



**Testimony of Zach Iscol
Commissioner
New York City Department of Emergency Management
Before the New York City Council
June 21, 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. I am joined today by Administrator Joslyn Carter from the Department of Homeless Services, George Sarkission, Chief of Staff and Deputy Commissioner for External Affairs at the Department of Housing Preservation and Development, and Dr. Ted Long, Senior Vice President for Ambulatory Care and Population Health at Health and Hospitals.

The influx of asylum seekers seeking refuge in New York City continues to be a challenging task and a great example of collaboration among City agencies. As we face this humanitarian crisis, we have not wavered in our commitment to help and support. As you are aware, and as the administration has said repeatedly, we are in the midst of a crisis. This is an all-hands on deck moment as the system is at a breaking point. This is a national problem and it requires a national solution. We continue to ask the federal government for a decompression strategy, expedited work authorization, and more funding. The City continues to plan for peak capacity, as hundreds of asylum seekers continue to arrive in New York City every day. As this crisis has continued and in the absence of support, the City has stepped up and opened emergency sites overseen by a number of agencies, including DHS, H+H, HPD, and Emergency Management.

New York City Emergency Management helps New Yorkers before, during, and after emergencies through preparedness, education, and response. The agency is responsible for coordinating citywide emergency planning and response for all types and sizes of emergencies. It is staffed by more than 200 dedicated professionals with diverse backgrounds and areas of expertise, including individuals detailed from other City agencies. As the coordinating agency for the City of New York, Emergency Management functions as a general facilitator when it comes to emergency response: ensuring that resources are available for our partner agencies to complete their core competencies, and serving New Yorkers in what can be their worst days with compassion and cultural competency.

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 HERRCs, coordinating between incoming buses of asylum seekers and providing support to the operations of the Welcome Center. Most recently, Emergency Management has started to oversee emergency respite centers across the five boroughs. The emergency respite centers provide beds, meals, and security to guests until longer-term accommodation becomes available at a HERRC or other location.

As the Mayor has said, New York City cannot carry this weight on its own. The asylum seeker operation comes at a very high financial cost, and we urge the federal government to provide us with necessary support as the crisis continues. This unprecedented crisis has been, from the start, a true interagency effort, and we will continue to work with our partner agencies, as well as contracted partners and providers, to provide assistance and coordination. We are grateful for the support of those willing to work with us and that of the many elected officials who know that new immigrants have and will continue to enrich our communities.

Thank you for this opportunity to testify today. The panel will now take your questions.



THE CITY OF NEW YORK
OFFICE OF THE COMPTROLLER
BRAD LANDER

**Testimony on Behalf of New York City Comptroller Brad Lander Before the Committee on
Immigration and the Committee on General Welfare Regarding Right to Shelter
June 21, 2023**

Thank you, Chairperson Hanif and Chairperson Ayala, for calling an important hearing on the oversight of the Emergency Shelters and Humanitarian Emergency Response and Relief Centers (HERRCs) that have been opened over the past year to address the influx of recent arrivals to New York City. As of June 12, the City had opened 171 emergency sites, including 11 HERRCS and there were approximately 48,100 asylum seekers housed by the City.

New York's right-to-shelter is a longstanding legal obligation that makes New York City a safer, more humane place for people without a home of their own. We do not need to roll shelter safety protections back, and we should not. With more support from Albany and Washington, and with overdue action from the Adams Administration to provide the assistance that will help asylum seekers get on their feet and move out of shelter, we can face this challenge with both compassion and common sense.

New York City did not always have a right to shelter. The modern crisis of homelessness in New York City, and other major cities across the United States began in the late 1970s. To address the crisis, a system of emergency shelters emerged, but they were frequently filled to capacity, were not always located within the five boroughs, and had notoriously deplorable conditions. Deaths and injuries within the unhoused population were commonplace, with New Yorkers frequently dying from cold-related deaths and communicable diseases such as tuberculosis.

Following a lawsuit brought on behalf of Robert Callahan, a homeless Korean war veteran, a New York State Supreme Judge ordered the City to provide shelter to all homeless men. After a few years of negotiations with the City and State, the 1981 Callahan v. Carey consent decree enshrined the legal right to shelter for homeless individuals, and in the years following, the right to shelter was expanded to women, children, and families. The consent decrees significantly improved the options available to New Yorkers experiencing homeless, and through persistent organizing and advocacy work over the past 40 years, expanded protections and rights have been put into place. Two key advocacy partners, the Legal Aid Society and the Coalition for the Homeless, have been consistent monitors – regularly bringing lawsuits to resist attempts by the City and State to lessen their obligations and insisting that New York City shelter meet health and safety standards.

Today, the right-to-shelter distinguishes New York City from our peers when comparing the rate of unsheltered homelessness. Los Angeles County, which faces similar challenges with

housing unaffordability, had an unsheltered homeless population of 48,000 people in 2022.¹ New York City had 3,400 homeless people sleeping on the street. To put that into additional context, over 70% of Los Angeles' homeless population is living on the streets, while less than 6% of New York's homeless population are unsheltered. Smaller cities facing similar housing affordability and homelessness crises also have a high proportion of unsheltered homeless people. In San Francisco, 57%, of the unhoused population are living on the street rather than in shelter. That number is similar in Phoenix (56%) and Las Vegas (51%).

Let's be clear: when individuals sleep on the street, instead of in shelter, they are more likely to struggle with drug addiction and untreated mental illness, more likely to remain chronically homeless, and more likely to die. That's the difference the right-to-shelter makes. The Adams Administration's attempt to erode the right-to-shelter undermines the foundation of the social safety net in this city.

To be sure, providing shelter to arriving asylum seekers is a massive undertaking that stretches the City's financial and logistical capacity. We must continue to demand and work strategically to insure that the State and Federal governments step up to meet their obligations and provide their fair share of the funding required.

The obligation under international law to provide the opportunity for people to safely seek asylum is an obligation of the Federal government. That is why we must continue to demand that Washington allocate additional funding to jurisdictions like New York that are providing shelter and services. In addition, the federal government must show leadership in expanded temporary protected status program and expanding the number of work permits for those arriving from Venezuela, Columbia, and other South American countries as it has done for recent arrivals from Afghanistan and Ukraine.

At the State level, the Adams Administration is failing to seize a clear opportunity: Rather than seeking to circumvent the New York State constitutional requirement to provide safe and dignified shelter, the Mayor should work with advocates to appeal to the court to clarify that it applies to all municipalities and counties in New York State. After all, the right-to-shelter is a requirement found in the New York State constitution; it does not only apply here. With that simple clarification, the other 57 counties across the state would legally share the obligation with us. At that point, the State government would surely step up as well, and we would have more allies in Washington, too.

In the meantime, however, we cannot wait for Washington and Albany. Given the urgency of the challenge, New York City must move forward both prudently and compassionately.

I want to thank Council Members Bottcher, Hanif, Hudson, Lee, Narcisse, Schulman, and Stevens for putting forth a thoughtful package of legislation that seeks to uphold the City's critical right to shelter, ensuring the City's emergency shelters meet basic habitability requirements set forth in the Callahan consent decree and that push the City to improve

¹ <https://storymaps.arcgis.com/stories/400d7b75f18747c4ae1ad22d662781a3>

conditions and services in our shelter system.

The City should avoid creating a further fragmented system of shelter and support services, subject to different regulatory standards and managed by different City agencies and ensure that there is a basic habitability standard and level of care for any individual and family seeking temporary refuge in our City's shelter system. Finally, but most urgently, we must turn our attention towards helping recent arrivals apply for asylum within one year of their arrival. Once individuals file their asylum application, even if their hearing is not scheduled for years, they nonetheless become eligible for work authorization in six months. This is the fastest and most cost-effective way for the City to help families get on their feet, become able to provide for their families, and move out of shelter.

According to a survey by Make the Road New York, 93% of respondents have not been able to get any legal assistance or started the application process. This is not surprising, since over 99% of the City's spending on asylum seekers has gone for shelter and related costs (e.g. food, security), with far less than 1% on legal and support services.

Yesterday's announcement by the Administration of a new coordinated effort to connect new arrivals with pro-bono legal assistance is a welcome start. Pro se clinics can empower newcomer migrants by providing them information on the U.S. immigration process, eligibility requirements for asylum and work authorization, and advice on how to complete relevant application forms.

But we must act with much more urgency, and much more funding. If we don't act, many families will go past their one-year deadline for filing their asylum applications, and thus become undocumented while remaining residents of the shelter system.

That's why it is so critical for the City Council to insist that the Administration add \$70 million to the Fiscal Year 2024 budget for outreach, pro-se clinics, and expanded legal services. By adequately funding both legal advice and full legal representation, the City will enable legal service providers, working in partnership with the pro-bono assistance of the firms announced yesterday, to serve the widely varying needs and capacity of individuals navigating the byzantine immigration system. Additionally, staff can help tackle the numerous needs of these communities that extend beyond immigration application assistance and work to ensure that all are protected from discrimination and abuses in the labor and housing market and receive access to medical or other benefits.

In addition to considering today's legislation, we therefore continue to urge the Council to insist that the Administration add at least an additional \$70 million to Fiscal Year 2024's budget for outreach, pro-se clinics, legal representation, and case management for asylum seekers. This is not only the most compassionate path; it is also the most cost-effective one.

Thank you again to Chairs Ayala and to Hanif for your leadership on these critical issues – I look forward to continuing to partner with you both to advocate for the resources needed to respond with the compassion and care these asylum seekers deserve, and with the competence and prudence that this crisis requires.



OFFICE OF THE BROOKLYN BOROUGH PRESIDENT

ANTONIO REYNOSO

Brooklyn Borough President

**Oversight – Emergency Shelters and Humanitarian Emergency Response and Relief
Centers in New York City
June 21, 2023**

Good afternoon Chair Hanif and Chair Ayala and members of the Committees on Immigration and General Welfare, and thank you for holding this important hearing today. We've been talking about this issue for a while now, seeing articles in the press and throwing around numbers – like the fact that 67,000 migrants have arrived in the city as of last month, around 40,000 of whom are in the City's care. Quantifying the crisis is important, but sometimes we forget that we're talking about people. People who are fleeing civil war, exploitation, and abuses abroad, many of whom have traveled through extremely precarious circumstances to get here.

For this reason, I very much appreciate the Council proposing extending Right-to-Shelter provisions to the HERCs. Our city's shelter system is far from perfect, but our Right-to-Shelter law sets New York City apart from other major American cities in terms of care for our unhoused neighbors. Unhoused New Yorkers and migrants alike deserve basic necessities, like a warm meal, working restrooms and showers, and a space to sleep comfortably. I encourage the Council to pass Intro 942 quickly to send this message to the administration.

I also want to take this opportunity to discuss a proposal I released last month that would address the ongoing impacts of the migrant crisis by first prioritizing solutions to our existing homelessness crisis and compelling the private sector to do its part.

Right now, with around 80,000 people in the shelter system, the average shelter stay is 509 days – 534 days for families with children and 855 days for families without children. That simply should not be happening. Our focus should be on connecting long-term shelter residents with permanent housing first, making space in the existing system to accommodate new arrivals. I applaud the Council for recently passing a package of bills that would lift the 90-day rule and expand voucher eligibility, as well as proposing other bills being heard today that will provide more on-site services, information, and assistance for shelter residents and asylum seekers.

The real estate industry must also step up. Right now, landlords are sitting on thousands of vacant apartments while families sleep in the streets. Mayor Adams should issue a new emergency Executive Order declaring a public emergency over homelessness, and not just the arrival of migrants, as the shelter population exceeds a threshold of 0.5% of the City's population. Based on this EO, the Mayor should direct his agencies to lease private apartments to house people who have

been in shelter the longest. The City Council could support this effort by banning, as an unlawful discriminatory housing practice, the refusal to rent out vacant apartments to the City during a homelessness or migrant emergency. We are currently in the process of working through this legislative language, and I hope to have something to present to the Council soon.

In the meantime, I want to thank the Council again for all your advocacy on behalf of asylum seekers. Let's all work together to lead with our values and ensure that New York City remains a model for care, sanctuary, and the right to shelter.



PUBLIC ADVOCATE FOR THE CITY OF NEW YORK

Jumaane D. Williams

**STATEMENT OF PUBLIC ADVOCATE JUMAANE D. WILLIAMS
TO THE NEW YORK CITY COUNCIL COMMITTEE ON GENERAL WELFARE &
IMMIGRATION.
JUNE 26, 2023**

Good morning,

My name is Jumaane D. Williams, and I am the Public Advocate for the City of New York. I would like to thank Chairs Ayala and Hanif and the members of the Committees on General Welfare and Immigration for holding this important hearing.

For the past years, the City of New York has been welcoming migrants and asylum seekers who have left their homes in hope for better living conditions. It is inconceivable to fathom the struggles that some of these immigrants have faced through their journey. New York City must provide shelter with proper living conditions, social and mental health services for the asylum seekers as they are navigating through their trauma and adjusting to their new lives.

NYC has been struggling to manage and provide for people experiencing homelessness prior to the arrival of asylum seekers, worsened by rising housing costs. However, the unexpected arrival of migrants in the city has created a crisis. Over 48,100 of these migrants are in the city's care and every week, more asylum seekers enter the city.

The administration has been housing asylum seekers in Humanitarian Emergency Response and Relief Centers (HERRC), and other emergency shelters. However, some of the housing provided by the administration is inadequate. The administration has failed to provide lockable storage, warm meals, access to laundry and shower facilities to the people living in these shelters. Additionally, some members of the LGBTQ community expressed that they feel unsafe in some of the shelters.

The asylum seekers in these emergency shelters do not have any lockable storage to place their items, and do not have showers in the shelters available to them, and some individuals have to walk outside of their facilities to get access to showers.

The asylum seekers are facing numerous challenges and barriers. One of the most significant issues that the asylum seekers are experiencing is the language barrier. They necessitate language access in order to comprehend the laws, access services, express themselves, and to know their rights. They should be aware of the options available to them, and many need assistance to file for paperwork such as work permits, asylum forms, and medical insurance.

Furthermore, asylum seekers need to have mental health services accessible to them. Some migrants have faced extreme adversities and have gone through inhumane experiences and as a result are traumatized. Some have been robbed, sexually assaulted, suffered near-death

experiences, and others have experienced the death of a loved one or of a travel companion. They need to have the resources necessary in order to move forward despite those traumatic experiences.

One of the bills I am co-sponsoring today, Int 0942-2023, would establish the minimum standard of living for people seeking housing and shelter. This bill will require the shelters to reflect the Department of Social Services standards. This bill will require that beds be placed at least three feet apart and at least 30 inches in width. A working shower should be provided for every fifteen individuals and a well maintained and working toilet for every ten individuals. They should have access to laundry facilities, meals and accommodations for dietary needs and restrictions, and various services and resources.

Another bill Councilmember Hanif is introducing today which I am a co-sponsor of, Int 0943-2023, would require that the Mayor provide written and verbal notification of the right to be placed in a Department of Social Services shelter to individuals and families within 24 hours of their request. This bill will ensure that asylum seekers find housing placement promptly.

These bills would help migrants acquire a proper livelihood until more permanent housing is available. They are human beings who are unfortunately facing challenging circumstances. They need to be helped and treated with dignity and respect.



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 Immigration Jointly with the Committee on General Welfare

June 21, 2023

Introduction

Thank you to Chair Hanif and Chair Ayala and to the esteemed members of the Committee on Immigration and the Committee on General Welfare for the opportunity to submit testimony. My name is Chris Mann, and I am the Director of Policy and Advocacy 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 — in total, we house over 14 percent of homeless families with children in New York City.

The State of Homelessness and Immigration

Win is working daily to mitigate the worst homelessness crisis in New York City since the Great Depression. Shelter providers are already going above and beyond as direct responders to this crisis, but now the Department of Homeless Services is asking us to do more with even less. **As part of the Mayor's Program to Eliminate the Gap, the City is proposing to cut the budget of nonprofit providers by 2.5 percent, specifically telling us to consider staff layoffs. These cuts will undoubtedly result in delayed move-outs, worsened outcomes for families and children, overworked employees, and additional staffing vacancies in homeless services.** In sum: the City is starving the very system on which it depends. Therefore, as we come before the City Council today to support the proposed legislation, we ask you first and foremost to oppose these cuts to the Department of Homeless Services and providers to assure that there is an infrastructure left to implement these reforms.

Additionally, we urge the City Council to continue their support for a bill package that will significantly improve and expand access to the CityFHEPS housing voucher. The bill package, which includes **Intro 878, Intro 229, Intro 893, and Intro 894**, includes legislation that would end the 90-day rule, prohibit the deduction of utility costs from the maximum voucher rental allowance, expand voucher eligibility to tenants at risk of eviction, eliminate work requirements, and modestly but importantly raise the income eligibility for vouchers. These bills are a vital step in slowing the astronomical growth in shelter census we have experienced, moving eligible households into permanent housing, and opening beds for migrants who need emergency shelter.

Immigrant households especially, who lack support networks and access to the social safety net, rely heavily on shelter and community providers for food and basic needs. In the absence of any



Breaking the Cycle of Homelessness
for Women and their Children

additional financial support from the City, Win and other providers have utilized unrestricted dollars and engaged additional staff not covered in our contracts to address the high needs of our migrant families. Win has started our own in-house Legal Empowerment for Asylum-Seeking and Displaced families (L.E.A.D.) pilot program and helped over seventy families with their asylum claims and started them on their path to legal status. We applaud the Adams Administration for following this lead and announcing the Asylum Application Help Center earlier this week and appreciate the Council's strong advocacy on legal assistance. Additionally, Win is providing social work services for all families, regardless of immigration status, but offsite mental healthcare often remains inaccessible for these families. **Therefore, we urge New York City to allocate the \$13 million in this year's budget needed to fully fund Local Law 35, sponsored by Council Member Erik Bottcher, and ensure that onsite or telehealth clinical mental health services are available in the 30 largest shelters for families with children.** We also support **Intro 1095**, sponsored by Council Member Lynn Schulman, which would require a mental health coordinator at city sites and services utilized by refugees, asylees, and migrants.

While Win is proud to provide Tier II transitional housing operated by staff who are all trained in trauma-informed care, we recognize that not all migrants in the City's care are offered this level of support and dignity. We support **Intros 942 and 943**, sponsored by Council Member Shahana Hanif, to set minimum standards for emergency congregate housing and to require the notification of individuals and families in emergency congregate housing of their right to be placed in a DSS shelter. We also support **Intro 1084**, sponsored by Council Member Mercedes Narcisse, to require the Department of Health and Mental Hygiene to create a trauma-informed care training for working with refugees, asylees, and migrants. Win Academy, our in-house training program that promotes practices geared towards healing trauma and protecting families from re-traumatization, gives a trauma-informed care training for external attorneys who work with our migrant population, and it has been extremely successful. These communities require trauma-informed and culturally sensitive treatment that should be required of all government employees with whom they interact. By implementing these changes, immigrant families are able to achieve stability sooner, experience well-being, and gain and maintain permanent housing.

From Intake to Aftercare

Win is committed to improving the overall experience and outcome of families with children experiencing homelessness, from intake to aftercare. Experiencing homelessness is inherently traumatic, and entering the homeless system can compound whatever trauma a family has already suffered. The Prevention Assistance and Temporary Housing Office (PATH) in particular is a pain point, and **in a recent survey that Win conducted of its clients, families reported that one of their top policy priorities would be to improve the experience at PATH.** Win has been a longtime advocate for reforming the shelter intake and eligibility process, and we are



Breaking the Cycle of Homelessness
for Women and their Children

eager to support the introduction of **Intro 1072**, sponsored by Council Member Crystal Hudson, to reduce the required housing history that families with children must report at PATH from 2 years to 1 year, create a digital case record with a family's housing history to streamline the eligibility process, and shelter families for at least thirty days in temporary shelter as their eligibility is determined. We also support **Intro 276**, sponsored by Council Member Chi Ossé, to require trauma-informed care training for all DHS employees and contractors. These changes are critical, as the education, employment, and path to permanent housing for our families are often upset by the need to constantly return to PATH to attest eligibility. The use of digital case record management for housing records is a welcomed addition, as families attempting to prove their shelter eligibility often have to contend with unanswered emails or have to sacrifice school and work to attend in-person PATH appointments. **We would also like to see and support legislation that would permanently allow children to stay in school and avoid PATH, provide appointment times for meetings at PATH, and create "PATH Navigators" to support families applying for shelter.** These additions to PATH will prevent trauma and decrease shelter stays. On average, it takes a family 40 days to prove their eligibility, contributing to the over 500 days a family spends in shelter before moving out.ⁱ In addition to costing the City \$188 a night per a family, these prolonged periods of homelessness can cause or exacerbate anxiety, depression, and other mental health issues.ⁱⁱ For children, especially, the impact can be profound. Attendance rates for students living in shelter are almost 11 percent lower than their permanently housed peers.ⁱⁱⁱ Children experiencing homelessness are more likely to have poor physical and mental health and are at heightened risk for intimate partner violence, addiction, and depression.^{iv}

The dissemination of information and life-saving resources will also improve the outcomes of families with children experiencing homelessness, and we support **Intro 1080**, sponsored by Council Member Linda Lee, to require DSS to publish information on SNAP and emergency feeding programs on its website, ACCESS HRA, and in relevant locations. We also support **Intro 1096**, sponsored by Council Member Althea Stevens, which would require public assistance eligibility specialists at shelters. These specialists would expedite the processing of benefits, which are vital lifelines for families and oftentimes prerequisites for other subsidies, such as housing vouchers. Additionally, these specialists would assure that clients of nonprofit providers receive equal treatment of their PA case as their peers in DSS shelters. Finally, the best tactic against homelessness is prevention, and we support **Intro 1064**, sponsored by Council Member Erik Bottcher, to investigate potential means of expanding services at homelessness prevention and aftercare programs.

Conclusion

Win has always welcomed all New Yorkers into our shelters, and we are committed to ensuring a safe place to rest, heal, and recover for every family in need, regardless of their immigration



Breaking the Cycle of Homelessness
for Women and their Children

status. However, as this crisis balloons, we cannot withstand systemic cuts to our programs. We need innovative reforms like the ones proposed today. However, these changes will not be sufficient to save a suffocating system. **DSS and providers cannot continue functioning with a fraction of their staff, and we need your full opposition to the Mayor's proposed budget cuts if this legislation is to have any chance of being implemented properly.** Please support us so that we can continue to support our families and end the generational cycle of homelessness in New York City.

ⁱJeanmarie Evely, "NYC's Homeless Shelter Population Ballooned in 2022. How Will Leaders Address the Crisis This Year?" *CityLimits* January 17, 2023. https://citylimits.org/2023/01/17/nycs-homeless-shelter-population-ballooned-in-2022-how-will-leaders-address-the-crisis-this-year/?mc_cid=2a90c2ff88&mc_eid=ef2de08f11

ⁱⁱ"Mental Health," *Ruff Institute of Global Homelessness*. 2017 <https://ighhub.org/understanding-homelessness/causes-intersections/mental-health#:~:text=Homelessness%2C%20in%20turn%2C%20amplifies%20poor,depression%2C%20sleeplessness%20and%20substance%20use>.

ⁱⁱⁱ"Still Disconnected: Persistently Low Attendance Rates for Students in Shelter," *Advocates for Children of New York* May 18, 2022. https://www.advocatesforchildren.org/sites/default/files/library/still_disconnected.pdf?pt=1

^{iv}"No Longer Hidden: The Health And Well Being of Homeless High School Students," *Institute for Children, Policy & Homelessness* October 31, 2019. <https://www.icphusa.org/reports/>

Convergence of Crises

The Homelessness and Asylum-Seeker Crisis in NYC Demands Urgent Action from all Levels of Government

On August 5th, 2022, the first bus of asylum-seekers sent by Texas Governor Greg Abbot arrived at the Port Authority bus terminal.¹ Although immigrants had already started coming in higher numbers on their own, this bus marked the beginning of a large wave of new, nearly constant arrivals. Now, almost a year later, more **than 55,000 asylum seekers have arrived in New York City, with the majority of them depending on the city for shelter and services.**² 34,600 asylum seekers are now living in city shelters like those run by Win, and Mayor Adams projects that this number will grow to 70,000 in the next year.³ Should this increase in the census occur, New York City will have to contend with a homelessness crisis that is 25 percent larger than its current one. **The homelessness crisis and asylum-seeker crisis in NYC are one in the same.**

Overall, more than **1 in 3** Win clients in shelter are immigrants

Among the people arriving in New York City are families with young children, pregnant moms, and individuals seeking a better life. These asylum seekers have overcome ineffable adversities in their journey to America, escaping gang violence, political persecution, and racial discrimination. At Win, we have heard stories from families for whom leaving their homes for America was literally a matter of life and death. However, without government intervention, most of these families will be reliant long term on the government for high-cost emergency shelter and resources, as they are unable to access housing assistance or other basic city, state, and federal safety net supports.

These converging crises are centered in racial justice, with many newly arrived families fleeing racial and ethnic persecution in their countries of origin, specifically Afro-decedent and Indigenous groups.

On May 3rd, 2023, Governor Abbot again sent a bus of asylum seekers to New York City, the first of many expected in anticipation of the expiration of Title 42 on May 11th, 2023. As we prepare to welcome these arrivals, there must be a united response to support these families, who are eager to work and contribute to their communities. Win is asking that the city, state, and federal governments mobilize to expedite resources to New York City and to adopt commonsense and humane reforms that will support these families.

Why are so many people migrating?

In recent years, there has been an increasing number of immigrants arriving at the US-Mexico border seeking asylum.⁴ This increase has been largely driven by economic and political turmoil in Venezuela and the Northern Triangle, made up of Honduras, El Salvador, and Guatemala.

1. Martinez, A, Verma, J, Popperl, S, Gomez, A. "GOP governors sent buses of migrants to D.C. and NYC — with no plan for what's next" NPR (2022). <https://www.npr.org/2022/08/05/1115479280/migration-border-greg-abbott-texas-bus-dc-nyc-mayors>
2. Bernadette Hogan, "Adams blames \$4.2B budget shortfall on Biden admin's migrant crisis inaction," *New York Post*, April 19, 2023. <https://nypost.com/2023/04/19/eric-adams-biden-has-abandoned-nyc-to-migrant-crisis/>
3. Jacques Jiha, "The City of New York Executive Budget Fiscal Year 2024: Financial Plan Summary," *Mayor's Office of Management and Budget*, April 26, 2023, 6. <https://www.nyc.gov/assets/omb/downloads/pdf/sum4-23.pdf>
4. Higueta, Nelson Agudelo, Jose Antonio Suarez, Eugenia Millender, Elizabeth Garcia Creighton, Michael Francesco Corbisiero, Christian Olivo Freites, Jose Henao Cordero, et al. "U.S. Bound Journey of Migrant Peoples InTransit Across Dante's Inferno and Purgatory in the Americas." *Travel medicine and infectious disease* 47 (2022): 102317-102317.

Migrants are fleeing:



Racism & discrimination

I belong to an ethnicity called Garifuna. We are of African origin and, due to that, we have received a lot of discrimination, and they don't want us there. It's as if we aren't a part of Honduras, even though we were born there and are essentially Honduran, just because our ancestors were immigrants. So, because of that, the governments and the gangs discriminate against us and target our land.

—Asylum Seeker & Win Mother



State sponsored & gang related violence

One time my husband went to work in a factory. The gangs came and destroyed the site and told my husband that he had to stop working and that the next time they came, and he was still working, they would kill him. My husband went to make a police report, but they didn't pay him any attention. The officer told him that he would also get killed and end up dead in a ditch if he were to help my husband. The police were also afraid of the gangs and couldn't do anything to help us.

—Asylum Seeker & Win Mother



Poverty & deprivation

The decision [to leave Honduras] was because I wanted to give my daughter a better life, because I didn't want her to grow up where there is so much violence, so many things, where she went to sleep without eating.

—Asylum Seeker & Win Mother



Devastation from COVID, natural disasters, & the impacts of climate change

It's unimaginable—right now, a pound of beans costs \$40 over there. That's how the situation is. I couldn't survive it anymore...Because the priority of a mother is to give her children food. Even if you can't have luxury, at least make sure that they have sustenance.

—Asylum Seeker & Win Mother



Economic inequality & a lack of opportunities

I came here out of necessity. People think we come here for selfish reasons, but if I had an opportunity to work in my country or I could depend on anything there, I would have stayed in my home.

—Win Mother

How are immigrants getting to NYC?

