



Testimony of Commissioner Zach Iscol
New York City Department of Emergency Management
Before the New York City Council Committees on Immigration and General Welfare
August 10, 2023

Good morning members of the New York City Council. I am Zach Iscol, Commissioner of New York City Emergency Management, and I am here to discuss the surge in asylum seekers in New York City. Joining me at today's hearing is Manuel Castro, Commissioner of the Mayor's Office of Immigrant Affairs, Dr. Theodore Long, Senior Vice President at NYC Health and Hospitals, Ahmed Tigani, Chief Diversity Officer and First Deputy Commissioner at NYC Department of Housing, Preservation and Development and Betsy MacLean, NYC Chief Engagement Officer

The influx of asylum seekers seeking refuge in New York City continues to be challenging, but it's also a great example of what this city can accomplish when we all work together. This is one of the most significant humanitarian crises the city has ever faced. Nearly 100,000 asylum seekers have come through our system asking for shelter since April 2022. New York City has provided services, support, and, most importantly, care to more asylum seekers than any other city in the nation. We have done everything in our power to serve these nearly 100,000 migrants. However, with an average of 300-500 people still arriving each day, and more than 57,300 migrants still in the city's care, New York City is struggling against capacity constraints and has been left – largely alone – to manage a national crisis. This is not a city-specific homelessness issue but a federal immigration issue, and every state and every municipality across the country should be a part of the solution.

New York City is and will always be a city that welcomes immigrants; we are proud of that. Every day, myself and a team of dedicated public servants from multiple agencies work around the clock to find safe emergency sites for asylum seekers and families with children to rest their heads. This team of professionals are truly unsung heroes. However, despite our best efforts, it has become increasingly challenging to find sites to shelter people. As the coordinating agency for the City of New York, Emergency Management is no stranger to assisting people displaced from their homes, whether it be a natural disaster like a hurricane, flood, or other emergencies such as a fire or gas explosion. We have played a role throughout this crisis by coordinating with partner agencies in the opening of Humanitarian Emergency Response and Relief Center (HERRCs), coordinating between incoming buses of asylum seekers and providing support to the operations of the Arrival Center. In the face of these significant capacity constraints the city must use every tool at our disposal to attempt to create critically needed space for families with children. To support that effort, we have implemented a 60-day notice policy. Let me be clear: We do not want anyone sleeping on our streets and if Council walks away with anything today, I hope it's that.

In July, single adults who had been in our care for the longest amount of time started receiving these notices on a rolling basis. During the past two weeks, some asylum seekers have asked to be reconnected with family and friends throughout the country. We have been able to work with individuals to get them other needed supports like connecting them to CBOs for support. Adult asylum seekers who do not find alternative housing by the time their 60 days are complete will be required to reapply for a new placement at the Asylum Seeker Arrival Center. Again, with the number of families with children in the City's care continuing to increase, this policy will create critically needed space so families with children are not left to sleep on the streets.



It is incredibly important to know that we will continue to support all asylum seekers as best as we possibly can, but there is no way around it, we are past our breaking point. We cannot emphasize enough that we need additional support from the state and federal governments. The Governor has declared a disaster emergency relating to the asylum seeker crisis, but the State has neither fully exercised its legal powers nor provided sufficient additional resources to facilitate the City's response. Additional federal actions and resources are also needed, including a declaration of a federal emergency for New York that would allow the City to draw upon additional resources. We also need the federal government to establish a national decompression strategy and expedite work authorization so people can start their path to the 'American Dream.'

We urge all members of the council to join us in calling for more support from our state and federal partners. New York City can't continue to shoulder the weight of a national issue. As the mayor has said, our city will remain a beacon for all who come to our shores, because that is the New York City way; it is time for that to be the American way as well.

We will now take questions from the council.

Thank you.



Breaking the Cycle of Homelessness
for Women and their Children

**Testimony of Win (formerly Women In Need, Inc.) for the New York City Council
Committee on General Welfare Jointly with the Committee on Immigration
Oversight Hearing – *The Mayor's 60-day Shelter Stay Limit for Adult Migrants*
August 10th, 2023**

Introduction

Thank you to Chair Hanif and Chair Ayala and to the esteemed members of the Committees on Immigration and General Welfare for the opportunity to submit testimony. My name is Dr. Henry Love, and I am the Vice President of Policy & Research at Win. Win is the City's and the nation's largest provider of shelter and services to families with children experiencing homelessness. We operate 14 shelters and nearly 500 supportive housing units across the five boroughs. Each night, more than 6,500 people call Win "home", including 3,600 children.

Win's Response

At Win, we have always welcomed immigrants to our shelters, and we are committed to ensuring a safe place to rest, heal, and recover for all New Yorkers in need, regardless of their immigration status. To treat all families with a dignified reception and improve the conditions for asylum-seeking families in New York City, Win has provided the following: shelter and case management, food and clothing, orientation for asylum-seeking clients, translation services, childcare and recreation for immigrant youth, income building program and employment services, medical referrals, asylum application and work authorization clinics and supports, and federal advocacy in Washington, D.C. for work authorization, TPS, and parole.

In short, Win has stepped up to provide enhanced services necessary for migrant families, utilizing unrestricted dollars and generous donations to support every family we serve, regardless of their background and immigration status. Furthermore, we have increased our immigration advocacy efforts and have echoed the Mayor's call on Washington for increased support from the federal government and White House. However, we remain deeply concerned about the prospects of asylum-seeking families with children who do not live in these shelters.

For families with children who are living in precarious emergency shelter settings or have yet to go through intake, the 60-Day Rule offers a grim insight on what could be coming next for them. The 60-Day Rule has resulted in adult asylum seekers sleeping on the streets or in City parks, and we worry that families will soon be subject to these harsh rules and unfit conditions if the City doesn't alter its agenda.

Outstanding Concerns

Win has done everything within its means to support every family we serve, regardless of their background and immigration status. However, there are issues beyond our purview that must be



Breaking the Cycle of Homelessness
for Women and their Children

addressed by the City. To Mayor Adams and City Hall, we have the following outstanding questions about the immediate treatment of asylum-seeking households:

- **Which families can go through shelter intake at PATH and which families are sent to the Roosevelt Hotel? Are households that are placed in emergency shelters and HERRCS informed of their right to apply for shelter at PATH?** Families have the right to apply for Tier II shelter at PATH, but we have heard that they are being sent to the Roosevelt Hotel and placed at emergency shelters that lack the comprehensive services offered at Tier II shelters.
- **What childcare and educational supports are available to asylum-seeking families with children?** We fear that families with children in emergency shelters and HERRCS are lacking the assistance with DOE enrollment and childcare referrals that they would typically receive in a Tier II shelter.
- **What is the City's plan for the many households who haven't or won't have applied for legal status by the one-year deadline after their arrival?** We are concerned that very few migrants have applied for legal status, and wonder where households who aren't being helped by the Asylum Application Help Center are being sent.
- **What permanent and affordable housing options do these families have?** Since most noncitizen households remain ineligible for NYCHA and housing subsidies, a permanent and affordable housing solution for these families seems out of reach.

Next Steps for the City

To address these concerns, Win is advocating for administrative changes that will relieve the shelter system and allow noncitizen households to truly thrive. Based on our work with families and children, Win believes that the following steps will lead to immediate and long-term results for asylum seekers:

- **Restore funding for DHS, DSS and the direct-service providers working with asylum-seekers so that families can continue to be welcomed and sheltered with dignity.** We are also asking the City to commit to reimburse providers for the additional costs that were incurred by providing basic necessities not covered in their contracts and to create flexibility for providers to use money from unfilled staff lines to pay for the unique human capital needs related to the migrant crisis, such as critical translation services.
- **Ensure that Local Law 35, sponsored by Council Member Erik Bottcher and drafted in partnership with Win – which requires mental health professionals to be available in shelters for families with children to provide on-site or telehealth mental health service – is fully funded and implemented.** As mandated, mental healthcare would be accessible to all those in need, regardless of immigration status.



Breaking the Cycle of Homelessness
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- **Enact the CityFHEPS expansion as determined by Intro 878, Intro 229, Intro 893, and Intro 894.** These bills are a vital step in slowing the shelter census, moving eligible households into permanent housing, and opening beds for migrants who need emergency shelter. However, to be most effective, these bills require an upfront investment in vouchers and overhead for their administration.
- **Implement administrative changes to CityFHEPS to expedite the leasing process for families.** We recommend simple fixes that would decrease overhead costs and increase move out rates, such as allowing for the electronic processing of checks, moving the application to the ACCESS HRA portal, pre-approving families within a week, and reducing redundancies in the unit preclearance process.
- **Extend eligibility for housing subsidies to all households in need, regardless of their immigration status.** Presently, families seeking asylum are ineligible for rental assistance vouchers, a denial that is exacerbating the capacity crisis and trapping noncitizens in transitional housing shelters.
- **Advocate for the inclusion of the Housing Access Voucher Program (HAVP) in the New York State budget** to create a flexible, statewide voucher to be used by people at risk of or experiencing homelessness. This sort of subsidy will be available to people regardless of immigration status and should help as many as 50,000 New Yorkers avoid the trauma of homelessness.

The forces at work that are driving this crisis are of a global scale and require a coordinated effort that goes far beyond the capacity of the New York City government to solve. We recognize that migrant families need access to benefits and work authorization that the City cannot grant on its own—therefore the City should act on these policy changes that *are* within its jurisdiction. We have sent along a letter with these recommendations to the Administration, and we look forward to collaborating with City Hall and City Council on implementation. Thank you for your continued partnership and support—together, we can end family homelessness for all New Yorkers.



**Presented before the
New York City Council
Committees on General Welfare and Immigration
Oversight Hearing on The Mayor's 60-day Shelter Stay Limit for Adult Migrants.
August 10, 2023**

Thank you, Chair Diana Ayala, Chair Shahana Hanif, and members of the General Welfare and Immigration Committees for the opportunity to submit written testimony about the Mayor's 60-day shelter stay limit for adult migrants during this unprecedented time.

Bronx Parent Housing Network (BPHN) offers emergency/transitional housing and support services at 20 facilities in New York City through the Department of Homeless Services (DHS). In the last year, BPHN has served over 3,500 individuals and families with emergency housing and support each month. We deliver essential support services, create holistic paths to employment and stability, and help individuals living with HIV/AIDS, single parents, substance abusers, people experiencing homelessness, formerly incarcerated, and individuals with disabilities.

Since last spring, nearly [100,000 asylum seekers](#) have arrived in our city resulting in many housing and financial challenges. Currently, the city spends over \$9.8 million each day to provide food, shelter, medical care and social services to over 57,000 asylum seekers in its care. We commend our city leaders for responding with care and urgency to the currency asylum seeker crisis. New York City Council held many hearings and introduced and passed a plethora of bills to address the current crisis and the Mayoral administration have worked tirelessly to identify opportunities for housing and partnerships across the state to support this vulnerable population.

