

**CAMBA**  
**Testimony Before the New York City Council**  
**Committees on Education and General Welfare**  
**April 16, 2021**  
**Valerie Barton-Richardson**

Chairman Treyger, Chairman Levin, and Members of the Committees, my name is Valerie Barton-Richardson and I am a Chief Administrative Officer at CAMBA. I want to thank you for holding today's hearing and affording us the opportunity to testify. CAMBA is one of New York City's largest and most trusted community-based organizations and is unique among peer agencies in scale, quality, and responsiveness. Founded in 1977 as a merchants' block association, the agency has grown in direct response to the needs of the Brooklyn community and beyond. Today, CAMBA provides services to 65,000 individuals and families annually through an integrated set of six program areas: Economic Development, Education and Youth Development, Family Support, Health, Housing, and Legal Services. Through our comprehensive continuum of care, CAMBA provides people with the tools and resources that they need to achieve their full potential.

I want to share with the Committees our concerns regarding the challenges facing students who are homeless. Attendance continues to be a major struggle for these children. In January 2021, the only month for which the Department of Education (DOE) has released disaggregated attendance data this school year, students living in shelter had by far the lowest attendance rate of any student group at just 75.7%, 15.1 percentage points lower than the rate for their permanently housed peers, with even lower attendance rates at the high school level. Tenth graders in shelter had an attendance rate of just 64%, meaning that they missed one out of every three school days.

CAMBA operates six family with children homeless shelters. Currently there are 423 school age students living in our sites. As is the case system-wide, attendance is an issue. For the month of March 2021, out of the 423 students, 191 children, or 45%, had attendance of 90% or higher. Ninety-two students, or 22%, had attendance below 90% over 4 weeks and were, thus, chronically absent. In addition, 140 students, or 33%, had attendance below 80% over 4 weeks and were, thus, severely chronically absent.

We call on the DOE to use attendance data even more to partner with shelter providers in reaching out to all families of students in shelter who have not been regularly engaged in remote, hybrid, or in-person learning and identify and resolve the barriers that are keeping them from participating in school. At CAMBA, we have taken measures to address the attendance issue with our students and their families. Initially, when the DOE transitioned to remote learning due to the pandemic, our students were largely unable to participate because of a lack of Internet access in the shelters. We worked with DHS and DOE to coordinate access to tablets and other devices for students. Subsequently, CAMBA was amongst the first shelter providers to provide Wi-Fi in our family shelters for the beginning of the 2020-21 school year. With coordinated Wi-Fi we were able to largely remove internet connectivity as a barrier. Last month, 55% of our students were fully remote; 12% were hybrid; and 32% were fully in-person.

CAMBA has also added resources to support our students in all of the ways they are attending school. We secured private funding to hire an Educational Coordinator to work with our students and their families across all six sites. She connects with DOE Regional staff and has served as a liaison with the DOE's Family Assistants, working collaboratively to address barriers to education in a timely manner. She facilitates conferences between families, shelter staff, and the Family Assistants to address attendance issues and remove barriers. She also works directly with students and their families to overcome obstacles to education and provide resources. Finally she aggregates data across sites towards planning.

As the DOE is set to receive over \$6 billion dollars of COVID-19 education relief funding from the federal government, the time is now to establish a coordinated, intentional planning process between the DOE and shelter providers across the City to ensure that the unique needs of homeless students are addressed in a comprehensive and effective manner. Attending school is one primary step as is recognizing and supporting students' social and emotional needs. Summer is a crucial period for all. However our DOE Family Assistant partners only work during the school year. Many of our students have to attend summer school and/or wish to engage in other summer programming. We ask the City to provide adequate funding to make the Family Assistants full-year staff. Finally, we know that all children's learning has been impacted by the COVID pandemic. All children, particularly children living in shelter, will need social and emotional as well as individualized academic support. The DOE needs to consider innovative options for children of all needs. CAMBA is partnering with the Literacy Trust on a small pilot of an evidence-based practice to support children's reading in a shelter setting.

We want to thank the City Council – and especially Chairmen Treyger and Levin – for your leadership in standing up for students in shelter, drawing attention to their needs and fighting for targeted resources such as Bridging the Gap social workers. We look forward to continuing to work with you to ensure that students in shelter can participate in school and get the academic and social-emotional support that they need after the disruption and devastation of the past year.

Thank you for allowing us to testify. I hope that our testimony on these important issues regarding education for homeless students during the pandemic proves helpful to you as you work to craft solutions that will provide for the well-being and success of all of New York City's students.



Testimony of

**Coalition for Homeless Youth**

on

**Oversight: Youth Count**

Submitted to

The New York City Council's Committee on Youth Services

Submitted by

Jamie Powlovich  
Executive Director  
Coalition for Homeless Youth

Hearing date: April 13, 2021  
Testimony submitted: April 16, 2021

The Coalition for Homeless Youth appreciates this opportunity to submit written testimony to the New York City Council's Committee on Youth Services as a follow-up to the verbal testimony we gave at the hearing regarding the NYC Youth Count.

The Coalition for Homeless Youth (CHY), also known as the Empire State Coalition of Youth and Family Services, has advocated for the needs of runaway and homeless youth (RHY) for nearly 40 years. CHY is comprised of 65 providers of services to homeless youth across New York State, including 29 members in New York City. Our members include providers that are directly contracted to provide services to RHY as well as agencies that intersect with the RHY population within the larger scope of their work.

### **Background**

Who are homeless youth? Unaccompanied homeless youth are a specific subgroup of the homeless population. Largely as a result of their negative experiences with police and institutions, as well as disproportionate experiences with trauma and vulnerabilities to violence on the street, they are extremely difficult to locate because staying "hidden" is a survival strategy. In addition they often experience the stigma of homelessness acutely and do all they can to not "look" homeless, so as to blend in with other people in their age group. Because of the limited services available to them, the high-threshold way in which many services are administered, and difficulties encountered by some in this age group in negotiating resources, homeless youth are very often disconnected from available services.