After making the impossible decision to leave their homes, asylum seekers begin the perilous journey north, typically following established routes through South America, Central America, and Mexico.⁵ Unfortunately, those routes are extremely dangerous due to rugged terrain and criminal networks that operate along them.⁶ As men, women, and children travel for thousands of miles on foot towards the United States, countless people face the traumatic horrors of rape, kidnapping, extortion, and extreme deprivation.⁷ One of our clients told us, **“I was pregnant and carrying my daughter. We ran into members of a gang and had to flee them. I thought I wouldn’t make it and that they would capture me, but we made it and crossed the river.”**

For those who make it to the United States, their ordeal is far from over. Although most migrants coming to the U.S. are seeking asylum, the majority have yet to officially start the legal process and are instead, “paroled” meaning they are released into the U.S. and are given one year to apply for asylum.⁸ “Paroled” migrants are legally allowed to be in the country; however, until they officially start the asylum application process, they are ineligible for benefits and cannot legally work, leaving them in a purgatory where they have no legal means to support themselves.⁹

As a political stunt, the Governor of Texas—along with other local elected officials —have bussed thousands of migrants from the southern border to northern cities such as New York, often under false pretenses that they will be able to work or get access to benefits there. Upon arriving in New York City, migrant families with nowhere else to go find their way to the Prevention Assistance and Temporary Housing (PATH), the Department of Homeless Service’s central shelter intake center for families with children. After a grueling and often retraumatizing intake process, they finally arrive at providers like Win.

Win’s Approach

Win has 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. When a family arrives after facing unimaginable trauma along their grueling journey, Win staff, who are all trained in trauma-informed care, do everything they can to ensure families have their basic needs met and have access to every resource available. Although Win has not received any additional money from government contracts to support the enhanced services necessary for migrant families, Win has stepped up, utilizing unrestricted dollars and generous donations to support every family we serve, regardless of their background.

Services Provided

- **Food and clothing:** All migrant families are provided with food, including a wide variety of culturally appropriate pantry items. In the absence of Supplemental Nutrition Assistance Program (SNAP) benefits, formerly known as “food stamps”, or work authorization, the food provided by Win is essential. Additionally, Win has been collecting and distributing warm clothing to all that need.

5. Ibid.

6. Ibid.

7. Ibid.

8. U.S. Citizenship and Immigration Services, “Humanitarian or Significant Public Benefit Parole for Individuals Outside the United States” (2023) <https://www.uscis.gov/humanitarian/humanitarianpublicbenefitparoleindividualsoutsideUS>

9. Ibid.

- **Orientation:** Our program team, working in collaboration with Win Academy, Win's internal trauma informed care training team, created a comprehensive and culturally sensitive orientation program that is conducted with all newly arrived migrant families, ensuring they are equipped with key information about their new home.
- **Translation:** Clear and open lines of communication are essential for collaboration and establishing safety, which is why Win has made culturally appropriate language access a priority. We are currently utilizing bilingual staff and trained volunteers to ensure services are being delivered in the preferred language of the families we serve.
- **Onsite services and entertainment:** Win offers a variety of onsite services for all our clients including our migrant families. In particular, Win has a robust childcare and recreation program. Additionally, we provide a host of entertainment and enrichment activities, such as a recent trip to the circus and access to a library of materials in multiple languages.
- **Referrals:** For any services that Win cannot provide onsite, we work with an extensive network of partners to help families access what they need, including education, medical care, legal needs, and mental health services.
- **L.E.A.D. Clinics:** In March 2023, Win, along with the legal non-profit New York Legal Assistance Group (NYLAG) and the immigration law firm Fragomen, Del Rey, Bernsen & Loewy, launched our own in-house Legal Empowerment for Asylum-Seeking and Displaced families (L.E.A.D.) pilot program. This program conducts a series of legal clinics and provides additional resources to support asylum-seeking clients through the US immigration process. A unique private/public collaboration approach between law firms and nonprofits, this pilot program can serve as a model as the city aims to respond to an increased demand for legal aid. So far, through the L.E.A.D. Pilot Program, Win has helped over seventy families with their asylum claims and started them on their path to legal status.

Policy Recommendations

While Win works to ensure that the basic needs of migrant families are met, we are advocating for systemic changes that will allow noncitizen families to truly thrive. Since the majority of migrant families arriving at Win lack legal status, they are ineligible for basic benefits and lack work authorization necessary to legally support themselves. To help all families in shelter move out and achieve independence, Win is advocating for the following policy changes:

New York City:

- **The City should increase funding for the direct-service providers working with asylum-seekers so that families can continue to be welcomed and sheltered with dignity.** With these funds and resources, we ask the City to commit to reimbursing 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.
- **The City Council should pass Intro. 878 sponsored by Deputy Speaker Ayala to eliminate the 90-Day Rule for CityFHEPS housing vouchers.** By repealing the 90-Day Rule, which senselessly requires families to remain in shelter for an arbitrary 90 days before they can even apply for rental assistance, New York can immediately help increase shelter capacity and prioritize moving families who are eligible for vouchers out of the system.

- **The City should 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.
- **The City Council should ensure that Local Law 35/2023, 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.

New York State:

- **The State legislature should pass Senate Bill S.9416 which would explicitly grant New York City the ability to extend CityFHEPS rental assistance to individuals and families regardless of their immigration status, although Win and several legal providers believe the City already has that authority.** The bill also clarifies that money appropriated by the State for the purposes of this program shall be available regardless of immigration status.
- **The State Legislature should pass and fund the Housing Access Voucher Program (HAVP) S.2804A/A.4021 to create a flexible, statewide Section 8-like voucher to be used by people at risk of or experiencing homelessness.** HAVP is projected to help more than 50,000 people avoid the trauma of homelessness and is essential for families who would otherwise be ineligible for housing subsidies, since the voucher is available to people regardless of immigration status and criminal record.
- **The New York State Legislature should pass and fund the Access to Representation Act A.170/S.999, which establishes the right to legal counsel in immigration court proceedings and provides for the administration thereof.** The government should provide legal representation to uphold the integrity of the law and ensure fair proceedings, as studies show that immigrants in detention with legal representation are 10 times more likely to win their right to remain in the United States.¹⁰

Federal Government:

- **FEMA should award New York City \$650 million in reimbursement for costs associated with providing shelter and other essential services for asylum seekers.** Despite the immense challenges posed by the influx of asylum seekers, New York City has stepped up and provided essential resources and support to the newest New Yorkers. In the absence of adequate federal humanitarian aid, New York City has had to shoulder the high costs of the influx of asylum seekers almost entirely on its own. Without additional federal resources, the City has not been able to increase funding to organizations like Win that are providing services to asylum seekers, leaving New York City and front-line organizations with major budget deficits.
- **Congress should pass the Asylum Seeker Work Authorization Act, H.R. 1325/S.255 to amend the required and arbitrary wait time (EAD clock) for asylum seekers to access work authorization from 180 to 30 days.** Our clients constantly emphasize their eagerness to work legally and safely. A stable job will allow families to move out on their own or qualify for housing subsidies. For employment, families need to receive work authorization as soon as possible after they've submitted their asylum claim.

10. Aditi Shah, "Without Access to Counsel, Detained Immigrants Face Increased Risks of Prolonged Detention and Unlawful Deportation," *American Civil Liberties Union*, June 22, 2022. <https://www.aclu.org/news/immigrants-rights/without-access-to-counsel-detained-immigrants-face-increased-risks-of-prolonged-detention-and-unlawful-deportation>

- **Congress should Pass the Fairness to Freedom Act, H.R.2697/S.1187 to provide counsel at government expense to children and vulnerable individuals in any immigration proceeding.** Eligible immigrants are often denied citizenship status only because they lack an attorney to oversee their case. Access to representation is paramount to upholding the integrity of the law and assuring fair proceedings, yet the country's most vulnerable immigrants are often unable to afford legal representation or to access aid.
- **U.S. Customs and Border Protections should extend the ability to access humanitarian or significant public benefit parole to those within the United States.** The power to grant parole is extremely flexible and is what has been used for the existing parole programs from Ukraine, Cubans, Haitians, Nicaraguans, and Venezuelans who are outside of the United States. However, this power can also be used for those granted entry from the border and who are already within the United States. For immigrants who are granted parole, this change would mean that individuals could immediately apply for Employment Authorization Documents (EADs) without having to take the step of applying for asylum to eventually become EAD eligible.

ABOUT WIN

Since its founding to provide emergency shelter to four homeless women and their children, Win has grown into the largest provider of family shelter and supportive housing in New York City and the country. Win offers transitional housing and permanent supportive housing that's coupled with programs and services developed to support long-term housing stability. All of Win's services are guided by its mission—to transform the lives of New York City homeless families with children by providing the safe housing, critical services, and the ground-breaking programs they need to succeed on their own—so families can regain their independence and children can look forward to a brighter future.



Donate to Win



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Breaking the Cycle of Homelessness
for Women and their Children

Improving the Experience of Homeless Families at PATH

While all New Yorkers experiencing homelessness have a legal right to shelter, accessing shelter is an onerous process at best. For families experiencing homelessness, this process starts at the Prevention Assistance and Temporary Housing (PATH) assessment center — one location in the Bronx that all families must travel to. At PATH, parents and children spend an entire day in waiting rooms, filling out forms, providing documentation, and meeting with multiple workers — called “fraud investigators” — to tell and retell their story and prove they have no other housing options.

Win families report the process is opaque and grueling, and that workers are insensitive and dehumanizing at a time where they already feel emotionally exhausted and unstable. The long and arduous process means parents miss days of work and children who are already at an academic disadvantage miss days of school.

Worse, far too many families found ineligible for shelter the first time they apply, forcing them to undergo the traumatic experience multiple times. In 2018, 520 families entered a Win shelter at least twice in the year, representing 30% of all families Win served that year. And this trend has only worsened, with city data showing that in November 2021, 62% of families had to apply more than once before being found eligible.ⁱ According to the comptroller’s audit report, one family had to reapply 38 times before eventually being found eligible for shelter.ⁱⁱ

The City Council can improve homeless families’ experience at PATH by focusing on the following policies:

- **Make the pandemic-related exemption that allows children to stay in school and avoid PATH permanent.**

Requiring children be present at PATH places them in a stressful environment where they may overhear information that parents wish to shield them from — like an explanation of their family’s financial insecurity or history of domestic violence. This requirement also takes children who are already at an academic disadvantage out of school, widening the gap between them and their housed peers. According to DHS, families were required to bring their children to PATH when applying for shelter so the agency could certify the family’s composition and to conduct a health and well-being screening. During the pandemic, however, DHS has made children exempt from PATH and has still successfully met the needs of children and families. Despite this, the city has not agreed to make this change permanent and allow children to stay in school instead of appear in-person at PATH.

- **Make permanent the pandemic-era rule that allows families to stay in shelter when they must reapply to PATH.**

After a family applies at PATH, they are “conditionally” placed in a shelter while DHS continues to investigate their eligibility for up to 10 days. If a family is found ineligible because their application was missing information, they can immediately re-apply — but they must pack up their belongings and return to PATH. This policy further destabilizes families, prolongs their housing insecurity, and can retraumatize parents and children alike. During the pandemic, DHS



Breaking the Cycle of Homelessness
for Women and their Children

has allowed families to remain in their current conditional placement when they reapply for shelter. This practice must be made permanent, allowing families to continue receiving the supports that shelter provides while they reapply.

- **Provide appointment times for meetings at PATH.**

Win families have reported spending up to 14 hours at PATH when applying for shelter, with most of that time spent waiting to speak with a DHS staffer. However, because leaving PATH means jeopardizing the progress made in their application, parents miss work and children miss school just to spend the whole day waiting at PATH. The City must create a system that allows families to pre-schedule appointments or be assigned an appointment time upon arrival. This would reduce disruption, allowing families to tend to their other responsibilities rather than needlessly wait at PATH and could improve efficiency for DHS.

- **Create “PATH Navigators” to support families applying for shelter.**

Families facing homelessness arrive at PATH amid an overwhelming crisis that led them to seek shelter, and they are greeted with a hard-to-navigate and complex government bureaucracy. Win families report that they have received incomplete or unclear information and processes are not explained, leaving them unsure about who they will be speaking with or what documents they will be asked to provide. The City must create a team of PATH Navigators, who would serve a customer-service role at PATH and provide every family with standardized, clear information about the steps, meetings, and documentation necessary to apply for shelter.

- **Mandate trauma informed care training for PATH workers.**

Before stepping foot into PATH, most families have already experienced trauma — often because of long-term housing instability, domestic violence, and/or poverty. Yet PATH, the very center designed to help vulnerable families, can be retraumatizing, with Win families describing their treatment at PATH as punitive and dehumanizing. Every worker at PATH, including DHS contracted security firms, must receive training in trauma informed care and services to protect families and children from retraumatization. Council Member Osse has introduced a bill that would require this—Int. 276.

ⁱ Bhat, S., & Velasquez, J. (2022, January 30). *Three in four family shelter applications rejected in 2021, setting record*. The City. Available at: <https://www.thecity.nyc/2022/1/30/22909663/family-shelter-applications-rejected>

ⁱⁱ New York City Office of the Comptroller. (2022, February 9). *Audit report on the department of homeless services' determination of temporary housing benefits for families with children*. Available at: https://comptroller.nyc.gov/wp-content/uploads/documents/DHS_MG20_070A.pdf

Federal Action Required:

Homelessness & the Immigration Crisis in NYC

The Immigration Crisis is a Homelessness Crisis

Win is the country's largest provider of shelter and supportive housing to families with children experiencing homelessness.

Win provides housing and shelter for:

- More than 11,000 people **each year**
- Over 6,000 people including nearly 3,500 children **each night**

We have always welcomed immigrants to our shelters and are committed to ensuring a safe place to rest, heal, and recover for all New Yorkers in need.

In the United States, immigration and homelessness are inextricably linked. This past year, thousands of asylum-seeking families with children have arrived in New York City, the majority entering the shelter system. Without federal intervention, most of these families will remain in high-cost emergency shelter, as they are unable to access housing assistance or other basic federal, state, and local safety net supports.

More than **1 in 3**
Win clients in shelter
are immigrants

Win is calling on the federal government to financially contribute its fair share and provide the means for asylum seekers to support themselves through expedited work authorization, expanded access to federal benefits, and legal support.

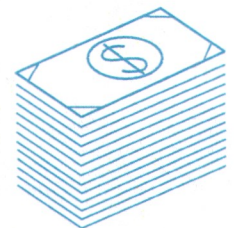
1

FEMA should award New York City \$650 million in reimbursement for costs associated with providing shelter and other essential services for asylum seekers.

*"They've helped us with everything in shelter:
School, housing, metrocards."*

—Win client & mother of four

Despite the immense challenges posed by the influx of asylum seekers, New York City has stepped up and provided essential resources and support to the newest New Yorkers. In the absence of adequate federal humanitarian aid, New York City has had to shoulder the high costs of the influx of asylum seekers almost entirely on its own. Without additional federal resources, the City has not been able to increase funding to organizations like Win that are providing services to asylum seekers, leaving New York City and front-line organizations with major budget deficits.



\$650m

needed to provide
shelter and other
essential services for
asylum seekers.



2

Congress should pass H.R. 1325 (Rep. Pingree, Chellie [D-ME-1]), the Asylum Seeker Work Authorization Act, to amend the required and arbitrary wait time (EAD clock) for asylum seekers to access work authorization from 180 to 30 days.

"If I were to speak to politicians, I would ask that they help us with work authorization. Because when we work, we devote ourselves fully to it, with our heart and care...I would ask that they especially help the families with kids, because our children will provide tax dollars for this country, and we have just and studious children. If you give us the opportunity to work, to live independently, our children will give their expertise and earnings to this country."

—Win client and mother to 3-year-old daughter

Our clients constantly emphasize their eagerness to work legally and safely. A stable job will allow families to move out on their own or qualify for housing subsidies. For employment, families need to receive work authorization as soon as possible after they've submitted their asylum claim.



Pass the Asylum Seeker Work Authorization Act to amend the required and arbitrary wait time for asylum seekers to access work authorization from 180 to 30 days.

3

Congress should extend benefits like the Supplemental Nutrition Assistance Program (SNAP), Children's Health Insurance Program (CHIP), Temporary Assistance for Needy Families (TANF), and the Supplemental Security Income (SSI) to noncitizens and lift the federal five-year bar to these benefits with the LIFT the BAR Act, H.R. 5227 (Rep. Jayapal, Pramila [D-WA-7]).

"If I weren't an immigrant, my experience in shelter would be much better...the reason is because an American born child is worth more than an immigrant—they can't compete with an American child; they don't have the same opportunities."

—Win client and mother to 6-year-old son

Immigrants are denied essential, lifesaving benefits that other Americans receive. Instead, they are forced into unsafe situations or receive subpar and expensive emergency response services. Community based providers shoulder these costs without compensation.



Extend benefits with SNAP, CHIP, TANF, and SSI to noncitizens and lift the federal five-year bar to these benefits with the LIFT the BAR Act.

4

Congress should pass the FAIR Proceedings Act, S. 901 (Sen. Gillibrand, Kirsten E. [D-NY]) to provide counsel at government expense to children and vulnerable individuals in any immigration proceeding.

"Since I arrived in Texas, I've been looking for a lawyer. I've been on the internet to see how I can secure one, but it costs so much. I called a few immigration lawyers one day and began to speak with them, but once they told me the price to open a case, my god, I said that I would have to just continue living here illegally."

—Win client and mother to 3-year-old daughter

Eligible immigrants are often denied citizenship status only because they lack an attorney to oversee their case. Access to representation is paramount to upholding the integrity of the law and assuring fair proceedings, yet the country's most vulnerable immigrants are often unable to afford legal representation or to access aid.



Pass the FAIR Proceedings Act, S. 901 to provide counsel at government expense to children and vulnerable individuals in any immigration proceeding.

JULY 2021

WIN POLICY BRIEF SERIES

Investing in Success

The Case for Supporting
the Human Services Workforce

By Cassidy Teminsky



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Introduction

Government and nonprofit service providers rely on over 200,000 human services workers in New York City to provide a range of supports to individuals and families.¹ This workforce is made up of case managers, social workers, domestic violence counselors, mental health and substance abuse counselors, and many others serving populations with the most need—people experiencing homelessness, immigrants, people with disabilities, the elderly, and many more. During the COVID-19 pandemic, many frontline nonprofit workers (including those at Win) continued to provide much needed services, putting their own health at risk to serve others. Win, like many nonprofits in the field, relies on city contracts to fund our work. However, when it comes to providing resources to support and fairly compensate the human services workforce, the city fails to adequately fund the nonprofits in the human services sector that care for the most vulnerable.

The facts are plain:

- The average income for the social assistance sector was just over **\$34,000** in 2019.²
- The human services workforce is disproportionately women of color, making the city's disinvestment an issue of equity.
- The low pay of the sector makes it difficult to retain employees, and clients lose workers with whom they have built trust.

Failing to fairly compensate the workforce that is called upon to bolster and care for those who are struggling and need help has implications for the quality of services they receive, as well as for issues of racial and gender pay equity. As a nonprofit shelter provider, Win has experienced many of the challenges that result from underinvestment in the human services workforce. The low pay of the sector means workers dedicated to serving those in need may be unable to meet their own needs. As a workforce comprised disproportionately of women of color, underpaying the human services workforce perpetuates inequality. Low pay also impacts staff morale, making it difficult to retain those who do enter the field. And all of these challenges complicate staff's ability to build relational safety and trust with clients, negatively impacting the work meant to support them. The lack of adequate investment in the human services workforce does a disservice both to the staff who work tirelessly to meet the needs of clients and to the clients themselves.

Many nonprofits know the value of their employees and are making their needs a priority, but need government's help to fully realize this change. The wages that Win and other city-funded nonprofits can pay staff, and any additional funds for staff professional development and training, are constrained by city contracts. While Win advocates with the Department of Homeless Services and privately fundraises to help fill the gaps, these issues are shared across the human services sector and must be addressed in the city budget. In New York City, the Human Services Council and Homeless Services United have blazed the trail by conducting research, raising awareness, and advocating for concrete fixes. It is time for the city to finally make these long-needed changes to increase investment in the human services workforce. In this brief, we use external research and internal findings from staff insight groups to outline the problem of the city's underinvestment in the human services workforce and explain how the city can partner with nonprofits to provide solutions.

Problem: The city fails to adequately invest in the human services workforce.

Win has long struggled with a fundamental problem it cannot solve alone—our frontline workers are underpaid. This is evident in a number of measures. In 2015, the average pay of human services workers generally covered about 30 to 45 percent of the bare-bones survival budget of a four-person household in New York.³ Little progress has been made, with the average income for the social assistance sector (the Department of Labor classification for the human services workforce) at just over \$34,000 in 2019.⁴ The low pay in the sector means that 15 percent of all workers qualified for government assistance to buy food (SNAP benefits), higher than private sector (12 percent) or government employees (9 percent).⁵ In insight groups Win held with staff in 2021, participants expressed that even “affordable” housing in New York City was often unaffordable for them.

The depth of underpayment in the human services workforce is further illuminated when compared to the public sector. Analysis from the Human Services Council shows that nonprofit human services workers make approximately 71 percent of what government employees in similar roles make.⁶ This means that for workers with the same job title, the nonprofit employee makes a fraction of what the government employee makes. Going into the nonprofit sector and dedicating one’s work to helping those in need more often means not meeting one’s own needs.

Fair pay for the human services workforce is an issue of racial and gender equity; and low wages in the sector reflect the structural racism and sexism inherent in our economy. Analysis from the New York City Comptroller’s office shows that the essential worker group of childcare, homeless, food, and family services is 81 percent women, compared to 63 percent for all frontline workers. This essential worker group had 13 percent of workers at or below the poverty line, and 34 percent at or below twice the poverty line.⁷ And these women are disproportionately women of color. While women of color made up 26 percent of all New York City private sector workers, they made up 46 percent of human services workers.⁸ The low pay of the human services sector is part of a larger system that devalues the work of women of color.

The low wages of human services workers make it difficult for nonprofits to recruit and keep talented employees. A survey of New York City nonprofit human service providers found that 80 percent cited that inadequate pay significantly impacted their ability to hire for open positions.⁹ Additionally, over 30 percent of the nonprofits surveyed had a vacancy rate higher than 15 percent.¹⁰ High rates of turnover coupled with difficulty hiring for vacant roles means that employees must take on more work to meet clients’ needs, further contributing to burnout and potentially leading to more turnover. At Win, we have experienced a cycle of staff gaining work experience and training from us, then leaving for a government or private hospital position that pays more than we are able to offer. The cycle of recruiting and losing talent places a tremendous strain on nonprofits, which operate on shoestring administrative budgets. It is also felt by clients, who lose workers with experience and with whom they’ve built relationships.

Solution: Fund increased wages and adjust contracts to raise wages for human service workers.

Nonprofits in the human services sector want to address the pay disparities in the workforce, but they cannot solve the problem alone. The challenge is twofold; not only is pay below what is needed to survive in New York City, but also, wages fall further behind without appropriate annual increases to keep up with inflation. As a sector whose staffing parameters and budgets are dictated by city contracts, the government must provide funding for nonprofits to increase wages. While the Fiscal Year 2022 budget included a one-time bonus of \$24 million for the human services sector, it falls short of the \$48 million needed to fully fund the three percent cost of living adjustment advocated for by the sector.¹¹ And, that was the amount needed just to keep salaries in line with inflation, well below what is needed to address the disparities we detail above (estimated by Homeless Services United to be at minimum \$310,000,000 for the sector).

New York City must commit to raising wages for human services sector workers. The Mayor must set aside and baseline funding to cover the increased costs that will provide workers with fair pay. If the Mayor does not take action, the City Council should negotiate and allocate funding for this in the budget. In the homeless services context, the Department of Homeless Services should reopen model budget negotiations with providers to make wage adjustments that reflect pay parity for the human services workforce. This should include renegotiating the fringe cap to provide the funding to pay for enhanced benefits as part of compensation. Changes in wages should reflect pay parity across the sector to bring nonprofit workers on par with their government equivalents. These negotiations should also include automatic cost of living adjustments to maintain parity over time.

Summary:

The Mayor must set aside and baseline funding to cover wages that would provide workers with fair pay. For homeless services providers, DHS should reopen model budget negotiations to make wage adjustments, including the fringe cap to pay for enhanced benefits as part of compensation.

Solution: Provide funding for professional development and subsidies for training and continuing education.

Given the current low pay in the sector, workers are less likely to remain in the field without a pathway to further their education or develop skills needed for upward mobility in their careers. Supporting professional development is a critical way to retain experienced workers. Win staff have expressed the desire for more training opportunities to expand their skills and provide better services for clients, which requires funding to pay for training. Investing in the professional development of workers improves organizational productivity, employee morale, and ultimately improves the quality of services provided.¹²

Resources for professional development can also aid racial and gender equity within nonprofit organizations. Considering the human services workforce is disproportionately comprised of women of color, offering educational supports can provide opportunities for career advancement and pay equity within the sector. An analysis of the American Community Survey shows that within social service organizations, the racial pay gap largely disappears for workers with a master's degree.¹³

New York City has taken a first step toward continuing education supports through the recently announced human services career advancement scholarship. This program will provide financial support to qualifying human services workers looking to get their Associate, Bachelor, or Master's degree, or take a Licensed Master Social Worker test prep course.¹⁴ This program is a useful starting point, but a much more robust program is necessary to fully meet the needs of the sector. For example, this program is only available to people with

previous college credits. And the available slots are extremely limited: 50 slots for people pursuing master's degrees; 70 for associate or bachelors; and 300 for test preparation for the social work licensing examination. Not only are more slots necessary, but also, the program needs to be dramatically expanded to meet the workforce where is and to meet its range of needs. In addition to this program, the city can support the human services workforce by building in funding for staff professional development and training into contracts with service providers, and by providing additional scholarship or subsidy programs to assist with other needs such as administrative fees, textbooks, or childcare. The city must expand this program, or opportunities like it.

Having a well-trained workforce is essential for the human services workforce to best serve clients. Staff should be empowered to continue their education and attend evidence-based trainings that support their work and allow them to grow professionally.

Summary:

The city can support human services workers by expanding the human services career advancement scholarship, building in funding for staff professional development into contracts, and providing additional scholarship or subsidy programs for other needs such as textbooks or childcare.

Conclusion

Frontline staff in New York City's homeless shelters, and others in the human services workforce, provide some of the most critical services for our city and have some of the most demanding jobs. We ask so much of this workforce, yet we do so little to support them and appropriately compensate them for their important and challenging work. New York City has underinvested in the human services workforce for too long. As a result, nonprofits that serve the most vulnerable New Yorkers struggle to recruit and retain staff. And the low pay in the sector perpetuates gender and racial inequality as it is disproportionately staffed by women of color.

Win and other nonprofits aim to provide the resources our staff need, but that often takes the shape of organizations advocating individually with city agencies and privately fundraising for additional needs. Nonprofits cannot systematically make these changes without financial support from the city. The city must do the right thing—it must give these workers a fair wage and provide funding for professional development and subsidies for training and continuing education. Not only do these essential workers deserve nothing less, but also, the success of our human service agencies and the lives of hundreds of thousands of the most vulnerable New Yorkers whom they serve depend on it.

References


1. New York Department of Labor. (June 2021). Current Employment by Industry [dataset]. Retrieved from <https://statistics.labor.ny.gov/cesemp.asp>
2. New York Department of Labor. (2019). Quarterly Census of Employment and Wages [dataset]. Retrieved from <https://labor.ny.gov/stats/ins.asp>
3. Restore Opportunity Now. (March 2017). Undervalued & underpaid: How New York State shortchanges nonprofit human services providers and their workers. Retrieved from <https://humanservicescouncil.org/wp-content/uploads/Initiatives/RestoreOpportunityNow/RONreport.pdf>
4. New York Department of Labor. (2019). Quarterly Census of Employment and Wages [dataset]. Retrieved from <https://labor.ny.gov/stats/ins.asp>
5. Human Services Recovery Taskforce. (June 2021). *Essential or expendable? How human services supported communities through COVID-19 and recommendations to support an equitable recovery*. Available at: <https://humanservicescouncil.org/wp-content/uploads/2021/06/HSC-Taskforce-Report-Essential-or-Expendable-How-Human-Services-Support-Communities-Through-COVID-19.pdf>
6. Human Services Recovery Taskforce. (June 2021). *Essential or expendable? How human services supported communities through COVID-19 and recommendations to support an equitable recovery*. Available at: <https://humanservicescouncil.org/wp-content/uploads/2021/06/HSC-Taskforce-Report-Essential-or-Expendable-How-Human-Services-Support-Communities-Through-COVID-19.pdf>
7. Office of New York City Comptroller. (2020). New York City's frontline workers. Retrieved from <https://comptroller.nyc.gov/reports/new-york-citys-frontline-workers/>
8. Human Services Recovery Taskforce. (June 2021). *Essential or expendable? How human services supported communities through COVID-19 and recommendations to support an equitable recovery*. Available at: <https://humanservicescouncil.org/wp-content/uploads/2021/06/HSC-Taskforce-Report-Essential-or-Expendable-How-Human-Services-Support-Communities-Through-COVID-19.pdf>
9. Ibid.
10. Ibid.
11. New York City Council. (2021, June 30). The New York City Council's Fiscal Year 2022 adopted expense budget adjustment summary/schedule c. Available at: <https://council.nyc.gov/budget/wp-content/uploads/sites/54/2021/06/Fiscal-2022-Schedule-C-Merge-6.30.21.pdf>
12. Lewandowski, S., Moe, L., & Parrott, J.A. (November 2020). Building a social services ladder to career advancement. The New School Center for New York City Affairs. Retrieved from <https://static1.squarespace.com/static/53ee4f0be4b015b9c3690d84/t/5fb35d88fcd32e302c7a570e/1605590409654/CNYCA+Soc+Serv+Career+Ladder+FINAL11-10-2020X.pdf>
13. Ibid.
14. City of New York. (2021, June 9). Mayor de Blasio, CUNY announce scholarship program to advance careers of city's human services workers. Available at: <https://www1.nyc.gov/office-of-the-mayor/news/417-21/mayor-de-blasio-cuny-scholarship-program-advance-careers-city-s-human-service>



ABOUT WIN

Win is New York City's largest provider of shelter and services for homeless families with children. Across its shelters and supportive housing, Win transforms the lives of New York City's homeless women and their children by providing a holistic solution of safe housing, critical services and innovative programs they need to succeed on their own—so the women can regain their independence and their children can look forward to a brighter future.