BPHN Efforts to Support the Homelessness Crisis

Understanding the urgency of the moment, BPHN has joined city leadership in addressing the crisis. We opened five commercial hotels that are currently assisting more than 1,500 asylum seekers. In response to the need, we have launched a pilot program through the Food & Nutrition Program for asylum seekers to help provide food security to this vulnerable population.

Additionally, with a deep concern of the city's homelessness crisis, even before this moment, we have supported New Yorkers experiencing homelessness through:

- **Pathway to Permanent Housing:** We offer assistance with securing entitlements/benefits, submitting housing applications and documentation for receiving housing subsidies/rental assistance, priority access to landlords/brokers, guidance on tenants' rights, and responsibilities prior to leasing, and accompaniment to housing viewings.

- Emergency Housing for People Living with HIV/Aids: BPHN works together with the Human Resources Administration to ensure quality services are being provided to clients residing in emergency housing network facilities. Our emergency housing network-emergency housing provider management program provides daily oversight of assigned facility providers that are located in all NYC boroughs -Bronx, Brooklyn, Manhattan, Queens, and Staten Island. We oversee facility providers to ensure they adhere to NYC Housing standards and codes and offer social service referrals to clients as necessary.

Our programs and services are critical to the individuals we serve, and we humbly and proudly provide our clients with the resources and tools they need to achieve and maintain economic stability.

The Mayor's 60-day Shelter Stay Limit for Adult Migrant

While we appreciate the Mayor's leadership in identifying opportunities to prioritize creating capacity for children and families as the city's sheltering system approaches capacity, we are concerned that the city's 60-day shelter stay limit for adult migrants will have unintended harmful consequences.

We are concerned that the 60-day shelter stay limit will increase street homelessness as many of the adult migrants will not have an alternative place to live. The recent images of asylum seekers sleeping outside of the Roosevelt Hotel and other public areas throughout our city were unnerving and disconcerting and this policy could exacerbate this issue. Since coming into office, the Mayor has made addressing street homelessness a priority and the right to shelter has long been one of the core values of New York City. The adoption of this policy is counterintuitive to what our city stands for. As the city continues to navigate this crisis and manage limited resources, we must stay centered on our commitments to end homelessness, including street homelessness.

Recommendations

As the city works to address the asylum seeker crisis, we would like to join the Mayor and City Council calls to expedite work permits for asylum seekers to facilitate faster employment

opportunities so that asylum seekers can receive income to move into permanent housing. Additionally, we call on the city to invest in policies that support permanent housing. While temporary solutions may address the asylum seeker crisis in the immediate term, city leadership must also address the long term challenges of housing insecurities that existed before the current crisis. We understand that policies are ever evolving given the magnitude of the crisis, and we encourage the administration to ensure that direct service providers receive timely updates on policy changes that impact those that they serve.

We join Mayor Adams, Governor Hochul and the Council in calling on the federal government to provide additional resources and assistance so that the city can address the current crisis in a meaningful way. New York City, simply, cannot tackle this challenge alone and without appropriate help from our federal government.

We appreciate the Council's commitment to providing shelter to individuals facing housing insecurity. Thank you again for the opportunity to submit testimony.

Please contact Seth Muraskin at s.muraskin@bphn.org with any questions regarding this testimony.



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Homeless Services United's Written Testimony for

The NYC Council General Welfare and Immigration Committees' Joint Hearing on the Mayor's 60-day Shelter Stay Limit for Adult Migrants on August 10th, 2023.

My name is Eric Lee and I'm the director of policy and planning at Homeless Services United. Homeless Services United (HSU) is a coalition representing mission-driven, homeless service providers in New York City. HSU advocates for expansion of affordable housing and prevention services and for immediate access to safe, decent, emergency and transitional housing, outreach and drop-in services for homeless New Yorkers. Thank you, Deputy Speaker Ayala and Chair Hanif and members of the General Welfare and Immigration Committees, for allowing me to testify today.

HSU is grateful to Deputy Speaker Ayala, Chair Hanif, and members of the Council for your steadfast leadership and commitment to assisting New Yorkers at risk of eviction or currently experiencing the trauma of homelessness. This hear today is extremely timely, as the City finds itself at a pivotal point in the evolving shelter capacity crisis.

The Right to Shelter must always be upheld in New York, and we are heartened by Justice Edwards' order instructing New York City to work with the State on a proposal to enumerate what it needs to continue to abide by the Callaghan Consent Decree. **The City must not allow the humanitarian crisis which we witnessed on the sidewalks in front of the Roosevelt Hotel a couple weeks ago to happen again.** We saw mothers nursing their children sprawled on red-hot pavement without food or water or even shade, and we saw single adult men sleeping outside the intake center for days desperately hoping to enter shelter after being turned away from the Intake Center and DHS shelter intake. The City's 60-day time limit for Single Adults in HERRCS is an inhumane and arbitrary time limit which will result in unnecessary destabilization and churning of single adults experiencing homelessness and will in harm. **Every forced exit from shelter is another chance for someone to spiral down and end up on the streets, hospitalized, or possibly worse.**

The 60-day time limit for Single Adults in HERRCS and DHS' refusal to shelter asylum seekers without a referral from the Roosevelt Intake Center is unjust. The City understandably needs additional resources from the State and Federal government to cope with the demand for shelter, but there are several actions the City in addition to the State can take to remedy the crisis and ensure sufficient shelter capacity for everyone who needs it.

Prevent Homelessness Wherever Possible:

1. **Prioritize filling vacancies and expanding capacity at HRA to ensure timely processing of Public Assistance (PA), SNAP, Cash Assistance (CA), One-Shot Deals and Rental Assistance Vouchers.**

HRA should not have to continue relying on internal redeployments of staff to eliminate backlogs in understaffed units, as it ultimately leads to further delays within other parts of the agency and contributes to staff burnout.

- a. Bulk up staffing at HRA Public Benefits Access Centers to eliminate bottlenecks for public benefits, One-Shot Deals, and CityFHEPS and FHEPS rent vouchers
- b. Staff up the Rental Assistance Unit (RAU) to meet increased demand for One-Shot Deals

- c. Staff up the Rental Assistance Processing (RAP) Unit to quickly process new CityFHEPS applications, as well as eliminate backlogs for CityFHEPS renewals and annual rent increases to keep tenants stably housed and quicken exits from shelter
2. **Expand funding for eviction prevention resources and legal assistance for tenants at risk of eviction and unable to pay their rent.** Every eviction we fail to prevent represents another household at risk of entering the shelter system.
 - a. Homebases programs are the primary access point to apply for CityFHEPS in community, but Homebase providers are oversubscribed, with waits for appointments stretching out months in advance, staff carrying average caseloads of 94:1 which are almost triple their contracted amount, and average vacancy rates of 20% across programs and average turnover rates of 54% of staff within the last year! **Homebase providers need additional funding to raise salaries to close vacancies and retain staff and expand headcount to meet current demand within the community.**
 - b. Housing Courts are a current pain-point for tenants, as the number of cases far outstrips the capacity of Universal Access to Counsel (UAC) attorneys. This week Bronx Housing Court announced opening an additional Intake Part to handle the high number of cases, with almost no notice given to legal providers and no additional funding to represent those cases. Unrepresented tenants are signing stipulations without understanding the legal implications including agreeing to payback monies they may not owe and their housing is in serious states of disrepair, both of which could have been addressed, had UAC providers sufficient capacity to represent them.

Improve Rental Assistance Move Outs for People Experiencing Homelessness:

1. **The City should move to implement the laws the Council passed to expand eligibility and streamline access to CityFHEPS rental assistance vouchers as quickly as possible.**
 - a. We encourage the Administration to work with the Council to develop an implementation plan to enact these crucial CityFHEPS eligibility changes for people at risk of or currently experiencing homelessness. The sooner the City can implement these cost-effective and humane reforms to the program, the sooner that more households in shelter who are currently ineligible due to reasons like work or income requirements will be able to finally have a means of attaining permanent housing.
 - b. Critical to implementation is sufficient staffing at DSS/HRA to process public benefits and applications, additional staffing and funding for Homebase providers to submit additional CityFHEPS applications, and additional funding for DHS shelter programs to hire and retain housing specialists. Homebase programs are already over-subscribed and shelters are also struggling to attract and maintain staff due to recent PEGs and lack of COLA for their workers. We need to ensure nonprofits and DSS/HRA both have the person power necessary to assist the increased number of eligible voucher holders in the community and shelters citywide.
2. **Advocate for additional Capital Investments from the State and Federal government to address the NYCHA repairs backlog** which last January included 6,000 vacant units which on

average remained offline for a full year. The Housing Authority should continue to shorten the average turnaround time to repair and bring vacant units back online and homeless households should give priority for those units.

3. **Continue improving the supportive housing referral and placement process from end-to-end, to quickly match eligible clients to vacant supportive housing units.** Despite efforts to address the backlog in referrals, there are still over 2,000 vacant supportive housing units awaiting referrals.
 - a. We encourage the City to continue to partner with supportive housing providers to promote innovative approaches to address current bottlenecks, such as Breaking Ground making intra-agency referrals for its 90 Sands project, and Volunteers of America's Housing First pilot which placed individuals directly from the streets into supportive housing while backloading the lengthy application process to after the individual is already brought inside.

Strengthen New York City and State's Shelter Capacity

HSU suggests the following recommendations be included in the City's Proposal submitted to New York State in compliance with Justice Edward's ruling:

1. **The State should remove its arbitrary spending cap on Adult Shelter, and instead pay a proportionate amount of the annual shelter costs for single adults.**
 - a. While we are grateful to Governor Hochul for committing \$1 billion over two years to reimburse the City for the cost of asylum seekers, the State has flat-funded its contribution towards the cost of Single Adult shelters since 2012 at \$69 million per year. As a result the City has had to cover the majority of the cost for the Adult Shelter system as it expanded over the past 12 years. The State should share a more equitable burden in upholding the State Constitution's Right To Shelter.
2. **Enhance Funding for DHS and H+H Shelters for Asylum Seekers to bring levels of service on par with equivalent DHS Shelters.**
 - a. DHS Sanctuary Shelters and H+H HERRC contracts do not include funding for the same level of staffing and services as typical DHS shelters. Many asylum seekers who fled their native country have fled unspeakable dangers and suffered through extremely traumatic situations and need the same level of case management and mental health services available in standard DHS programs. DHS shelters have a caseloads of 25:1 for case managers as well as employment and housing specialists, and some DHS shelters also provide on-site mental health services. Asylum seekers would benefit from additional support to stabilize their situation and regain their feeling of self-agency.
3. **Restore the 2.5% across-the-board cut to personnel lines in DHS contracts**
 - a. DHS and City-contracted shelter providers have made laudable progress on rehousing households from shelter including an 18% increase in subsidized placements. Those gains are currently being undermined by the imposition of a funding cut (known as a PEG) which will result in fewer staff at nonprofits to assist in the rehousing process and make it impossible to hire people to fill vacant positions to continue the momentum.