Homeless youth continue to be systematically undercounted in New York City. As has been the case every year since 2013, governing agencies are not prepared with sufficient methodologies for counting homeless youth. In New York City, the methodology for counting *street homeless youth* – those most difficult to engage – has been overwhelmingly unsuccessful.

Some history may be of use. The methodology used in the youth count in 2013, the first year the federal government required young adults to be separated in the point-in-time counts, relied on an under resourced "magnet" approach that advocates warned would not accurately estimate youth on the street. This approach relied on the voluntary agreement of some homeless youth serving programs to open all night for youth to come to provider-locations and be counted. Advocates proved correct that this would be unsuccessful. Municipal agencies also chose to misrepresent the street homeless youth in programs that were only open for one night as being "sheltered" – this was done by counting the one-night-only floor-spaces and cots as "overflow" beds, implying the youth shelter system was elastic when it is static. In 2013 young people slept under Red Cross blankets on the floors of drop-in centers – the City tallied them as "sheltered" and the federal government accepted that report. CHY issued a strong statement in rebuke.

In 2014 there was no separate "Youth Count", given first and foremost, the City's unwillingness to invest resources into the project and, secondly, provider's unwillingness to have a repeat of the 2013 debacle. Accordingly, only the HOPE count (the City's annual point-in-time count of some homeless people) happened that year. Consequently, USICH pushed City officials to work with providers by mandating a separate Youth Count for 2015. Unsurprisingly, the City was more flexible in its approach. In fact, in 2015 the City made strides in developing an improved methodology. However, as was also the case in 2016, the City refused to offer virtually any resources aside from some staff time. In 2016 it was much of the same, but in line with provider recommendations the City conducted focus groups with homeless youth, but failed to actively engage youth in the design of the methodology (which evidence shows is effective), and the City did not dedicate any staffing exclusively to the counting process.

Improvement for both 2015 and 2016 years was found in the City's willingness to use a 'service based encounter' model. This would also benefit from some explanation. To count street homeless people in New York City the Department of Homeless Services (DHS) uses a widely criticized methodology, popularly known under the moniker of 'the HOPE count.' This methodology involves having thousands of volunteers and surveyors who participate in the surveying effort, many of whom are employees of homeless service agencies that are contractually required to participate. These surveyors scour select portions of street-level areas and a select number of subways across the City – at the height of winter. HOPE surveyors are concentrated in particular areas ("hot spots") and more dispersed in others – particularly in areas outside of Manhattan. Numbers are then extrapolated to come up with an 'estimate' (typically presented as an exact amount by City public relation representatives) of how many street homeless people reside in the five boroughs.

The HOPE model disallows surveyors to enter all night retail establishments, any abandoned buildings, or hospital emergency rooms during the counting hours of 10pm-4am – places that homeless young adults are more likely to be. In short, virtually any shelter strategy by a person living on the streets – at the height of winter - is off limits to surveyors/counters. The number subsequently generated is represented by the City as the number of individuals living on the streets and is used as the marker for progress or regress in ending street homelessness.

In 2013 the City began to ask age of those encountered during its HOPE process, as required by HUD. Each year since HUD has required this demarcation, as part of its work with USICH toward ending homelessness of identified subgroups – in this case youth and young adults. The number generated by HOPE surveyors makes up the bulk of young people tallied as street homeless. In no year since 2013 has this number reached one that advocates or providers would consider accurate. The very low numbers represent a systematic undercount and is the result of a weak and under-resourced methodology.

In 2015, at the request of providers, the City made the decision to pursue a 'service-based encounter' approach for estimating young adults. This approach – which the City could use for its HOPE count but steadfastly chooses not to – allows providers to count young adults at the service-level during the days after the Monday night of the HOPE count (Except for the 2021 HOPE count, which was on a Tuesday). For example, a young person connected to a drop-in center could be surveyed and, if they report being in some variation of street homelessness on the night of the count, would be included in the official data report to HUD. This allows for an expansion of opportunity to engage young people and survey them to inquire about their housing circumstances. While this approach is certainly an improvement on the HOPE methodology in regards to counting homeless youth, it also only allows for tallying of those young people already accessing services. Given that many homeless youth struggle with homelessness prior to engaging homeless youth providers, this is a very serious limitation.

While the city tends to present HOPE data as a "count" it is only an estimate. Counters only survey a limited number of trains, a limited portion of the city, and only look in places that can be seen from the street, meaning most street homeless youth are going to be missed. The estimate is conducted during one of the coldest nights of the year, when many street homeless youth are sleeping in fast food restaurants, abandoned buildings, in hospitals or other places not meant for human habitation. Many street homeless people, particularly homeless youth, intentionally keep themselves far from sight for fear of being arrested. Each year since the number of street homeless young people has only marginally increased in proportion to the many homeless young people that providers know to exist as a result of our work.

Providers know homeless young people to sleep in a multitude of high-risk situations. Often these

situations including trading sex for shelter (not included as 'street homeless' by HUD rule), sleeping in stairwells and abandoned buildings (institutionally and systematically ignored in the HOPE methodology), staying in all-night retail establishments (also not counted by HOPE surveyors), and other variations of street homelessness. The last reasonable count of homeless youth, conducted in 2007 and 2008 by the Empire State Coalition of Youth and Family Services (now the Coalition for Homeless Youth), estimated at least 1,750 homeless young people in some variation of street homelessness on any given night in New York City. Though never officially adopted by the City, this study has been taken as the benchmark by providers, advocates and some government officials in considering the number of young people without homes on the street of New York City.