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ELIMINATE THE 90-DAY RULE

Move Families Out of Shelter Now

The New York City shelter census is growing at an alarming rate, and too many New Yorkers remain stuck in shelter due to solvable administrative issues and illogical rules related to New York City's rental assistance voucher, CityFHEPS. In particular, the archaic and cruel "90-day rule," which requires families to remain in shelter for an arbitrary 90 days before they can even apply for rental assistance forces families to stay in shelter months longer than they need to, unnecessarily costing the city thousands of dollars per family per month, while prolonging an already traumatic experience.

Why eliminating the 90-day rule is necessary

Mayor Adams recently stated that due to an influx of asylum seekers, the city's shelter systems is "nearing its breaking point".ⁱ Yet, the 90-day rule remains in place, blocking a critical path out of shelter for New Yorkers for months, needlessly exacerbating this capacity crisis. Eliminating this illogical rule would allow providers to start helping homeless New Yorkers apply for—and find—permanent housing faster.

As the city grapples with an ever-growing influx of immigrants, many of whom are wrongly ineligible for any form of rental assistance, it is even more critical to prioritize moving families who are eligible for vouchers out of the system. By repealing the 90-day rule, the city can immediately help increase shelter capacity.

Win along with more than 40 other groups is calling for this senseless rule to be eliminated.

Benefits of eliminating the 90-day rule

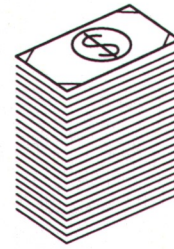
The sooner families can start looking for housing, the sooner they can move out of shelter, which is especially true in New York City's extremely competitive housing market. For families at Win, who typically have young children under the age of 6, the average length of stay in shelter is 16 months. By eliminating the 90-day rule, families in shelter could start looking for housing on Day One, rather than waiting months to even begin their search. Although some have argued that eliminating the 90-day rule will lead to an influx of families seeking shelter to get a voucher, the same argument was proven false when the CityFHEPS voucher amounts were increased under Intro 146. Ensuring that families can move out of shelter as quickly as possible will both help alleviate the shelter capacity crisis and save the city money.

In fact, moving families out of shelter and into permanent housing is much more cost effective for the city—even when vouchers are involved. The average daily cost to house a family in New York City Shelter is \$188, while CityFHEPS vouchers cost just \$72 daily, a savings of \$116 per day or nearly 62 percent.ⁱⁱ For every week that a CityFHEPS eligible family remains in shelter as opposed to moving into an apartment, it costs the city \$814. By forcing families to stay in shelter three months longer than necessary, the arbitrary 90-day rule, costs the city at least \$10,500 per homeless family.

Eliminating the 90-day rule is a commonsense reform that will help families move out of shelter faster, while also saving the city a substantial amount of money.

\$10,500

The wait period imposed by the 90-day rule is costing the city more than **\$10,500** per family.



**AVERAGE
DAILY COST
OF SHELTER**



**AVERAGE
DAILY COST
OF CITYFHEPS**

The average daily cost to house a family in New York City Shelter is **\$188**, while CityFHEPS vouchers cost just **\$72** daily.

\$116

Housing a family with CityFHEPS, as opposed to in a shelter, saves the city **\$116** per day.

- i. Newman, Andy. (2022) Adams Wants to Reassess a Shelter System 'Nearing Its Breaking Point.' *The New York Times*. <https://www.nytimes.com/2022/09/14/nyregion/homeless-shelters-nyc-adams.html>
- ii. Ceron, Ella. (2022) NYC Mayor Urged to Abolish 90-Day Shelter Rule Amid Migrant Influx. *Bloomberg*. <https://www.bloomberg.com/news/articles/2022-09-20/new-york-mayor-eric-adams-is-pressured-to-abolish-homeless-shelter-rule?leadSource=uverify%2Owall>



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MAY 2023

Helping Families Heal



Incidents and Data Show Families in Shelter Need Mental Health Supports

By Chris Mann & Cassidy Teminsky

Overview

On an average night so far this year, more than 13,000 families with children went to bed in homeless shelters.¹ At Win, the largest provider of shelter to families, the typical family is headed by a mom who is a single parent, the head of a family of three, and has a high school diploma or less—all in a city with a perilous shortage of affordable housing. Homeless families also struggle with longstanding race and gender-based injustices that have resulted in a family homelessness crisis in which 94 percent of the families in New York City’s municipal shelters are Black or Latinx.² Given these challenges, it’s no surprise that families typically spend almost a year and a half in shelter before leaving for a permanent home.

Often unacknowledged, however, is a secondary crisis just beneath the surface that also contributes to this litany of challenges—a lack of mental health support in New York City’s family shelters. The fact is that as mothers experiencing homelessness fight structural barriers to a brighter future, many face complex personal histories that complicate their journey to stability. This brief uses data from Win and other sources to outline the challenges these mothers face and stories of actual Win families to highlight the serious consequences of historical underinvestment in mental health services.



SUPPORTING HOMELESS FAMILIES

Win helped draft and fought for the passage of Int. 0522-2022, which requires the City to provide onsite or telehealth clinical mental health services in every shelter for families with children, at a ratio of one fulltime provider equivalency for every 50 families. Now that this critical legislation is law, it is imperative that the City allocate the resources necessary for its implementation. **To successfully implement Int. 522 the City must allocate:**

→ \$12 Million for FY24

By July 31st, 2024, the City must ensure that services are available in the 30 largest shelters for families with children in NYC.

→ \$40 Million for FY25 & beyond

By July 31st, 2025, the City must ensure that services are available in all shelters for families with children in NYC.

The Problem

Distressingly, 80 percent of mothers who experience homelessness in the U.S. also suffered domestic violence at some point in their lives.³ **In fact, over 37 percent of the families in Win shelters last year were eligible because of domestic violence⁴—making it the leading cause of homelessness among our families.** Unfortunately, domestic violence is only one of the potentially debilitating traumas that homeless mothers experience. **Last year, a striking majority (about 79%) of mothers in Win shelter were experiencing homelessness for at least the second time in their lives, including nearly one-in-five (18%) who had experienced homelessness as a child themselves.⁵**

Mental health and substance use issues are more prevalent among adults with exposure to traumatic events and circumstances like those homeless families face.⁶ Research repeatedly finds alarmingly high rates of psychiatric disorders among homeless mothers,⁷ most commonly, post-traumatic stress disorder (PTSD), major depression, and bipolar disorder.⁸ **In one seminal study, homeless women with children were 2.5 times more likely to meet the criteria for a major depressive episode and three time more likely to meet the criteria for PTSD than the general population.⁹**

Mothers experiencing homelessness are deeply resilient, but unaddressed trauma and untreated mental health disorders can have serious consequences. Research has found varying degrees of substance use and dependence¹⁰ but some research indicates **double the rate of alcohol and drug dependence among homeless mothers compared to the general population.¹¹**

Despite this elevated level of need, families in New York City shelters are not provided with an adequate level of services. Although social workers were introduced into family shelters in 2016, the funding amount and social work staffing pattern provided by the Department of Social Services only

allow for specialized assessment, brief counseling, and referral to external clinics, which often have monthslong wait times. Although the majority of families in shelter received some screening for behavioral health needs in 2022, shockingly, less than one percent of families referred for treatment were able to attend an appoint between January and March 2022.¹²

For too many families in shelter trauma and other mental health issues are left unaddressed because family shelters do not have funding to provide onsite mental health services.¹ As a result, families continue to struggle with untreated needs, impairing their well-being while they are in shelter and undermining the process of moving out of shelter. In the most extreme cases, these unmet needs can result in serious incidents that could have been resolved or avoided if clinical intervention and counseling were available.

... some research indicates double the rate of alcohol and drug dependence among homeless mothers compared to the general population.¹¹

i New York City introduced social workers into family shelters in 2016. But even with this valuable resource, family shelters cannot provide the crux of mental health care: therapy and medication. The funding amount and social work staffing pattern provided by the Department of Social Services allows for specialized assessment, referral, and brief counseling. But staffing levels and Department of Social Services directives preclude social workers in family shelters from providing therapy.

Win Families' Stories

As the largest provider of shelter for families with children in New York City, Win is acutely aware of the harm families experience because of unaddressed mental health needs. Between July 2021 and April 2022 there were 22 incidents in Win's family shelters where mental health issues escalated to crisis. In these most extreme cases:

- Emergency services were contacted for support in all 22 mental health incidents;
- Assistance from the NYPD was requested in all but three (86%) of the incidents; and
- Clients were taken to the hospital for further evaluation 77 percent of the time.

Unaddressed mental health issues are taking an especially severe toll on young people living in shelter. **Nearly one-third (27%) of Win mental health incidents were cases of self-harm or suicidal ideation involving youth.** The examples below provide a glimpse into the crisis:

- After a verbal disagreement with her mother, a 19-year-old young woman went to the bathroom of her unit to harm herself. Unfortunately, the daughter had a history of this behavior as well as suicidal ideation. After an evaluation by emergency services, the daughter was hospitalized.
- A mother called shelter security because her 18-year-old son was attempting to kill himself. NYPD and EMS arrived and transported him to the hospital.

Unfortunately, unaddressed mental health needs are negatively impacting both children and adults and often lead to conflict. **Out of the 22 mental health incidents examined in this brief, half involved a verbal or physical altercation that required de-escalation by trained professionals.** For example:

- A mother called emergency services for her 22-year-old son who was suffering from a schizophrenic episode after not taking his prescribed medication. The son was talking to people who were not there and became violent, punching walls, which led to his involuntary hospitalization.
- In another instance, a mother called EMS because her five-year-old son was acting violently towards the rest of the family. After a short evaluation by EMS, they brought him to the hospital for further assessment.

Although the projected cost of \$40 million annually to implement onsite clinical mental health services in family shelters may seem high, the benefits of providing these critical services far outweigh the costs. Research indicates that providing mental health care in shelter can have a tremendous positive effect on the wellbeing of both children and adults. For instance, a recent quantitative study of mental health services provided in Florida homeless shelters found significant reductions in trauma related symptomology in children

Out of the 22 mental health incidents examined in this brief, half involved a verbal or physical altercation that required de-escalation by trained professionals.

who received mental health treatment.¹³ In addition to the positive impact of mental health services on wellbeing, research also indicates that those services can have other lasting effects. Several studies that evaluated the benefits of services offered to families in shelter, which included mental health care, found that families who received those services remained stably housed longer than families that did not.¹⁴ One study found that after one year, 85 percent of participants that received treatment remained in their original apartment compared to just 69% who did not receive treatment.¹⁵

An alarmingly high number of families in shelter have been there before, and by linking families to these needed services, we expect to see a real reduction in the number of families returning to shelter, helping to reduce the strain and cost on the shelter system. Additionally, mental health clinicians can complete the psychosocial assessments required for supportive housing applications for families, helping quickly fill vacant supportive housing units and ensuring that qualified families with ongoing needs are connected to permanent supportive housing where they will have the resources needed to thrive.

In Win shelters, we see parents experiencing homelessness exhibit tremendous resilience as they heal from trauma and work toward housing stability for their families. They need and deserve onsite mental health services to help address trauma and other mental health issues for the whole family. Although we recognize that those supports will not prevent every incident, we are confident that providing families with onsite clinical mental health treatment options will help prevent unnecessary escalation and help shelter residents access assistance before situations reach a crisis point like those described above.

Mental health services must be one of the tools available to families in shelter to support their healing and ability to move forward and out of shelter. The long-term well-being of parents and children depends on it.

ABOUT WIN

Since its founding to provide emergency shelter to four homeless women and their children, Win has grown into the largest provider of family shelter and supportive housing in New York City and the country. Win offers transitional housing and permanent supportive housing that's coupled with programs and services developed to support long-term housing stability. All of Win's services are guided by its mission—to transform the lives of New York City homeless families with children by providing the safe housing, critical services, and the ground-breaking programs they need to succeed on their own—so families can regain their independence and children can look forward to a brighter future.



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Appendix

1. Number of families with children in NYC DHS shelter comparison. Institute for Children Poverty Homelessness. (2023, March 15). Retrieved March 15, 2023, from https://www.icphusa.org/maps_infographics/number-of-families-with-children-in-nyc-dhs-shelter-2021-2022/#daily-report-from-june-9-2022.
2. Every Family Housed: A Blueprint to End Family Homelessness for the Next Mayor. WIN NYC. (2021, May). Retrieved June 27, 2022, from https://winnyc.org/wp-content/uploads/2021/05/Every_Family_Housed_Final.pdf.
3. Homelessness in America: Focus on Families with Children. United States Interagency Council on Homelessness. (2018, September). Retrieved June 27, 2022, from https://www.usich.gov/resources/uploads/asset_library/Homeslessness_in_America_Families_with_Children.pdf.
4. Win administrative data, Dashboard for all HOC, FY22.
5. Win administrative data, FY22.
6. Forman-Hoffman, V. L., & Bose, J. (2016, April). Correlates of Lifetime Exposure to One or More Potentially Traumatic Events and Subsequent Posttraumatic Stress among Adults in the United States: Results from the Mental Health Surveillance Study, 2008–2012. Substance Abuse and Mental Health Services Administration. Retrieved June 27, 2022, from <https://www.samhsa.gov/data/sites/default/files/CBHSQ-DR-PTSDtrauma-2016/CBHSQ-DR-PTSDtrauma-2016.htm>.
7. Welch-Lazoritz, M. L., Whitbeck, L. B., & Armenta, B. E. (2015). Characteristics of Mothers Caring for Children During Episodes of Homelessness. *Community Mental Health Journal*, 51(8), 913–920. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4722539/>.

See also: Chambers, C., Chiu, S., Scott, A. N., Tolomiczenko, G., Redelmeier, D. A., Levinson, W., & Hwang, S. W. (2014). Factors associated with poor mental health status among homeless women with and without dependent children. *Community Mental Health Journal*, 50(5), 553–559. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3883929/>.

See also: Bassuk, E. L., & Beardslee, W. R. (2014). Depression in homeless mothers: addressing an unrecognized public health issue. *The American Journal of Orthopsychiatry*, 84(1), 73–81. <https://pubmed.ncbi.nlm.nih.gov/24826830/>.

See also: Samuels, J., Fowler, P. J., Ault-Brutus, A., Tang, D.-I., & Marcal, K. (2015). Time-limited case management for homeless mothers with mental health problems: Effects on maternal mental health. *Journal of the Society for Social Work and Research*, 6(4), 515–539. <https://www.journals.uchicago.edu/doi/full/10.1086/684122#:~:text=Results%3A%20Results%20suggest%20all%20homeless,receipt%20of%20mental%20health%20services>.
8. Welch-Lazoritz, M. L., Whitbeck, L. B., & Armenta, B. E. (2015). Characteristics of Mothers Caring for Children During Episodes of Homelessness. *Community Mental Health Journal*, 51(8), 913–920. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4722539/>.
9. Bassuk, E. L., Buckner, J. C., Perloff, J. N., & Bassuk, S. S. (1998). Prevalence of mental health and substance use disorders among homeless and low-income housed mothers. *The American Journal of Psychiatry*, 155(11), 1561–1564. <https://pubmed.ncbi.nlm.nih.gov/9812118/>.
10. Slesnick, N., & Erdem, G. (2013). Efficacy of ecologically-based treatment with substance-abusing homeless mothers: substance use and housing outcomes. *Journal of Substance Abuse Treatment*, 45(5), 416–425. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3773252/>.
11. L. Bassuk, E., T. Volk, K., & Olivet, J. (2010, March 22). A framework for developing supports and services for families experiencing homelessness. *The Open Health Services and Policy Journal*. Retrieved June 27, 2022, from <https://benthamopen.com/ABSTRACT/TOHSPJ-3-34>.
12. Mayor's Office of Community Mental Health. (2022) Mental Health Services in Family Shelters. Mental Health Data Dashboard. <https://mentalhealth.cityofnewyork.us/data/#/program/5eab7f9de7d31e7a02b50ce2>.
13. Spiegel, Graziano, P. A., Arcia, E., Cox, S. K., Ayala, M., Carnero, N. A., & O'Mara, N. L. (2022). Addressing Mental Health and Trauma-Related Needs of Sheltered Children and Families with Trauma-Focused Cognitive-Behavioral Therapy (TF-CBT). *Administration and Policy in Mental Health and Mental Health Services Research*, 49(5), 881–898. <https://doi.org/10.1007/s10488-022-01207-0>.
14. Bassuk, & Geller, S. (2006). The role of housing and services in ending family homelessness. *Housing Policy Debate*, 17(4), 781–806. <https://doi.org/10.1080/10511482.2006.9521590>.
15. Bassuk, & Geller, S. (2006). The role of housing and services in ending family homelessness. *Housing Policy Debate*, 17(4), 781–806. <https://doi.org/10.1080/10511482.2006.9521590>.



**Presented before the
New York City Council
Committees on General Welfare and Immigration
Oversight Hearing on Emergency Shelters and Humanitarian Emergency Response and
Relief Centers in New York City
June 21, 2023**

Thank you, Chair Diana Ayala, Chair Shahana Hanif and members of the General Welfare and Immigration Committees for the opportunity to testify about Emergency Shelters and Humanitarian Emergency Response and Relief Centers during this unprecedented time. I am Dr. Xellex Z. Rivera, Chief Program Officer at the Bronx Parent Housing Network (BPHN).

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 3,500 individuals and families with emergency housing and support each month. We deliver essential support services, as well as create solution focused paths to employment and stability. We serve individuals living with HIV/AIDS, single parents, substance abusers, persons experiencing homelessness, youth, and young adults, formerly incarcerated, and individuals with disabilities.

We would like to thank Speaker Adrienne Adams and the members of the City Council for their continued support to operate our variety of programs and services. Our partnership has impacted the lives of thousands of New Yorkers, providing critical services and programs for individuals and families such as transitional housing, pathways to permanent housing, social support services, food and nutrition services and more.

New York City's Homelessness Crisis

Even before the pandemic and the influx in asylum seekers, New York City was facing a homelessness crisis. In fact, in January 2020, just before COVID disrupted the city, the New York City Council released a comprehensive [report](#) elevating the urgency of that moment and calling for robust efforts to address the city's ongoing homelessness crisis. Since then, the homelessness crisis has worsened—first with the pandemic and now with the influx of asylum seekers.

The recent influx of asylum seekers has presented a remarkable challenge. As [reported](#) by Deputy Mayor Anne Williams-Isom it is estimated that New York City currently has more asylum seekers than New Yorkers who were experiencing homelessness when the administration first came into office. According to DHS [data](#), as of June 14, 2023, there were over 80,000 adults and children in shelters, including many asylum seekers. Currently, the city has more than [44,700](#) asylum seekers in its care, and more than 70,000 asylum seekers went through city intake centers since spring 2022.

In response to the influx in asylum seekers, the city has opened up over 150 emergency shelters, and as of April 30th the City has spent a [billion dollars](#) to support asylum seeker needs including services ranging from shelter, medical care, food and social services. Recently, the federal government announced an allocation of [\\$104.6 million](#) from the Federal Emergency Management Agency to help address New York City's growing expenses related to the ongoing migrant crisis, however, this is not enough funding to address the current crisis. With the buses still coming into the city, there can be a great challenge for the budget and providers to assist. When we evaluate the day-to-day needs of each individual person – from toothpaste to clothes to food and water to schooling – the system may have a hardship in addressing.

BPHN Efforts to Support the Homelessness Crisis

Understanding the urgency of the moment, BPHN has leveraged its resources to support the city's increasing asylum seeker population. 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 work 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.

Recommendations:

We would like to encourage the administration to use this moment as an opportunity to address two crises– the increase in asylum seekers who are experiencing homelessness *and* the ongoing homelessness crisis of New Yorkers. Both strategies must coexist if we truly want to create a more equitable and better future for New York City. We would like to emphasize that addressing the homelessness crisis is not just about providing individuals with a place to stay– it is also about providing them with the tools and resources so that they are able to find and keep a home when they exit the shelter system.

Additionally, we applaud the Mayor for launching [Promise NYC](#) in January 2023 to provide undocumented families with access to child care services in partnership with community based organizations. This crucial resource benefited more than 700 children, and unfortunately, it will expire in June– posing challenges for undocumented families who rely on childcare to work. We urge the administration to continue this program.

We appreciate the Council’s commitment to providing shelter to individuals facing housing insecurity. We will continue to partner with community leaders, government and stakeholder to combat the crisis of homelessness. In particular, we would like to share our support for the following legislation:

- [Int 1080](#) - A Local Law to amend the administrative code of the city of New York, in relation to the publication and dissemination of information on emergency feeding programs, food benefits programs, and senior centers.
- [Int 1084](#) - A Local Law to amend the administrative code of the city of New York, in relation to creating training on trauma-informed care for persons serving refugees, asylees, and migrants.

Thank you again for your partnership and the opportunity to testify today.

Please contact Dr. Xellex Z. Rivera at X.rivera@bphn.org with any questions regarding this testimony.



The New York City Council

Committee on Immigration, jointly with General Welfare

Oversight – Emergency Shelters and Humanitarian Emergency Response and Relief Centers in New York City

Thank you to the City Council for this opportunity to submit written testimony on behalf of The Children's Village, adding to those who have already provided powerful insight on this most important issue. The Children's Village (CV) believes that all children and families deserve a chance to flourish. We recognize that there is both an immigration and homelessness crisis in NYC, but we don't view these as problems of finding shelter. We see them as problems of unfinished journeys of people who are not yet where they want to be, regardless of immigration status. These issues matter greatly to CV, and there are a few ways we are moving forward that we believe are a great benefit to NYC.

As of January 31, 2023 the number of people in the NYC Shelter system was 70,342 and has grown since. Of those 70,342 people over 22,850 of them were children, and within DHS shelters there are 13,367 families with children. These families make up over half of the NYC shelter census. While DHS does not track immigration status, it is estimated by City Hall that over 20,000 of the people in NYC shelters are immigrants who were bused directly to NYC by other states. This influx of immigrants has caused the NYC shelter system, where the average length of stay already exceeds 365 days, to enlist the help of countless nonprofits, human service leaders, community and faith-based organizations, and other entities. While these immigrants may seem to be an increased stress on an already struggling shelter system, we do not view this as a shelter or homelessness problem, it is instead a problem of an unfinished journey—a journey that has been interrupted, and despite our best intentions, a shelter is not a community.

In CV's Migrant Relocation Pilot in NYC, and with additional services provided at the southern border, where we help immigrant children reunite with their families, CV currently serves over 25,000 children and families, many whose needs are considered so specialized that many organizations cannot or will not serve them. We support youth and their families across a broad continuum of needs such as medical care, mental illness, extreme behavioral problems, substance abuse, homelessness, and domestic violence. With over 27 specialized programs, we aid youth in the development of the skills they need for family preservation, academic achievement, employment readiness, and day to day life.

As families are connected to resources, the well-being and health of themselves and their children are also of utmost importance. In NYC, we work to connect the children of families seeking relocation with access to recreational activities, child friendly spaces, and care that will allow for immigrant families to engage with the relocation process without having to worry about the well-being, safety, and health of their children. Our staff are trauma-informed in all our residential settings, and this is a key factor in providing a safe environment for the people of NYC. We would recommend trauma-informed staff at all DHS locations, and support the passing of INT 1084 and INT 1085 to bolster the training and offering of these services for all shelter residents.

The issues we face in our emergency response and relief centers can only be solved by long-term thinking that includes trauma-informed staff, support for families to be reunified or relocated per their goals, and aftercare support to ensure successful placements.

Testimony re:
Int.1095 and Int.1084 - Mental Health Supports for Asylum-Seekers & Refugees

Submitted to:
Committee on Immigration & Committee on General Welfare

Submitted by:
Cindy Tremino, Director of Immigration Programs, Hispanic Federation

June 23, 2023

Thank you, Chair Hanif, Chair Ayala, and all other members of the Committee on Immigration and General Welfare for allowing me to present this testimony on behalf of the Hispanic Federation; a non-profit organization seeking to empower and advance the Hispanic community, support Hispanic families, and strengthen Latino institutions through direct service programs and legislative advocacy. More than 174 of our members and partners are here in the city and many provide supports to newly arrived asylum seekers. Hispanic Federation believes that resolutions Int.1095 and Int.1084 are vital in addressing the mental health of asylum seekers who may suffer from trauma-related hardships. As of 2022, New York has more than 60,000 asylum seekers residing in the city¹. Among the 60,000 are families and children who have experienced mentally straining obstacles before and during their transition into the United States. Unfortunately, it is common for most refugees, asylum seekers, unaccompanied minors, and survivors of forced displacement to not have access to crucial mental health care due to the scarcity of services². The reality is that most refugees and asylum seekers' mental strain will likely go unaddressed leading to further detrimental effects on their mental health³.

¹<https://www.cityandstateny.com/policy/2023/05/following-asylum-seeker-odyssey/382850/#:~:text=More%20than%2065%2C000%20asylum%2Dseekers,welcomed%20them%20with%20open%20arms.>

²Ibid

³<https://www.psychiatry.org/File%20Library/Psychiatrists/Cultural-Competency/Mental-Health-Disparities/Mental-Health-Facts-for-Refugees.pdf>

One of the most significant barriers to providing asylum seekers and refugees with adequate resources is limited access to service providers⁴. Implementing Int.1095 will allow those in need to obtain a mental health coordinator and grant greater access to the city's trauma-informed and language-accessible mental health services. We believe that resolution Int.1095 provides essential resources that should be implemented in the City of New York. Specifically, having a mental health coordinator at every location where asylum seekers and refugees are, is necessary to assist in uplifting those struggling with mental health. One of the most difficult aspects of immigrating to the United States is the voyage and dealing with the aftermath of such an experience. According to the American Health Association, having access to mental health post-migration needs to be a priority since one in three asylum seekers and refugees experience depression, anxiety, and post-traumatic stress disorder⁵.

Furthermore, the detrimental effects of the immigration voyage not only take a toll on the mental stability of adults but also significantly affect children. Several studies reveal that refugee children experience elevated levels of depression, anxiety, post-traumatic stress disorder (PTSD), behavioral and social problems, social isolation, and family conflict⁶. Therefore, centering asylee mental health by implementing Int.1095 is a crucial step the City of New York can take to help ensure a more accessible and comfortable transition for asylum seekers and refugees.

Like Int.1095, resolution Int.1084 provides an essential mechanism for the necessary tools to deal with the mental toll asylum seekers and refugees face. This resolution aims to create much-needed training on trauma-informed care for persons serving refugees, asylees, and

⁴ Ibid

⁵ Ibid

⁶<https://www.srcd.org/research/strengthening-mental-health-support-services-refugee-children-resettled-us>

migrants. Trauma is a complex reality that many asylees and refugees experience pre-arrival to the United States. Some of these trauma-related experiences include systematic State terrorism, torture, bombings, killings, kidnappings, sexual assault, detention, disappearances, harassment, being forced to flee, deprivation of food, shelter, and health care; additional experiences include loss of family, friends, community, safety, home, possessions, routine, schooling, employment, and control over their lives⁷. If trauma is left untreated, adults and children may internalize psychological distress, resulting in various unforeseen consequences⁸. If and when those working to care for asylees, refugees, and migrants receive trauma-informed training, workers will be more aware of trauma-related symptoms or behavior, more adequately equipped to address the needs of those experiencing trauma, and will be efficiently prepared to find the proper resources to help those struggling. Through the proposed resolution Int.1084, asylees struggling with trauma can receive the appropriate care to sufficiently heal and resettle in the City of New York peacefully.