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Adding to the staffing challenges, there was no COLA for nonprofit workers in the FY24 budget despite our dire need for workers and despite raises for every other type of worker in the City which is widening the pay gap for nonprofit employees making it even harder to support shelter residents in the rehousing process.

4. **Urge the Governor to Invoke New York Executive Law 29-a or other applicable provisions of law to invalidate executive orders in counties that refused to accept new arrivals or request the State intervene in pending cases to overturn the obstructive executive orders.**
 - a. Governor Hochul should take action to stop “bigoted policies based on fear and intimidation” passed by localities to prevent asylum seekers from being able to relocate to their communities. Through her leadership, all of state can marshal around the core values of its Constitution which states “the aid, care and support of the needy” are public concerns.
5. **Request a full inventory of State-owned facilities throughout New York State which could be repurposed for shelter or temporary housing and include Capital Funding to implement repairs.**
 - a. While we appreciate the State’s offering of Creedmoor Psychiatric Center and other sites to be used as emergency housing facilities, there must be an all-of-State approach, creating a full inventory of State-owned facilities throughout New York which could be repurposed to temporarily house asylum seekers, and the State should take on a role coordinating appropriate placements of asylum seekers in facilities across the state.

Crises can test our convictions, and while the cost of sheltering asylum seekers is high, the cost of doing less is far more expensive. The Right to Shelter MUST be upheld, and the task that lies before New York is great, but it is not insurmountable given sufficient resources. We look forward to working with the Council and our partners at the City and State to continue to make New York’s safety net a model for the rest of the country. Thank you for the opportunity to testify today.

If you have any questions, please email me at elee@hsunited.org

Testimony by the New York Legal Assistance Group on
The Mayor's 60-Day Shelter Stay Limit for Adult Migrants
Before the New York City Council Committees on General Welfare and Immigration
August 10, 2023

Deputy Speaker Ayala, Chair Hanif, Council Members, and staff, good afternoon and thank you for the opportunity to speak to the Committees on General Welfare and Immigration on the Mayor's 60-Day shelter stay limit for adult migrants. My name is Deborah Berkman, and I am the Supervising Attorney of the Shelter Advocacy Initiative and the Public Assistance and SNAP Practice at the New York Legal Assistance Group (“NYLAG”).

NYLAG uses the power of the law to help New Yorkers experiencing poverty or in crisis to combat economic, racial, and social injustices. We address emerging and urgent needs with comprehensive, free civil legal services, financial empowerment, impact litigation, policy advocacy, and community partnerships. We aim to disrupt systemic racism by serving clients whose legal and financial crises are often rooted in racial inequality.

The Shelter Advocacy Initiative at NYLAG provides legal services and advocacy to low-income people residing in and trying to access homeless shelter placements in New York City. We work to ensure that every New Yorker has a safe place to sleep by offering legal advice and representation throughout each step of the shelter application process. We also assist and advocate for clients who are already in

shelter as they navigate the transfer process, seek adequate facility conditions and resources for their needs, and offer representation at administrative Fair Hearings. The Public Assistance and SNAP Practice represents clients having trouble accessing or maintaining Public Assistance and SNAP benefits. We represent these clients at administrative Fair Hearings, conduct advocacy with the Department of Social Services (“DSS”), Benefits Access and SNAP centers, and bring impact litigation to ensure that our clients are obtaining and maintaining an adequate level of benefits.

NYLAG also houses the Immigrant Protection Unit (IPU), a unit I work collaboratively with. Dedicated to social justice, the IPU provides New York City’s low-income immigrant communities with comprehensive and multifaceted consultations, direct legal representation, legal clinics and an array of educational workshops and presentations. The IPU provides a wide range of immigration legal services including citizenship, adjustment of status, VAWA, U-visas, asylum, removal defense and many other areas. Through its services, the IPU seeks to broaden and improve access to quality legal representation and, through an integrated approach to immigration, to address the social welfare needs of New York’s low-income immigrant communities. The cornerstone of the IPU’s outreach, education, and advocacy efforts is to empower and help New York’s immigrant communities to overcome their unique hardships.

I have worked with numerous single adults and families experiencing homelessness who have come to the United States and sought refuge. Based on my experiences, I appreciate the opportunity to offer the following comments.

I- The Mayor's Policies Relating to Recent Immigrants in Shelter are Blatantly Discriminatory

New York City is a self-proclaimed "Sanctuary City", but ever since immigrants began to arrive in greater number in the spring of 2022, they have been afforded fewer rights and services by New York City than non-recent immigrants and arrivals from other states and countries. Despite the fact that shelter in New York City is legally mandated to be provided to every person, regardless of immigration status, the City has been consistently failing to provide, or providing sub-standard, shelter to recent arrivals since that time. For instance, last summer, NYLAG clients reported waiting extreme lengths of time at the Department of Homeless Services ("DHS") intake centers before they were assigned a shelter, some of them sleeping there for days. Clients also reported very few DHS employees who spoke Spanish, appalling conditions at the shelters, including a lack of water and diapers, and staff who subject them to harassment, mockery and racial slurs.

Then, in September of 2022, Mayor Adams created a new shelter system charged with providing shelter to only the newly-arriving asylum-seekers from over the southern border.¹ These new shelters, called the Humanitarian Emergency Response and Relief Centers ("HERRCs"), did not comply with the minimum shelter guidelines mandated in New York City, did not offer all the protections and services of DHS shelter, and did not provide its residents with assistance transitioning to permanent

¹ <https://www.nyc.gov/office-of-the-mayor/news/695-22/mayor-adams-humanitarian-emergency-response-relief-centers-further-support-asylum#:~:text=Humanitarian%20relief%20centers%20will%20become,City%2C%20in%20addition%20to%2C%20if>

housing. The first of these shelters was a tent complex on Randall’s Island. People already living in the United States experiencing homelessness were provided with shelter inside actual buildings, but people arriving from Central and South America experiencing homelessness were provided with an outdoor tent.² Since that time, the City has opened other emergency relief shelters in a cruise terminal,³ in school gymnasiums⁴ and in other places that cannot provide for the basic needs of residents. These shelters fail to meet the minimum standards for shelter in New York City by not providing residents with adequate food, not providing showers or areas to bathe, not assisting residents with enrolling their children in school, not providing access to medical care and generally not providing case management. NYLAG clients report experiencing each of these inadequacies while at non-DHS emergency relief shelters. Also, and very troublingly, residents of these non-DHS shelters are not eligible for the housing subsidies that allow people experiencing homelessness to transition to permanent housing, which they may be eligible for if they resided in DHS shelter and which is often the primary way for many shelter residents to obtain stable housing.

One family NYLAG represents, the P. Family, has a 4-year-old daughter and a 1-year-old son. After a difficult journey to the United States from Nicaragua, followed by time spent in ICE detention, they arrived in New York and were placed at a non-DHS emergency relief shelter on November 2. The P. family’s birth certificates were

² <https://citylimits.org/2022/11/10/mayor-adams-set-to-shut-down-randalls-island-tent-complex-for-asylum-seekers/>

³ <https://www.nyc.gov/office-of-the-mayor/news/176-23/mayor-adams-placement-two-new-humanitarian-emergency-response-relief-centers>

⁴ <https://nypost.com/2023/05/16/eric-adams-is-putting-nycs-kids-second-by-sticking-migrants-in-school-gyms/>

taken by United States Custom and Border Patrol and not returned. Because of this, shelter staff incorrectly informed the family that their children could not be enrolled in school. The P. family was not provided with medical examinations and the P. children were not vaccinated. The P. family repeatedly requested shelter staff help to enroll the 4-year-old in school and was incorrectly told it was not possible without a birth certificate.

The P. family had been living at the non-DHS emergency relief shelter for over a month before they were connected to me. They explained to me that they were particularly concerned with enrolling their daughter in Pre-K so that she would have the opportunity for proper schooling and not fall too far behind. Luckily, I was able to advocate for this family so that they could enroll their daughter in school and obtain medical exams and immunizations. However, the shelter was aware of this situation for over a month and did nothing to address these critical issues. In contrast, DHS has caseworker staff in its shelters tasked with supporting residents with these types of issues and many more. This failure would be very unlikely to occur at a DHS shelter due to the availability of case management. Moreover, the P. family plans to stay in New York and would greatly benefit from a housing voucher to transition to permanent housing but is not eligible for one because they were funneled into a non-DHS shelter as opposed to a DHS Shelter upon arrival in New York City.

Initially New York City took the position that any person can present at intake for DHS shelter at any time if they want access to the benefits and services that DHS provides. However, recently the City has enacted a policy that all recent-immigrants

and asylum seekers must present for intake at the Arrivals Center at the Roosevelt Hotel in Manhattan and are not permitted to present for intake at DHS intake sites. So, unless specifically referred to DHS sites by the staff at the Arrivals Center, recent immigrants are not permitted to access the DHS shelter system that provides greater supports and access to rental vouchers. Everyone who is not a recent immigrant is eligible for DHS shelter and all of the supports and services that come with it.

Not only are recent immigrants not permitted to present at DHS intake, the Arrivals Center is not able to physically accommodate the number of individuals trying to apply for shelter. Thus, recent-immigrant shelter applicants have had to sleep outside on the sidewalk while waiting in line⁵ (one day sleeping shoulder to shoulder spanning three full blocks) and sleeping in buses outside the arrival center.⁶ Now, the City is taking the position that recent-immigrants can only stay in shelter for 60 days, while all of the other people who need shelter may stay for unlimited time.⁷

It appears that the City has taken the position that the right to shelter does not extend to newly arrived immigrants. Recently arrived immigrants are not a legally distinct group and are not set apart from other migrants or other shelter residents due to the immigration status, manner of entry to the U.S., or posture of their immigration cases. The *Callahan*⁸ and *Boston*⁹ settlements do not exclude recently

⁵ <https://nypost.com/2023/07/31/migrants-sleep-outside-nycs-roosevelt-hotel-as-shelter-hits-capacity/>

⁶ <https://gothamist.com/news/migrants-in-nyc-sleep-in-buses-on-street-as-intake-center-runs-out-of-space>

⁷ <https://citylimits.org/2023/07/19/mayor-adams-puts-60-day-limit-on-shelter-stays-for-adult-migrants/>

⁸ <https://www.coalitionforthehomeless.org/wp-content/uploads/2014/06/CallahanConsentDecree.pdf>

⁹ <https://www.coalitionforthehomeless.org/wp-content/uploads/2014/08/BostonvNewYorkFinal.pdf>

arrived immigrants, and the right to shelter extends to all in New York City. There is no basis for this disparate treatment.