It is imperative that we have an accurate estimate of homeless youth given the power such numbers play in resources provided for this extremely vulnerable and often invisible population. The City funds a vastly inadequate number of homeless youth beds and provides very little in the way of resources to this population in general. Lack of funding at the City level is the result of decisions by City officials and also the result of decisions by officials at the federal and state levels. While different choices could be made – choices that allow for resources to assist very vulnerable youth during some of the hardest moments of their lives – the austere resource decisions persist. Systematic undercounts of street homeless youth only support systematic under-resourcing to providers who offer services like respite, shelter, showers and meals.

### **What has worked? The 2008 Study**

The recent counts are not the first time there has been an attempt to count homeless youth in NYC. Over a period of six weeks in 2007, the Empire State Coalition of Youth and Family Services (now the Coalition for Homeless Youth) along with scholars at Columbia University and the New School conducted a study of unaccompanied homeless youth in NYC, which was funded by City Council. The findings were startling.

1. The study estimated 3,800 unaccompanied homeless youth in NYC, but did not count the majority of homeless youth within the DHS, HRA or HPD sheltering systems; the estimate was based off of discussions with 945 unaccompanied homeless youth and data from homeless youth service providers;
2. The study estimated that there were 1,750 unaccompanied homeless youth sleeping outside, in an abandoned building, at a transportation site or in a car, bus, train or other vehicle, or engaged in survival sex exchange for a place to sleep. Of those surveyed, only 48% had used services within the DYCD Runaway and Homeless Youth (RHY) continuum, while only 35% of those surveyed had utilized drop-in centers.
3. Only 6% of those surveyed had spent nights in the month preceding the count staying in the adult sheltering system;

The methodology underlying the 2008 study was fundamentally different and more effective than the HOPE methodology or the supplemental DYCD-administered count known as the "Youth Count."

Why is that true?

1. The researchers began figuring out the best places to locate street homeless youth by conducting focus groups with homeless youth themselves. The researchers utilized provider-spaces and then relied on homeless youth to recruit other homeless youth for the focus groups. Staff of homeless youth organizations who had trust with the young people they were requesting information from facilitated the focus groups;

2. Research enumerators went to the areas homeless youth were known to congregate and conducted surveys with youth in those areas. Each enumerating team included at least one youth service provider;
3. Homeless youth providers were asked to interview young people who accessed their services about their homelessness;
4. Data of service usage from providers was taken into account in developing the extrapolation methodology, thus including data from many young people who could not or did not interact with enumerators;
5. Instead of a one-night count, researchers relied on a multi-day and multi-site count that incorporated a big-picture understanding of how homeless youth navigate the city into their methodology. This provided a more comprehensive and legitimate estimate based on the knowledge of experts – homeless youth and, secondly, providers.

Homelessness in New York City has continued to soar in recent years. Accordingly, it is very likely that the number of street homeless youth is significantly higher than was estimated in 2008. However, the 2008 study provides the most successful foundation from which to build a count of unaccompanied street homeless youth in NYC.

### **Recommendations Moving Forward**

Given the weight that the count has on the future of RHY services in NYC and nationally, the CHY is asking that the following recommendations be followed if the City wishes to provide an accurate estimate of homeless youth.

1. The City must provide adequate funding for the Youth Count. The last funded youth count that was conducted in NYC, was funding by City Council in 2007-2008 and was championed by the late Councilman Lew Fidler. This count is now over a decade old, but is still the number that is most often quoted by providers and advocates. We greatly appreciate the Council, specifically Speaker Johnson for including the need for a comprehensive Youth Count in his 2020 Case for Change report, however, minus adequate funding it will not produce accurate results.
2. Although the City must only use the numbers of youth that meet the HUD definition found during the Youth Count as a part of their Point in Time (PIT) numbers, DYCD has the ability to use the larger, more accurate numbers from the count when they talk about the population size. We know that HUD's definition is extremely narrow, and often does not capture the many ways in which youth experience homelessness. By DYCD only quoting numbers that align with the HUD definition they are misrepresenting not only the amount of youth experiencing homelessness in NYC, but those youths lived reality.
3. Increase the youth involvement in all aspects of the count. Homeless youth are the experts when it comes to their own experiences and their voices should be at the forefront of the count planning, implementation and recommendation phases of the process, and they should be given a monetary stipend for their time.
4. In 2019 DYCD took over all aspects of the count, which was previous supported by CIDI. Since that time it has been understaffed, and we have seen a significant delay in the release of the findings from the count (hence the 2020 report has still not been released). Therefore we recommend that DYCD:
  - a. Ensure that the oversight of the count is adequately staffed, including by youth with lived experience;
  - b. Start the planning of the next years count as soon as the current years count concludes;

- c. Ensure that the Youth Count reports are completed in a timely manner so that they can be made available as soon as HUD releases that years PIT data.
5. The City needs to ensure that the Department of Education (DOE) participates in the count. A common factor in the success of youth counts across the country has been establishing a strong collaboration and commitment from the educational systems. Although this is something that DYCD commits to doing, yet every single year they initiate the process too late to ensure a successful collaboration given the IRB requirements.
6. The city should invest in a Public Service Announcement (PSA) campaign for the youth count. The PSA would increase the outreach to youth that need services and need to be counted, as well as bring attention to the homeless youth epidemic with the general public. This PSA should include: Ads throughout the subway and bus systems, social media campaigns on Facebook and Twitter and posters throughout the public schools, City funded youth programs, municipal courts and hospitals, and should be informed by youth with lived experience.
7. Increase the youth involvement in all aspect of the count. Homeless youth are the experts when it comes to their own experiences and their voices should be at the forefront of the count planning, implementation and recommendation phases of the process. In addition, similar to the HOPE count, youth should be allowed to volunteer during the count and should be given a monetary stipend for their time. A budget needs to be created to employ qualified professionals, who can dedicate their time solely to the count.
8. In 2016 the Youth Surveys where moved from paper forms to electronic versions which were conducted on city provided 'smart devises' (tablets). Although this was proven a more effective tool to gather and analyze data, it took away individual programs' access to their own information despite the City committing to grant access to the programs after the count concluded. We would also note that for the 2021 count, due to the COVID-19 pandemic DYCD relied heavily on the use of virtual surveying for the count. However, they facilitated the survey's via WebEx, as opposed to a more user/youth friendly platform. Moving forward DYCD must listen to the feedback they receive from youth with lived experience regarding the most appropriate ways to survey youth.
9. The count needs to be incentivized. Youth must be compensated for participating in a survey. This is a financial burden that is not the responsibility of the volunteering agencies. The city needs to provide food, MetroCards or some other form of incentive to the providers to distribute to the youth.
10. The City needs to recruit and utilize a larger number of volunteers to assist with the count. DHS reports that the HOPE count has over 3,000 people that are deployed across the City. The same dedication and outreach needs to be solicited for the Youth Count as well.
11. Count sites need to be established throughout all five boroughs. In the past there have been entire sections of the city that were not represented including: Far Rockaway, Queens; Crown Heights, Flatbush, Brownsville and East New York Brooklyn and Hunts Point and Co-op City in the Bronx.
12. The City needs to coordinate already existing Outreach Teams to target the areas where a physical site is not available and in other areas that have a large congregation of youth outside of regular program hours.
13. The HOPE Count should include youth-specific training