In conclusion, Hispanic Federation believes that these resolutions provide crucial protection and empowerment for asylees and refugees. The mental health of asylum seekers, refugees, and migrants must be centered in the conversation of support services for this population. Depleting mental health, if left untreated, can result in challenges that make resettling in a new country difficult. Thus, Int.1095 and Int.1084 are prime examples that offer successful models of mental healthcare for those resettling in the United States. We urge that the City of New York consider the implementation of resolutions Int.1095 and Int.1084.

⁷ <https://www.startts.org.au/resources/refugees-asylum-seekers-and-trauma/>

⁸ <https://capmh.biomedcentral.com/articles/10.1186/s13034-017-0210-3>



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Homeless Services United's Testimony Before

The NYC Council General Welfare and Immigration Committees on June 21st, 2023

on DHS Services for People Experiencing Homelessness

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, homeless prevention services and for immediate access to safe, decent, emergency, and transitional housing, outreach, and drop-in services for homeless New Yorkers. Thank you for the opportunity to testify today.

Thank you Deputy Speaker Ayala and Chair Hanif for holding this hearing today and for your continued leadership uplifting and protecting services for unhoused New Yorkers. HSU is extremely grateful to Speaker Adams, Deputy Speaker Ayala, and all Council Members who supported the historic passage of the CityFHEPS bill package to provide more direct access to permanent housing for families and individuals at risk of or currently experiencing the trauma of homelessness. As the Council well understands, people experiencing homelessness are homeless regardless of which City agency is helping them, and there should be a no-wrong-door approach to accessing shelter and permanent housing.

In order to ensure the success of the Council's heroic efforts to strengthen the homeless services safety net, we urge you to join us in rejecting **the Mayor's 2.5% "Provider Flexible Funding" budget cut to all DHS and HRA contracted non-profit programs**, including shelters, street outreach, safe havens, drop-in centers, and Homebase eviction prevention programs. **Please join us in the fight to protect our programs and hold strong against the Mayor's proposed cut to homeless services! We need the Mayor to understand that the City budget shouldn't be balanced on the backs of poorest New Yorkers!**

We greatly appreciate the Council's continued commitment to strengthening services for people experiencing homelessness. ***The Mayor's proposed 2.5% DSS Budget Cut will hurt services and reduce staffing in homeless shelters across the City.*** DHS is already telling non-profit providers to plan to eliminate workers, even before the final City Budget negotiations wrap, as if stripping services from shelter is a foregone conclusion.

Providers have been advised to eliminate vacancies from any non-State mandated services, such as on-site mental health and clinical services, and collapse several job roles like employment specialists and housing specialists into one position to be able to meet this cost-savings for the City. People in shelter will receive fewer and less frequent services as remaining staff try to fill multiple roles and case managers and housing specialists carry unsustainably high caseloads due to vacant positions will no longer be backfilled and other roles are eliminated. One HSU member said that this cut would mean telling their compassionate and dedicated frontline staff that "no help is on the way."

As the City valiantly assists asylum seekers in desperate search for a better life, **it must prioritize infrastructure and workforce investments for DHS, HRA and non-profit contracted homeless and eviction prevention providers to create a sustainable path forward. The Council, as steadfast champions of our City's most vulnerable, can pave the way forward out of crisis by including a 6.5%**



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COLA for City-contracted human services workers which would enable DHS shelters to fill vacancies and retain their compassionate and experienced staff.

Regarding the bill's on the agenda for today's hearing, HSU supports **Int. 942** to ensure that emergency congregate housing facilities for people experiencing homelessness minimally meet standards and regulations established by Parts 491 and 900, governing DHS adults and family with children shelters. These long-established standards ensure safe and appropriate conditions for households experiencing homelessness and should serve as a baseline for similar facilities regardless of City administering agency. In addition to ensuring environmental standards, HSU also recommends these facilities adopt service budgets similar to shelters including social workers and at least one flex line on top of case management staff (which DHS model budgets include) to provide specialized care such as paralegals or others who could help track immigration status/proceedings or possibly employment assistance.

HSU supports **Int. 943** to provide notification of New York's Right To Shelter upon entry into emergency congregate housing facilities. Rights are not enjoyed unless people are aware of them and able to exercise them, and many asylee households would benefit from the more robust case management and onsite services located at DHS shelters.

HSU supports **Int. 1072** to reduce the required housing history requirement for families with children eligibility for shelter down from two to one year. Too many homeless families are incorrectly found ineligible for shelter, and must reapply, and this change will help families more easily prove they are currently homeless and eligible for shelter.

HSU appreciates the Council's intent behind **Ints. 1095 and 1096** to improve services within DHS shelters. We too want to see enhanced access to services in DHS shelters. **Reversal of the proposed 2.5% DHS budget cut and implementation of a 6.5% Human Services Cost of Living Adjustment (COLA) are paramount to preserving and expanding on-site shelter services.** Homeless services providers are currently facing a starvation cycle, with the inability to fill positions because of stagnant City-contracted wage levels and the City clawing 2.5% of their FY24 budgets which are only allowed to be pulled out of personnel budget lines. Enacting both key fiscal relief measures for the FY24 City Budget will enable homeless shelter providers to preserve headcount and strengthen on-site shelter services.

HSU has some concerns about **Int. 1064** and the proposed annual report for Homebase eviction prevention programs and would like to work with the Council on understanding the intent and helping identify existing data sources and oversight mechanisms to get at the desired outcome. We are concerned that as written, Int 1064 increases the administrative burdens on providers that are already struggling with data collection, still, we agree that attention to this overstretched portfolio is needed. To that end, we'd like to work with the Council on finding ways to strengthen the homeless prevention network.

HSU can share a few key insights from feedback we collected from 17 Homebase locations, on current challenges of this critical eviction prevention program:

1. The majority of Homebase programs are currently oversubscribed, with nine of seventeen locations already exceeding their enrollment targets for the current quarter.



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2. The average caseload based on program contracts is (34:1). One provider opted to cap intakes to maintain caseloads closer to contracted levels, but for sites that flexed to meet the need their actual average caseload is (94:1), with five locations at (120:1) or higher- one site at a staggering (158:1)!
3. Homebase programs have an average staff turnover of 43% in the past year, with five Homebase locations having suffered 80% or higher turnover.
4. Major reasons cited for turnover include high caseloads, burnout, low salaries and lack of a COLA.
5. Programs report an average vacancy rate of 20% across twelve locations, with one location currently suffering a 63% vacancy rate. Case Managers are universally the hardest to fill positions.
6. Given the overwhelming demand coupled with limited staffing, wait times for initial intake appointments are growing, with over half the locations reporting wait times exceeding two months or longer and some locations booked until January 2024.

Homebase programs are trying to help as many households as they can, but it's taking a toll on their staff who are burning out and leaving their programs in record numbers. To meet the needs of tenants, the City should reverse the 2.5% DSS Budget Cut and implement a 6.5% human services COLA to expand funding for existing Homebase programs to close vacancies and bring their actual caseloads back down to budgeted levels through reversing the 2.5% PEG and implementing a 6.5% COLA. In addition to restoring the sustainability of current programs, the City should also expand capacity across the City by either expanding funding for existing contracts or releasing new Requests For Proposals (RFPs) for additional Homebase program locations.

HSU applauds the Council's unwavering commitment to protecting all New Yorkers experiencing the trauma of homelessness and we are extremely grateful for the landmark legislation you passed which will revolutionize access to rental assistance. Please stand strong against the Mayor's proposed 2.5% cut to DHS and HRA programs, and instead include a 6.5% COLA for Human Services workers. We stand ready and want to join you on the work ahead rehousing our neighbors.

Thank you for the opportunity to testify. If you have any questions, please email me at elee@hsunited.org

Testimony of Housing Works
Before
The New York City Council Committees on Immigration & General Welfare
Regarding
Oversight: Emergency Shelters and Humanitarian Emergency Response and Relief Centers in
New York City
June 21, 2023

Thank you, Chairpersons Hanif and Ayala, and Members of the Committees on Immigration and on General Welfare, for the opportunity to testify today. My name is Anthony Feliciano, and I am the Vice President of Community Mobilization for Housing Works, a healing community founded in 1990 with a mission to end the dual crises of homelessness and AIDS. We currently provide a range of integrated medical, behavioral health, housing, and support services for over 15,000 low-income New Yorkers annually, with a focus on the most marginalized and underserved—those facing the challenges of homelessness, HIV, mental health issues, substance use disorder, other chronic conditions, and incarceration.

Housing Works offers our full support for the initiatives to address our homeless crisis under your consideration today, and in particular we applaud the Council for seeking to further codify the right to shelter in New York City by amending the NYC charter to establish a single minimum standard for all emergency congregate housing in New York City, including at the Humanitarian Emergency Response and Relief Centers (HERRCs) established to address the increase of migrants in the City, and to ensure that every person experiencing homelessness is notified of their right to a safe and decent shelter placement.

Like most New Yorkers, we at Housing Works are shocked by the Adams Administration's deeply troubling court application to modify right to shelter legal protections to suspend the City's obligation to shelter homeless adults. We strongly urge the Mayor to withdraw the application, which seeks to undo more than 40 years of legal protections for our City's most vulnerable based on the unfounded and insupportable argument that we can simply ignore the "right to shelter" requirement any time those in charge decide that our City "lacks the resources and capacity" to provide safe and appropriate shelter. Housing Works is confident that this argument – asserted by previous administrations that did not want to honor the City's legal obligation to care for the needy – will fail as a legal matter. What is most saddening and unacceptable is that this effort to undo the fundamental right to shelter seeks to pit new New Yorkers against other residents experiencing homelessness.

In any event, it is simply not true that we lack the "resources and capacity" to meet current needs. What we lack is political will. In the face of record homelessness, a record number of evictions, and unacceptable numbers of vacant affordable and supportive housing units, we can and must deploy every tool at our disposal to keep low-income households from losing housing and get New Yorkers experiencing homelessness back into permanent housing more quickly, to ease pressure on the shelter system so that we continue to honor New York City's right to shelter. Rather than try to undo the right to shelter that is fundamental to who we are as New Yorkers, we urge the Administration and the Council to transform the City's homeless response with increased funding for the affordable housing capital budget, right-to-counsel

programs, and agencies responsible for homelessness and housing, like the Department of Homeless Services, Human Resources Administration, Department of Housing Preservation and Development, and New York City Housing Authority.

As a critical first step, we call upon the Mayor to sign the full Council's package of comprehensive CityFHEPS reforms. While Mayor Adams' executive order last week was right to suspend the 90-day rule for the voucher program, it also included problematic new work requirements for adult-only households and falls far short of the Council's reforms, which eliminate the rule that requires individuals to stay in a homeless shelter for 90 consecutive days before qualifying for a CityFHEPS housing voucher, help ensure vouchers can prevent evictions, do not undermine economic advancement, and are adequately valued to include utility costs.

Housing Works, on behalf of the vulnerable New Yorkers we serve and represent, also implore the City Council and Administration to exempt the Department of Social Services, the Department of Homeless Services, DOHMH, and the community-based providers they fund, from any Program to Eliminate the Gap (PEG) or other cost cutting plans. Given the serious and overlapping humanitarian and public health crises facing New Yorkers, agencies responsible for handling these emergencies must be exempt from any citywide program of systemic funding cuts. We are seeing firsthand the devastating impact on client services and health outcomes resulting from understaffing and lack of resources needed to meet basic needs.

The NYC Department of Social Services (DSS) administers essential benefits and services for vulnerable New Yorkers, including the lifesaving housing assistance and benefits provided through its HIV/AIDS Services Administration (HASA). The Department of Homeless Services (DHS) is responsible for providing basic survival services for the growing number of New Yorkers experiencing homelessness. HASA is chronically understaffed and under-resourced, and both DSS and DHS face new challenges posed by the increasing number of New Yorkers experiencing homelessness, primarily from low-income Black, Indigenous, and People of Color (BIPOC) communities. The Department of Health and Mental Hygiene (DOHMH) is charged with protecting the public health, including managing ongoing epidemics of communicable diseases that include COVID-19, HIV, viral hepatitis, TB, STIs, and most recently, Mpox. To maintain essential services, DSS, DHS, and DOHMH must be exempted from any citywide savings plan.

At the very least, it is critical to exempt City-contracted nonprofit agencies providing housing, homelessness prevention, homeless services, and other essential assistance from further budget cuts so as not to worsen existing staffing shortages and increase already untenable caseloads.

In line with our support for the Council initiatives before the Committees today, Housing Works stresses the need for increased NYC resources and innovative new approaches to transform the City's inhumane and ineffective response to the homelessness crisis. Through our work over the past few years providing COVID isolation and quarantine services for New Yorkers experiencing homelessness, Housing Works has come to deeply appreciate how awful and dehumanizing the City shelter system is, and the urgent need to transform the way homeless people are treated in New York City. We must stop criminalizing and harassing people experiencing homelessness through sweeps of the subways and encampments of those who opt for survival in public rather than entering frightening shelters. We must stop stigmatizing people experiencing

homelessness, especially those who are dealing with behavioral health issues while trying to survive in shelter or on the streets. We urgently need new approaches and a new vision for what is acceptable.

Addressing homelessness of course requires substantial new City investments in housing with deep affordability, streamlined and more efficient access to meaningful rental assistance such as the City FHEPS program, and creation of sufficient supportive housing for those who need it. Housing Works calls for \$2.5 billion in additional new construction financing each year for the next five years for apartments specifically built for homeless and extremely low-income New Yorkers, including: doubling the set-aside in new affordable housing developments for homeless households from 15 to 30 percent, in order to produce at least 6,000 new apartments per year; and building an additional 6,000 apartments per year for households with extremely low incomes. In addition, we urge the City to accelerate the creation of 15,000 new NYC-funded supportive housing units, working towards a goal for their completion by 2025 rather than 2030.

Meanwhile, we must urgently adopt effective, evidence-based approaches to meet the immediate needs of the many sheltered and unsheltered people experiencing homelessness who are coping with untreated or undertreated chronic medical and/or behavioral health issues. We must stop treating mental illness and substance use disorder among low-income New Yorkers as criminal justice rather than public health issues, and instead adopt harm reduction approaches that provide every New Yorker with the safe, stable housing necessary to engage in behavioral health care, including private rooms for those struggling with mental health issues. We call for an immediate stop to street and subway sweeps by the police and sanitation department that are used to harass and intimidate vulnerable New Yorkers who choose to sleep on the streets or in subways rather than often-dangerous congregate shelters. Homeless outreach, conducted by trained outreach workers instead of the police, must focus instead on connecting people to resources they want, including low-barrier shelters and permanent housing. Likewise, our response to behavioral health crises must change, with increased funding and commitment to support and expand competent, evidence-based, interventions to address mental health and substance use disorder emergencies that are conducted solely by mental health professionals, with no police involvement unless specifically requested by a response team.

Housing Works is extremely pleased to be working with DHS to pilot an innovative new “stabilization center” for people experiencing unsheltered homelessness, designed to provide drop-in services, ready access to private accommodation, on-site medical and behavioral health care, and intensive case management focused on identifying permanent housing solutions – all delivered employing a low-threshold, harm reduction approach.

It is time to reduce the City’s reliance on large congregate facilities for homeless single adults and shift the creation of new capacity toward single-occupancy accommodations as well as smaller, low-barrier shelter designs such as Safe Haven shelters, which are more home-like and have better staffing for those with complex needs. We call for renewed commitment and rapid scale-up of at least 3,000 new Safe Haven and single-occupancy stabilization beds for unsheltered homeless individuals, with a focus on expanding the number of these facilities for women and transgender or gender-non-conforming individuals, and for an increase drop-in center capacity citywide. Development of this capacity will require a coordinated and well-

managed effort by responsible NYC agencies to ensure that existing hotels and other properties are deployed in a manner that meets the needs of all vulnerable populations.

A more effective homeless response must also include reentry planning for individuals being released from prisons and jails to identify viable housing options prior to each individual's scheduled release date, fund the creation of supportive housing specifically for individuals reentering the community after incarceration, and prohibit housing discrimination on the basis of an arrest or conviction record. To this end, we call on the Administration and Council to preserve the Rapid Reentry Housing program and make this program a permanent step in the continuum of city housing that will allow us to decarcerate the deadly city jails and create truly safe communities by meeting the immediate reentry needs of our community members. This model provides an immediate, short-term, placement for the estimated 1,000 people on Rikers in any given year for whom the Mayor's Office of Criminal Justice (MOCJ) identifies homelessness as a significant barrier to their release. We need these units in addition to the transitional housing beds MOCJ is developing, since transitional housing is rarely able to receive people directly from jail. We have asked that the City Council recommend an additional allotment of \$50 million to fund roughly 700 additional units dedicated to rapid reentry housing.

In conclusion, Housing Works calls on the Council and the Administration to be bold when it comes to addressing NYC's unprecedented crisis of homelessness that drives poor individual and public health outcomes among NYC's most vulnerable residents. We welcome Council oversight of the City's homeless response and call for an increased emphasis on peer and community health workers, a focus on cultural competency in service delivery, and implementation and rigorous evaluation of new approaches to the crisis of homelessness that drives poor individual and public health outcomes among NYC's most vulnerable residents.

Thank you for your time.

Testimony by the New York Legal Assistance Group in Support of

Int. 942-2023, Int. 943-2023, Int. 1095-2023, Int. 1072-2023,

Int. 1096-2023, Int. 1080-2023, and Int. 1084-2023,

Before the New York City Council Committee on

General Welfare and Committee on Immigration

June 21, 2023

Deputy Speaker Ayala, Chair Hanif, Council Members, and staff, good morning and thank you for the opportunity to speak to the Committees on General Welfare and Immigration on legislation impacting immigrants experiencing homelessness and financial insecurity. 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.

I have worked with numerous families experiencing homelessness who are seeking shelter in the Department of Homeless Service (“DHS”) shelters, and with numerous single adults and families who have recently crossed the southern border to seek asylum in the United States. Based on my experiences working with these populations, I appreciate the opportunity to offer the following comments.

I- All Proposed Reforms to the Eligibility Process for Family Shelter are Essential

In New York City, the application process for family shelter is unnecessarily onerous and burdensome. When a homeless family with children finds themselves in need of shelter, they must present for intake at DHS’ Prevention Assistance and Temporary Housing (“PATH”) intake center in the Bronx. While there, the family must provide a complete history of all the places they have lived for the last two years, as well as third-party contacts to “verify” that the family actually lived at those locations. Even in cases where a family has experienced street homelessness, the

family is required to account for their whereabouts for each day during the prior years, primarily by providing statements from witnesses who observed the family “living” at those locations, such as an automobile, subway car, or public park. The family is then given a pre-investigative emergency 10-day placement while DHS attempts to “verify” the provided housing history. DHS attempts to contact, or re-contact, each owner, primary tenant, or witness in connection with each application. If the verification contacts provided do not answer the phone, or DHS cannot speak with them within 10 days, then the family is found ineligible for shelter for “not cooperating” with providing a “complete, accurate and verifiable housing history” and the family must pack up their belongings, leave their shelter placement, and reapply for shelter. Reapplying entails starting the process from the beginning by having the family return to the DHS intake site and spend another 10-20 hours completing a new application for shelter, typically identical to the prior application, and then waiting on-site for a new temporary shelter placement. This practice was briefly paused during Covid¹ **but DHS has stated that it will restart shortly**. For now, all reapplications should be occurring over the telephone.

Because reapplying for shelter can take up to 20 hours, and because families must resubmit the same documents and information that they submitted with their initial application, applicants are forced to miss work. They are also forced to keep their children “home” from school, since there is no way for a family to know whether they

¹ During COVID, intake rules have been relaxed so that after the initial application for shelter, families can reapply over the telephone from their temporary placement, so they do not constantly have to be physically displaced.

will be done with reapplication process in time to pick their children up. Once they have reapplied, the family is provided a new 10-day temporary placement while they wait for their reapplication to be reviewed. This new temporary placement is not guaranteed to be in the same location as their prior temporary placement. Since many families repeat this scenario successively every 10 days, it is nearly impossible for any family to plan commutes to school, work, and day care. The process endangers their jobs and their children's educations. Some NYLAG clients in this circumstance have been subject to Administration for Children's Services ("ACS") investigations based on educational neglect because their children were not able to attend school on a consistent basis, both because they had to spend one out of every 10 days in the PATH office and because they were then be assigned to a different location with no way to get to their current school.

Moreover, the application process is often emotionally fraught, exacerbating an already traumatic experience for homeless families. Repeated calls by DHS to attempt to verify housing history can negatively impact the applicant's relationships with family and friends. In cases where a family has left an address due to conflict at the premises, outreach from DHS can worsen the situation. In other cases, those who have housed a homeless family in the past or provided witness statements may feel irritated or harassed by repeated calls and visits from DHS and simply decide not to cooperate in the future.

Additionally, families who are deemed ineligible for shelter are not eligible for programs that assist homeless families transition to permanent housing (particularly

the CityFHEPS rental assistance supplement). Without this assistance, families are unlikely ever to gain the means to leave the shelter system. The ineligibility finding effectively traps them in the shelter system. This is particularly problematic because life in shelter takes an enormous toll on the wellbeing of a homeless family. Most often families will not be placed near family support or in a familiar neighborhood. Children are often required to commute for hours or transfer to new schools, and family members must travel long distances on public transportation to continue treatment with trusted doctors and therapists. Periodic shelter transfers render it impossible for a family to achieve stability by establishing roots and becoming part of a community and are particularly destabilizing for children.

This problem is extremely vast. Most applications for family shelter are denied. In April of 2023, for example, almost 3% of families with children who were found eligible for shelter had previously submitted **6 or more applications**.² And in that same month, only 39% of applications for family shelter were deemed eligible.³ The eligibility process is a tremendous waste of resources designed so that the City minimizes the provision of shelter to otherwise eligible homeless families. While state regulations mandate some of these eligibility investigations, if DHS performed them in a different way (for instance, complying with its duty to assist the applicant in obtaining necessary documentation), the process would be much more efficient, and it would allow eligible homeless families obtain shelter and stability more expeditiously. The current approach of investigating every aspect of our clients'

² https://www.nyc.gov/assets/operations/downloads/pdf/temporary_housing_report.pdf

³ Id.

applications for shelter and the repeated denials necessitating reapplication is extremely traumatic for these struggling families and a waste of government resources.

The bills being heard at today's hearing would greatly ameliorate this trauma. Int. 1072-2023 will reduce the housing history a family has to "verify" from two years to one year, halving the burden of documentation for families already in crisis. It would require DHS staff to upload all documents relevant to an applicant's housing history to a digital case record and communicate with an applicant about any missing documents through electronic methods, which would relieve applicant families the job of resubmitting the same application materials repeatedly and would give applicants a concrete understanding of what materials are missing from their applications. Int. 1072-2023's mandate that DHS to create an informational pamphlet listing examples of documents that could demonstrate proof of housing history and ensure that such pamphlet is disseminated would further ease the burden of the confusing application process by providing clarity for applicants. And Int. 1072-2023's requirement that families with children have at least thirty days in temporary shelter pending a determination of their eligibility would create stability for families so they do not have to spend one day out of every 10 reapplying, allowing them to avoid absences at school and jobs. All these common-sense reforms will lighten the burden and reduce the negative impact of the application process on already-traumatized families.

However, these changes to the eligibility process do not go far enough. Further legislation should be proposed mandating that in cases where clients are unable to provide documentary evidence or third-party witnesses to verify their housing history, applicants should be permitted to self-attest to their residence at that location. Many public benefits administered by this City allow self-attestation of aspects of eligibility (most notably certain SNAP requirements) and DHS should allow the same.

II- The HERRC Shelter System is Not Adequate, Asylum-Seeking Migrants Should Be Provided with the Same Level of Shelter and Services as all other People Experiencing Homelessness in New York City

In September of 2022, Mayor Adams created a new shelter system that did not comply with the minimum shelter guidelines mandated in New York City and did not provide its residents with assistance transitioning to permanent housing. These new shelters were called the Humanitarian Emergency Response and Relief Centers (“HERRCs”) and were charged **with providing shelter to only the newly-arriving asylum-seekers from over the southern border.**⁴ The HERRCs were tasked with “immediately offering shelter, food, medical care, case work services, and a range of settlement options including through connections to family and friends inside and outside of New York City, in addition to, if needed, the possibility of direct referrals to alternative emergency supports or city shelter.”⁵ As explained below, HERRCs do not

⁴ <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>

⁵ Id.

offer all the protections and services of DHS shelter, and the city is failing these new New Yorkers by diverting them there.

The first HERRC was a literal 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 a outdoor tent.⁶ After intense criticism from immigrants' rights advocates and many members of this Council, the city closed the tent complex within a month.⁷ The residents were then moved into non-tent structures.⁸ However, since that time, HERRCs have been created in a cruise terminal⁹ and in school gymnasiums¹⁰, places that cannot support the needs of those living there. Thus, Int. 942-2023, which mandates that all congregate shelter provided by New York City meet the minimum standards set out for DHS shelter, is of critical importance.

HERRCs fail to meet the minimum standards for shelter in New York City by not providing residents with adequate food, not assisting residents with enrolling their children in school, and not providing access to medical care.. NYLAG clients report experiencing each of these inadequacies while at HERRCS. While some of these issues have abated, clients still report not having case workers and not being served hot

⁶ <https://citylimits.org/2022/11/10/mayor-adams-set-to-shut-down-randalls-island-tent-complex-for-asylum-seekers/>

⁷ Id.

⁸ Id.

⁹ <https://www.nyc.gov/office-of-the-mayor/news/176-23/mayor-adams-placement-two-new-humanitarian-emergency-response-relief-centers>

¹⁰ <https://nypost.com/2023/05/16/eric-adams-is-putting-nycs-kids-second-by-sticking-migrants-in-school-gyms/>

food. Also, and very troublingly, residents of the HERRCs are not eligible for the housing subsidies that allow families experiencing homelessness to transition to permanent housing, which they may be eligible for if they resided in DHS shelter and which can be 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 HERRC on November 2. The P. family's birth certificates were taken by United States Custom and Border Patrol and not returned. Because of this, HERRC 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 HERRC 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 HERRC 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 HEERC was aware of this situation for over a month and did nothing to address these issues. In contrast, DHS has caseworker staff on hand in its shelters to support the residents. 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 HERRC as opposed to a DHS Shelter upon arrival in New York City.

New York City takes 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. None of my clients were told by staff at their HERRC that there was another shelter system available that would help them transition to permanent housing. Clients cannot access services that they do not know exist. Thus, Int. 943-2023, mandating that residents of HERRCs be informed of their right to be moved to DHS shelter, and providing them with transportation if necessary, is vital.

HERRCs should offer all the supports, services and protections that DHS shelters do, or, at very minimum, HERRC residents should explicitly be made aware that they are entitled to enter DHS shelter if they would like to access these additional services.

III- Public Benefits Eligibility Specialists are Key to Transitioning to Permanent Housing

NYLAG wholeheartedly supports the provision of public benefits eligibility specialists at every DHS shelter. As I have frequently seen first-hand, it is almost impossible for people to transition out of shelter and into permanent housing without public benefits and/or a rental subsidy (which in itself is a public benefit). Shelter staff, caseworkers, and even sometimes housing specialists, simply do not understand shelter residents' eligibility, particularly when those residents are immigrants. This lack of understanding causes people to languish in shelter for far too long. For instance, in City Fiscal Year 2022, the average length of stay in the DHS

shelter system was 509 days for single adults, 534 days for families with children, and 855 days for adult families.¹¹

I have seen time and time again situations where people are eligible for certain benefits and vouchers but cannot access them without finding a lawyer or paralegal to advocate on their behalf. The provision of public benefits eligibility specialists on-hand would be a great boon to access benefits and to reduce the length of stay for people in shelter.

IV- Searchable Information on Emergency Feeding Programs, Food Benefits Programs, and Senior Centers is Critical to Fighting Food Insecurity

Food insecurity affects a wide range of individuals in New York City. For example, food insecurity in New York City has risen 36% since the start of the COVID-19 pandemic, and currently 1 in 4 children in New York City are experiencing food insecurity.¹² Moreover, clients in DHS and HERRC shelters consistently report that the meals that they are served in shelter are too small to abate their hunger, consist only of cold food, and they are only allowed one portion. And even people who are SNAP eligible report not being able to buy enough food to last through the month. Adding searchable food resources in ACCESS HRA can only help this vulnerable population.