Any curtailment on the right to shelter for recent immigrants is nothing less than blatant discrimination. All people experiencing homelessness in our city are equally deserving of shelter, and as a sanctuary city, it is our duty to protect immigrants who seek refuge in our city and not turn them out on the street.

II- To Create Space in the Shelter System, the City Should Adopt Common-sense Reforms to Help Residents Transition to Permanent Housing

The City claims that it needs to limit (only immigrant) shelter stays to 60-days to create room in an overburdened shelter system. But the problem of low shelter vacancy rates existed long before the latest wave of immigrants arrived in New York City.¹⁰ For instance, for the week ending on November 5, 2021, the vacancy rate for families with children was only 1.3%, well below the standard vacancy rate of 5% DHS aims to maintain for the shelter system.”^{11 12}

And people have always languished in shelter for far too long. Even before the current wave of immigrants, transitioning from shelter to permanent housing was incredibly difficult and even then, the average length of stay for single adults and families in the shelter system was extensive. For instance, in City Fiscal Year 2022, the average length of stay in the DHS shelter system was 509 days for single adults,

¹⁰<https://nylag.org/dhsfoil/#:~:text=The%20data%20NYLAG%20obtained%20through,New%20Yorkers%20who%20need%20them.>

¹¹ https://nylag.org/wp-content/uploads/2023/03/DHS-Shelter-Projections-November-4-2021-January-10-2023_NYLAG-FOIL.pdf

¹² <https://www.thecity.nyc/2022/7/26/23279842/homeless-shelters-are-overflowing-and-most-likely-in-poor-areas-despite-fair-share-promises>

534 days for families with children, and 855 days for adult families.¹³ The numbers were unconscionable even before the mayor had immigrants to blame for overcrowding concerns. Shelter should only be a temporary occurrence to aid in the transition to affordable permanent housing, not a place where people languish for years. There are several common-sense approaches that would prevent people from having to access shelter and help people transition from into permanent housing and thus create space in shelter system.

A. Expand Access to Rental Vouchers

For the vast majority of my clients, the ability to transition to permanent housing is dependent on their eligibility for a rental subsidy. Not only should this council quickly implement the groundbreaking rental subsidy legislation (Introduction 878-A, 893-A, and 894-A) passed on July 13, such eligibility should be expanded to those not covered by current programs, including but not limited to expanding eligibility to undocumented immigrants.

B. Provide Adequately Staffed Housing Specialists and Public Benefits Specialists at Every Shelter

As I have frequently seen first-hand, it is almost impossible for people to transition out of shelter and into permanent housing without a housing specialist to aid them in their housing search, and access to a rental subsidy (which in itself is a crucial public benefit). Housing specialists are a vitally important resource for locating apartments and processing applications, and shelter staff and caseworkers

¹³ <https://www.coalitionforthehomeless.org/basic-facts-about-homelessness-new-york-city/#:~:text=In%20City%20Fiscal%20Year%202022,855%20days%20for%20adult%20families.>

are not able to keep up with the demand. Shelter staff and caseworkers often do not understand shelter residents' eligibility for rental subsidies, particularly when those residents are immigrants. This causes people to languish in shelter for far too long. Thus, housing specialists and public benefits eligibility specialists should be available at every City shelter.

C. Provide Adequate Staff at DSS to Process Rental Subsidy Applications and Oversee Timely Payments

The best way to create vacancy in the shelter system for people of all national origins is to assist rental subsidy holders to find and maintain apartments. But because of lack of adequate staffing at DSS, the process of getting an apartment approved for a rental subsidy is slow and overly burdensome for landlords and is often riddled with administrative errors. And even after an apartment is approved and the client moves in, clients report problems with DSS in that DSS often does not pay their rent on time, and sometimes will discontinue paying rent without notice to the client or the landlord. DSS is simply understaffed. We urge this Council to create legislation aimed at adequately staffing DSS.

We thank the Committees on General Welfare and Immigration for the work you have done to facilitate services for vulnerable New Yorkers, and for taking this opportunity to continue to improve the conditions for our clients. We hope we can continue to be a resource for you going forward.

Respectfully submitted,

New York Legal Assistance Group



Testimony of
Coalition for the Homeless
and
The Legal Aid Society
on
Oversight – The Mayor's 60-Day Shelter Stay Limit for Adult Migrants
presented before
New York City Council Committees on Immigration and General Welfare

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The Legal Aid Society

August 10, 2023

The Coalition for the Homeless and The Legal Aid Society welcome this opportunity to testify before the New York City Council's Committees on Immigration and General Welfare. As the court- and City-appointed independent monitor of the DHS shelter system and counsel in the historic *Callahan*, *Eldredge*, and *Boston* cases that created the right to shelter in NYC, we are uniquely situated to provide insight about the Mayor's implementation of a 60-day limit on shelter stays for single adult migrants.

New Arrivals and the Right to Shelter

The members of the Committees of Immigration and General Welfare are well aware of the legal obligation – as prescribed by the New York State Constitution, multiple court orders and local laws – to provide decent, appropriate, and accessible shelter placements for all in need of such, regardless of immigration status. For more than 40 years, it is this fundamental right that has served as the bedrock of our city's response to mass homelessness, and it has kept New York City from witnessing the emergence of the vast tent encampments seen in so many other major American cities.

The influx of new arrivals to New York that began last summer has unquestionably created strains on the City's emergency relief systems, and the Coalition and Legal Aid have repeatedly provided practical solutions that the City and State could implement to increase vacancies in the existing shelter system by helping individuals and families move into permanent housing, thereby creating additional capacity for the new arrivals.

As we noted in our testimony before these committees on June 21st, the City has chosen to create multiple different kinds of shelter to house recent arrivals, managed by a variety of City agencies. While the Department of Homeless Services ("DHS") currently serves most new arrivals, the City has also enlisted Health and Hospitals ("H&H"), the Department of Emergency Management ("OEM"), Housing Preservation and Development ("HPD") and the Division of Youth and Community Development ("DYCD") to stand up additional shelter capacity apart from the traditional DHS shelter system.

Last fall, the City launched the first Humanitarian Emergency Response and Relief Centers ("HERRCs"), which are run by H&H and HPD. These sites were developed to provide tailored services for recent new arrivals whose service needs are often different than those of the general DHS shelter population. Most HERRCs are in repurposed hotels, but there have also been HERRCs in a tent, a cruise terminal, former office buildings, and soon on the grounds of a former psychiatric center. The City has also employed OEM to open more and more "respite centers," which were supposed to be temporary emergency sites in places not traditionally used for shelter (such as churches, empty and unfinished buildings, a seasonal mail sorting facility at JFK airport and school gyms).

Because the HERRCs and respite centers are not run by the City's Department of Social Services ("DSS"), the City does not consider them to be subject to either DHS regulations and policies or State shelter regulations. In fact, the City treats them as if they are not currently subject to any specific rules, aside from the Federal and State laws that apply to all government-operated sites (such as disability rights laws and civil rights laws) and the few rules set forth by Corporation Counsel.

Several months ago, the Roosevelt Hotel was opened as the “Arrival Center” where people who have travelled to New York are processed for assignment to such HERRCs, respite sites, DHS hotels or other temporary shelter, and are also able to access medical and other limited services. Since commencing operations, the lobby at the Roosevelt has been packed with individuals and families who, exhausted and traumatized from their journeys, wait hour after hour for a bed and, if they are lucky, a shower.

But even that scene is better than what we all witnessed a few weeks ago when hundreds of new arrivals were left stranded for days on the sidewalk outside the Roosevelt with limited food, no access to restrooms, and no relief from the elements because the Mayor and Governor failed to take critical steps to ensure sufficient capacity in NYC shelters. As a result of actions taken by the Coalition and Legal Aid in the *Callahan* litigation, new arrivals were moved inside from the sidewalks. But, as you are aware, every day, the Roosevelt continues to receive new individuals and families seeking refuge.

The 60-day Limit on Shelter Stays for Adult Migrants

On July 19th, Mayor Adams announced that the City would be imposing a 60-day limit on shelter stays for adult migrant men. As we understand it, this time limit currently applies to individuals who have been residing in the HERRCs the longest; but, eventually, it will extend to all newly arriving single adult migrants who are placed in a non-DSS operated shelter. The City states that intensive case management will be employed during this 60-day period to help identify alternative housing solutions for these individuals. While we are uncertain how effective the City has been in achieving this goal, we know that, if recipients of notices have not exited the shelter system at the end of the 60-day period, they are expected to surrender their existing placement and return to the Roosevelt for reassessment. What occurs next remains to be seen given that the first notices went out a few weeks ago, meaning no one has reached the 60-day mark. The *Callahan* consent decree protects all individuals from being denied shelter. But nothing communicated by the City thus far guarantees that notice recipients will be reassigned to a new shelter placement when they return to the Roosevelt after the 60 days end. In fact, the notice that has been shared with us is vague, stating that the individual “may return to the Arrival Center located at the Roosevelt Hotel in Manhattan and *apply* for another housing assistance option, which *could* include a faith or community-based organization or placement in a hotel in upstate New York.” (emphasis added).

The Coalition and Legal Aid believe it is a mistake to limit stays in this way for any person in need of emergency shelter for a number of reasons:

- **First, this policy creates an atmosphere of confusion and uncertainty for new arrivals and other unhoused New Yorkers, which could lead to displacement and spur an expansion of encampments.** New arrivals, especially those with whom the City is unable to effectively communicate due to a language barrier, may not understand what this policy means and therefore may not return to the Roosevelt at the end of the 60-day period. Instead, they may resort to living unsheltered in public spaces because they believe they have no other option (as recently occurred with former residents of the Hall Street respite site near the Brooklyn-Queens Expressway). Such displacement not only impacts people’s health and safety but may also disconnect them from necessary resources, such as legal

assistance, to secure their immigration status or necessary medical care. Similarly, we have encountered individuals residing in DHS operated shelters (or who may need a shelter placement in the near future) who are uncertain whether this policy applies to them and, if so, whether they should utilize NYC shelters when they may have to return to the streets in 60 days. If such individuals likewise abandon the shelter system, New York may soon resemble places like Los Angeles with numerous encampments throughout the City and more individuals disconnected from the services and assistance they need.