### **Follow-up from the Hearing**

During the virtual hearing, there were many things stated during the testimony of the Administration that we would categorize as not true or extremely misleading, which we find extremely concerning, however their testimony does highlight how there continues to be a unfortunate disconnect between



what is happening on the ground, and what DYCD wants to portray is happening regarding services for youth experiencing homelessness in this City. We would like to note the following:

- It was of particular concern to hear the Administration try to discredit the experiences and testimony of the New York City Youth Action Board (YAB). Specifically when they stated that they had responded to the letter that the YAB issued them regarding the 2021 count. As the provider ally for the YAB, CHY can confirm that the YAB explicitly asked for a response to their letter in writing, which YAB Coordinator Maddox Guerilla testified to, and to date DYCD has not responded to them as requested.
- The Administration stated that Youth Count Coordinators were hired to support with the count. Although this is true for previous years, it is not true for the 2021 count. DYCD also did not provide incentives for youth, or financial support for the providers for the 2021 count.

**Conclusion**

The Coalition for Homeless Youth is thankful the Council for continued commitment to advocating for the needs of youth experiencing homelessness in NYC, and we are available to meet and support you regarding your ongoing efforts.



199 Water Street, 3<sup>rd</sup> floor  
New York, NY 10038  
Phone (212) 577-3300  
[www.legal-aid.org](http://www.legal-aid.org)

Testimony of  
**The Legal Aid Society**  
on  
**Oversight - Youth Count**

submitted to

The New York City Council's Committee on Youth Services

submitted by

Beth Hofmeister  
Staff Attorney, Homeless Rights Project  
The Legal Aid Society

Theresa B. Moser  
Staff Attorney, Juvenile Rights Practice  
The Legal Aid Society

Hearing date: April 13, 2021  
Testimony submitted: April 16, 2021

The Legal Aid Society welcomes this opportunity to submit written testimony to the New York City Council's Committee on Youth Services after watching the April 13, 2021 Oversight Hearing regarding the annual Youth Count of runaway and homeless youth (RHY).

### **Youth Action Board Testimony**

The Legal Aid Society commends Chair Rose and the Committee on Youth Services for prioritizing and amplifying the voices of youth leaders by beginning the April 13th hearing with testimony from Youth Action Board (YAB) leaders Alexander Ray Perez and Maddox Guerilla. All advocates, government agencies, and elected officials should start any new initiative or review of current policies by listening to people with lived experience, and we hope that all City Council committees will continue to invite people who are directly impacted to testify at the beginning of each hearing, prior to government agencies and general public. We hope that both the Department of Youth and Community Development (DYCD) as well as the de Blasio administration prioritize the recommendations of the YAB and the opinions of RHY in general as we all examine how to improve the Youth Count going forward.

### **Basic RHY Demographics and the Youth Count**

Runaway and homeless youth are generally defined as unaccompanied young people who have run away or been forced to leave home and now reside in temporary situations, places not otherwise intended for habitation, or emergency shelters. The federal Runaway and Homeless Youth Act defines the population as being between 12 and 24 years of age. In April 2017, New York State redefined RHY to be anyone under the age of 25 and changed other portions of New York's Runaway and Homeless Youth Act, which laid the groundwork for the New York City Council to pass landmark legislation in March 2018 extending the eligible age range for RHY services in New York City.

It is notoriously difficult to accurately count the number of runaway and homeless youth in New York City, and the inability of the City to reliably account for RHY has been a substantial and persistent barrier to the provision of adequate shelter and services. As you heard during the hearing, the only government-sponsored Youth Count is organized around the City's Point in Time (PIT) count, also known as the HOPE count, which takes place on a mid-winter night.<sup>1</sup> Providers, advocates and young people have long argued that the PIT and youth counts miss substantial numbers of RHY. Some reasons for this were articulated during the hearing. They vary from arguments that the definition of RHY for the purposes of the count does not include significant parts of the population, such as those couch-surfing or engaging in survival sex, to arguments that youth experiencing homelessness have an ability to blend into the fabric of the City and the methodology of the count was not designed to identify RHY. As Alexander Ray Perez testified, while the PIT count was designed to count adults who are unsheltered and often chronically homeless, youth

---

<sup>1</sup> You can find additional information about NYC's count, which is required by the federal Department of Housing and Urban Development, here: <https://www1.nyc.gov/site/dhs/outreach/hope.page>.

homelessness “doesn’t always look like chronic street homelessness” and “if we look at how we approach helping youth in that way we are missing the mark [because] to be frank a lot of us are trying not to be seen.” Alexander added that when we force people to show up in an appropriate or “cookie cutter” way rather than let them show up as they are, we are disempowering youth and will as a result not adequately be able to include them in an accounting.