¹¹ <https://www.coalitionforthehomeless.org/basic-facts-about-homelessness-new-york-city/#:~:text=In%20City%20Fiscal%20Year%202022,855%20days%20for%20adult%20families.>

¹² <https://www.cityharvest.org/food-insecurity/>

V- Mental Health Counseling and Trauma-Informed Care is Essential in Serving Southern Border Crossers

I have worked with numerous single adults and families who have recently crossed the southern border to seek asylum in the United States. On their journeys, they have experienced horrors too numerous to count. All of them traveled great distances, much of it on foot, to escape the danger they faced in their home countries. Once arriving, they are often re-traumatized by their treatment at the shelters to which they have been assigned.

One NYLAG client, Ms. M., was forced to flee Colombia with her husband and two small children because an aggrieved business associate of her brother's had threatened to set her street vendor business on fire and murder her and her children. The family had a harrowing journey through Mexico, during which they were robbed of all their money, and Ms. M had to run with her children strapped to her body so they would not be separated. When the family reached the United States border, Ms. M. and her husband were separated from their children and sent on separate planes to New York City. When reunited at the New York airport, an airport staff member found Ms. M. crying with her malnourished children, one of whom had a fever, and sent her to the PATH intake. Ms. M. and her family slept in the PATH intake office for two nights on chairs before they were finally assigned to a shelter. Once in shelter, staff refused to provide her with formula for her baby or soap for the family to bathe. On one occasion, when Ms. M. asked the staff for diapers for her baby, she was told that she should go to work and buy them herself. Ms. M. reports that such comments are a routine part of her life at the shelter.

Ms. M., and those who have had similar experiences are desperately in need of mental health counseling and shelter staff that have been trained in a trauma informed approach. Thus, NYLAG enthusiastically supports Int. 1095-2023 requiring a mental health coordinator at any location where refugees, asylees, and migrants receive services and Int. 1084-2023 creating trainings on trauma-informed care for persons serving refugees, asylees, and migrants.

We thank the Committee on General Welfare for the work it has 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

June 21, 2023

New York City Council
Committee on Immigration
Committee on General Welfare

Dear Chairs Ayala and Hanif,

Thanks to you and the other members of the committees for the opportunity to provide written testimony in support of two of the bills being discussed by Members today, Intros. 1095 and 1084. Today's hearing is an important step forward towards providing some of our most vulnerable neighbors in New York City with much-needed assistance, and Intros. 1095 and 1084 are key pieces in pursuit of these critical efforts.

The McSilver Institute for Poverty Policy and Research at New York University is committed to creating new knowledge about the root causes of poverty, developing evidence-based interventions to address its consequences, and rapidly translating research findings into action through policy and practice.

A substantial portion of our work focuses on providing technical assistance to mental health and substance use care providers across New York State. The Institute operates a number of technical assistance centers (TACs) focused on specific practice areas and resource opportunities, from peer supportive services and clinical best practices to administrative capacity building.

In our capacity as a hub for mental health practices that most often are focused on a consumer base most in-need of services, we are acutely aware of many of the issues facing asylee, migrant, and refugee populations, which have grown significantly in recent months. We believe both Intros. 1095 and 1084 are excellent first steps towards addressing serious concerns about mental health in these populations, and are eager to work with the Council to offer our technical experience and insight as the body proceeds with both pieces of legislation.

From a mental-health standpoint, it is critical for practitioners to be well-versed in the specific trauma-informed care most relevant to the unique context experienced by this population. Many of the providers we work with, as well as clinicians on-staff at the Institute, can attest to the need for mental health services to address the trauma that migrants experience. Research and clinical experience identifies the serious risks associated

with unaddressed trauma such as acute and chronic health conditions, symptoms of mental illness, social dysfunction, and substance use.

The list of traumas and adversities that clients have expressed include, but are not limited to: experiences prior to migration (physical and sexual abuse, homophobia, extreme poverty, kidnappings, etc.), during the migration (human trafficking, rape, starvation, loss of loved ones, etc.), and after arriving in the United States (e.g., exploitation by predatory immigration lawyers, workplace exploitation, discrimination, transphobic violence, homelessness, food insecurity, etc.). Mental health professionals can attest to the short- and long-term effects of those exposures to health and mental health, while playing a critical role in providing compassionate, trauma-informed and culturally sensitive care to the migrant community.

Intro. 1095: *This bill would require the Mayor's Office of Community Health to have at least one mental health coordinator at any location where refugees and migrants receive services from the city.*

This legislation acknowledges the importance of attending to mental health needs within these groups, as well as the importance of having dedicated staff working to identify mental health needs among the population that can then be addressed through a referral to services.

Assigned staff from the Office of Community Health (OCH) must have a detailed understanding of the mental health/substance-abuse disorder system, including what services are available, and how to refer and connect individuals to those services. We believe coordinators need to be trained in trauma-informed care and in working specifically with migrants, through access to specialized training that helps them understand how best to work with these groups and ensure they have the tools and skills needed to succeed. This includes anti-oppressive practices and other forms of culturally responsive training that caters to the needs of this population. It also means more basic competencies, such as the need for coordinators to speak the native languages of those they are serving.

We would urge the Council to ensure that the coordinator role is clearly defined. At minimum, they should be expected to assess individual mental health needs and have the ability to effectively connect those individuals to resources. If there are additional expectations, we encourage the Council to clearly identify those. Additionally, coordinators should know they have good support and/or supervisory oversight of their efforts, which

are critical to both ensure expectations are being met and to help prevent burnout. Lastly, coordinators should have clear guidelines for what their roles do *not* include.

Critically, staffing levels need to be proportional to the size of the group being served. Need is potentially going to be high, and a single coordinator could easily be overwhelmed. We understand the limited resources OCH and other City offices and departments face, but without the ability to handle this need effectively, efforts have the potential to be wasted or counterproductive.

One note we would like to highlight for the Council is the persistent issue of too few accessible, quality, affordable mental health care service options in general, which will only be exacerbated by a surge of need. This remains an acute issue and we strongly encourage the Council to continue to look for opportunities to significantly build out the City's mental health care infrastructure. Given these issues, we also would ask the Council to consider alternative mental health approaches as discussions over Intro. 1095 continue, such as having mental health providers meet those in need where they are rather than referring them to outside help, as an immediate, if temporary, solution.

Intro 1084: *This bill would require the Department of Health and Mental Hygiene to develop a training on trauma informed care, determine who, of those serving refugees, asylees and migrants, should be offered the training, and offer it to them.*

This legislation centers the trauma too many migrants, asylees, and refugees have suffered prior to arriving in the United States, including during the migration process, as we noted above. It highlights the importance of staff having a full understanding of trauma and its impacts on individuals, as it relates to their current and future wellness, prior to working with members of these groups. Without proper training, staff can potentially re-traumatize or continue traumatization within these groups—even inadvertently, through implementation of existing policies and/or procedures that are not trauma informed—thereby lessening the likelihood of successful integration and individual wellness. Given this, we would ask the Council to consider moving from an offer of training to mandating such training for those doing this important work.

The importance of proper training goes beyond those working directly within these communities. We would urge the Council to encourage, if not legislate, that trauma-informed care training extend to the organizations providing services, including but not limited to the leadership of such groups. This training needs to include the thoughtful application of trauma-informed care principles to the day-to-day reality care

workers will likely face. Training alone is not enough. People often struggle to know what to do with the information they have learned without proper support or follow up. City support services from the Department of Health and Mental Hygiene and elsewhere can help integrate a constructive check-in process to ensure those doing the work with, and within, migrant communities are using trauma-informed approaches and may also be able to evaluate the impact.

Lastly, training should also be multifaceted and include important additional tools that are culturally responsive, anti-oppressive, and other critical perspectives important when interacting with immigrant populations.

In regards to both pieces of legislation, we feel it is important to emphasize that the trauma-informed care training for those working with such populations should especially focus on issues of re-traumatization and further traumatization based on the ways that laws and policies constantly shift to impact the population. Those on the ground should understand how such quick shifts can easily lead to deportation, dehumanization, and traumatization, and cause people to live in heightened states of chronic stress, fear, and anxiety while interacting with multiple systems. As we know, chronic stress over time can lead to negative impacts on health and wellness. Care Coordinators and others working to connect migrant populations to benefits and other resources need to be uniquely trained in order to work alongside a rapidly changing political landscape, including times when the public charge rule might suddenly change again.

We sincerely thank the Council for taking up these important pieces of legislation, and again extend an offer to help Members and staff however we can going forward.

Sincerely,

NYU McSilver Institute

Rose Pierre-Louis Esq., Executive Director

Dr. Andrew Cleek, Deputy Executive Director



**Testimony for NYC Council Joint Hearing by
the General Welfare and Immigration Committees
June 21, 2023**

I am Michelle DeMott, and I am the Vice President of External Affairs at Samaritan Daytop Village. I first want to thank you for your continued support during these challenging times. Samaritan Daytop Village (SDV) is a nationally recognized human services organization that provides comprehensive services to more than 33,000 people each year through a network of over sixty facilities primarily located in the five boroughs of New York City. SDV offers a rich array of programs including treatment for mental health issues and substance use disorder, transitional and supportive permanent housing, as well as innovative services for veterans, homeless individuals, women, children, youth, seniors, and families. We are thankful to the City Council for allocating funds to SDV for critical services needed by thousands of New Yorkers in need.

Thank you for convening this hearing today, and we appreciate your leadership in advocating for the well-being and support of unhoused individuals in New York. While we acknowledge the Mayor's efforts to enhance the safety net for homeless services, we are concerned about the potential dilution of impact due to the proposed 2.5% "Provider Flexible Funding" Budget Cut affecting the NYC Department of Homeless Services (DHS) and the NYC Human Resources Administration (HRA) contracted non-profit programs. These programs encompass shelters, street outreach, safe havens, drop-in centers, and Homebase eviction prevention initiatives.

We invite you to join us in advocating for the preservation of these vital programs and opposing the Mayor's proposed budget cut to homeless services. It is crucial for the mayor to gain a comprehensive understanding of the diverse needs of the unhoused population, and we believe it is essential that the city budget prioritizes the well-being of our most vulnerable residents.

The proposed 2.5% DSS Budget Cut by the Mayor will have adverse effects on services, as non-profit providers have been advised by DHS to consider eliminating vacancies and non-core

services, such as on-site mental health and clinical support. Job roles may also be consolidated to achieve cost-savings for the City.

Allow me to provide an example of the potential impact of these cuts on our program and clients. SDV currently operates a men's employment shelter that assists individuals in securing jobs. Presently, we have vacant positions for housing specialists and case managers. If these positions were eliminated to achieve the mandated 2.5% reduction, our caseloads will double. While we remain dedicated to serving our clients, the significant increase in caseloads would have a direct impact on the delivery of critical services to our clients.

We commend the Council for its unwavering commitment to safeguarding all New Yorkers who experience the trauma of homelessness. We implore you to stand firm against the proposed 2.5% cut by the Mayor.

With a critical work force issue in the human services sector, our organization struggles to attract and retain workers - and communities suffer when we cannot fully staff programs. We are ready and eager to collaborate with you in the ongoing effort to provide housing solutions for our neighbors in need.

Samaritan Daytop Village is grateful for your consideration of this request. I thank you, on behalf of our agency and our clients. We look forward to continuing to be on the front lines in partnership with you and your communities serving the most vulnerable New Yorkers.



Written Testimony to New York City Council Committee on General Welfare

Provided by Services for the UnderServed (S:US)

Perry Perlmutter, CEO & President

June 21, 2023

Founded in 1978, S:US is one of the largest community-based health and human services providers in New York, with a staff of 1,800 serving 37,000 New Yorkers annually throughout the five boroughs and Long Island. S:US serves a broad and diverse range of individuals and families, including women and children who have experienced domestic violence; veterans who are challenged by homelessness, PTSD, and unemployment; people who have lost their homes and are living in poverty; people with autism and other developmental disabilities; people living with HIV/AIDS; and people with mental health and substance use challenges. By delivering high quality services that address the complex circumstances of each individual, we help transform lives, improve neighborhoods, and break the cycle of poverty for current and future generations of New Yorkers.

S:US' core mission of driving scalable solutions to transform the lives of people with disabilities, people in poverty and people facing homelessness, is predicated on embracing the solutions that contribute to righting societal imbalances and ultimately creating opportunities for all. S:US is also deeply committed to ensuring an equitable, participatory food system by supporting the food security of the people we serve and elevating their voices and power within food system work. Throughout the pandemic, these essential services saved lives through the tireless efforts of our dedicated workforce.

Thank you, Deputy Speaker Ayala and Chair Hanif and members of the Council, for allowing S:US to submit written testimony.

Thank you for holding today's hearing, and for your leadership uplifting and protecting services for unhoused New Yorkers. The impact of your heroic efforts to strengthen the homeless services safety net will be diluted by the Mayor's 2.5% "Provider Flexible Funding" Budget Cut to all DHS and HRA contracted non-profit programs, including shelters, street outreach, safe havens, drop-in centers, and Homebase eviction prevention programs. Please join us in the fight to protect our programs, and hold strong against the Mayor's proposed budget cut to homeless services! We need the Mayor to understand that the City budget shouldn't be balanced on the backs of poorest New Yorkers!

The Mayor's proposed 2.5% DSS Budget Cut would diminish critical services during an unprecedented housing crisis. DHS has already reached out to funded providers with intentions to eliminate vacancies. Additional proposals include eliminating or collapsing non-core services such as on-site mental health services and clinical services, and collapse several job roles into one position to be able to meet this cost-savings for the City. S:US is deeply concerned about these proposed staffing changes, as vacancies

exist due to a well-documented staffing crisis in the service industry, rather than the positions being unnecessary. In addition, the pandemic has exacerbated pre-existing mental health and opioid epidemics. Clinical supports in shelters have never been as essential as in this moment. Any cut to staffing at this time would inhibit the crisis support necessary to support shelter safety for residents and workforce alike.

NYC is at a critical moment in its recovery from the pandemic, the migrant crisis, and a worsening housing crisis. S:US and agencies like ours provide vital support in ameliorating these crises. The proposed budget cuts would severely impact the services that S:US provides for homelessness and exacerbate the homelessness crisis in NYC. Budget cuts to social service programs will only increase homelessness, increase the time that a New Yorker remains homeless, and reduce their chance of locating permanent housing, employment, and ongoing stability. Adequately staffing our programs is vital to providing the necessary services to our clients. Most of the population we serve require one-on-one assistance and attention to build rapport, encourage participation in treatment, and follow through with their daily tasks. Staffing shortages cause caseloads to increase, affecting the quality of services we provide. Appropriate levels of clinical staffing improves safety, reduces unnecessary burden on our hospital system, and reduces incidences of violence and other conflicts. The elimination of essential leadership, supervisory, management, and employee positions, as well as grant-funded housing initiatives, would be detrimental to some of the most vulnerable New Yorkers. We applaud the Council's unwavering commitment to protecting all New Yorkers experiencing the trauma of homelessness and are extremely grateful for the landmark legislation you passed which will revolutionize access to rental assistance. Please stand strong against the Mayor's 2.5% cut. We stand ready and willing to join you on the work ahead rehousing our neighbors and helping them live with dignity and autonomy.

**New York City Council
Committees on Immigration and General Welfare
Improving the living conditions for asylum seekers staying in the DHS shelter system,
HERRCs, and Respite Centers
June 21, 2023**

**Written Testimony of Rosa Cohen-Cruz, Director of Immigration Policy and Miriam
Mack, Director of Family Defense Policy for The Bronx Defenders**

Chairs Hanif and Ayala and Committee Members, we are advocates at The Bronx Defenders (“BxD”). Thank you for holding this hearing today to address this critical issue. BxD is a public defender non-profit that is radically transforming how low-income people in the Bronx are represented in the legal system. Our staff of over 450 includes interdisciplinary teams made up of criminal, civil, immigration, and family defense attorneys, as well as social workers, benefits specialists, legal advocates, parent advocates, investigators, and team administrators, who collaborate to provide holistic advocacy to address the causes and consequences of legal system involvement. Through this integrated team-based structure, we have developed a groundbreaking, nationally recognized model of representation called holistic defense that achieves better outcomes for the people we represent. Each year, we defend more than 20,000 low-income Bronx residents in criminal, civil, family regulation, and immigration cases, and reach thousands more through our community intake, youth mentoring, and outreach programs. Through impact litigation, policy advocacy, and community organizing, we push for systemic change at the local, state, and national levels. We take what we learn from the people we represent and communities we work with and launch innovative initiatives designed to bring about real and lasting change.

INTRODUCTION

There are nearly 7,000 families seeking asylum residing in shelters in New York City, with thousands more individuals as well.¹ For migrants fleeing violence and seeking to rebuild their lives anew, access to safe, reliable housing and shelter is essential to creating the stability necessary to thrive. However, we must do more than simply provide access to housing—we must

¹ New York City Council Committee on Immigration held jointly with Committee on General Welfare, Testimony of Joslyn Carter, New York City Homeless Services Administrator, June 21, 2023.

also ensure that the housing we provide is not a funnel into policing systems that ultimately ensnare immigrant families, and put their very ability to remain together in this country at risk.

Indeed, many of the people we represent at BxD are living in shelters managed by the Department of Homeless Services (“DHS”) where they are subject to increased surveillance and policing by the New York Police Department (“NYPD”) and Administration for Children’s Services (“ACS”). For immigrant New Yorkers, contact with these agencies is terrifying, and often initiates an irrevocable process in immigration court that can destroy their opportunity to remain in this country, regardless of the outcome of a family or criminal legal system case.

A. Shelter System Engagement with NYPD Puts Immigrants at Risk of Deportation

In February of this year, the New York City Council Committee on Immigration jointly with the Criminal Justice Committee held an oversight hearing on the New York City Detainer Laws in which advocates and impacted people testified at length to pervasive collaboration between city agencies and Immigrant Customs Enforcement (“ICE”).² During that hearing, emails between the Department of Corrections (“DOC”) and ICE were presented and revealed the extent to which the DOC had been knowingly violating city laws to collaborate with ICE.³ Meanwhile, there is frequent policing in New York City shelters, where NYPD and ACS have seemingly open access to investigate people living in those spaces.

In our immigration practice at BxD we often identify interaction with police or ACS in the New York City shelter system as the first point of contact that funnels someone into removal proceedings. Once initiated, removal proceedings take on a life of their own, and cannot be stopped by New York City officials, even where the ICE arrest violated our laws.⁴

To give just one emblematic example, BxD’s immigration practice represents Ms. D, a recently arrived asylum seeker. When she entered the United States, immigration placed her on an order of supervision, requiring check-ins with ICE. Last fall, Ms. D was living in a shelter in NYC with her husband and two children. She left her children with a friend at the shelter in order to go to work. A shelter worker mistakenly believed that the children were alone, and shelter staff called the police on Ms. D who was arrested upon returning to the shelter from work. An order of protection was issued, and ACS removed the children from the family. Shortly thereafter, ACS returned the children to Ms. D even though the order of protection was in place. Days later, Ms.

² See generally New York City Council, *Committee on Immigration Hearing Transcript on NYC Detainer Laws Transcript* (June 9, 2021)

³ Arya Sundaram and Matt Katz, ‘#teamsendthemback’: Emails reveal cozy relationship, cooperation between NYC correction officers and ICE, *Gothamist* (Feb. 16, 2023), <https://gothamist.com/news/teamsendthemback-private-emails-reveal-cozy-relationship-cooperation-between-nyc-correction-officers-and-ice>.

⁴ Correal, Annie and Shanahan, Ed, “He Was Caught Jaywalking. He Was Almost Deported for It”, *N.Y. Time* (March 11, 2021) <https://www.nytimes.com/2021/03/11/nyregion/daca-ice-nyc-immigration.html>.

D tried to comply with her requirement to check in with ICE. She brought her children since ACS had returned them to her and because they were also required to check in. At the check-in, an ICE officer informed Ms. D that she was being arrested and detained due to the open criminal case.

NYPD's access to the shelter system fuels distrust and makes this form of housing a less safe option for everyone, but especially immigrants. NYPD regularly colludes with ICE to funnel people into immigrant detention.⁵ ICE conspires with the NYPD to target immigrant New Yorkers and make arrests for a purely civil immigration matter, NYPD and ICE are effectuating arrests together in the community,⁶ and ICE similarly supplies NYPD protection in the community.⁷

Although not the subject of this hearing, central to making public housing and shelter options safer for immigrant new yorkers is eliminating policing and surveillance and tightening our city's laws that disentangle New York City from furthering ICE's racist and xenophobic agenda. That's why we again urge the City Council to pass three bills that would severely restrict, and in many cases outright prevent, law enforcement collaboration with ICE. In the streets of New York, where Black, Latine, and other marginalized people are under constant threat, the New York City Council must take immediate corrective action by:

⁵ As we testified to in February of this year, NYPD, like DOC, wrongfully cooperates with ICE to enforce immigration laws in our city. In May 2020, a BxD client was woken up by loud knocking on his door. The three officers at his door began yelling, "If you don't open the door, we're going to knock it down and arrest everyone." They yelled threats and said they would knock the door down without asking someone to open it first. No one in the apartment opened the door because they were terrified. As a result, the officers continued banging so hard that they damaged the door, later requiring its replacement. BxD obtained the apartment building's video footage of this incident, which showed NYPD officers with ICE officers attempting to enter our client's apartment by force. When our client went to the local precinct to find out more information he was told there was no record of the NYPD being at his apartment that morning.

⁶ During the June 2020 George Floyd protests, ICE provided protection for NYPD precincts and NYPD also worked with ICE to arrest and detain a protester who was Puerto Rican and a U.S. citizen. See Matt Katz, *ICE Helped To Protect NYPD Station Houses During Protests*, WNYC (June 9, 2020), <https://www.wnyc.org/story/ice-helped-protect-nypd-station-houses-during-protests/>; see also Mazin Sidahmed, *Video Shows ICE Agents Arresting a Protestor in NYC*, Documented (June 5, 2020), <https://documentedny.com/2020/06/05/video-shows-ice-agents-arresting-a-protestor-in-nyc/>.

⁷ In February 2020, ICE hospitalized Gaspar Avendano-Hernandez after taserling him more than six times. In that same interaction, ICE tasered and shot Eric Diaz-Cruz in the hand and face, also resulting in his hospitalization. NYPD then escorted ICE officers as they transferred Mr. Avendano-Hernandez to ICE detention after he was discharged from the hospital. See Wes Parnell, Rocco Parascandola, Thomas Tracy and Larry McShane, *ICE agents, while arresting undocumented Mexican immigrant, wind up shooting second man in wild Brooklyn street brawl*, NY Daily News (Feb. 6, 2020), <https://www.nydailynews.com/new-york/nyc-crime/ny-ice-agent-shoots-man-in-face-in-brooklyn-20200206-7db5cmlbqff2hflbs5pnssipuu-story.html>.

- Passing Intro 184, which ensures that NYPD cannot communicate with ICE without a judicial warrant, with proposed amendments incorporated;⁸
- Passing Intro 185, which ensures that DOC & DOP cannot communicate with ICE without a judicial warrant, with proposed amendments incorporated;⁹ and
- Passing Intro 158, which creates a private right of action for violations of the detainer laws.

On the State level, New York must pass the New York for All Act (S. 987 Gounardes /A. 5686 Reyes) and end State and local agencies sharing information with and otherwise colluding with ICE. This is particularly important as the New York City shelter system continues to bus people to other counties that do not all have prohibitions against information sharing by state actors. This legislation is critical to ensure immigrants feel safe seeking shelter, or otherwise engaging with officials, and living their daily lives without fear that it will funnel them into ICE custody.

B. Shelter System Reliance on ACS to Surveil, Control, and Police Family Residents threatens Family Unity and Risks Deportation

Similarly, the existence of ACS in the shelter system undermines families' ability to remain intact and feel safe. In our work as public defenders representing parents and caretakers facing investigation and prosecution by ACS for allegations of child maltreatment, we see how shelters managed by DHS use the threat of ACS as a means to enforce shelter rules and control shelter residents. For example, we have represented clients facing ACS investigations and indeed neglect prosecutions for things including, but not limited to:

- violating shelter curfew rules;
- seeking babysitting support from and/or providing babysitting support to other shelter residents in moments of need;
- being improperly logged out of the shelter; and
- “inappropriate” living conditions, that are in fact often the realities of living in shelter housing, including cleanliness issues, broken furniture and necessities, and clutter due to a lack of storage space.

Instead of providing support for families who are already navigating tremendously difficult and stressful circumstances, too often parents and caretakers are met with threats and forced family separation. Accordingly, this reliance on ACS by the shelter system to surveil, control, and coerce compliance from low-income families of color, most especially Black, Latine, and

⁸ The Bronx Defenders supports amendments to the current bill that would eliminate reference to certain criminal convictions.

⁹ The Bronx Defenders supports amendments to the current bill that would eliminate reference to certain criminal convictions.

immigrant families under the guise of keeping children safe, is a major driver of fear of distrust in the shelter system.

As Ms. D's story illustrates, contact with the NYPD and/or ACS is often an entrypoint into deportation proceedings or ICE detention for the people we represent. In our experience, immigration judges will take unsubstantiated allegations from both family and criminal court proceedings at face value, and use them to justify negative determinations in immigration cases, including denying release from ICE detention or an application to remain in the United States. Additionally, orders of protection stemming from family or criminal court cases, if violated, can lead to automatic bars for certain forms of relief from deportation.

An important way to begin meaningfully addressing ACS's harmful family policing practices that undermine the safety of New York City's most marginalized communities, most especially families living in the shelter system, is to provide families with basic information about their existing rights at the start of an ACS investigation. To understand the critical importance of parents and caretakers knowing their rights, it is imperative to understand what families face during ACS investigations.

Most families first become aware of a pending ACS investigation when an ACS worker knocks on their door to inform them that a report of suspected child abuse or maltreatment was made to the Statewide Central Register of Child Abuse and Maltreatment (SCR). To be clear, ACS investigations are not "social work." Time and again, parents impacted by ACS have made clear that they do not experience these interactions as benign or "social work." Rather, the interaction with ACS—an agency that has the power to remove children and separate families—are coercive, manipulative and frightening.¹⁰ Among other things, investigations include, far-reaching inquiries into parents' mental health, medical, sexual, and romantic histories, forced disclosure of deeply private health information, and home searches that include opening cabinets, drawers, closets, and beyond.

Beyond witnessing ACS police their parents and invade their homes, children also experience the trauma of ACS investigations directly. Children are interviewed separately from their parents, often taken from school in front of their teachers and friends, and routinely asked about a host of

¹⁰ See *New York's Family Policing System Fails to Inform Families of their Rights*, Law & Disorder Podcast, May 30, 2023, <https://kpfa.org/player/?audio=401870> (at 38:40); see also *Why a Child Welfare 'Miranda Rights' Law Is Essential*; A Q&A with Advocate and Organizer Joyce McMillan, Center for NYC Affairs June 2, 2021), <http://www.centrernyc.org/urban-matters-2/2021/6/2/why-a-child-welfare-miranda-rights-law-is-essential-a-qampa-w> ith-advocate-and-organizer-joyce-mcmillan; and see Megan Conn, *Pressure Builds to Reduce Racial Disproportionality in New York's Child Welfare System*, The Imprint (Jan. 19, 2021 5:30 p.m.), <https://imprintnews.org/child-welfare-2/new-york-calls-grow-address-racism-child-welfare/51073>; *Do we Need to Abolish Child Protective Services*, Mother Jones (Dec. 10, 2020), <https://www.motherjones.com/politics/2020/12/do-we-need-to-abolish-child-protective-services/>.

mature topics not yet introduced to them by their parents. Even in cases that do not involve allegations of abuse, children are often asked to show their bodies to strangers. Investigations cause terror and trauma that is disproportionately borne by Black and Latine children who comprise 61.3% of the total New York City population, but constitute 87.8% of the children enduring investigations.

Despite the acute and long lasting traumatic impacts of ACS investigations, at no point do parents receive any explanation of their basic rights, which include, among other things, the right to decline ACS entry into their home, the right to decline to participate in an ACS investigation, the right to deny consent for intrusive ACS interviews and strip searches of their children, and the right to decline to provide information to ACS that could be used against them in court. Because families are not, as a general matter, connected to legal representation until a case comes to family court, families are regularly interrogated and subjected to intrusive searches and investigation without having *any* access to advice about how that information could be used against them in court and ultimately impact their familial integrity and safety.

The *Family Miranda* bills (Int. 294-22 (Ung), Int. 865-22 (Rivera), with proposed amendments (attached as [Appendix A](#)), and A1980 (Walker) / S901 (Brisport) help to address these harms by requiring ACS, and family regulation agencies state-wide, to do what other law enforcement agencies, such as NYPD, are required to do when they have identified someone against which they may pursue prosecution—advise them of their rights, including the right to contact an attorney. The criminal court example is instructive here—decades after police and criminal prosecutors began reading criminal suspects their *Miranda* rights, we know that criminal investigations have not been hamstrung by respecting dignity and due process rights. Injecting transparency and respect into the investigation process would even further serve all players in the family court—which purports to be a rehabilitative, non-punitive court—by facilitating rapport and respecting the dignity and due process of all community members from the outset of the case.