- **Second, this policy introduces further instability for a population that has already experienced considerable trauma.** The Coalition’s annual *State of the Homeless*¹ report has often noted how lack of predictability can exacerbate trauma for unhoused individuals in the shelter system. This arbitrary purported time limit, coupled with no guarantee of ongoing placement, will create even less predictability, further compounding the trauma new arrivals have already experienced. The government’s goal should be to help connect new arrivals to permanent housing and stability so that they can focus on their asylum applications and employment, which benefits new arrivals and all New Yorkers.
- **Third, this policy makes no sense as a practical matter.** The Arrival Center is already struggling to process the hundreds of new arrivals each day, so adding notice recipients to the queue for reprocessing will create further processing delays and inefficiencies. Even if the hope is that not all notice recipients will seek reassignment because of successful efforts to connect them to friends, family or other locations, there are already over 800 notice recipients, and many more will follow. It is predictable that a significant number of recent arrivals will not find an alternative to their current shelter placement, and they will be needlessly uprooted while creating a heavier workload for the Arrival Center.
- **Fourth, this policy creates additional barriers for any new arrival who requires an accessible placement.** We have not been provided with data to show how many new arrivals have accessibility needs, but the City has confirmed that such individuals are not exempt from this policy. Depending on the nature of the disability, having to return to the Arrival Center alone could be challenging. Further, given the limited number of accessible placements within the emergency shelter system, requiring someone to exit a placement without the guarantee of a new placement that meets their accessibility needs is unconscionable and would run afoul of the City’s legal obligations to accommodate clients with disabilities.
- **Finally, such limitations, particularly without guarantees of ongoing placement, raise legal concerns.** No individual residing in shelters operated by DHS is limited to a 60-day placement. To impose such a limit for individuals simply because they are residing in a non-DHS facility and based on their country of origin and familial status raises legal concerns. At a minimum, it would invite scrutiny of any efforts by the City to steer single adult migrants to non-DHS facilities, if such a move is being done solely to prevent them from having the protections that apply to other DHS residents .

Reforms available to the City to reduce the shelter census

¹ Available at <https://www.coalitionforthehomeless.org/wp-content/uploads/2023/06/StateoftheHomeless2023.pdf>

Rather than limit shelter stays for any population, the Mayor should be taking steps to increase shelter capacity. The most effective way to do so is to move people from shelters into permanent housing. The City has many tools at its disposal to do so that it has failed to fully implement, including:

- **Provide more robust case management to determine if recent arrivals have other resources:** the City has failed to offer any case management to most recent arrivals in City shelters. City officials have reported to us that, in recent conversations with recent arrivals who have been called in for meetings to discuss their service needs, a large percentage of people report that they would have other places to live if they can get assistance with services, such as NYC ID or re-ticketing to other jurisdictions. Others may be eligible to apply for work authorization now and need assistance.
- **Expand City FHEPS to clients with a wider range of immigration statuses:** the City has the authority to expand the City FHEPS voucher program to enable clients with a wider range of immigration statuses who have languished in shelter for years to use the voucher to move into permanent housing.
- **Rebuild and grow the source of income discrimination unit to meet current demand:** it is illegal in New York City for a landlord or a broker to refuse to rent to a prospective tenant because they intend to use a housing voucher. The Source of Income Unit at the New York City Commission on Human Rights is the sole team within the only agency with the power to enforce the NYC Human Rights Law in a pro se friendly administrative forum, but it lacks adequate staffing. CCHR needs experienced attorneys and intervention specialists to process filed complaints as well as a robust pre-complaint intervention unit to respond to the immediate needs of unhoused New Yorkers experiencing discrimination.
- **Train shelter staff on how to screen for benefits eligibility:** many clients in the City's shelter systems may have had a change in their immigration status that impacts their benefits eligibility (including eligibility for housing vouchers) since they entered shelter. However, even at sites where case management services are available, shelter staff lack the expertise to properly screen for those changes.
- **Increase staffing to timely move people out of shelter with the existing City housing voucher programs:** Legal Aid and the Coalition receive daily calls from clients in shelter who have found apartments to rent but they cannot move out of shelter because of the City's failure to timely process their housing voucher paperwork, largely due to staffing shortages. Clients often wait weeks or months to move out of shelter due to administrative delays.
- **Immediately use the State Rent Supplement Program funds for long-staying shelter residents who are ineligible for other subsidies:** these funds have been specifically designated for households experiencing or facing homelessness,

regardless of immigration status. While the City reports they are working on a plan to use these funds, they have yet to implement it.

- **Prioritize immigration legal services for those clients with the most pressing deadlines:** under federal law, asylum-seekers in the United States have one year from their date of entry into the country to submit an application for asylum. Currently, the City is not using date of entry to prioritize who receives immigration legal services (including when clients are referred for services from the pro se clinics the City recently set up), which will result in many recent arrivals losing their opportunity to apply for asylum.
- **Provide more funding for full representation for immigration providers:** the asylum application process is complex, and any submissions made in that application will be difficult to amend at a later date. It is a challenging process for individuals to navigate successfully without the assistance of an immigration attorney, but the demand for immigration legal services providers far outweighs the current capacity of legal services providers. This is particularly critical for those on expedited “dedicated dockets” in Immigration Court proceedings. For asylum applicants, most will not receive their work permit in enough time to benefit from them before their final hearing in Immigration Court. Full legal representation is the best chance of being granted asylum and becoming self-sufficient.
- **Target short and long-term opportunities for the City to help recent arrivals obtain work permits, such as:**
 - screening for humanitarian parole status, which provides an immediate pathway to work authorization concurrent to the length of the parole;
 - collaborating with workers’ rights advocates to screen for labor abuse and trafficking for those who are already working. This would provide another pathway for work authorization;
 - continuing to advocate with the federal government for the re-designation of TPS for Venezuela, so that those who entered after the current cutoff date of March 8, 2021 could also be eligible for accompanying work authorization;
 - advocating for TPS equity for black migrants as well. This could be especially beneficial for the single adults in shelter who are being targeted with this 60-day limit; and
 - incorporating immigration legal information and education as part of the intensive case management for those receiving 60-day notices.

Rather than focus on these measures which could have mitigated the high shelter census that predated the current influx of new arrivals, the Mayor has taken the misguided step of attempting to limit shelter stays to 60 days and putting a vulnerable population at even greater risk.

Measures the State should take to assist new arrivals

We continue to advocate for Governor Hochul **to address the influx of new arrivals, by immediately:**

- Expanding resettlement of new arrivals by reaching out to mayors/county executives throughout the State to not only encourage them to receive new arrivals, but to help coordinate such relocation.
- Invoking New York Executive Law 29-a or other applicable law to invalidate executive orders in Counties that have refused to accept new arrivals; alternatively, the State should intervene in pending cases to overturn executive orders.
- Identifying other State-owned facilities throughout New York State that may be able to serve as housing for new arrivals.
- Permitting resettlement of families with school age children (5 years old or older) outside of NYC.
- Enforcing the right to shelter access statewide so that new arrivals can seek shelter throughout the State.
- Continuing efforts to secure work authorizations.
- Establishing and funding a financial assistance program for immigrants with disabilities to the extent not otherwise in place. (In California, certain seniors and immigrants with disabilities are eligible for CA's form of SSI, known as Cash Assistance Program for Immigrants (CAPI)).
- Funding a rent subsidy plan for undocumented individuals who remain long-term.

The State must also take immediate steps to reduce the underlying City shelter census by addressing the drivers of homelessness for New Yorkers by:

- Increasing the State-set public assistance rent allowance and/or providing a rent supplement to meet the FMR for all populations so that the rent allowances are aligned with the housing market in NYC.
- Reversing the State clawback on the Rent Supplement Program.
- Releasing the \$400 million for rent subsidies authorized in previous budgets.
- Ending the prison-to-shelter pipeline by ensuring effective reentry planning for individuals being released from State prisons.

The Mayor and Governor must work together to meet their moral and legal obligations to provide emergency shelter for all who are in need and to ensure that no one is relegated to sleeping on the streets, exposed to the elements.

About The Legal Aid Society and Coalition for the Homeless

The Legal Aid Society: The Legal Aid Society ("LAS"), 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.

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, LAS provides comprehensive legal services in all five boroughs of New York City for clients who cannot afford to pay for private counsel.

LAS'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 LAS'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.

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 of 300,000 individual cases and legal matters, LAS's law reform representation for clients benefits more than 1.7 million low-income families and individuals in New York City 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. LAS, in collaboration with Patterson Belknap Webb & Tyler, LLC, filed *C.W. v. City of New York*, a federal class action lawsuit on behalf of runaway and homeless youth in New York City. Legal Aid, along with institutional plaintiffs Coalition for the Homeless and Center for Independence of the Disabled-NY (“CIDNY”), settled *Butler v. City of New York* on behalf of all disabled New Yorkers experiencing homelessness. Also, during the pandemic, The Legal Aid Society along with Coalition for the Homeless continued to support homeless New Yorkers through litigation, including *E.G. v. City of New York*, Federal class action litigation initiated to ensure Wi-Fi access for students in DHS and HRA shelters, as well as *Fisher v. City of New York*, a lawsuit filed in New York State Supreme Court to ensure homeless single adults gain access to private hotel rooms instead of congregate shelters during the pandemic.

Coalition for the Homeless: Coalition for the Homeless, founded in 1981, is a not-for-profit advocacy and direct services organization that assists more than 3,500 homeless and at-risk New Yorkers each day. The Coalition advocates for proven, cost-effective solutions to address the crisis of modern homelessness, which is now in its fifth decade. The Coalition also protects the rights of homeless people through litigation involving the right to emergency shelter, the right to

vote, the right to reasonable accommodations for those with disabilities, and life-saving housing and services for homeless people living with mental illnesses and HIV/AIDS.

The Coalition operates 11 direct-services programs that offer vital services to homeless, at-risk, and low-income New Yorkers. These programs also demonstrate effective, long-term, scalable solutions and include: Permanent housing for formerly homeless families and individuals living with HIV/AIDS; job-training for homeless and low-income women; and permanent housing for formerly homeless families and individuals. Our summer sleep-away camp and after-school program help hundreds of homeless children each year. The Coalition's mobile soup kitchen, which usually distributes 800 to 1,000 nutritious hot meals each night to homeless and hungry New Yorkers on the streets of Manhattan and the Bronx, had to increase our meal production and distribution by as much as 40 percent and has distributed PPE and emergency supplies during the COVID-19 pandemic. Finally, our Crisis Services Department assists more than 1,000 homeless and at-risk households each month with eviction prevention, individual advocacy, referrals for shelter and emergency food programs, and assistance with public benefits as well as basic necessities such as diapers, formula, work uniforms, and money for medications and groceries. In response to the pandemic, we are operating a special Crisis Hotline (1-888-358-2384) for homeless individuals who need immediate help finding shelter or meeting other critical needs.