Both the PIT and related Youth Count serve as an inadequate snapshot of homeless youth on a particular day rather than a census of youth with unstable housing situations who need City services. By our most reliable estimates, roughly 3,800 youth in New York City are homeless, and the city does not have nearly enough shelter beds—crisis or transitional independent living (TIL)<sup>2</sup>—to serve this population.<sup>3</sup>

Nationally, there has been some significant progress on evaluating the number of homeless youth. Near the end of 2017, Chapin Hall, an independent policy research center at the University of Chicago, produced a sobering report called *Voices of Youth Count*. Anyone who knows a youth who has experienced homelessness knows the information contained in the report to be true; however, the details are still staggering. Results show that 1 in 10 young adults ages 18 to 25 have experienced homelessness in some form in a one-year period. Chain Hall released a companion document that outlines how governments can more accurately count young people experiencing youth homelessness and the primary recommendation is to “engage youth who have lived experience with homelessness in all aspects of planning and execution of the Youth Count.”<sup>4</sup>

### **C.W. v. The City of New York**

In December 2013, The Legal Aid Society (Legal Aid) and Patterson Belknap Webb & Tyler, LLC, filed *C.W. v. The City of New York*, a federal class action lawsuit on behalf of runaway and homeless youth in New York City.<sup>5</sup> The lawsuit sought to create a right to youth shelter, increase the number of beds and services available to RHY, including improving access to permanent housing and the Youth Count. After years of litigation and extensive fact and expert discovery, the parties settled *C.W.*<sup>6</sup> One of the settlement terms permits Plaintiffs’ counsel the opportunity to attend meetings and

---

<sup>2</sup> The Mayor’s Management Report for FY20 showed a total of 778 available residential beds for RHY, with a slight drop in the 4-month actual utilization as beds were temporarily taken off-line to allow for safe social distancing. [https://www1.nyc.gov/assets/operations/downloads/pdf/pmmr2021/2021\\_pmmr.pdf](https://www1.nyc.gov/assets/operations/downloads/pdf/pmmr2021/2021_pmmr.pdf). This is certainly an improvement from 2013 when there were just 253 beds, prior the filing of Legal Aid’s lawsuit *C.W. v. City of New York*. However, it is still woefully insufficient to serve the number of RHY in New York City.

<sup>3</sup> Empire State Coalition of Youth and Family Services, The New York City Association of Homeless and Street Involved Youth Organizations’ State of the City’s Homeless Youth Report, 2009.

<sup>4</sup> Chapin Hall of the University of Chicago, *Missed Opportunities: Youth Homelessness in America*, November 2017, at [http://voicesofyouthcount.org/wp-content/uploads/2017/11/ChapinHall\\_VoYC\\_1-Pager\\_Final\\_111517.pdf](http://voicesofyouthcount.org/wp-content/uploads/2017/11/ChapinHall_VoYC_1-Pager_Final_111517.pdf); <https://voicesofyouthcount.org/brief/missed-opportunities-counting-youth-experiencing-homelessness-in-america/>.

<sup>5</sup> The amended complaint for *C.W. v. The City of New York* can be found at <https://legalaidnyc.org/wp-content/uploads/2019/09/C.W.-Amended-Complaint.pdf>.

<sup>6</sup> The stipulation of settlement can be found at <https://legalaidnyc.org/wp-content/uploads/2020/09/CW-filed-Proposed-Stipulation-and-Order-of-Settlement-2-14-20.pdf>. The final judgement was entered on December 11, 2020.

participate in work groups related to the annual Youth Count during the settlement period. Defendant, through DYCD, also agreed to consider recommendations from Plaintiffs' counsel to improve the Youth Count's accuracy and comprehensiveness.<sup>7</sup> As the committee members heard during DYCD's testimony, this year's Youth Count occurred January 27-29, 2021. While Legal Aid did attend two planning meetings intended to provide guidance for the providers who were participating in the Youth Count, contrary to the testimony provided by DYCD we did not actually partake in the Youth Count itself. We look forward to working with DYCD and advancing the recommendations listed below to improve upon the Youth Count going forward.

### **Youth Count Recommendations**

It is worth noting that DYCD has yet to release Youth Count numbers from *both 2020 and 2021*, making it difficult to provide specific comments on the needed improvements. However, based on the years we have studied the Youth Count as part of our litigation against the City in *C.W.* and contact with the RHY community in NYC, we feel confident joining the Coalition for Homeless Youth as well as other providers and YAB members in their recommendations to the Administration, DYCD, and the Council, and add a few additional recommendations.

#### **1. Partner with youth to reimagine, plan, and conduct the Youth Count.**

As Jamie Powlovich, Executive Director of the Coalition for Homeless Youth, testified, “[d]on’t just bring [youth with lived experience] to the table to say they are there but bring them to the table so they can guide the actual process and implementation.” We cannot emphasize enough the importance of relying upon the expertise and generosity of NYC’s homeless youth to imagine an inclusive, innovative, and accurate count. Homeless youth are the experts when it comes to their own experiences and their voices should be at the forefront of the planning, implementation and recommendation phases of the process. In addition, similar to the PIT count, youth should be invited to volunteer during the count and should be given a monetary stipend for their time.

Moreover, national research from Chapin Hall continues to support the importance of having all youth counts be youth-led so that they can actually document the number of youth the count is intending to capture. As recounted during the testimony, due to years of having their opinions solicited but not heard or implemented, the YAB and other RHY have purposefully removed themselves from the collaboration and planning process until DYCD commits to implementing their recommendations going forward.