CONCLUSION

As New York City continues to expand options to house and provide shelter to people seeking asylum, it is critical that we do not allow these shelters to become mechanisms that further deportation and family separation. In addition to conducting oversight and implementing standards in the shelter system, New York City Council should also consider the other bills mentioned in this testimony as critical to supporting asylum seekers in our city.

Appendix A

Int. No. 294-22
With Proposed Amendments

By Council Members Ung, Hanif, Hudson, Sanchez, Yeger, Stevens, Velázquez, Williams, Joseph, Ayala, Restler, Abreu, Nurse, Brewer, Narcisse, Cabán, Rivera, Krishnan, Brooks-Powers, Avilés and Schulman

A Local Law to amend the administrative code of the city of New York, in relation to requiring the administration for children's services to provide a multilingual disclosure form to parents or guardians during a child protective investigation

Be it enacted by the Council as follows:

Section 1. Chapter 9 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-922 to read as follows:

§ 21-922 Multilingual Disclosure Form. a. Definitions. For purposes of this section, the following terms have the following meanings:

Designated citywide languages. The term “designated citywide languages” has the meaning ascribed to such term in section 23-1101.

Designated organization. The term “designated organization” means a not-for-profit organization or association that has the capacity to provide free legal services to parents or caretakers.

b. At the initial point of contact with a parent or caretaker who is the subject of a child protective investigation, ACS shall provide to the parent or caretaker a multilingual disclosure form in plain language available in the designated citywide languages, and shall document in the case record that one has been provided. Such form shall be posted on the ACS website and shall include, but need not be limited to, the following information:

1. The parent or caretaker is not required to permit the ACS representative to enter the residence of the parent or caretaker unless presented with a court order authorizing entry into the residence.

2. The parent or caretaker is not required to speak with the ACS representative. Any statement made by the parent, caretaker or other family member may be used against the parent or caretaker in an administrative or court proceeding.

3. The parent or caretaker is entitled to be informed of the allegations being investigated.

4. The parent or caretaker is entitled to seek the advice of an attorney and to have an attorney or a member of the attorney's legal team chosen by the attorney present when the parent or caretaker is questioned by an ACS representative.

5. The parent or caretaker is not required to allow an ACS representative to interview or examine a child unless presented with a court order to do so.

6. The parent or caretaker is not required to agree to any requests made by an ACS representative, including, but not limited to, requests to sign a release of information or to take a drug or alcohol test, unless presented with a court order to do so.

7. Contact information for resources which may be available to parents and caretakers during a child protective investigation, including legal services from designated organizations, and any phone numbers or hotlines available to parents and caretakers who are the subject of a child protective investigation.

§ 2. This local law takes effect 90 days after it becomes law.

Int. No. 865-22
With Proposed Amendments

By Council Members Rivera, Ayala, Stevens, Krishnan, Hudson, Louis, Joseph, Hanif, Ung, Avilés, Williams, Abreu, Cabán, Ossé, Sanchez, Restler, Schulman, Narcisse and Richardson Jordan

A Local Law to amend the administrative code of the city of New York, in relation to requiring child protective specialists to orally disseminate information to parents or caretakers about their rights during initial contact at the start of an ACS investigation

Be it enacted by the Council as follows:

Section 1. Chapter 9 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-919 to read as follows:

§ 21-919 Information regarding the rights of parents and guardians. a. Definitions. For purposes of this section, the term “designated organization” means a not-for-profit organization or association that has the capacity to provide free legal services to parents or caretakers.

b. At the initial point of contact with a parent or caretaker who is the subject of a child protective investigation, ACS shall orally disseminate in plain language to the parent or caretaker information regarding their rights during the investigation, and shall document in the case record that the information has been so provided. Such information shall include, but need not be limited to:

1. The parent or caretaker is not required to permit the ACS representative to enter the residence of the parent or caretaker unless presented with a court order authorizing entry into the residence.

2. The parent or caretaker is not required to speak with the ACS representative. Any statement made by the parent, caretaker or other family member may be used against the parent or caretaker in an administrative or court proceeding.

3. The parent or caretaker is entitled to be informed of the allegations being investigated.

4. The parent or caretaker is entitled to seek the advice of an attorney and to have an attorney or a member of the attorney's legal team chosen by the attorney present when the parent or caretaker is questioned by an ACS representative.

5. The parent or caretaker is not required to allow an ACS representative to interview or examine a child unless presented with a court order to do so.

6. The parent or caretaker is not required to agree to any requests made by an ACS representative, including, but not limited to, requests to sign a release of information or to take a drug or alcohol test, unless presented with a court order to do so.

7. Contact information for resources which may be available to parents and caretakers during a child protective investigation, including legal services from designated organizations, and any phone numbers or hotlines available to parents and caretakers who are the subject of a child protective investigation.

§ 2. This local law takes effect 90 days after it becomes law.



coalition
for the
homeless

**THE
LEGAL AID
SOCIETY**

Testimony of
Coalition for the Homeless
and
The Legal Aid Society
on
Intros. 942, 943, 1064, 1072, 1080, 1084, 1095, and 1096
presented before
New York City Council Committee on Immigration and General Welfare
Kathryn Kliff
Staff Attorney, Civil Law Reform Unit
The Legal Aid Society

June 21, 2023

At this critical moment, 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 into the importance of these pieces of legislation.

Increase in new arrivals from the southern border in New York City

Beginning in the spring of 2022, New York City began to experience an increase in the number of recent migrants and asylum seekers coming to the city from the southern border. After fleeing persecution in their home countries, they endured immense trauma (both in their home countries and on their journeys here) but arrived in New York City with the goal of working and creating a better life for their families.

However, it is difficult for recent migrants to get work authorization. Under Federal law, asylum seekers must file for asylum and wait 180 days after their application is submitted to be granted work authorization. Applying for asylum is a complex process that should not be undertaken without the assistance of an experienced immigration attorney with expertise in handling asylum issues; a recent study found that even a relatively straightforward asylum case takes 50 to 75 hours of preparation for full representation. Yet, even before the increase in new arrivals, there were not enough legal service providers in the City to meet the demand for lawyers to take these cases. As a result, recent migrants are struggling to find ways to support themselves as they await appointments with one of the few immigration legal services providers. While they work on their asylum applications and await work authorization, they need safe places to stay.

We continue to advocate to the State and Federal governments to provide additional resources to the City to address the needs of recent arrivals but, in the meantime, the City must provide safe shelter options. 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 the majority of recent 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 Renewal ("DYCD") to stand up additional shelter capacity apart from the traditional DHS shelter system.

Starting last fall, the City created 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 migrants whose service needs are often different than those of the general DHS shelter population. Most HERRCs are in hotels, but there have also been HERRCs in tents, cruise terminals, and former office buildings, and there is currently one site in an airport hangar at JFK airport. In the last few months, the City has employed OEM to open "respite centers," which were supposed to be temporary emergency sites in places not traditionally used for shelter (such as churches, the Police Academy, and school gyms). Because the HERRCs and respite centers are not run by the Department of Social Services ("DSS"), they are not subject to either DHS regulations and policies or State shelter regulations. In fact, 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).

Mass homelessness in New York City

Despite the recent influx of migrants in need of shelter in New York City, mass homelessness in the city is not a recent phenomenon. For decades, New York City has struggled to address the root causes of homelessness, namely the lack of affordable housing.¹ While the shelter census dropped during the pandemic (in large part due to pandemic-era protections, such as the eviction moratoria), it is not unsurprising that it has risen considerably as the pandemic-era protections were lifted and inflation has skyrocketed. While there is no dispute that there has been an increase in the number of recent migrants entering the city's shelter systems, it is not the only factor contributing to the current shelter census levels. In fact, prior projections of the shelter census (before the influx of recent migrants) was only slightly lower than the current census.² We continue to call on the City to increase the supply of permanent affordable housing for homeless and extremely low-income New Yorkers to reduce the shelter census, creating additional space for new arrivals in need of emergency shelter.

Reforms available to the City to reduce the shelter census

The most effective way to increase shelter capacity is to move people from shelters into permanent housing. The City has many tools at their disposal to do so that they have failed to fully implement, including:

- **Expanding City FHEPS to undocumented households:** the City has available funding and legal authority to expand the City FHEPS voucher program to shelter residents without immigration status to use the voucher to move into permanent housing. To date, the City has not done so (though the City has expanded childcare subsidies to this group, demonstrating there is no legal impediment to doing so for City FHEPS).
- **Rebuilding and growing the source of income (SOI) 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 ("CCHR"), created in 2018, 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. At no time, has the City adequately funded the SOI unit, and at one point recently it had no staffing at all. 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 homeless New Yorkers experiencing discrimination.
- **Increasing shelter capacity by not delaying or canceling planned shelter openings:** on numerous occasions during this Mayoral administration, the City has planned to build shelters to increase capacity in the DHS system but then abandoned the plans in response to NIMBY protesters.

¹¹ See State of the Homeless 2022, Coalition for the Homeless, available at: <https://www.coalitionforthehomeless.org/wp-content/uploads/2022/03/StateofThe-Homeless2022.pdf>.

² See <https://www.nydailynews.com/opinion/ny-oped-dont-erode-nycs-right-to-shelter-20230612-ocgekww14rg3jpksvsga4ovve1-story.html>.

- **Training staff in the DHS shelter system on how to screen for benefits eligibility:** many people staying in the DHS shelter system may have had a change in their immigration status that impacts their benefits eligibility (including eligibility for housing vouchers) since they entered shelter. However, DHS shelter staff lack the expertise to properly screen for those changes. In the past year, Legal Aid staff have conducted trainings for DHS shelter providers on benefits eligibility for noncitizens, as DHS has not provided such technical assistance, but there are many providers who have received no such training.
- **Increasing staffing to timely move people out of shelters with the existing programs:** The Legal Aid Society and Coalition for the Homeless receive daily calls from clients in shelters who have found apartments to rent but cannot move out of shelter because of the City's failure to timely process their housing voucher paperwork. Clients often wait weeks or months to move out of shelter due to needless bureaucratic obstacles and administrative delays.
- **Providing more funding for full representation for immigration providers:** the asylum application process is complex, and any submissions made in that application will be difficult, if not impossible, to amend at a later date. It is a difficult process for individuals to navigate successfully without the assistance of immigration attorney, but the demand for immigration legal services providers far outweighs the current capacity of legal services providers.
- **Using the approximately \$180 million in 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. These funds can be used to help families and individuals in shelters move out into permanent housing after languishing in shelters for years. We understand the State has indicated they are using the bulk of this money for State FHEPS, but we believe the accounting is incorrect and urge the City to advocate for increased funds from the State for clients who have been in shelter the longest.

Rather than focus on these measures, the Mayor has taken the extraordinary and misguided step of pursuing modifications to the *Callahan* consent decree, modifications that could result in thousands more people sleeping on the streets of New York. Furthermore, the Mayor has not yet agreed to sign a package of bills that will expand access to CityFHEPS and allow far more households to secure permanent housing.

Intro. 942

We support Intro. 942, which would require any emergency congregate shelter (not operated by the New York City Department of Social Services) to comply with the State regulations governing shelter provision, specifically parts 491 and 900 of title 18 of the New York codes, rules and regulations. These State regulations have been developed and revised over many years to ensure that there are basic, common-sense protections in place to keep people safe while in shelter and to promote their ability to focus on securing permanent housing. As stated above, HERRCs and respite centers currently have no rules or minimum standards in place to address

their operations. There is currently no requirement that these sites have bathrooms, showers, meals, adequate bedding, lockable storage, laundry, or sufficient staffing. In addition, individuals and families placed at these sites have no due process protections if staff decide to remove them for any reason. These very basic amenities and protections are required in shelters operated by DHS as a result of the relevant State regulations and consent decrees. Our staff sees first-hand the harm endured by clients who lack such protections. Respite sites have opened without offering clients access to showers for days. In addition, many respite centers offer no lockable storage for protecting personal belongings and no option for clients to do laundry. Bedding at both HERRCs and respite centers often consists only of a cot and one thin blanket, and many facilities are not adequately accessible for people with mobility disabilities and other functional access needs

We strongly urge the Council to adopt Intro. 942 to entitle recent migrants to the same basic protections afforded to clients in the DHS system. We also urge the Council to amend the bill to incorporate the protections offered the New York City Administrative Code § 21-312 and § 21-315. These statutes limit the capacity of single adult shelters to 200 beds. As we have seen from decades of working with clients in the DHS shelter system, sites with over 200 beds are often unsafe and extremely chaotic for both clients and staff to manage. For these reasons, HERRCs and respite sites should be similarly limited in their capacity.

Intro. 943

We support Intro 943, which would require the City to provide written and verbal notification to clients in emergency congregate shelters (including HERRCs and respite centers) that they have the right to be placed in DSS shelter and to receive transportation to get to the DSS shelter intake sites.³ *Callahan, Eldredge*, and *Boston* apply to all single individuals and families with minor children in New York City who are homeless, and so all such clients have a right to receive a shelter bed that complies with the requirements of those consent decrees.⁴ While many recent migrants may prefer to stay in HERRCs due to the fact these facilities have services tailored to their unique needs, they still have a right to enter a shelter that complies with the relevant right to shelter consent decrees.

It is important that recent migrants staying outside the DHS system be informed of their rights in relation to shelter, especially because many of the HERRCs and respite centers do not have the ability to accommodate disabilities or the safety needs of LGBTQ+ clients. Our staff have been explicitly told by City staff that the respite centers cannot accommodate clients with disabilities, such as clients who use wheelchairs, cannot climb stairs, or cannot sleep on a cot. In addition, we have received many calls from recent migrants who identify as transgender and do not feel safe in the communal sleeping and bathing accommodations at some of the respite centers. Many of these clients fled their home countries because of persecution due to their LGBTQ+ status and are entitled to live as who they are in New York City. While DHS has a comprehensive policy for addressing the needs of LGBTQ+ clients (as well as designated shelter units for this population), no such formal policy exists for the HERRCs or respite centers, so it is especially

³ We suggest changing “DSS” to “DHS” in the bill language, as DSS shelter includes HRA domestic violence shelters and HASA temporary housing, which is not applicable to all clients in the HERRCs and respite centers.

⁴ We suggest modifying the language of the bill to include all emergency shelters, even if they are not congregate, as individuals and families in private rooms in HERRCs are still entitled to the benefits of the *Callahan, Eldredge*, and *Boston* consent decrees.

important that all clients in those sites are made aware of their right to seek shelter in the DHS system.

Intro. 1064

We support Intro. 1095, which would require the City to produce an annual report on the operations of Homebase, including a variety of metrics to determine the level of success for its programs. Many of our clients attempt to utilize Homebase services but struggle to get appointments or the assistance they need, so we support further transparency regarding its operations.

Intro. 1072

We support making the PATH experience work better for homeless families with minor children and are happy to work with the Council to make that happen through Intro. 1072. Intro. 1072 would 1) increase the length of the initial conditional shelter placement; 2) reduce the onerous housing history documentation requirements for homeless families with minor children applying for shelter at PATH (from two years of history to one); 3) require DHS to develop and post on its website a pamphlet explaining how to prove one's housing history; and 4) develop a digital case record system, that would be accessible to applicants for shelter.

Currently, when an applicant family applies for shelter at PATH (the DHS intake site for homeless families with minor children and pregnant people), the family is given a 10 day conditional placement while DHS investigates the family's eligibility. The eligibility investigation involves an arduous and complex process that requires a family to identify all of the places they have slept in the past two years and provide evidence of why they cannot return to any of those addresses. If a family cannot prove even a few nights or weeks of housing history, DHS will find the family ineligible for shelter, and the family will have to reapply. For years, Legal Aid and Coalition for the Homeless have advocated for a reduction in the two-year housing history, as families are unlikely to be able to return to places they lived more than a year ago. In addition, the DHS shelter system for adult families without minor children requires applicants to prove only one year of housing history. While we believe that the housing history requirement should be further reduced or eliminated, we are in favor of any reduction, including the reduction proposed in Intro. 1072. Similarly, our offices receive countless calls regarding clients struggling to comply with the housing history requirement, so we support creation of a pamphlet to further explain the process for clients.

Unlike HRA, DHS does not have a digital case management system for clients to easily view the status of their shelter applications or their shelter case files. Such a system would be extremely helpful for clients trying to navigate the complex shelter application process, as well as advocates attempting to understand the status of a particular client's case.

Intro. 1080

We support Intro. 1080, which would require HRA to post on its website and on Access HRA information regarding emergency feeding programs, food benefits programs, and senior centers

in a searchable format. It is always to the benefit of our clients to have access to additional resources, especially as many recent migrants may not yet be eligible for food stamps benefits and struggle to gain access to food.

Intro. 1084

We support Intro. 1084, which requires the Department of Health and Mental Hygiene to develop a training on trauma-informed care and determine which providers serving refugees, asylees, and migrants should receive the training. Given the immense amounts of trauma experienced by these populations, especially recent migrants fleeing dangerous conditions in their home countries, we fully support trauma-informed care training for as many providers as possible.

Intro. 1095

We support Intro. 1095, which would require the office of community mental health to station a mental health coordinator at each location serving refugees, asylees and recent migrants. As stated previously, these populations have experienced significant trauma in their home countries and on their journeys to the United States, and they would greatly benefit from increased access to mental health care.

Intro. 1096

We support the goals of Intro. 1096, which would require the City to have an “eligibility specialist” at each shelter site, who is knowledgeable in benefits eligibility for clients. It is always to the benefit of our clients to have staff available who are knowledgeable in the benefits clients can access to help them move out of shelter and into permanent housing.

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 WiFi 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 WiFi 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.



June 21, 2023

To: Hon. Diana Ayala
Chair, NYC Council Committee on General Welfare

Hon. Shahana Hanif
Chair, NYC Council Committee on Immigration

Testimony by United States Chaplain Corps in Support of Int 1095-2023

Good Morning Chairs Hanif and Ayala; other committee members and guests.

I'm Chaplain Mendy Coën, Director-General of United States Chaplain Corps (USCC) -- a not-for-profit entity whose mission is to assist persons in need without discrimination, by providing support, respect, and kindness. To accomplish this mission, USCC offers non-denominational, Spiritual Care (SC) training and certification to chaplains and dispatches them in high-need communities. Our Chaplains -- many of whom have over 30 years' experience administering SC; help persons in crisis to co-regulate their emotions; and in so doing, achieve mental and spiritual well-being.

Thank you for facilitating today's hearing which aims to highlight; and formulate a strategic response to persons in need of shelter and wrap-around services; including our new migrant arrivals. USCC supports the bill package being discussed today; especially Int 1095; which would require at least one mental health coordinator at any location where refugees, asylees, and migrants receive services upon their arrival here.

Our new migrant population have faced a long, dangerous, and uncertain journey to get to this point. That, coupled with language barriers; adjusting to an unfamiliar environment; as well as the inability to work can drive even the strongest of minds into a state of despair. Having mental health coordinators at locations that receive new migrants is a critical step in ensuring that migrants receive the resources needed to address their mental and spiritual well-being.

USCC would like an opportunity to partner with the City Council, and the New York City Department of Homeless Services in this regard. Our team of Chaplains are eager and



ready to provide support in the areas of:

- **Psychological First Aid**
To encourage calmness, patience and lower the anxiety, stress and pain associated with their ordeal.
- **Health Care Management**
Chaplains can help manage hospital and doctor visits, triage and crisis management, guidance, and emotional support.
- **English as Second Language (ESL)**
ESL can be offered to all age-groups; and in the case of school-aged children, we can partner with the New York City Department of Education to administer and teach this class.

Once again, we applaud the New York City Council for this timely discussion; and are supportive of the bills being discussed today. We look forward to collaborating with our partners in government to welcome our new migrants and provide meaningful support as they begin their new lives here.

Thank you for the opportunity to testify on this matter.



Testimony
New York City Council
Committee on General Welfare, Jointly with Committee on Immigration
Wednesday, June 21, 2023 | 10:00 AM

My name is Nicole McVinua, and I am the Director of Policy at Urban Pathways. Thank you, Deputy Speaker Ayala, Chair Hanif, and members of the Council for allowing me to submit written testimony.

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. We hold city contracts with DHS, DOHMH, and HRA for our drop-in center, four Safe Havens, and congregate and scattered site supportive housing.

Thank you for holding this hearing and for your leadership uplifting and protecting services for unhoused New Yorkers. The impact of your heroic efforts to strengthen the homeless services safety net will be diluted by the Mayor's 2.5% "Provider Flexible Funding" Budget Cut to all DHS and HRA contracted non-profit programs, including shelters, street outreach, safe havens, drop-in centers, and Homebase eviction prevention programs. **Please join us in the fight to protect our programs, and hold strong against the Mayor's proposed budget cut to homeless services! We need the Mayor to understand that the City budget shouldn't be balanced on the backs of the poorest New Yorkers!**

The Mayor's 2.5% DSS Budget Cut *will hurt services*, as DHS is already telling non-profit providers to plan to eliminate vacancies and non-core services such as on-site mental health services and clinical services, and collapse several job roles into one position to be able to meet this cost-savings for the City.

What is being overlooked with this directive is that **positions are not vacant because they are not needed, but rather because there is a workforce shortage and our contracts do not pay enough to be competitive.** Eliminating positions would permanently create unsustainably high caseloads for remaining program staff which would negatively impact the people who receive our services at our drop-in center and Safe Havens, which serve individuals experiencing chronic

street homelessness, many of whom face serious physical and behavioral health concerns. Our clients do best with individualized care and personalized attention to meet their needs and help them attain their goals. This level of care takes a great deal of time, effort, and teamwork on the part of our staff. Eliminating staff positions would not allow for the intensive level of care our clients require and deserve, and doing so would be a grave disservice to the communities we serve.

The Mayor's 2.5% cut is made even more egregious by his refusal to include a cost-of-living adjustment for the city-contracted human services workforce. The human services sector has asked for a 6.5% COLA to match the rate of inflation. Our staff have watched as multi-year, multi-billion-dollar deals have been reached to provide wage increases to direct city employees, police officers, and teachers, while they wonder when they will receive the same. Many of our incredibly hard-working staff are dealing with the same challenges as the people they serve, living in poverty, facing homelessness or eviction, and needing benefits, such as SNAP and Medicaid. These same staff are overworked and facing burnout due to high vacancy rates and having to fill in to cover vacant positions. Urban Pathways has a 28% staff vacancy rate across our programs.

Instead of providing a COLA and a living wage to address the high turnover and difficulties in hiring, the Mayor is not only ignoring the problem but proposing a cut to DSS contracts that serve New Yorkers with the greatest needs. This cut will cause great harm to both our staff and the people we serve.

We applaud the Council's unwavering commitment to protecting all New Yorkers experiencing the trauma of homelessness. **Please stand strong against the Mayor's 2.5% cut to DSS contracts.** We stand ready and want to join you on the work ahead rehousing our neighbors.

For questions or more information, please contact:

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**Testimony of Urban Resource Institute (URI) before the New York City Council Committee on Finance
Executive Budget Hearing***June 21, 2023*

The Urban Resource Institute (URI) would like to express their gratitude for convening this important hearing and for your dedicated leadership in advocating for the welfare and well-being of unhoused individuals in New York. Today, we would like to reiterate the need for a 6.5% COLA for Human Service Workers, the need to fully fund the ENDGBV microgrants program, the need to increase funding for the Domestic Violence and Empowerment Initiative (DoVE) funding, and bring your attention to the significant consequences resulting from the mayor's recent decision to implement a 2.5% "Provider Flexible Funding" budget cut affecting all the Department of Homeless Services (DHS) and the Human Resources Administration (HRA) contracted non-profit programs, including shelters, street outreach, safe havens, drop-in centers, and Homebase eviction prevention programs. URI has been in operation for over 40 years and is now the largest provider of domestic violence shelter services in the country. URI currently provides temporary housing and services to more than 2,200 people each night who have been impacted by domestic violence, intimate partner violence, and families experiencing homelessness and will continue to increase capacity over the next several years. URI is committed to developing and delivering innovative client-centered and trauma-informed services to individuals affected by domestic and gender-based violence and intimate partner violence and families experiencing homelessness.

Reverse the 2.5% "Provider Flexible Funding" budget cut

This budget cut, imposed by the mayor's office, will undoubtedly have a detrimental impact on the services we provide. DHS has already informed non-profit providers, such as our organization, to prepare for the elimination of vacancies and non-core services, such as on-site mental health services and clinical services. Additionally, the directive includes the consolidation of multiple job roles into a single position in order to achieve the necessary cost-savings for the city.

It is crucial to recognize that a 2.5% reduction in funding translates to the reduction of essential services offered to our clients. When individuals are fleeing from domestic and intimate partner violence, every service we provide becomes essential. Similarly, for families experiencing homelessness, access to comprehensive services is crucial. We cannot allow the city's budgetary constraints to disproportionately burden the most vulnerable members of our community.

We commend the Council for its unwavering commitment to safeguarding the well-being of all New Yorkers who are experiencing the profound hardships of homelessness. Furthermore, we are immensely grateful for the groundbreaking legislation recently passed, which promises to revolutionize access to rental assistance. We implore you to maintain your resolute stance against the mayor's 2.5% cut, as it directly undermines the progress we have made together.

We, as an organization, stand ready to join you in the critical work that lies ahead, particularly in our shared mission of rehousing our neighbors. Together, we can ensure that the necessary resources and support are in place to address homelessness effectively and provide a path towards stability and self-sufficiency.

The need for a 6.5% COLA for Human Services Workers

As a crucial part of the human services sector, URI's employees strive to connect individuals and families with lifesaving resources and support systems. However, the current proposed budget cuts critical services and continues the practice of providing wages for human services providers that fall significantly short of covering the cost of living in a city like New York. Despite the vital role we play in the city's economy and safety, it is disheartening to be asked to cut our spending while being asked to provide increasingly higher levels of service and simultaneously find that our compensation barely meets basic needs.

The city's cuts to homeless services and social service programs are detrimental to the well-being of struggling New Yorkers and must be halted. With fewer human services staff to do the work, these cuts will only prolong homelessness for individuals and families struggling to find it and diminish the chances of our clients finding permanent housing. The cuts also threaten our agency's ability to provide vital client-centered, trauma-informed

supportive services to our clients; these services are often the difference between someone being placed in permanent housing or languishing in shelter.

The failure to adequately support providers doing the work results in overwhelmed and understaffed systems, leaving families staying in homeless shelters for extended periods. To combat discrimination and supply essential services, it is imperative to fully fund providers and invest in critical social service agencies. We need to reject a narrative of scarcity and shortsighted cuts, and instead explore common sense plans to generate the revenue needed for a more equitable New York. Cutting corners by reducing social service programs will not solve the problem but rather exacerbate homelessness, hinder permanent housing solutions, and impose greater financial burdens on the city. Our leaders must prioritize housing, offer competitive salaries, and hold accountable those who unlawfully deny housing to voucher holders.

The salaries of our staff are determined by City contracts, which govern the funding for nonprofits like ours. URI urges the City of New York to include a 6.5% COLA in the upcoming budget for city-contracted human services workers. This increase would help align our wages with the inflation rate, enabling us to better support ourselves while continuing to serve the people of your district and the entire city.

The absence of a COLA has far-reaching consequences that affect both human services workers and the communities we serve. A disproportionate number of human services workers – at URI and across the spectrum – are women of color, highlighting the systemic issues that perpetuate inequality and contribute to a significant gender- and race-based pay gap. Despite the vital role that human services workers play in supporting and uplifting communities, they are often undervalued and underpaid.

Studies have consistently shown that women, on average, earn less than men for performing similar jobs, and this wage gap is even more pronounced for women of color. The reasons for this wage disparity are multifaceted, encompassing factors like occupational segregation, discriminatory practices in hiring and promotion, and limited access to educational and career advancement opportunities.

In addition, lack of appropriate wages leads to adverse workplace conditions, resulting in high staff turnover and vacancy rates. These challenges inevitably impact service delivery and our clients. We need a sustainable work environment that promotes continuity, stability, and effective service delivery to our clients.

The long-term implications of low wages cannot be understated: human services workers are disproportionately burdened with high debt loads and as a result, many are forced to consider leaving to seek higher-paid opportunities elsewhere. Without the work of our dedicated human services staff, many vulnerable New Yorkers would be left without essential services such as hot meals, afterschool programs, and domestic violence shelters. URI urges the New York City Council to ensure that a 6.5% COLA for human services workers is included in the final budget. The estimated cost of this inclusion, approximately \$200 million, is a necessary investment to address the prevailing wage disparities within the sector. By prioritizing the fair compensation of government-contracted human services workers, we can foster a workforce that is motivated, engaged, and able to provide the highest quality of care to our fellow New Yorkers.