The Coalition was founded in concert with landmark right-to-shelter litigation filed on behalf of homeless men and women (*Callahan v. Carey* and *Eldredge v. Koch*) and remains a plaintiff in these now consolidated cases. In 1981, the City and State entered into a consent decree in *Callahan* through which they agreed: "The City defendants shall provide shelter and board to each homeless man who applies for it provided that (a) the man meets the need standard to qualify for the home relief program established in New York State; or (b) the man by reason of physical, mental or social dysfunction is in need of temporary shelter." The *Eldredge* case extended this legal requirement to homeless single women. The *Callahan* consent decree and the *Eldredge* case also guarantee basic standards for shelters for homeless men and women. Pursuant to the decree, the Coalition serves as court-appointed monitor of municipal shelters for homeless single adults, and the City has also authorized the Coalition to monitor other facilities serving homeless families. In 2017, the Coalition, fellow institutional plaintiff Center for Independence of the Disabled – New York, and homeless New Yorkers with disabilities were represented by The Legal Aid Society and pro-bono counsel White & Case in the settlement of *Butler v. City of New York*, which is designed to ensure that the right to shelter includes accessible accommodations for those with disabilities, consistent with Federal, State, and local laws. During the pandemic, the Coalition has worked with The Legal Aid Society to support homeless New Yorkers, including through the *E.G. v. City of New York* Federal class action litigation initiated to ensure Wi-Fi access for students in DHS and HRA shelters, as well as *Fisher v. City of New York*, a lawsuit filed in New York State Supreme Court to ensure homeless single adults gain access to private hotel rooms instead of congregate shelters during the pandemic.



Testimony
New York City Council
Committee on General Welfare, Jointly with Committee on Immigration
Oversight Hearing: The Mayor's 60-day Shelter Stay Limit for Adult Migrants
Thursday, August 10, 2023

Good afternoon, Deputy Speaker Ayala, Chair Hanif, and members of the Committees. My name is Dash Yeatts-Lonske, and I am an Advocacy Associate at Urban Pathways. Thank you for the opportunity to testify at today's oversight hearing regarding the mayor's 60-day limitation on shelter stay for single adult asylum seekers.

Urban Pathways is a nonprofit homeless services and supportive housing provider serving single adults. Last year, we served 2,179 unique individuals through a full continuum of services that includes street outreach, drop-in services, Safe Havens, extended-stay residences, and Permanent Supportive Housing in Manhattan, Brooklyn, Queens, and the Bronx. We also offer a wide range of additional programming to meet the needs of our clients, including our Total Wellness, Employment, and Consumer Advocacy Programs.

The City's shelter system is currently facing a crisis. The influx of asylum seekers has stretched the shelter system to maximum capacity and created heartbreaking scenes of individuals seeking refuge sleeping on the street outside of the Roosevelt Hotel. Urban Pathways supports calls by the Administration and members of the City Council for the Federal and State governments to do more to address this complex situation and provide more resources. Immigration is a federal responsibility and a solution for providing resources and placing asylum seekers should be coordinated and funded by the Federal government, as such. In the interim, the influx of asylum seekers to New York should be treated as a statewide concern, and municipalities and counties outside of New York City should be supporting migrants with direction and assistance from the State government.

With that being said, New York City must also be doing everything within its power to alleviate pressure on the shelter system by getting current shelter residents into permanent housing and preventing more New Yorkers from entering shelter. Last month, the City Council passed an historic bill package that will promote the efficacy of the CityFHEPS voucher program and reach more New Yorkers in need of housing assistance. These bills (Introductions 229-A, 878-A, 893-

A, and 894-A) will collectively ensure the full value of the voucher up to 100% of the Fair Market Rent (FMR) can be used; allow households to apply for a CityFHEPS voucher right away by permanently eliminating the 90-day waiting period that is required of those entering shelter before they can qualify for the voucher; expand access to runaway homeless youth, eliminating the current necessity for youth to enter the adult shelter system before they can qualify for a voucher; and prevent evictions by allowing low-income households making less than 50% AMI to access the voucher when behind on rent before they are taken to housing court, and by removing work requirements and the requirement to have previously stayed in shelter.

These critical changes will make CityFHEPS more usable to obtain permanent housing for people currently experiencing homelessness and prevent households from losing their housing in the first place, ultimately alleviating pressure on the shelter system. The Administration has 180 days from the date of the bills passing on July 13th, 2023 to implement them. We urge the Administration to make the necessary changes to implement these bills as quickly as possible and before 180 days. Preventing evictions and moving people into stable housing will create needed access to the shelter system for asylum seekers.

The Administration's proposal to require single adults to reapply for shelter after 60 days requires more clarity. Questions that arise include:

- Will applicants be expected to leave their shelter or HERRC at the end of their 60 days during the application process?
- If they are denied shelter after they first apply, will they be allowed to stay in their shelter or HERRC while they reapply or be forced to leave?
- If approved for shelter, will people have to reapply again after another 60 days?

Clarity will be necessary for all involved in the process, including the shelter applicants and the provider of the shelter the individual is staying at to ensure there is a clear and consistent process. We strongly oppose any reapplication process that forces individuals to leave their shelter or HERRC while reapplying. Many are denied city shelters when they first apply, so we urge leniency and allowing individuals to stay during their reapplication process, as well. Denying shelter and forcing individuals to leave while they reapply will not solve any of the challenges that the city currently faces. It will simply create a cycle of individuals moving between the shelter and the street, pushing them into greater instability.

We also have strong concerns over the use of DSS staff time to process these shelter applications for asylum seekers. DSS is extremely understaffed and was subject to PEGS in the recent Fiscal Year 2024 budget. There has been a lack of staff to process applications, leading to delays in people being able to move out of shelter. It seems that reviewing shelter applications for individuals already in the system would not be the best use of DSS staff time. Instead, DHS and HRA should be redeploying and hiring more staff to process CityFHEPS applications and to make supportive housing placements to move shelter residents into permanent housing as quickly as possible. More must be done to move New Yorkers out of shelter more quickly, with

the average length of stay being more than one year, according to the Mayor's Management Report.

As the City leans heavily on human services providers to aid in this crisis and is asking organizations to provide additional services, it is notable that 2.5% budget cuts are being implemented on DSS service provider contracts in the FY 2024 City Budget. This includes shelters, Safe Havens, and Drop-in Centers, all of which are continuing to provide 24/7 essential services for the city. Many providers, like Urban Pathways, do not have the necessary staff to perform our current functions, due to high staff vacancy rates that are largely driven by inadequate pay on our government contracts. The \$40 million workforce investment in the FY 2024 budget equates to an inadequate less than two percent increase for our workforce. If the city would like nonprofit human service providers to increase services, they must adequately fund them and compensate the workforce fairly.

We hope that the City Council will consider restoring these cuts in the November Plan and providing the following instead to ensure successful implementation of the changes to CityFHEPS:

- Provide a cost-of-living adjustment to human services workers on par with City workers to combat high staff vacancy rates and ensure proper staffing is available at DHS-funded programs to assist people in their housing search.
- Restore the 2.5% cut to providers through flexible funding and increase the number of Housing Specialists to assist shelter residents in their housing search.
- Increase CityFHEPS staff in the HRA Rental Assistance Program (RAP) Unit that processes CityFHEPS renewals - As of March 2023, HRA only had 24 staff members processing annual renewals of CityFHEPS for the entire CityFHEPS program. This unit needs to be dramatically expanded.
- Increase Staffing in DHS's Rehousing CityFHEPS Packet Review Unit and Apartment Clearance Review Unit - As of January 2023, HRA only had 44 staff members reviewing CityFHEPS packets for all DHS shelters across the entire City and only 23 staff members doing apartment pre-clearances for apartments across the entire City. These units need to be dramatically expanded.
- Increase Staffing at Homebase Offices- Homebase offices across the City are struggling to meet soaring demand. It is not unusual for tenants to have to wait weeks for an appointment at some locations leaving a very short runway to avert an eviction. The City must scale Homebase contracts to current demand.

- Increase staffing for frontline Public Assistance and SNAP workers - A pending or active Public Assistance case is needed for many households to obtain a CityFHEPS voucher, however New Yorkers are facing massive delays at HRA. HRA only has 1,714 staff members for Public Assistance and 1,200 frontline SNAP workers to process benefits for the entire City - 1.78 million SNAP recipients and 466,000 Public Assistance recipients. As a result, people are facing huge delays in receiving their benefits.
- Increase staffing for the HRA Phone Lines, including the HRA Infoline - New Yorkers who are trying to call HRA often wait for hours to get in touch with a worker, resulting in benefits being cut off or delayed. We need more staffing for HRA phone lines, not less. People who call the Infoline should be able to get their problems addressed by supervisors to avoid benefits cut offs.

We hope the Administration will utilize their resources to get individuals and families stably housed as quickly as possible to open space for migrants to receive quality services in the New York City shelter system. Thank you for the opportunity to testify today. We look forward to working with the City Council to best serve our neighbors experiencing homelessness.

For questions or more information, please contact:

Dash Yeatts-Lonske

dlonske@urbanpathways.org

212-736-7385, Ext: 239

New York City Council Committees on General Welfare and on Immigration
Thursday August 10, 2023; 1:00pm
Hearing on Oversight-The Mayor's 60-Day Shelter Stay Limit for Adult Migrants
Testimony of [Melissa Johnson] [NY Organizer] [Black Alliance for Just Immigration (BAJI)]

Thank you to the Committee on General Welfare and the Committee on Immigration (“the Committees”) for holding this public hearing to address the 60-Day Shelter Stay Limit for Adult Migrants. My name is **Melissa Johnson, NY Organizer for the Black Alliance for Just Immigration (BAJI)**. BAJI is a Black national organization headquartered in Brooklyn, with chapters across the US, that fights for the rights of Black migrants and African Americans through organizing, legal advocacy, research, policy, and narrative building to improve the conditions of Black communities by advancing racial justice and migrant rights.

Mayor Eric Adams’ new 60-Day Shelter Stay Limit for Adult Migrants will undoubtedly cause increased violence and harm to already precarious newly-arrived Black asylum seekers. For the past few months, BAJI has been working on the ground in direct support of hundreds of new arrivals at the Stockton Street Respite Center, located in District 36 in Bed-Stuy, Brooklyn. Most of the Black asylum seekers there, though multilingual, do not speak or understand English. The African migrants in particular, have little access to legal support or social services because they mainly speak African indigenous languages not spoken by most providers. The Black migrants at the Stockton Center don't have an income or jobs, and won't get a work permit in sixty days. They can't even get a NYC ID card because they can't use the Stockton Center as their address. They are already the constant victims of harassment by a hostile anti-Black and xenophobic NYPD. Throwing these vulnerable migrants on the street and further abandoning them after 60-days is cruel and inhumane.

It is clear from our conversations with Black asylum seekers at the Stockton Center, and from what we have witnessed and experienced ourselves, that the City needs to focus on improving and strengthening the shelter systems in our communities rather than eroding and restricting them as ordered by the Mayor. There are grave weaknesses in the Mayor’s existing Asylum Seeker Reception and Placement practices and policies that highlight the urgent need to create meaningful and responsive mechanisms to protect Black and immigrant New Yorkers from not only the Administration’s abuses, but also the abuses perpetrated by the Office of Emergency Management (OEM) and the NYPD.