#### **2. The City must invest in alternative, non-PIT Youth Counts.**

While the Department of Housing and Urban Development (HUD) PIT count is an important tool, it was designed to capture chronic homelessness and unsheltered folks across the United States and was never intended to focus on RHY. Nonetheless, it remains an important metric that determines funding resources for many programs, including federal RHY funding. New York City needs to fund alternative counts that are designed to capture the unique presentation of RHY in our City. There is precedent for this. In 2008, the City Council funded a youth count under the unwavering conviction

---

<sup>7</sup> See paragraph 43 of the stipulation of settlement in *C.W. v. The City of New York*.

and leadership of late Councilman Lew Fidler.<sup>8</sup> While the data from this count is now over a decade old, those numbers are most often quoted by providers and advocates, including by Legal Aid in the RHY lawsuit. We greatly appreciate the Council, specifically Speaker Johnson, for including the need for a comprehensive youth count in his 2020 Case for Change report. However, this initiative needs to be funded so it will produce accurate results and allow for better service planning.

### **3. Use definitions that capture the breadth of RHY lived experience.**

Although the City must only count the numbers of youth that meet the HUD definition found during the Youth Count as a part of their larger PIT numbers, DYCD has the ability to use broader terms to better account for the diversity of the RHY population and the lived experiences of youth. We know HUD's definition of RHY is extremely narrow and when DYCD quotes only data that aligns with the HUD definition it is misrepresenting not only the number of youth experiencing homelessness in NYC, but the lived reality of those young people.

### **4. The City should publicize the Youth Count.**

The City should invest in a Public Service Announcement (PSA) campaign for next year's count. The PSA would not only increase the outreach to youth that need to be counted and that need services, but also bring attention to the youth homelessness epidemic among the general public. This PSA should include ads throughout the subway and bus systems, social media campaigns, and posters throughout the public schools, City-funded youth programs, municipal courts and hospitals.

### **5. The City needs to invest in adequate staffing and planning for the Youth Count.**

Historically, the vast majority of the work required to conduct a count of this magnitude has been delegated to RHY services providers who have volunteered to be a part of the process as well as researchers from CIDI -- the City's Center for Innovation through Data Intelligence. In 2019, DYCD took over all aspects of the Youth Count and since that time the Youth Count has been understaffed and we have seen a significant delay in the release of the findings from the count. As stated above, neither the 2020 report nor the 2021 report has been released to date. We recommend that DYCD does the following:

- Hire adequate, dedicated staff to oversee the planning, implementation and review of each count, including hiring youth with lived experience;
- Work with RHY providers to make sure they have the capacity to survey youth who call in to drop-in centers and other services during the week of the count in addition to youth who are physically present in these programs;
- Start the planning of the following Youth Count as soon as the current year's count concludes, including an evaluation of the current year's count;
- Ensure that the Youth Count reports are completed in a timely manner so that they can be made available as soon as HUD releases that year's PIT data.

---

<sup>8</sup> Empire State Coalition of Youth and Family Services, The New York City Association of Homeless and Street Involved Youth Organizations' State of the City's Homeless Youth Report, 2009.

In addition, we recommend that the City does the following:

- Recruit and utilize a larger number of volunteers to assist with the Youth Count. DHS reports that the HOPE count (NYC's PIT count) regularly has over 3,000 people who are deployed across the City and those HOPE volunteers should be trained on the Youth Count as well as the HOPE count; and
- Coordinate already existing outreach teams to target the areas where large numbers of youth congregate outside of regular program hours and where there may not be dedicated Youth Count sites.

**6. Commit to using easily accessible technology for future counts.**

DYCD relied heavily on the use of virtual surveying for the 2020 count due to the COVID-19 pandemic. DYCD chose to use the WebEx platform as opposed to a more user/youth friendly platform such as Zoom. Moving forward, DYCD must listen to the feedback it receives from youth with lived experience regarding the most appropriate ways to survey youth so that the technology doesn't preclude a young person from participating at all.

**7. Compensate youth for their time and sharing their experience.**

Young people who participate in the count should be compensated for their time spent participating in the survey because it is time taken away from working or engaging in other supports that are crucial to their livelihoods. RHY providers who are already donating their time should not bear this financial responsibility; instead, the City should provide food, MetroCards or some other form of incentive to the providers to distribute to youth who participate.

**8. Count sites need to be established throughout all five boroughs.**

In the past, there have been entire sections of the city that were not represented including: Far Rockaway in Queens, Crown Heights, Flatbush, Brownsville and East New York in Brooklyn, and Hunts Point and Co-op City in the Bronx.

**9. The Department of Education (DOE) must participate in the Youth Count.**

National data shows that one of the main components of a successful Youth Count involves a strong collaboration and commitment from the educational systems to participate. Although DYCD has indicated they are open to this collaboration, they have never initiated the IRB approval process with enough time to allow DOE the ability to participate. We believe DOE is an integral resource for any successful Youth Count in NYC and every effort must be made to include them in the planning and implementation process as soon as possible.

**Lack of Permanent Housing for RHY**

While it is not the direct focus of this hearing, we would be remiss not to mention how crucial it is for RHY to have access to meaningful permanent housing options. Other than some limited supportive housing units, youth leaving the RHY shelter system currently do not have access to any



of the long-term housing resources afforded to individuals leaving other NYC shelters and systems. RHY in youth shelter do not have access to a NYCHA priority or to housing assistance programs such as CityFHEPS. While the administration has recently shared that they will begin a pilot to allow 50 RHY to access CityFHEPS assistance, this development came after years of unmet promises and will not meaningfully impact the entire population. Until RHY have access to permanent, affordable housing, they will truly be unable to fully realize their potential as members of our City.

### **Conclusion**

Thank you again to the Youth Services Committee for looking so closely at the Youth Count. We cannot emphasize enough the importance of recognizing and relying upon the expertise and generosity of NYC's homeless youth to imagine an inclusive and accurate Youth Count. We look forward to working with the larger RHY community and the Council on this and related advocacy going forward.

---

### **About The Legal Aid Society**

The Legal Aid Society, the nation's oldest and largest not-for-profit legal services organization, is more than a law firm for clients who cannot afford to pay for counsel. It is an indispensable component of the legal, social, and economic fabric of New York City – passionately advocating for low-income individuals and families across a variety of civil, criminal, and juvenile rights matters, while also fighting for legal reform. This dedication to justice for all New Yorkers continues during the COVID-19 pandemic.