Fully Fund the ENDGBV Microgrants Program

URI is grateful to the New York City Council for its advocacy in ensuring that microgrants program for survivors of gender-based violence is funded. The preliminary budget proposed a mere \$1.2 million for this program, an amount that is far below what the projected needs are for this program. The Council's response increased baseline funding for this program by an additional \$3 million, for a total of \$4.2 million. URI is grateful for the increased funding; however, it falls short of the necessary \$6 million needed to fully fund this program.

The ENDGBV microgrants program was established by Local Law 112 of 2022 (formerly Int. 153-A of 2022), which established a housing stability program that provides survivors of domestic and gender-based violence with low-barrier grants and supportive services to help them maintain housing. The grants may be used to cover a wide range of expenses, such as moving costs, furniture, transportation, and childcare, to name a few. For many survivors, these funds could mean the difference between staying in an abusive situation or being able to leave and start a new life in safety.

The need for the ENDGBV microgrants program has only increased in the wake of the COVID-19 pandemic. Domestic violence rates have soared during the pandemic, with many survivors experiencing financial insecurity and struggling to find safe housing. According to a report by the New York State Office for the Prevention of Domestic Violence, domestic violence homicides increased by 33% in New York State from 2019 to 2020, with many of these deaths occurring during the pandemic.

The microgrants program is a crucial tool in the fight against domestic and gender-based violence. By providing survivors with financial assistance, we can empower them to interrupt the cycle of abuse and rebuild their lives. Additionally, providing this assistance can help to reduce the burden on other crime victim services programs, such as emergency shelters and legal services.

While domestic violence survivors are indeed victims of crimes, it is important to note that they are also, and perhaps primarily, resilient, strong, and capable. The microgrant program is designed to help them take control of their lives, recognizing that they have a range of needs that go beyond the immediate aftermath of the violence they experienced. Many survivors need access to safe housing, counseling, healthcare, legal assistance, and financial resources. It is crucial that programs and policies are designed to support survivors holistically, recognizing that their needs are complex and multidimensional.

The impact of the microgrants program is clear. In 2020, ENDGBV conducted a pilot of this program, which was administered by Sanctuary for Families, and distributed over \$1.3 million in microgrants to over 1,600 survivors of domestic and gender-based violence. These funds helped survivors to secure housing, access medical care, and cover other essential expenses. Without the microgrants program, many of these survivors may have been unable to leave abusive situations or may have ended up homeless.

In 2021, ENDGBV reported that their Family Justice Centers (FJC) served 13,272 individual clients who needed help and services. Assuming that only about 20% of these clients require microgrants, the city would need to fund the program with \$6 million per year. If we use this amount and assume that each survivor can receive a maximum grant of \$2000 and the same 15% administrative set aside, we can calculate that the program would be able to provide grants to roughly 20% of the survivors visiting FJCs or 2,550 survivors with this budget. Therefore, if the city were to allocate \$6 million to the micro grant program instead of the proposed \$4.2 million, an additional 765 survivors would be able to receive grants.

The ENDGBV microgrants program is a crucial tool in the fight against domestic and gender-based violence. Survivors of domestic and gender-based violence need comprehensive support that goes beyond emergency shelter and legal services, and the microgrants program is designed to help survivors rebuild their lives by providing critical financial assistance. The impact of the pilot program is clear, and the need for this program has only increased during the COVID-19 pandemic.

The need to allocate \$6 million to fully fund this vital program.

Increase funding for the Domestic Violence and Empowerment Initiative (DoVE) Funding

The New York City Council's Domestic Violence and Empowerment Initiative (DoVE) Funding is a critical program designed to support survivors of domestic and gender-based violence in the city. The initiative aims to provide funding to domestic violence service providers to help them provide comprehensive services to survivors, including emergency shelter, counseling, legal assistance, and job training. DoVE funding also supports initiatives that work toward preventing domestic violence by educating the public and raising awareness about the issue. This funding is crucial for domestic violence service providers to continue to provide support to survivors, especially during the COVID-19 pandemic, which has led to a surge in domestic violence cases. DoVE Funding initiative serves as an important step in the fight against domestic violence in New York City, and it is essential for the safety and well-being of survivors in the city.

As the New York City Council negotiates this year's budget, URI and other domestic violence services providers urge the Council to increase the amounts available for this initiative as it provides Council Members the ability to directly impact survivors in their respective districts.

Transforming the lives of domestic violence survivors and homeless families.

In conclusion, URI urges the City Council to resist the proposed 2.5% “Provider Flexible Funding” cut to DHS and HRA contracted programs, prioritize a 6.5% cost of living increase (COLA) for human service workers, , fully fund the ENDGBV Microgrants program at \$6 million, and increase DoVE funding. The services and programs provided by these agencies are vital to the health and safety of New Yorkers experiencing homelessness and other vulnerable populations. We cannot afford to make cuts that will have such a devastating impact on our communities.

Thank you once again for your dedication to this pressing issue. We sincerely hope that you will continue to champion the cause of unhoused individuals, empowering us to uphold our commitment to the most vulnerable members of our community.



**Written Testimony to the NYC Council the General Welfare
Committee and the Committee on Immigration**

June 23, 2023

About Us:

Volunteers of America-Greater New York (VOA-Greater New York) is an anti-poverty organization with a rich 125-year history of serving our neighbors in need. Our vision is fueled by our experience as a leading provider of services to families and individuals experiencing homelessness in the greater New York area. Through more than 60 programs located in **New York City, Northern New Jersey, and Westchester County**—including emergency shelters, transitional housing, and permanent supportive housing—we deliver services to more than 11,000 adults and children annually. We are also the largest provider of residential services for veterans within a coalition that has virtually ended chronic homelessness for veterans in New York City.

We know that the most prevalent causes of homelessness are lack of affordable housing, unmet health needs, and a lack of jobs that create wealth-generating careers. More broadly, structural racism and generational poverty are to blame for many of the longstanding barriers to independent living that our neighbors in need face every day. This is why VOA-Greater New York is at the forefront of developing innovative housing, health, and wealth-building services for families and individuals experiencing, or at imminent risk of, homelessness.

Testimony

Invest in human service workers.

The wages of city-contracted human services workers depend on rates set in contracts by our municipal government. Decades of underinvestment in and undervaluing the contributions of this workforce by leaders in NYC government have resulted in 40% annual turnover in the non-profit sector today, with a vacancy rate in frontline positions ranging from 20 – 30% at organizations city-wide. The impact of these vacancies is not easily absorbable for human services organizations or other staff members – these positions are budgeted because they are needed to provide the standard of care that our clients expect and deserve. Vacant positions place added responsibility and stress on remaining staff who are also struggling to make ends

meet, further driving turnover in – and in some cases, a large number of staff exits from – our sector.

The NYC government contract rates do not pay competitive salaries, making it hard to recruit and retain experienced staff to deliver the lifesaving and stabilizing services our clients need. Our frontline staff are the driving force behind many of the most ambitious and innovative initiatives that leaders in government announce at press conferences and public appearances, but they carry the heavy burden of working at short-staffed programs while struggling to provide for their families. That is why, now more than ever, the City must include a 6.5% cost-of-living adjustment (COLA) for human services workers in FY24. We also want to ensure that there is a multi-year deal that matches that of the DC 37 - 16.5% over the next 3 years - so that we can guarantee workers a COLA in future years as well, rather than having to fight for what is fair year after year.

Restore cuts.

The impact of your heroic efforts to strengthen the homeless services safety net will be diluted by the City's 2.5% "Provider Flexible Funding" Budget Cut to all DHS and HRA contracted non-profit programs, including shelters, street outreach, safe havens, drop-in centers, and Homebase eviction prevention programs. Please continue to fight to protect our programs and hold strong against the proposed budget cut to homeless services. We know that Council Members shared in our view that the City budget shouldn't be balanced on the backs of poorest New Yorkers with the greatest need.

The 2.5% DSS Budget Cut will result in *reduced services*, as DHS has already informed non-profit providers to consider eliminating vacancies, non-core services such as on-site mental health services and clinical services, and to collapse several positions into one position to be able to meet this cost-savings for the city.

We applaud the Council's unwavering commitment to protecting all New Yorkers experiencing the trauma of homelessness and are extremely grateful for the landmark legislation you passed which will revolutionize access to rental assistance. Please stand strong against the City's 2.5% cut AND secure a 6.5% COLA for human service workers. We stand ready to support your advocacy and will continue to partner with you on our collective efforts to house our neighbors in need.

We thank the Council for its commitment to our clients and staff and for holding this hearing.

Thank you.

Respectfully submitted by:

Noelle Withers, Executive Vice President and Chief Program Officer

Volunteers of America - Greater New York
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**Testimony of Beth Haroules On Behalf of the New York Civil Liberties Union
Before the New York City Council Committee on General Welfare, Jointly
with the Committee on Immigration, Regarding Oversight -- Emergency
Shelters and Humanitarian Emergency Response and Relief Centers in New
York City.**

June 21, 2023

The New York Civil Liberties Union (NYCLU) appreciates this opportunity to submit the following testimony regarding Emergency Shelters and Humanitarian Emergency Response and Relief Centers in New York City.

The NYCLU, the New York State affiliate of the American Civil Liberties Union, is a not-for-profit, nonpartisan organization with eight offices throughout the state and over 85,000 members and supporters. The NYCLU defends and promotes the fundamental principles and values embodied in the Bill of Rights, the U.S. Constitution, and the New York Constitution, including the right of every New Yorker to enjoy life, liberty, due process, and equal protection under law. This includes our work in pursuit of community safety, our work to advance the rights of New Yorkers with disabilities and New Yorkers who are unhoused, and our work to advance immigration reform and immigrants' rights.

The NYCLU submits this testimony today to defend New York City's longstanding commitment to the right to shelter, object to planned budget cuts to the critical services actually designed to reduce homelessness, and oppose any attempt by the City or its Mayor to scapegoat recently-arrived migrants as a cause for undermining the city's long tradition of offering shelter to those in need. This Council must ensure that the human rights of unhoused people – whether longstanding New Yorkers or recent migrants seeking shelter here – are respected.

The New York State Constitution commits the city to providing “aid, care and support of the needy” as a legal mandate, and in a city of New York's size and values, meeting the needs of our underprivileged community members should also be a moral imperative. This goal *can* be achieved. New York City can meet the needs of our entire community if it actually prioritizes reducing homelessness – with dedicated funding in its budget for services proven to reduce homelessness, and with policies that focuses on coordinating holistic and proven resources.

Unfortunately, the eight bills on today's agenda, like the proposed city budget and the Mayor's blueprint for reducing homelessness, fall well short of the vision and priority needed to actually

address a worsening economic and human rights crisis. The City's continued practice of using the police as the default response to nearly every social issue has meant the defunding of New York's accessible housing opportunities, public health infrastructure, social safety net, educational services and other vital services that would enable communities to truly thrive. These bills fail to exercise the power the Council possesses to redress these longstanding funding failures, and the NYCLU does not support them.

These bills, as well meaning as they are, are effectively equivalent to the storied exercise of rearranging the deck chairs on the Titanic. Neither the Mayor nor the Council have any coordinated, holistic plan for housing, services, or supports for unhoused New Yorkers, whether they are long-time residents of New York City, or more recent arrivals such as the more than 60,000 migrants and asylum seekers who have arrived in New York City, adding stress on the city's already inadequate shelter system. Homelessness in New York City is not a new issue. There is much more work that the Council could do to ensure the dedication of resources necessary to effectuate the right to housing and shelter in New York City.¹ Budgets are moral documents, and when it comes to New York City's fiscal blueprint, the budget is also an opportunity to imagine the city we want to build. The current fiscal plan, and the bills proposed today, are inadequate to meet the challenge.

New York City's Longstanding Right to Shelter

As recognized by New York courts, starting with the first decision rendered in the class action lawsuit *Callahan v. Carey* in 1979,² the right to shelter in New York City is grounded in Article XVII of the New York State Constitution.³

Article XVII was enacted to redress the grievous harm suffered by New Yorkers during the Great Depression.⁴ And, as stated by the New York Court of Appeals in *Tucker v. Toia*, 43

¹ As but one example, the Coalition for the Homeless, the plaintiff in the *Callahan* case establishing the right to shelter in New York City, has recently provided a comprehensive look at the causes of – and solutions to – homelessness in New York, offering up a robust menu of housing types that are necessary to meet the needs of unhoused New Yorkers. See Coalition for the Homeless, *State of the Homeless 2022: New York at a Crossroads*, <https://www.coalitionforthehomeless.org/state-of-the-homeless/>.

² A copy of the December 5, 1979 decision rendered by New York State Supreme Court in the *Callahan v. Carey*, 42852/1979 class action litigation is available at <https://www.coalitionforthehomeless.org/wp-content/uploads/2014/08/CallahanFirstDecision.pdf>.

³ Article XVII of the New York State Constitution states, “The aid, care and support of the needy are public concerns and shall be provided by the state and by such of its subdivisions, and in such manner and by such means, as the legislature may from time to time determine,” N.Y. Const. Art. XVII, §1.

⁴ See e.g. Fein, Scott and Ayers, Andrew, “Protections in the New York State Constitution Beyond the Federal Bill of Rights,” Albany Law School, Government Law Center and Rockefeller Institute of Government, 2017, https://rockinst.org/wp-content/uploads/2018/02/2017-Protections_in_the_New_York_State_Constitution1.pdf (“Although other states have constitutional provisions regarding public welfare, New York State’s article is one of the strongest and most influential [and] extends [mandated aid] to all needy persons, including immigrants not eligible for federal assistance, able-bodied low income persons without dependent children, teenage mothers, and families who have been on public assistance for long periods of time. Article XVII is one reason why New York

N.Y.2d 1, 7 (1977) "[i]n New York State, the provision for assistance to the needy is not a matter of legislative grace; rather, it is specifically mandated by our Constitution." Migrants and asylum-seekers seeking shelter in New York City, are members of the *Callahan* class and themselves are entitled to shelter.

Shamefully, various Mayoral administrations have mounted challenge after challenge to *Callahan* and its progeny over the years since the *Callahan* consent judgment was entered in 1981. To date, those challenges have been unsuccessful. In a cynical attempt to undo that well-established right, Mayor Adams and members of his Administration have pointed to the recent influx of migrants and asylum-seekers as reason for the City to be relieved, in their entirety, of its long-standing legal obligations and commitments under *Callahan* and its progeny to provide shelter.⁵

Mass Homelessness in New York City

The Council well knows that mass homelessness in New York City is neither a recent phenomenon⁶ nor the result of this most recent arrival of migrants. Even before the so-called "migrant crisis" was identified by the administration of Mayor Adams as the reason that the City must be relieved of its *Callahan* obligations and, further, to significantly cut budgets across city agencies,⁷ there were more than 60,000 unhoused people in New York City on any given night.⁸

Mayor Adams has failed to address and made worse the plight of unhoused New Yorkers. He has, instead, deployed NYPD to sweep away unhoused people from streets and subways, tried to consign unknown numbers of unhoused New Yorkers to forced treatment and psychiatric hospitalization, failed to address the affordable housing crisis confronting NYC, issued his own counterproductive emergency rules amending the CityFHEPS rental assistance housing voucher program,⁹ defunded New York's accessible housing opportunities, educational resources, public

State's public assistance and Medicaid programs are offered to so many economically needy persons, whatever the circumstances in which they find themselves.").

⁵ See Legal Aid Society Letter in opposition to City Defendants' application for modification of provision of Final Judgment on Consent, *Callahan v. Carey*, Index No. 42582/1979, dated May 25, 2023, <https://legalaidnyc.org/wp-content/uploads/2023/05/Callahan-letter-to-court-5-25-23.pdf>.

⁶ In fact, in the past four decades, as the Coalition for the Homeless has demonstrated, the City has met its legal obligations under the Judgment, regardless of sharp increases in demand. See "Facts about Homelessness," <https://www.coalitionforthehomeless.org/facts-about-homelessness/> (demonstrating multiple sharp increases in clients sheltered in City-funded shelters since the *Callahan* consent judgment was issued).

⁷ See e.g., Kelly Mena, "Mayor Eric Adams Weighs in on Migrants and Housing," NY1, May 2, 2023, <https://www.ny1.com/nyc/all-boroughs/politics/2023/05/03/mayor-weighs-in-on-funding-for-asylum-seekers--lack-of-housing-plan-amid-tentative-state-budget-deal>.

⁸ See Coalition for the Homeless, "Basic Facts about Homelessness: New York City," available at <https://www.coalitionforthehomeless.org/basic-facts-about-homelessness-new-york-city/>.

⁹ On May 25, 2023, the Council voted to approve a relatively comprehensive package of legislative solutions to address the City's homelessness crisis but the growing eviction crisis as well by reforming the City's rental assistance voucher program, CityFHEPS. See "Council Votes on Major Legislative Package to Address

health infrastructure, social safety net services, and other vital services that would enable communities, including unhoused migrants and asylum seekers, to thrive, and now proposes to toss untold thousands of New Yorkers into the gutter.

**The Council Must Support Investments in Real Community Services,
Including Housing, Health and Safety Infrastructures – Not More Policing.**

The NYCLU has repeatedly testified before this Council as to the need to reduce our over-reliance on and our over-resourcing of the New York Police Department (“NYPD”) and increase our investments in non-carceral, non-punitive services to support New Yorkers. The safest communities are not the ones with the most police or the highest jail populations; they are the communities with the most resources, the strongest social safety nets, and the most accessible support for people in crisis. But the City’s continued practice of using the police as the default response to nearly every social issue has meant the defunding of New York’s accessible housing opportunities, public health infrastructure, social safety net, and other vital services that would enable communities to truly thrive.¹⁰

We urge the City Council to continue to keep intense focus on the investment of resources into the lack of supportive housing and culturally appropriate supports and services, to build up the variety of programs and services that are directly under the control of the City and that are proven approaches to help people in the long term. New Yorkers need more direct access to housing, education, economic, and health care resources -- not more police.

Homelessness Crisis and Help New Yorkers Move Out of the Shelter System,”
<https://council.nyc.gov/press/2023/05/25/2411/>.

However, rather than signing that package of bills into law, Mayor Adams issued an Emergency Rule under the guise of eliminating the 90-day rule for all shelter entrants, adding counterproductive work requirements for more potential voucher holders that actually add barriers to New Yorkers’ abilities to access CityFHEPS vouchers. *See* NOTICE OF ADOPTION OF EMERGENCY RULE AMENDING THE CITYFHEPS RENTAL ASSISTANCE VOUCHER PROGRAM, <https://www.nyc.gov/assets/home/downloads/pdf/press-releases/2023/HRA-Rule-Amendment-of-Rules-Governing-CityFHEPS-Program-EA.pdf>.

¹⁰ Every day brings new reporting on the elimination of vital education and child care programs that help recent arrivals to the City, including a half-dozen high school programs that offer intensive English classes and subsidized child care programs open to all parents regardless of immigration status that freed them up to work, find housing and apply for asylum. *See, e.g.* Bamberger, Cayla, “Programs that help NYC migrants achieve financial independence are in jeopardy,” New York Daily News, June 20, 2023, <https://www.nydailynews.com/new-york/education/ny-key-education-child-care-programs-for-nyc-migrants-could-expire-20230620-3hyekr3orzf23c5bmyloftwya-story.html>.

And Mayor Adams, rejecting calls to fund a \$70 million pro bono legal services program affording asylum seekers assistance in submitting applications for asylum and work authorization, has instead just announced an underfunded plan to eventually open an appointment-only asylum application center operating under the auspices of the Red Cross. The New York Immigration Counsel immediately noted that the Mayor’s ill-defined legal services plan is “too little, too late.” More than 70,000 migrants have already arrived in the city over the last year, but many have not filed their asylum applications, delaying their eligibility for work authorization and now running up against time restrictions that may prevent them from filing any asylum application. *See* Gartland, Michael, “NYC Mayor Adams unveils plans for asylum application center to assist migrants,” New York Daily News, June 20, 2023, <https://www.nydailynews.com/news/politics/new-york-elections-government/ny-migrants-asylum-application-center-mayor-adams-20230620-l56nfm5tzjeejgizwfrwikk4qy-story.html>.

We need the Speaker and City Council to ensure that the FY24 Budget restores and protects critical services and programs that our communities rely on and that are essential for the full recovery of our city, which has resulted in the inaccessibility of low-cost care and long waiting lists. Since Mayor Adams took office he has been steadily cutting personnel, positions and funding from our public schools, homeless and housing services, police oversight, libraries, mental health services, services for the aging, and other critical programs. Concurrently, he has continued to expand the NYPD's resources to advance discriminatory policing practices that fail to meaningfully and systemically address safety concerns of New Yorkers, while working to increase the role of the NYPD in providing social and health services that are best handled by care workers and other expert professionals. New Yorkers need more direct access to economic, health and care resources -- not more police.

We also urge the Speak and City Council to exercise its oversight authority to redress the fact that there are enough vacant apartments in the city's public and supportive housing systems to accommodate 15,000 people. These empty units across the two systems combined could and should be used to transition homeless New Yorkers out of shelters and into the empty apartments, thereby creating capacity for migrants and asylum seekers in the shelter system.¹¹

The NYCLU thanks the Committees for the opportunity to provide testimony on these critical issues. We stand ready to working with the members of the Committees conducting this oversight hearing, and all appropriate partners, to advance meaningful policy changes that will actually improve the lives of all New Yorkers.

¹¹ Councilmember Lincoln Restler has released agency-level data shows that NYCHA has almost 4000 empty units across its system as of the end of May while more than 2600 units sit vacant in the City's supportive housing network. See Sommerfeldt, Chris, "Beds for 15,000 people sit empty in NYC's public, supportive housing systems amid migrant crisis," New York Daily News, June 19, 2023, www.nydailynews.com/news/politics/new-york-elections-government/ny-beds-empty-nyc-public-supportive-housing-systems-amid-migrant-crisis-20230619-762ilfgt5vcsjdh5tf4xv7iyy-story.html?oref=csny_firstread_nl.

Appendix A

NYCLU's Comments on Int. 942-2022, Int. 943-2023, Int. 1064-2023, Int. 1072-2023, Int. 1080-2023, Int. 1084-2023, Int. 1095-2023 and Int. 1096-2023

There are eight pieces of legislation on today's hearing agenda.

Emergency Congregate Housing Standards

Ints. 942,¹² 943,¹³ 1084,¹⁴ and 1095¹⁵ apply to emergency congregate housing in New York City, including at the Humanitarian Emergency Response and Relief Centers (HERRCs), established by the Adams Administration to address the increase of migrants in the City. These bills are intended to ensure that standards currently applicable to other congregate shelters in the City will apply to emergency shelters being used to house migrants and asylum seekers.

Mayor Adams has, however, already unilaterally, and inappropriately, suspended the operation of critical provisions of the New York City Administrative Code relating to the right to shelter and conditions in existing shelters settings. *See e.g.* Emergency Executive Order 402, May 10, 2023, <https://www.nyc.gov/office-of-the-mayor/news/402-003/emergency-executive-order-402>. See also Emergency Executive Order 430, June 14, 2023, the most recent extension of the May 2023 suspension order, <https://www.nyc.gov/office-of-the-mayor/news/430-003/emergency-executive-order-430>.

While we obviously support the intent of these bills, the Council heard the same threat, repeated twice today by the Administration representatives testifying, that Mayor Adams will simply

¹² Int. 942 would establish minimum standards for the HERRCs and other emergency congregate housing in New York City, established by the Adams Administration to address the increase of migrants in the City. The standards set forth in Int. 942 would mirror those that already apply to shelters operated by the Department of Social Services (DSS) and that effectuate the rights, entitlements and due process protections afforded New Yorkers seeking shelter under the seminal litigation, *Callahan v. Carey*, and its progeny.

¹³ Int. 943 would require that the Mayor provide written and verbal notification of the right to be placed in a Department of Social Services (DSS) shelter to individuals and families who are housed in specific types of emergency congregate housing in New York City.

¹⁴ Int. 1084 would require the Department of Health and Mental Hygiene (DOHMH) to develop a trauma informed care training to be offered to individuals providing services to refugees, asylees and migrants. All New Yorkers receiving emergency shelter services would actually benefit from staff **mandatorily** trained in trauma informed care. *See* Kushel, M., Moore, T., et al. (2023). "Toward a New Understanding: The California Statewide Study of People Experiencing Homelessness. UCSF Benioff Homelessness and Housing Initiative" ("Participants reported how stress and trauma over the life course preceded their experience with homelessness. Participants reported experiences of discrimination, exposure to violence, incarceration, and other traumas prior to homelessness. These experiences interacted and compounded to increase vulnerability to homelessness.").

¹⁵ Int. 1095 would require DOHMH to staff at least one mental health coordinator to provide resources on trauma-informed, language accessible mental health services in the city at any location where refugees, asylees, and migrants receive services from city agencies or contracted provider.

expand the scope of that Emergency Executive Order suspending these proposed new Administrative Code provisions – if and when they may be enacted.

Public Assistance Benefits Resources

Ints. 1072,¹⁶ Int. 1080,¹⁷ and 1096¹⁸ address benefits resources, qualifications and eligibility coordination more broadly for all New Yorkers who seek housing and other public assistance benefits.

We note that Int. 1072 uses retrogressive definitional language that excludes transgender and non-binary individuals from the protections afforded “families with children” by this legislation. Proposed § 21-334 defines “families with children” as including only “a single pregnant **woman**” and “families including at least 1 pregnant **woman**.” We ask that the Council consider amending the definitional language from “pregnant woman” to “pregnant person.”

With respect to Int. 1080, we would ask that the Council consider ensuring that the various resources to be created under Int. 1080 reach all New Yorkers in analogue form as well as via the online websites of the various City agencies involved in this initiative because we still have a massive digital divide in this city. As the Council is well aware, predictably, the brunt of the digital divide falls on particular communities. The Council has reported, for example, that the most impacted communities are home to individuals who disproportionately live at the intersection of poverty and structural racism. About a quarter of New York City households still lack a broadband subscription at home and the percentage is even higher for Black, Hispanic, low-income, and senior households. For some community districts — many in the Bronx and high-poverty areas — over 40% of households do not have high-speed broadband service. Between 11 and 13 percent of NYC DOE students in each borough lack access to adequate internet at home during remote learning. See, e.g., Broadband and Equal Access to the Internet in New York City, <https://council.nyc.gov/data/internet-access/>.

And, of course, not all temporary housing settings, particularly the less traditional sites in which the City is housing new migrants, necessarily provide broadband access. See, e.g., New York City Bar, June 6, 2023 “Report in Support of Legislation Providing Internet Access to Individuals Living in Temporary Housing Throughout New York State,” <https://www.nycbar.org/member-and-career-services/committees/reports-listing/reports/detail/digital-divide-free-wifi-for-homeless-shelter-residents>.

¹⁶ Int. 1072 would reduce the required housing history from two years to one year in order for families with children to demonstrate their eligibility for entry into the Department of Homeless Services (DHS) shelter system and would require DHS to create digital case records.

¹⁷ Int. 1080 would require, among other things, that DSS publish searchable information on emergency feeding programs, food benefits programs, and senior centers on its website and through other City digital platforms.

¹⁸ Int. 1096 would eligibility specialists are available at every shelter to assist residents with determining eligibility for public assistance benefits.

Data Collection

Finally, Int. 1064 is a data reporting bill that would require DSS to report, no later than December 2024, a variety of data on the outcomes and operations of homelessness prevention and aftercare, as well as issuing a one-time report no later than January 31, 2025, on early indicators of housing instability, opportunities for early intervention and potential means to expand services offered or populations served.

While the data collection contemplated by Int. 1064 is extensive, the proposed legislation takes a blunderbuss approach to the categories of data mandated to be reported annually by DSS with respect to its programmatic operations and outcomes. Int. 1064 might benefit from a more systematic planning approach in order to establish an effective and targeted collection and reporting of data by DSS and the other City agencies that are engaged in the provision of homelessness services, including prevention and aftercare services.

Moreover, the second part of Int. 1064 appears both duplicative and reductive of the work that already exists in the field of housing instability and opportunities for early interventions to stave off homelessness. For example, the United States Department of Health and Human Services/Office of Disease Prevention and Health Promotion already has compiled an extensive summary of the literature on Housing Instability, available at <https://health.gov/healthypeople/priority-areas/social-determinants-health/literature-summaries/housing-instability>.