The Mayor’s new rule reflects intentional abandonment and anti-Black policy-making with respect to the right to shelter. Black communities in New York have already long been divested of the benefits of the City social safety net while investment in policing continues to increase. We ask that you do everything in your power to oppose the Mayor’s new rule and restore some humanity to the City’s shelter policies.

Thank you.



**Testimony of the Open Hearts Initiative
Committee on General Welfare and Committee on Immigration
August 2023**

I am submitting this written testimony on behalf of the Open Hearts Initiative, a grassroots organization of neighbors advocating for housing justice in their own backyards. Our neighborhood-based chapters have hundreds of volunteers who actively welcome and support homeless New Yorkers in neighborhoods like the Upper West Side; Upper East Side; Midtown Manhattan; Lower Manhattan; and Douglaston, Queens. We've been working to welcome our newest neighbors, who have the same rights and many of the same needs as long-time New Yorkers.

While this group of new neighbors has many of the same needs as anybody experiencing homelessness—such as material needs like food and clothing and safe shelter in a neighborhood where they feel welcomed and supported—they are also facing unique challenges. These include extensive language barriers, the lack of work authorization from the federal government, healing from the trauma of weekslong journeys across dangerous terrain to reach New York City, and—devastatingly—virulent and xenophobic backlash from a minority of New Yorkers who have responded with fear and hatred, rather than welcome and compassion. Another challenge has been the approach of the City itself in providing social services for asylum-seeker neighbors.

In particular, the shift in the City's response to our new neighbors over the last several weeks, namely, the abandonment of the right-to-shelter mandate for dozens of single adult men, is troubling and dangerous. When the City failed to provide immediate shelter for several days in late July and early August, during a heat advisory that urged everyone else (those with the means and resources) to stay inside and in air conditioning, we saw the largest violation of the City's right-to-shelter in recent memory. That is, perhaps, until the 60-day notices, which have now been issued to well over a thousand of our migrant neighbors over the past few weeks, run their course. These notices are harmful measures that could displace our newest neighbors from their community ties that have been carefully and thoughtfully established by countless community organizations, mutual aid networks, and everyday New Yorkers who have wanted nothing more than to be good neighbors.

Our Upper West Side Open Hearts chapter, for its part, organized a community chalking event outside the Stratford Arms, a Humanitarian Emergency Relief and Response Center (HERRC) in the neighborhood that has become the subject of an aggressive campaign designed to push



homeless neighbors out. Our group brought chalk and bottles of water and invited everyone to participate in writing welcoming messages on the sidewalk in front of the shelter, during which we met dozens of neighbors—staying inside the shelter and elsewhere, and including shelter staff—and inscribed messages in 8+ languages. Simply put, everyone belongs on the Upper West Side, and that includes our newest neighbors. That the 60-day notices could break the community ties that so many have worked hard to build, and the trust between neighbors that has started to develop, by having neighbors lose their shelter beds and reapply at the arrival center is counterproductive at best.

At the same time, the notices do not move migrants any closer to housing and stability and, upon potential street homelessness, have the potential to expose them to sweeps. Intensified case management cannot manifest reduced immigration court backlogs, work authorization, and access to rental subsidies. Without these, people will have just as much trouble as they currently do. We join the calls to the state and federal governments to provide additional financial and logistical support to the City to serve our newest arrivals, but the City cannot stop meeting basic needs.

In fact, there is much the City can do to increase shelter capacity that does not involve limiting shelter stays: immediately implementing expansions to the CityFHEPS vouchers that this Council passed; increasing capacity at City agencies for processing CityFHEPS vouchers; and increasing case management *without* punitive notices.

Welcoming asylum-seekers also means standing up for them when they come to our own neighborhoods. We condemn protests that have been led, including by members of this body, over the last several weeks after the City announced temporary shelters in and near their districts. Our hundreds of members already have and will continue to welcome new neighbors in their own backyards.

We thank the Council for this hearing on the 60-day notices. Please do everything you can to stop them for the safety of our newest neighbors and in service of welcoming, compassionate, and whole communities.

Submitted by Bennett Reinhardt, Advocacy Coordinator and Neighborhood Organizer



VOCAL-NY TESTIMONY

New York City, Thursday August 8th, 2023: VOCAL-NY would like to submit this testimony to the City Council on behalf of our member leaders. Our organization has worked with those directly impacted by HIV/AIDS, mass incarceration, the drug war, and homelessness for over 20 years, and we are deeply opposed to a proposal put forth by our Mayor to restrict the so-called “Right to Shelter.”

It is unconscionable that our Mayor is using the current influx of migrants to threaten the shelter system, which, while certainly not perfect, provides dignity and safety to over a hundred thousand New Yorkers. To be perfectly clear, dealing with an emergency influx of people without housing is the purpose of our shelter system. It cannot serve that purpose now because, for decades, people have been entering shelters at unprecedented rates, and staying there longer than ever before.

In the 1970s, growing poverty in the City of New York led to a massive increase in the number of people forced to sleep on the street. It was not uncommon at that time for people to be turned away from shelter beds because they were full, even at the height of winter, and deaths from exposure haunted the lawyers and social workers who fought the *Callahan vs. Carey* Case. Right to shelter was one of the largest and most ambitious social safety net expansions in the city's history. A fundamental anxiety, that you may find yourself out on the street and be turned away from even a dorm room bed, vanished. It was not a perfect process, and it certainly did not create an ideal system, but it cannot be disputed that facing a crisis, our city's leadership elected to expand services, and protect people.

Now, 42 years later, poised with another crisis, our leaders are fighting tooth and nail to do the opposite. By forcing people to reapply to shelter every 60 days, they hope to coerce people out of our city through discomfort and dismay. This is not new; City policy has often attempted to lower the number of people in shelters by creating bureaucratic hurdles and making the shelter system harder to navigate. It simply does not work. The number of people living in shelters remains exceptionally high, and more people double up or move onto the street.

It is critical we acknowledge the influx of people from out of state is not the reason shelters are so over crowded. The shelter population in New York has grown exponentially for over 20 years, because of the speculation and greed of the real estate industry, which is dead set on turning communities into commodities. Nearly one hundred thousand evictions are moving through housing court from the COVID-19 pandemic alone! Rents have risen at record-breaking paces, all while regulated renters face one of the highest rent increases in years.

It is time for our Mayor and our Governor to work together with the federal government to come up with solutions. We have worked with service providers and other grassroots allies to come up with a list of actions the City can take without delay:

1. **Immediately implement the City Council's critical package of CityFHEPS bills** to help homeless NYers get out of shelter and off the street and help people facing eviction. Vetoing these bills was shameful and only makes our crisis worse. However, the Mayor can still reverse this position and take action to immediately implement these reforms.
2. **Immediately use all City-owned vacant apartments to house tens of thousands of homeless New Yorkers in shelter and on the streets**, including [2,646](#) vacant supportive housing apartments, [6,583](#) vacant NYCHA apartments, and [many thousands](#) of vacant HPD apartments.
3. **Provide safe shelter to all by using the more [20,000](#) vacant hotel rooms** to offer safe, private shelter for homeless New Yorkers who need it. This includes using hotel rooms for people currently in congregate shelters and those on the streets, instead of continuing to warehouse people in crowded congregate shelters. It also includes stopping the harmful transfers of homeless New Yorkers from hotel rooms back into crowded congregate shelters, which the Adams administration restarted this summer.
4. **Use your emergency powers to house people in vacant apartments**, including an estimated [88,830](#) vacant rent stabilized units and hundreds of thousands of additional vacant market-rate units.
5. **Use available City funding to expand CityFHEPS vouchers and other housing help to undocumented New Yorkers** who are currently stuck in shelters and on the streets for years without help.
6. **Cease efforts to create a separate "shadow" shelter system for recent immigrants** that often does not meet the basic standards of the right to shelter, as exposed by repeated reporting and City Council hearings. These policies are racist and dangerous. The City must instead ensure all existing and new shelters meet the basic standards of the right to shelter consent decrees.
7. **Stop the sweeps and the over-policing and criminalization of homeless New Yorkers on the streets and subways** which cause serious harm and trauma to homeless people across the City. Instead of using the violence of forced removals, and involuntarily hospitalizing already traumatized people who are unsheltered, the City should offer people permanent housing and single rooms as the solution to homelessness.

We recognize that this issue is not wholly the responsibility of the New York City government, and we urge you to reach out to the Govern and demand they enact policies laid out by the Legal Aid Society:

1. **Invoke New York Executive Law 29-a** or other applicable provisions of law to invalidate executive orders in counties that have refused to accept new arrivals; alternatively, have the State intervene in pending cases to overturn the obstructive executive orders.
2. **Reach out to mayors and county executives throughout the state to encourage them to receive new arrivals.** The Governor is in a unique position to set the tone for counties and localities throughout New York.

3. **Identify more State-owned facilities that can serve as temporary housing for new arrivals** . The State has provided a few sites, such as Creedmoor Psychiatric Center, the JFK seasonal mail sorting building, the Lincoln Correctional Facility in NYC, and now Randall's Island, to serve as emergency housing facilities for new arrivals. However, it is imperative that the full inventory of State-owned facilities throughout New York, including armories, be quickly and thoroughly assessed so that appropriate facilities can be identified and made rapidly available to address the critical and immediate need for additional temporary housing.
4. **Help coordinate the relocation of the new arrivals to the facilities and localities described above.** Appoint someone with the authority and resources to quickly and effectively coordinate, in cooperation with New York City officials and relevant stakeholders statewide, the placement of new arrivals in appropriate, temporary housing facilities throughout the state.

Cowardly leaders have always claimed that reducing services will somehow make those services less necessary, but we do not believe New Yorkers are so easily fooled. We are proud of our heritage as a City of Immigrants and are willing to do the hard work necessary to ensure we can continue to welcome and support those fleeing violence, poverty, and bigotry.

As a nurse, mother and a traveler to Latin American and other international locations I understand the basic needs of the families. When the families arrived at the hotel and were given a microwave you disrupted their rhythm of Life in their kitchen. These families come from Nations where microwaves are not the norm. If you had taken the time to evaluate their needs you would have recommended giving them a crock-pot. Crock-pots are also electrical and allow the families to feed their children rice and other grains as well as eggs and other animal proteins and vegetables and vegetable proteins.

I request that you remove the microwaves and offer the families crock-pots to promote their Independence to make meals for themselves.

djherdan@gmail.com

Dear city council members,

Thank you for the opportunity to give this testimony.

My name is Marc Shi, and I am a primary care doctor working in a federally qualified health center in the Bronx. I am alarmed and dismayed by the mayor's recent statements on limiting shelter stays for adult migrants arriving to the city, and in general concerned by our city's approach to meeting the needs of our most vulnerable residents.