The Legal Aid Society has performed this role in City, State and federal courts since 1876. It does so by capitalizing on the diverse expertise, experience, and capabilities of more than 2,000 attorneys, social workers, paralegals, and support and administrative staff. Through a network of borough, neighborhood, and courthouse offices in 26 locations in New York City, the Society provides comprehensive legal services in all five boroughs of New York City for clients who cannot afford to pay for private counsel.

The Society's legal program operates three major practices — Civil, Criminal, and Juvenile Rights — and receives volunteer help from law firms, corporate law departments and expert consultants that is coordinated by the Society's Pro Bono program. With its annual caseload of more than 300,000 legal matters, The Legal Aid Society takes on more cases for more clients than any other legal services organization in the United States. And it brings a depth and breadth of perspective that is unmatched in the legal profession. Our Juvenile Rights Practice provides comprehensive representation as attorneys for children who appear before the New York City Family Court in abuse, neglect, juvenile delinquency, and other proceedings affecting children's rights and welfare.

**Justice in Every Borough.**



Last year, our Juvenile Rights staff represented more than 33,000 children. At the same time, our Criminal Practice handled nearly 220,000 cases for clients accused of criminal conduct. Many thousands of our clients with criminal cases in Criminal Court and Supreme Court are school-age teenagers and young adults. Annually, our Civil Practice works on more than 52,500 individual legal matters, including advocacy for families with school-age children.

The Legal Aid Society's unique value is an ability to go beyond any one case to create more equitable outcomes for individuals and broader, more powerful systemic change for society as a whole. In addition to the annual caseload, the Society's law reform representation for clients benefits more than 1.7 million low-income families and individuals in New York, and the landmark rulings in many of these cases have a State-wide and national impact.

The Legal Aid Society is uniquely positioned to speak on issues of law and policy as they relate to homeless New Yorkers. The Legal Aid Society is counsel to the Coalition for the Homeless and for homeless women and men in the *Callahan* and *Eldredge* cases. The Legal Aid Society is also counsel in the *McCain/Boston* litigation in which a final judgment requires the provision of lawful shelter to homeless families. Legal Aid, in collaboration with Patterson Belknap Webb & Tyler, LLC, filed *C.W. v. The City of New York*, a federal class action lawsuit on behalf of runaway and homeless youth in New York City. The Society, along with institutional plaintiffs Coalition for the Homeless and Center for Independence of the Disabled – NY, settled *Butler v. City of New York* on behalf of all disabled New Yorkers experiencing homelessness. Legal Aid has continued to litigate on behalf of thousands of New Yorkers experiencing homelessness during the COVID-19 pandemic, including in *E.G.*, where we ensured WiFi access for students in DHS and HRA shelters, as well *Fisher*, where we continue to litigate to protect the rights of individuals living in de-densification hotels during the pandemic.

**Contacts:**

Beth Hofmeister  
Staff Attorney, Homeless Rights Project  
The Legal Aid Society  
[bhofmeister@legal-aid.org](mailto:bhofmeister@legal-aid.org)  
(646) 988-0529

Theresa B. Moser  
Staff Attorney, Juvenile Rights Practice  
The Legal Aid Society  
[tbmoser@legal-aid.org](mailto:tbmoser@legal-aid.org)  
(646) 995-8790

# THE CENTER

## **Committee on Youth Services**

*Oversight- Youth Count*

April 13, 2021

## **Testimony of**

**The Lesbian, Gay, Bisexual & Transgender Community Center  
New York, NY**

**THE LESBIAN, GAY, BISEXUAL &  
TRANSGENDER COMMUNITY CENTER  
208 W 13 ST NEW YORK, NY 10011**

T. 212.620.7310

F. 212.924.2657

[gaycenter.org](http://gaycenter.org)

# THE CENTER

Thank you for the opportunity to provide written testimony regarding the Oversight Hearing on Youth Services.

New York City's LGBT community formed The Lesbian, Gay, Bisexual and Transgender Community Center (The Center) in 1983, in response to the AIDS epidemic, ensuring a place for LGBTQ people to access information, care and support they were not receiving elsewhere. Now the largest LGBT multi service organization on the East Coast, The Center sees more than 6,000 weekly visitors and hosts over 400 community group meetings each month. The Center has a solid track record of working for and with the community to increase access to a diverse range of high-quality services and resources, including our substance use recovery programming for adults and youth; HIV/AIDS programming; youth programs; and our families and opportunities work.

## **The Center's services**

The Center offers a healthy environment for community members, as well as their partners and families, to connect with others going through similar experiences. Currently, 295 of those we serve identify as youth. Our services have evolved over time to include a range of support, advocacy, education and economic stability initiatives.

- **Counseling and support groups:** The Center provides short-term individual counseling and referral services, as well as hosts a range of support groups for our transgender and gender nonconforming communities. Both individual counseling and groups offer support around a variety of topics, including gender identity and expression, emotional challenges, substance use and recovery, and aim to build peer support networks.
- **Employment support:** Despite legal protections in New York State, the effects of discrimination continue to place trans and gender nonconforming communities at extremely high rates of poverty, unemployment, underemployment and homelessness. The Center provides services to directly combat this inequality, including individual career coaching support, case management, events focused on career exploration, legal workshops and networking opportunities.

For over three decades, The Center has worked to ensure that the LGBT community of New York City has access to the highest quality and most diverse range of services and resources. Though we are living in a time of unprecedented social, legal and political acceptance of the LGBTQ community, there is still much work to be done on a local and state level to ensure that our community members can successfully combat the social and economic injustice they face daily. As the council prepares for its budget negotiations, we ask that you prioritize funding the services that we mentioned above. Thank you to the Committee for the opportunity to provide this testimony today on an issue of great

**THE LESBIAN, GAY, BISEXUAL &  
TRANSGENDER COMMUNITY CENTER**  
208 W 13 ST NEW YORK, NY 10011

T. 212.620.7310  
F. 212.924.2657  
gaycenter.org

# **THE CENTER**

importance city-wide. We look forward to continuing working with you to ensure New York City's future as a safe space for all New Yorkers.

