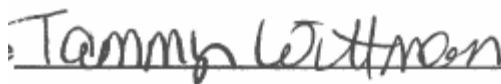
CHAIRPERSON DE BLASIO: Thanks everyone, it's been a long hearing, but hopefully a productive one. And this hearing of the General Welfare Committee is now adjourned.

[Off mic]

C E R T I F I C A T E

I, Tammy Wittman, certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

Signature_____

A handwritten signature in cursive script that reads "Tammy Wittman". The signature is written in dark ink and is positioned over a horizontal line.Date October 15, 2008