As a doctor, I take care of individuals who are recently arrive migrants to the city. I see the immense amounts of trauma that individuals have to go through in pursuit of a better, more stable life, and I see the ongoing obstacles they must face as they settle into their new lives in an unknown country. Often the single adults I take care of have family in their home countries they are providing for, and their stability ensures ongoing support for those families. As such, to see 'single adults' as a somehow qualitatively distinct category from families with children is shortsighted and inhumane.

Significant space remains in the city to continue to shelter new arrivals, including in vacant hotel rooms, and other locations. There are further ways to decrease time spent in shelter and improve this capacity for everyone – for example implementing the recently passed legislation to expand the cityFHEPS voucher program or increasing Department of Social Services staffing to expedite the cityFHEPS process. The city states that this 60-day limitations are a necessary step, but this is simply not true.

I also take care of individuals who are unstably housed. I see the ways in which lack of housing reverberates outward, effecting every aspect of a person's life and particularly their physical and mental health. While a stay in shelter is by no means the safe, affordable housing that people actually need, it can be the first step in achieving that stability; with the current state of our system, that step often takes much longer than 60 days. Denying individuals the chance to reach that stability, or having to restart the process perhaps in a new location, with new contacts, is, again, inhumane and unjust.

Thank you for your time.

August 10, 2023

My name is Maria Marin and I'm writing this testimony on behalf of all the people and families that have recently arrived in the city over the course of the past year. As a mother, human rights activist and as an immigrant myself from Venezuela, I'm deeply committed to supporting people in any way I can.

I understand the challenges, struggles and impact that this massive influx of people seeking asylum has had in the city. I also know that there are many non-profits, grass roots and mutual aid organizations, as well as government agencies working to bring the best solution to this situation, which has unfolded in part as a consequence of political interests and mediocre decisions made by politicians from other states.

People coming to this country are already fleeing from the horror of living under oppressive governments, preventing them from living as human beings with dignity. They are coming here to provide a better life to their families, those that come with them and those they are forced to leave behind. They risk their lives, children witnessed and are exposed to experiences that no child should ever have to experience. They are traumatized.

Despite all these struggles they make it here, a lot of them have been able to find a safe place to stay, but when they are just starting to get a sense of stability, they are now facing actions of harassment and discrimination at the shelters they were placed in.

I'm writing this testimony to specifically address the acts of intimidation and discrimination against immigrant families by the shelter providers. Without any clear reasons, many of the families have started to receive notifications of transfers to hotels, where the accommodations are clearly not the same. They no longer have access to a kitchen where they can provide hot meals to their children, for example.

It is very concerning that these measures seem to be targeting the most vulnerable people: single moms, pregnant women, women in situations of domestic violence. It is also very concerning the methods of pressure they are using to force people to agree to the transfer, such as threats, warnings to call the police and even threats to take their children away. It is just heartbreaking and also frustrating to have these moms full of fear calling me and asking for support because they don't know what to do. They ask themselves how being transferred to a hotel is going to improve their condition, when they have just started to settle down and gain some sort of stability where they are. Their kids are just starting to adapt to their schools, their communities, they are receiving social and emotional support. How starting again in a new place is going to help them get on their feet?

This testimony is to call attention to how the providers of the shelters are operating, why these procedures are affecting mainly immigrant families? What type of training is the staff receiving, if any? (It takes more than training to treat people with humanity and kindness), What kind of accountability measures have been put in place to address this situation? How are local authorities making sure these families are receiving the guidelines from shelter providers to access the services and resources they need to thrive? How are we making sure that they can raise their concerns without fear of retaliation?

Many of the discriminatory actions taken against them are being justified under the argument that it's part of their so called "protocols", I say let's stop normalizing actions that are clearly undermining people's rights just because they are part of a protocol or procedure. Sometimes it is just better to distance ourselves from all these technicalities and look at the problem with a more human approach.

I respectfully call on our local authorities to put in place a more rigorous monitoring procedure regarding shelters providers operations and their protocols.

I appreciate your attention on this matter.

Crisis support systems - how can New Yorkers, Faith Institutions,Volunteers Help in Collaboration with City Offices if/when system breaks down again?

Volunteers have been treated like hostiles when they have stepped forward in the interests of the migrants, and their questions have been either deflected or ignored. What specific and clear pathways are there to collaborate with the community when there is a crisis. What can be done by New Yorkers to push for the State and Federal support? What can New York State do to advance practical, realistic National Immigration Reform that is rooted in the country's abundant resources acknowledges the humanity of migrants and asylum seekers?

dbamissah@me.com

August 10, 2023

On Thursday June 29, 2023- about five hundred asylum seekers were suddenly placed in the night into two shelters without running water, shower facilities, toilets, sinks, and basic necessities at Stockton Respite Center. Migrants were given prison-style cots with no bedding or pillows. BAMSA organizer, Black migrant justice advocate, and friend of Bushwick City Farms, Diane Enobabor and lead NY organizer for Black Alliance for Just Immigration (BAJI), Melissa Johnson, were contacted by Bushwick City Farms to witness the conditions that the new migrants of African and Arab descent were enduring at the Stockton Respite Center. While there, they noted that the migrants were not able to shower, had no access to legal representation and translation services, appropriate dietary food, and items needed for essential hygiene and transportation around the city.

As an organization, we as BAMSA call on city elected officials and the general community- at large to come to the aid of these asylum seekers who are stalled at respite centers. ***We demand a livable shelter: functioning A/C, running water on all floors of the shelter, electricity, bathroom and shower access, cooking access, privacy and safety, and Wi-Fi.*** We demand Bushwick City Farms to be financially alleviated of the negligence of the state to care for new community members. Furthermore, we are organized as a collective to address the specificities of anti-Black and anti-Arab prejudices this community is vulnerable to while navigating their new home. We demand social workers and non-profits to be assigned to respite centers to assist with migrant integration. We also call for language justice as public services spaces and temporary housing facilities fail to include French and Arabic interpreters and translators.

Our brothers come from Mauritania, Senegal, Tunisia, Angola, Morocco among others in West and North Africa and are looking to communicate their needs with homefolks in Wolof, Fulani, Arabic, French, Portuguese and Spanish. So far, they've described their needs beyond access to basic hygiene to include SIM cards, bedding and sheets, internet access, backpacks, slippers, religious mats, legal representation, halal food, and opportunities for employment as they are ready to transition out of these shelters and be working members toward building our New York into the best city in the world. However, they are stuck in a liminal status as they are unable to even acquire asylum seekers granted NY-IDs because they do not have residency access. Our infrastructures to support them within these limits are fraught and should not be in the hands of regular community members when there are organizations and the government able to assist with these issues. We have followed up with the Public Advocate's office to also no avail on this issue. We advocate for their right to access all of the resources available to asylum seekers, irrespective of where they come from and what language they speak.

We are here today to request the Mayor's office to reconsider the 60 day notice for housing. Currently, this system is not sustainable. We understand and are thankful for the rapid response of workers on the ground attempting to provide the infrastructure to process new asylum seekers. However, we are almost two months with the Stockton residents- at 60 days, and they have not received the same attention as folks that have gone into the shelter. Their mobility will not be as ensured as those who have had that access. They need IDs, medicaid, and access to public goods as everyone, regardless of their working status, are able to access. Instead, we call on the mayor to set a 60 day timeline or challenge for migrant inclusion. We challenge the mayor's office to make sure every new asylum seeker has what they need to be able to work and live in New York and outside of New York. This looks like first making sure they have accessible ID's, medical services, and livable shelter (including FHEPS access) and opportunities for employment.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Manuel Castro

Address: Commissioner

I represent: NYC Mayor's Office of Immigrant Affairs.

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Betsy MacLean

Address: Chief Engagement Officer

I represent: NYC Mayor's Office

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Ahmed Tigani

Address: First Deputy Commissioner

I represent: NYC Housing Preservation &

Address: Development (HPD)

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

**THE COUNCIL
THE CITY OF NEW YORK**

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Zachary Iscol

Address: Commissioner

I represent: NYC Emergency Management

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Dr. Ted Long (H+H)

Address: Senior Vice President for Ambulatory

I represent: Care and Population Health;

Address: Executive Director, NYC Test & Treat
CARDS.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 8/10/2023

(PLEASE PRINT)

Name: Raul Rivers

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Anabell Jimenez Torres

Address: _____

I represent: Interpreter

Address: _____

Please complete **THE COUNCIL** Sergeant-at-Arms
THE CITY OF NEW YORK

Appearance Card

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

in favor in opposition

Date: _____


(PLEASE PRINT)

Name: Catherine Gonzalez

Address: 177 Livingston St, 7th Fl, Brooklyn, NY

I represent: Brooklyn Defender Services

Address: _____

 Please complete **THE COUNCIL** Sergeant-at-Arms
THE CITY OF NEW YORK

Appearance Card

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

in favor in opposition

Date: 8/10/23

(PLEASE PRINT)

Name: Will Watts

Address: Nassau St NY, NY 10038

I represent: Coalition for the Homeless

Address: 129 Fulton St NY, NY 10038

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



THE COUNCIL THE CITY OF NEW YORK

Appearance Card

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in favor in opposition

Date: 8/10/2023

(PLEASE PRINT)

Name: Deborah Lee

Address: 199 Water St., 3rd Fl., NY, NY.

I represent: The Legal Aid Society
Address: same as above

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

THE COUNCIL THE CITY OF NEW YORK

Appearance Card

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

in favor in opposition

Date: 8/10/23

(PLEASE PRINT)

Name: Christopher Johnson

Address: Barfelo Avenue

I represent: Self

Address: _____

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

THE COUNCIL THE CITY OF NEW YORK

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Dr. Henry Love

Address: 1 state Street

I represent: Win Inc

Address: 1 state Street

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 8/10/23

(PLEASE PRINT)

Name: Eric Lee

Address: 307 West 38 St.

I represent: Homeless Services United

Address: 307 West 38th St.

Please complete **THE COUNCIL** *Sergeant-at-Arms*
THE CITY OF NEW YORK

Appearance Card

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

in favor in opposition

Date: 8/10/23

(PLEASE PRINT)

Name: Sarah Sachs

Address: W 57th St. NY 10019

I represent: myself

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

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

in favor in opposition

Date: 8/10/23

(PLEASE PRINT)

Name: Deborah Berkman, NYLAG

Address: c/o NYLAG, 100 Pearl St, 19th floor

I represent: NYLAG NY, NY, 10004

Address: _____

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 8/10/23

(PLEASE PRINT)

Name: Dash Yeatts-Lonske

Address: S. 3rd St. Brooklyn, NY 11211

I represent: Urban Pathways

Address: 575 8th Ave, New York, NY 11215

*Translation
Required*

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 8/10/23

(PLEASE PRINT)

Name: Mario Flores

Address: 4ta Avenue 11215

I represent: MYSELF

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 8/10/23

(PLEASE PRINT)

Name: Klea Horzicaj

Address: Rochambeau Ave

I represent: _____

Address: _____