**THE LESBIAN, GAY, BISEXUAL &  
TRANSGENDER COMMUNITY CENTER  
208 W 13 ST NEW YORK, NY 10011**

T. 212.620.7310  
F. 212.924.2657  
[gaycenter.org](http://gaycenter.org)

January 27, 2020

Susan Haskell, Deputy Commissioner of Youth Services, DYCD  
2 Lafayette Street, 22<sup>nd</sup> Floor (reception on 21)  
New York, NY 10007

Re: 2021 New York City Youth Count

Dear Ms. Haskell,

The New York City Continuum of Care Youth Action Board is writing to strengthen its partnership with the Department of Youth and Community Development (DYCD), and to amplify the growing concerns of the youth and young adults experiencing homelessness that are members of the New York City Continuum of Care (NYCCoC) Youth Action Board (YAB) regarding the annual Youth Count. The YAB hopes that we can work together with the DYCD to resolve the ongoing issues related to the YAB's involvement and contribution to the Youth Count moving forward. This letter also serves as formal notification of the YAB's decision to limit its support of the 2021 Youth Count to the support that the YAB has already given to the DYCD staff in charge of the count, more specifically attending planning meetings, providing DYCD with feedback and recommendations in the summer and facilitating the provider and volunteer training. Therefore, we will not be supporting with the administering of surveys as we did during the 2020 Youth Count. Instead we have focused our efforts in writing this letter and providing recommendations to DYCD on how to better utilize youth with lived experience in all aspects of the Youth Count moving forward.

The YAB was established in 2017, since its inception it has had the honor of providing feedback, and on occasion, technical support to DYCD on the annual Runaway and Homeless Youth Youth Count. This relationship was formalized in 2019, when the YAB's contract with the NYCCoC specified supporting the Youth Count as one of the YAB's "special project" commitments. Based on the YAB's experience with the count over the past four years of partnership the YAB saw fit to evaluate its work with the DYCD under the supervision of the Coalition for Homeless Youth and in collaboration with its stakeholders. This evaluation has found that there continues to be an opportunity for DYCD to advance its investment in authentic partnerships with youth and young adults, specifically youth and young adults experiencing homelessness -- not only in regards to the Youth Count, but also in other areas of focus by DYCD.

This investment should also result in improved partnership with the YAB and a greater involvement of the YAB in the design and decision making process of DYCD. The YAB is committed to working equitably and believes no organization is an island, that community inclusion is essential to successful programming -- especially the annual Youth Count. Working collaboratively is not only a definition of authentic partnership, but a community-centered response to supporting the specific issues youth experiencing homelessness elevate regarding services.

Given the impact the Youth Count has on the future of RHY services in NYC and nationally, the YAB is demanding that the following requests and areas of improvement are acknowledged and implemented if the City wishes to provide an accurate estimate of homeless youth to the federal government.

- **The Youth Count is being run by a single staff at DYCD with no additional funding.** In addition, DYCD asked for increased YAB engaging without having resources to support the requests - DYCD cannot bank of free labor from the YAB. DYCD needs to prioritize funding for the Youth Count, and make it a priority for the agency to do an successful count. This should include an specific budget to support youths involvement in the surveying process of the count,

and youth involvement should not only be limited to YAB members. DYCD cannot keep treating the Youth Count as just another thing that they have to do- when it should be the biggest event that the DYCD RHY unit does every year.

- **DYCD’s approach in working with youth with the lived experience of homelessness is tokenizing and adultist.** DYCD needs to engage in professional development to better understanding what it means to work with youth with lived experience in a leadership capacity. Secondly, DYCD needs to work collaboratively with the YAB to make sure that there is a clear understanding of the YABs role in the count, what power we have, and how DYCD will implement an equitable planning and decision making process.
- **DYCD consistently doesn’t start planning for the count in a timely manner.** This was especially true for this year since we feel that moving the count to a virtual space makes the need for better planning greater- as opposed to dedicating less time and resources which is what was done. DYCD needs to work with the YAB to establish an appropriate timeline for planning the Youth Count. This should include quarterly youth count stakeholder meetings with the larger RHY community, where there is clear messaging about why the count is important, and what the benefits of ensuring the count is accurate are. This will make sure the count is being developed by the “community” as opposed to just DYCD
- **Overall DYCD needs to improve their commitment to the needs of youth experiencing homelessness in NYC.** DYCD needs to push the Youth Count and other RHY needs/issues into their other (larger) programs, and advocate for more resources. DYCD needs to work to strengthen their relationship with the DOE and other City agencies that RHY access. DYCD needs to prioritize public awareness of youth homelessness, and the DYCD services that exist for them. Everyone knows what SYEP is, but most people don’t know what RHY is- that is a problem that DYCD needs to address. DYCD also needs to ensure that the RHY resources that are shared are accurate - if they are not accurate they are harmful.

We look forward to our continued work together in collaboration to a more successful Youth Count in the future. We would like to schedule a meeting to discuss issues outlined in the letter further and establish a mutually agreed upon timeline for the 2022 youth count, as well as to share some additional ideas we have for our continued collaboration. We look forward to continuing working together to better serve RHY in NYC, and we thank you for trusting us to be a part of this important annual process.

Respectfully,  
The New York City Youth Action Board

Cc:  
Tracey Thorne, Youth Count Coordinator, DYCD  
NYCCoC Co-Chairs  
Cole Giannone, Senior Advisor, Deputy Mayor Health & Human Services  
Beth Hofmeister, Staff Attorney, The Legal Aid Society  
Coalition for Homeless Youth