The Adams Administration has itself issued a “blueprint” to address, among other topics, Homelessness and Housing Instability, <https://www.nyc.gov/assets/home/downloads/pdf/office-of-the-mayor/2022/Housing-Blueprint.pdf>. That Housing Blueprint notes, appropriately, that “[w]hile DHS represents the City’s largest shelter system, the universe of homeless New Yorkers is larger than the DHS shelter population. There are three additional agencies that assist individuals experiencing homelessness – HPD, DYCD, and HRA (HASA and Domestic Violence) – each of which report on their clients separately and employ different tools to serve them.”

Int. 1064 perpetuates a current focus on DHS operations and programs alone which, the Housing Blueprint notes, will continue to “obscure the true picture of homelessness in New York City and diminishes our accountability to address the full scope of the problem, reducing transparency for the public and making progress more difficult to track.”

Written Testimony

My Name is Arame Kebe and I am Criminal Justice Coordinator for Help USA, a non-profit which provides shelter, job training, clinical, and mental health services to New Yorkers in New York City. Thank you, Deputy Speaker Ayala and Chair Hanif and members of the Council, for allowing me to submit written testimony.

Thank you for holding this hearing today and for your leadership uplifting and protecting services for unhoused New Yorkers. The impact of your heroic efforts to strengthen the homeless services safety net will be diluted by the Mayor's 2.5% "Provider Flexible Funding" Budget Cut to all DHS and HRA contracted non-profit programs, including shelters, street outreach, safe havens, drop-in centers, and Homebase eviction prevention programs. Please join us in the fight to protect our programs, and hold strong against the Mayor's proposed budget cut to homeless services! We need the Mayor to understand that the City budget shouldn't be balanced on the backs of poorest New Yorkers!

The Mayor's 2.5% DSS Budget Cut will hurt services, as DHS is already telling non-profit providers to plan to eliminate vacancies and non-core services such as on-site mental health services and clinical services, and collapse several job roles into one position to be able to meet this cost-savings for the City.

I work at a Men's employment shelter helping people get jobs. If my organization must eliminate positions and services, our caseloads will double and homeless New Yorkers will not get the services they need. We are passionate and committed to helping our clients but no one can handle excessive cases.

We applaud the Council's unwavering commitment to protecting all New Yorkers experiencing the trauma of homelessness and are extremely grateful for the landmark legislation you passed which will revolutionize access to rental assistance. Please stand strong against the Mayor's 2.5% cut. We stand ready and want to join you on the work ahead rehousing our neighbors.

Audubon Women's Shelter testimony

On behalf of team Audubon 2.5% budget cut is unacceptable. We're in critical time where homelessness crisis is rising in New York State due high cost living, fleeing domestic violence and undocumented immigrant by you cutting the budget is allowing risk of homeless men, women and families to live in the street and in the subway we need to increase supportive housing for stability, we need to provide more support for behavioral health, substance abuse services, drop in centers, safe haven, outreach workers and job training if these budget is cut imperil to improve services in the shelters and the ability to advance reversing these cuts including salary increases for all staff.

Thank you

Ms. Arlene Melville-White

From: Caroline Rios <crios@helpusa.org>
Sent: Thursday, June 22, 2023 10:07 AM
To: Testimony
Cc: Sumaira Arshad
Subject: [EXTERNAL] Testimony - Caroline Rios Homebase

My Name is **Caroline Rios** and I am a **Clinician/Clinical Social Worker** for **HELP USA Homebase Service Area 2** a non-profit which provides **homeless prevention services** to New Yorkers in **the Bronx** of New York City. Thank you, Deputy Speaker Ayala and Chair Hanif and members of the Council, for allowing me to submit written testimony.

Thank you for holding this hearing today and for your leadership uplifting and protecting services for unhoused New Yorkers. The impact of your heroic efforts to strengthen the homeless services safety net will be diluted by the Mayor's 2.5% "Provider Flexible Funding" Budget Cut to all DHS and HRA contracted non-profit programs, including shelters, street outreach, safe havens, drop-in centers, and Homebase eviction prevention programs.

The Mayor's 2.5% DSS Budget Cut *will hurt services*, as DHS is already telling non-profit providers to plan to eliminate vacancies and non-core services such as on-site mental health services and clinical services, and collapse several job roles into one position to be able to meet this cost-savings for the City.

The budget cuts will cause elimination of clinical positions that benefit families with that have mental health issues, instability in housing and other additional barriers that are frequently overlooked if their cases were to be looked at as strictly a "housing issue" case. When accessing underlying issues other than just housing, the family's stability increases.

E.g., I work at a homeless prevention agency helping people get access to rental subsidies, jobs, mental health services, medical services, educational resources and keeping the family composition stable. My agency currently has vacancies for housing specialists, case managers, Intensive case managers, Clinicians, Clinical supervisors, and case management supervisors. If my organization must eliminate some of those positions, our caseloads will double and our positions may have to change. We are passionate and committed to helping our clients, but no one can handle that many cases. A large caseload causes workers to feel burn out and not have adequate time to handle each individual case as planned.

We applaud the Council's unwavering commitment to protecting all New Yorkers experiencing the trauma of homelessness and are extremely grateful for the landmark legislation you passed which will revolutionize access to rental assistance. Please stand strong against the Mayor's 2.5% cut. We stand ready and want to join you on the work ahead rehousing our neighbors.



Caroline Rios | Clinical Social Worker

Homebase Service Area 2 | 815 Burke Ave Bronx, NY 10467

646-905-5277 | crios@helpusa.org

[Twitter](#) | [Facebook](#) | [Instagram](#) | [LinkedIn](#)

Good day,

My Name is Delila M. Ortega and I am a Case Manager Supervisor for HELP USA-HOMEBASE, a non-profit which provides homeless prevention, financial counseling, referrals to legal advocacy and more to New Yorkers in Bronx of New York City. I greatly appreciate and thank you, Deputy Speaker Ayala and Chair Hanif and members of the Council, for allowing me to submit written testimony.

Thank you for holding this hearing today and for your leadership uplifting and protecting services for unhoused New Yorkers. The impact of your heroic efforts to strengthen the homeless services safety net will be diluted by the Mayor's 2.5% "Provider Flexible Funding" Budget Cut to all DHS and HRA contracted non-profit programs, including shelters, street outreach, safe havens, drop-in centers, and Homepage eviction prevention programs. Please join us in the fight to protect our programs, and hold strong against the Mayor's proposed budget cut to homeless services! We need the Mayor to understand that the City budget shouldn't be balanced on the backs of poorest New Yorkers!

The Mayor's 2.5% DSS Budget Cut will hurt services, as DHS is already telling non-profit providers to plan to eliminate vacancies and non-core services such as on-site mental health services and clinical services, and collapse several job roles into one position to be able to meet this cost-savings for the City.

Describe your work/program and share an example of what these cuts could mean to your program or clients:

I work to prevent our local Bronx community members from entering shelter by assessing, and processing rental assistance subsidies, renewals and alleviating their arrears. If my organization must eliminate those positions, our caseloads will double and these families, elderly, and at risk new Yorkers will not be able to properly receive the attention and care needed. We are passionate and committed to helping our clients but no one can handle that many cases.

We applaud the Council's unwavering commitment to protecting all New Yorkers experiencing the trauma of homelessness and are extremely grateful for the landmark legislation you passed which will revolutionize access to rental assistance. Please stand strong against the Mayor's 2.5% cut. We stand ready and want to join you on the work ahead rehousing our neighbors.

From: Eric Grace <egrace@helpusa.org>
Sent: Thursday, June 22, 2023 2:24 AM
To: Testimony
Subject: [EXTERNAL] TESTIMONY FOR THE JUNE 21ST JOINT HEARING

Sample Written Testimony:

My Name is [Eric Grace] and I am [Safety Monitor Supervisor] for [HELP USA], a non-profit which provides [Shelter] to New Yorkers in [Harlem] of New York City. Thank you, Deputy Speaker Ayala and Chair Hanif and members of the Council, for allowing me to submit written testimony.

Thank you for holding this hearing today and for your leadership uplifting and protecting services for unhoused New Yorkers. The impact of your heroic efforts to strengthen the homeless services safety net will be diluted by the Mayor's 2.5% "Provider Flexible Funding" Budget Cut to all DHS and HRA contracted non-profit programs, including shelters, street outreach, safe havens, drop-in centers, and Homebase eviction prevention programs. **Please join us in the fight to protect our programs, and hold strong against the Mayor's proposed budget cut to homeless services! We need the Mayor to understand that the City budget shouldn't be balanced on the backs of poorest New Yorkers!**

The Mayor's 2.5% DSS Budget Cut *will hurt services*, as DHS is already telling non-profit providers to plan to eliminate vacancies and non-core services such as on-site mental health services and clinical services, and collapse several job roles into one position to be able to meet this cost-savings for the City.

Describe your work/program and share an example of what these cuts could mean to your program or clients:

E.g., I work at a Men's employment shelter helping people get jobs. My shelter currently has vacancies for housing specialists and case managers. If my organization must eliminate those positions, our caseloads will double. We are passionate and committed to helping our clients but no one can handle that many cases.

We applaud the Council's unwavering commitment to protecting all New Yorkers experiencing the trauma of homelessness and are extremely grateful for the landmark legislation you passed which will revolutionize access to rental assistance. Please stand strong against the Mayor's 2.5% cut. We stand ready and want to join you on the work ahead rehousing our neighbors.



Eric Grace | Safety Monitor Supervisor

HELP USA at the Hamilton | 30 Hamilton Place, New York, NY 10031

347-226-4170 Ext.114 | egrace@helpusa.org

[Twitter](#) | [Facebook](#) | [Instagram](#) | [LinkedIn](#)

My Name is **Genesis Sansotta** and I am **Intake senior case manager** for **HELPUSA Homebase**, a non-profit which provides **Services for individuals at risk of homelessness** to New Yorkers in **Bronx County** of New York City. Thank you, Deputy Speaker Ayala and Chair Hanif and members of the Council, for allowing me to submit written testimony.

Thank you for holding this hearing today and for your leadership uplifting and protecting services for unhoused New Yorkers. The impact of your heroic efforts to strengthen the homeless services safety net will be diluted by the mayor's 2.5% "Provider Flexible Funding" Budget Cut to all DHS and HRA contracted non-profit programs, including shelters, street outreach, safe havens, drop-in centers, and Homebase eviction prevention programs. **Please join us in the fight to protect our programs and hold strong against the Mayor's proposed budget cut to homeless services! We need the mayor to understand that the City budget shouldn't be balanced on the backs of poorest New Yorkers!**

The mayor's 2.5% DSS Budget Cut *will hurt services*, as DHS is already telling non-profit providers to plan to eliminate vacancies and non-core services such as on-site mental health services and clinical services, and collapse several job roles into one position to be able to meet this cost-savings for the City.

I work at Help USA Homebase a homeless prevention program. My organization assist clients from entering the shelter as well as individuals who have exited the shelter and prevent them from re-entering the shelter. Currently Homebase has vacancies for Housing specialist, and case managers. If my organization must eliminate those positions, our caseload will triple. We are passionate and committed to helping our clients, but no one can handle that many cases.

We applaud the Council's unwavering commitment to protecting all New Yorkers experiencing the trauma of homelessness and are extremely grateful for the landmark legislation you passed which will revolutionize access to rental assistance. Please stand strong against the Mayor's 2.5% cut. We stand ready and want to join you on the work ahead rehousing our neighbors.

May 25, 2023

To whom it may concern,

My name is **Iriana Carson** and I am a human services worker here in New York City working at **CAMBA, Inc.**

As a human services worker, I, along with my colleagues, provide essential services in our community. We help families in the child welfare system to improve their situations and reduce the risk of child neglect and maltreatment as well as the risk of removing children from their homes. Despite the fact that human services providers help connect New Yorkers with lifesaving resources, employees at human services agencies receive low wages that barely cover the cost-of-living in a city like New York. Our work is necessary to New York City's economy and safety, and we deserve to be paid fairly under City contracts for my labor.

My nonprofit, like so many, is funded by City contracts, and these contracts set the salaries for myself and my colleagues. A 6.5%* COLA would raise the salaries of City-contracted human services workers to better align with inflation and allow us to better support ourselves as we support New Yorkers in your district.

Because of the lack of a COLA, I have concerns about my workplace conditions and the outcome of programs with high staff turnover and vacancy rates which have resulted in heavy and unsustainable workloads. I'm concerned that due to low wages, people will continue leaving to go to work in private sectors, our programs will close and the community will suffer a negative impact such as increased child abuse and maltreatment and the worsening the foster care system.

Please support government-contracted human services workers by ensuring that the human services COLA is included in the upcoming budget at an estimated cost of \$200 million.*

The lack of a COLA in the Mayor's Executive Budget means this budget does not fully represent a commitment to essential services and "working New Yorkers."

Human services workers keep our communities safe and functioning, and in return, the City gives them poverty wages that do not account for inflation. As a result, many human services workers need the same programs they provide, including SNAP and housing shelters. Our organization struggles to attract and retain workers - and communities suffer when we cannot fully staff programs. NYC would not be the same without human services workers, and it's time for their wages to reflect their essential role.

The City needs to start caring for the people who care for New York City. Please fund a full 6.5% cost-of-living adjustment (COLA) at an estimated \$200 million in the final budget!

*Based on the FY23 "Workforce Investment" that provided an average of 2.38% increase on the personnel services of human services contracts at a cost of \$68 million.

Sincerely,

Iriana Carlson

My Name is **Jamell Pollard** and I am **Case Manager** for **HELP USA SEC**, a non-profit which provides **Services** to New Yorkers in **Wards Island** of New York City. Thank you, Deputy Speaker Ayala and Chair Hanif and members of the Council, for allowing me to submit written testimony.

Most of us who work in social service are the essential front runners who interact and provide a service to the very people you say you are protecting. When they enter our offices, we address their needs regardless of their current state. We do not judge them, we sympathizes, and we serve. We are at risk from airborne contaminations, we are at risk of physical harm, we are at risk of so many things. Yet, we believe we can help, we demonstrate that we can help, that we can show our clients the path to living independently. All on less than a living wage. A, living in New York City kind of wage. There is a new initiative that makes it easier for people to get a housing voucher. This will make the need for the essential worker greater, not less. Help us help you, Help them.

I won't hold you all to long. Without workers who are diligent and passionate about client advocacy, the strides made to help the homeless will be undermined.

**HSU MEMBER TESTIMONY FOR THE JUNE 21ST JOINT HEARING BY THE
GENERAL WELFARE AND IMMIGRATION COMMITTEES**

My Name is **Jose Rodriguez**, and I am **Intensive Senior Case Manager** for **HELPUSA HOMEBASE 2**, a non-profit which provides **housing assistance** to New Yorkers in **Bronx area** of New York City. Thank you, Deputy Speaker Ayala and Chair Hanif and members of the Council, for allowing me to submit written testimony.

Thank you for holding this hearing today and for your leadership uplifting and protecting services for unhoused New Yorkers. The impact of your heroic efforts to strengthen the homeless services safety net will be diluted by the Mayor's 2.5% "Provider Flexible Funding" Budget Cut to all DHS and HRA contracted non-profit programs, including shelters, street outreach, safe havens, drop-in centers, and Homebase eviction prevention programs. **Please join us in the fight to protect our programs and hold strong against the mayor's proposed budget cut to homeless services! We need the mayor to understand that the city budget shouldn't be balanced on the backs of poorest New Yorkers!**

The Mayor's 2.5% DSS Budget Cut *will hurt services*, as DHS is already telling non-profit providers to plan to eliminate vacancies and non-core services such as on-site mental health services and clinical services, and collapse several job roles into one position to be able to meet this cost-savings for the City.

I work at a HELPUSA HOMEBASE SERVICE AREA 2 helping residence in the zip codes area 10467, 10470, 10453, 10463, 10468, 10471 to prevent clients from entering the shelter or re-enter shelter. In our department of Intensive Case Management, we use the following model: Critical Time Intervention (CTI). CTI is an evidence-based practice geared to assisting vulnerable individuals during times of transition in their lives by strengthening their network of support in the community. HELP USA Homebase CTI team was able to effectively at one point formulate comprehensive service plans those details not only the clients' housing crises, but the CTI team would be especially adept with assessing and identifying additional issues pertaining to (but not limited to) social services, mental health, medical, substance abuse, employment, and family support systems. The CTI team would be able to complete SMART goals with the clients that were attainable then work with the clients by providing appropriate referrals for assistance and

ensuring successful linkages to public and private agencies for on-going services; and maintaining follow up services. CTI team was able to also participate in multidisciplinary team approaches with clients' community networks to assist with client goals and ensuring the maintenance of housing stability and self-sufficiency of the client. There were instances where the CTI team was able link clients to medical care and monitor treatment by attending appointments and case conferencing with the providers. We were able to monitor clients' readiness for change when it came to clients' substance abuse. We also participated in many ACS case conferences to ensure family reunification. CTI did many referrals to community resources to assist the client with their psychosocial needs.

My employment has vacancies for more intensive case manager to join our team. Unfortunately, many candidates do not accept the job due to low payment salary. If my organization must eliminate those positions, our caseloads will double, and we would not be able to provide such services accordantly due to high caseloads. We are passionate and committed to helping our clients, but no one can handle that many cases eventually leading for me and my colleagues to burn out and leaving the employment. The more people to leave the job due to high case load; our agency will be at risk from closing programs completely and many of the clients we serve will have no other alternative but to enter shelter.

We applaud the Council's unwavering commitment to protecting all New Yorkers experiencing the trauma of homelessness and are extremely grateful for the landmark legislation you passed which will revolutionize access to rental assistance. Please stand strong against the Mayor's 2.5% cut. We stand ready and want to join you on the work ahead rehousing our neighbors.

My Name is Julissa Perez and I am Case Management Supervisor for Help USA Homebase Service Area 2, a non-profit which provides homelessness prevention services to New Yorkers in Bronx of New York City. Thank you, Deputy Speaker Ayala and Chair Hanif and members of the Council, for allowing me to submit written testimony.

I would like to start off by addressing that these budget cuts will have a greater impact than foreseen from the surface. As a case manager supervisor who constantly must deal with individuals at risk of becoming homeless, there is already a struggle to assist many clients due to budgets already set in place. The budgets provided only assist to target a portion of the population in need. Cutting these budgets will result in a greater amount of homelessness in NYC which is already at an all time high. In addition to this, there has been a vast increase in vacancies in my agency due to the excessive households at risk of becoming homeless causing emotional stress on staff due to being overworked and underpaid. Cutting funds will result in a higher turnover rate which will directly impact the livelihood of those at risk of becoming homeless.

We applaud the Council's unwavering commitment to protecting all New Yorkers experiencing the trauma of homelessness and are extremely grateful for the landmark legislation you passed which will revolutionize access to rental assistance. Please stand strong against the Mayor's 2.5% cut. We stand ready and want to join you on the work ahead rehousing our neighbors.

My Name is **Maria Maldonado** and I am a **Business Manager** for **HelpUSA**, a non-profit which provides **Homeless Prevention** to New Yorkers in **all boroughs** of New York City. Thank you, Deputy Speaker Ayala and Chair Hanif and members of the Council, for allowing me to submit written testimony.

Thank you for holding this hearing today and for your leadership uplifting and protecting services for unhoused New Yorkers. The impact of your heroic efforts to strengthen the homeless services safety net will be diluted by the Mayor's 2.5% "Provider Flexible Funding" Budget Cut to all DHS and HRA contracted non-profit programs, including shelters, street outreach, safe havens, drop-in centers, and Homebase eviction prevention programs. **Please join us in the fight to protect our programs, and hold strong against the Mayor's proposed budget cut to homeless services! We need the Mayor to understand that the City budget shouldn't be balanced on the backs of poorest New Yorkers!**

The Mayor's 2.5% DSS Budget Cut *will hurt services*, as DHS is already telling non-profit providers to plan to eliminate vacancies and non-core services such as on-site mental health services and clinical services, and collapse several job roles into one position to be able to meet this cost-savings for the City.

Describe your work/program and share an example of what these cuts could mean to your program or clients:

E.g., I work at a Men's employment shelter helping people get jobs. My shelter currently has vacancies for housing specialists and case managers. If my organization must eliminate those positions, our caseloads will double. We are passionate and committed to helping our clients but no one can handle that many cases.

We applaud the Council's unwavering commitment to protecting all New Yorkers experiencing the trauma of homelessness and are extremely grateful for the landmark legislation you passed which will revolutionize access to rental assistance. Please stand strong against the Mayor's 2.5% cut. We stand ready and want to join you on the work ahead rehousing our neighbors.

6/22/23

My name is Melina Vargas and I am the Housing Supervisor for HELP USA – Homebase SA 2, a non-profit which provides homeless prevention services and housing financial emergency assistance to New Yorkers in the West and North Bronx of New York City.

Thank you, Deputy Speaker Ayala and Chair Hanif and members of the Council, for allowing me to submit written testimony.

Thank you for holding this hearing today and for your leadership uplifting and protecting services for unhoused New Yorkers. The impact of your heroic efforts to strengthen the homeless services safety net will be diluted by the Mayor's 2.5% "Provider Flexible Funding" Budget Cut to all DHS and HRA contracted non-profit programs, including shelters, street outreach, safe havens, drop-in centers, and Homebase eviction prevention programs. Please join us in the fight to protect our programs, and hold strong against the Mayor's proposed budget cut to homeless services! We need the Mayor to understand that the City budget shouldn't be balanced on the backs of poorest New Yorkers!

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My office covers a vast zip code list of neighborhoods which continue to need assistance post-pandemic in regard to rental arrears payments, street homeless prevention or families that might have to resort to entering a homeless shelter. There is limited occupancy in said shelters, and as we know, scattered sites have been eliminated for the most part. Processing housing applications for the rental assistance programs FHEPS and CityFHEPS is the bulk and of what my team and I do and the volume of applications in the last quarter has been dramatically high. We need the proper number of staff and appropriate salaries to maintain and hire. A salary cut for the current staff, absorbing work amongst staff and implementing a hiring freeze could impact the NYC social services homeless prevention industry tremendously and it could lead to a major exodus of staff in ways never seen before.

We applaud the Council's unwavering commitment to protecting all New Yorkers experiencing the trauma of homelessness and are extremely grateful for the landmark legislation you passed which will revolutionize access to rental assistance. Please stand strong against the Mayor's 2.5% cut. We stand ready and want to join you on the work ahead rehousing our neighbors.

Thank you.

From: Sumaira Arshad <sarshad@helpusa.org>
Sent: Thursday, June 22, 2023 10:25 AM
To: Testimony
Subject: [EXTERNAL] Testimony - Sumaira Arshad Homebase

My Name is Sumaira Arshad, and I am a Clinical Supervisor for HELP USA Homebase Service Area 2 a non-profit which provides homeless prevention services to New Yorkers in the Bronx of New York City. Thank you, Deputy Speaker Ayala and Chair Hanif and members of the Council, for allowing me to submit written testimony.

Thank you for holding this hearing today and for your leadership uplifting and protecting services for unhoused New Yorkers. The impact of your heroic efforts to strengthen the homeless services safety net will be diluted by the mayor's 2.5% "Provider Flexible Funding" Budget Cut to all DHS and HRA contracted non-profit programs, including shelters, street outreach, safe havens, drop-in centers, and Homebase eviction prevention programs.

The Mayor's 2.5% DSS Budget Cut will hurt services, as DHS is already telling non-profit providers to plan to eliminate vacancies and non-core services such as on-site mental health services and clinical services, and collapse several job roles into one position to be able to meet this cost-savings for the City.

The budget cuts will cause elimination of clinical positions that benefit families with that have mental health issues, instability in housing and other additional barriers that are frequently overlooked if their cases were to be looked at as strictly a "housing issue" case. When accessing underlying issues other than just housing, the family's stability increases. E.g., I work at a homeless prevention agency helping people get access to rental subsidies, jobs, mental health services, medical services, educational resources and keeping the family composition stable. My agency currently has vacancies for housing specialists, case managers, Intensive case managers, Clinicians, Clinical supervisors, and case management supervisors. If my organization must eliminate some of those positions, our caseloads will double and our positions may have to change. We are passionate and committed to helping our clients, but no one can handle that many cases. A large caseload causes workers to feel burn out and not have adequate time to handle each individual case as planned. We applaud the Council's unwavering commitment to protecting all New Yorkers experiencing the trauma of homelessness and are extremely grateful for the landmark legislation you passed which will revolutionize access to rental assistance. Please stand strong against the Mayor's 2.5% cut. We stand ready and want to join you on the work ahead rehousing our neighbors.

Thank you,
Sumaira Arshad



Sumaira Arshad | Clinical Supervisor-Upstream Prevention-New Beginnings
Homebase Service Area 2 | 815 Burke Ave Bronx, NY 10467
646-905-5283 | M 917-885-6028
sarshad@helpusa.org
[Twitter](#) | [Facebook](#) | [Instagram](#) | [LinkedIn](#)

To Whom it may concern,

My Name is Wilfredo Fuentes Jr, and I am Senior Shift Supervisor for HelpUSA, a non-profit which provides Services for the homeless to New Yorkers in Brooklyn of New York City. Thank you, Deputy Speaker Ayala and Chair Hanif and members of the Council, for allowing me to submit written testimony.

Thank you for holding this hearing today and for your leadership uplifting and protecting services for unhoused New Yorkers. The impact of your heroic efforts to strengthen the homeless services safety net will be diluted by the mayor's 2.5% "Provider Flexible Funding" Budget Cut to all DHS and HRA contracted non-profit programs, including shelters, street outreach, safe havens, drop-in centers, and Homebase eviction prevention programs. **Please join us in the fight to protect our programs and hold strong against the mayor's proposed budget cut to homeless services! We need the Mayor to understand that the City budget shouldn't be balanced on the backs of poorest New Yorkers!**

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We applaud the Council's unwavering commitment to protecting all New Yorkers experiencing the trauma of homelessness and are extremely grateful for the landmark legislation you passed which will revolutionize access to rental assistance. Please stand strong against the mayor's 2.5% cut. We stand ready and want to join you on the work ahead rehousing our neighbors.

Best Regards.

Wilfredo Fuentes Jr.

Hola, mi nombre es Yennire Ortiz tengo 18 años de edad, Nacionalidad Venezolana, vengo a contarles un poco de mi y el porque emigre, como ustedes saben mi pais esta pasando por una crisis humanitaria en la que hay una situacion muy dificil y base a ello vengo a dar mi testimonio de como fue mi experiencia para entrar a este pais, unas de los principales desafios que enfrente fue cruzar muchos paises incluyendo pasar por la selva del DARIEN esta selva es un lugar en el que te encuentras sin salida, en el cual dure muchos dias dentro de ese lugar y es vivir una experiencia como entre la vida y la muerte, vivi y presencia muchas cosas feas y desgracias, tuve que ver morir a mucha gente, ayudar a otras, cruzar rios, montañas y pantanos, no me gustaria que las personas sigan pasando por ese lugar tan tenebroso, el sueño americano es para valientes no todos logran la meta, emigrar no es facil, es meter tu vida, tus sueños y todo lo que un dia fuiste en una maleta y trasladarlo a otro lugar un pais lejos de tu familia, me gustaria que otros jovenes salgan a delante por un mejor futuro, es algo que todos los jovenes nos preguntamos a diario, que sera de nuestras vidas? cual sera nuestra destino? si lograremos o no cumplir nuestros sueños?.

Me siento muy orgullosa de pertenecer al programa Covenant House, ellos me han apoyado mucho y me han hecho sentir segura, me han ayudado con mi proceso, gracias a ellos estoy estudiando y estoy muy agradecida por esta oportunidad y por darme un hogar seguro, me gustaria que el gobierno nos apoye con mas recurso habemos muchos jovenes emigrantes que necesitamos el permiso de trabajo y el social security, para poder conseguir un trabajo legal, me gustaria que nos apoyaran con cupones para alimentos, cursos vocacionales y mas apoyo de abogados gratuitos para que nuestro caso pueda ir mas rapido y poder alcanzar algunas de nuestros metas.

Hola mi nombre es Yulissa Pinto de 19 años de edad de Nacionalidad Colombiana inmigrante de este Pais, quiero contarles un poco acerca de los desafios que pase en mi travesia, la ayuda que he recibido del programa Covenant House, comentar un poco de las ayudas de los recursos que deseamos y si se puede recibir por parte del gobierno y mencionar sobre de que algunas personas como yo necesitamos tutores.

Por empezar, quiero decirle que realmente todo el que emigra no lo hace para volverse rico ni hacerle daño a nadie, solo quiere superacion personal, salir adelante, cumplir sus sueños y ayudar a su familia, emigrar es todo un reto y en algunos casos se convierte en toda una odisea, los desafios mas grande que afronte en primer lugar empacar una maleta, montarme en una avion en mi caso por primera vez y llegar a un pais con muchos sueños miedos e ilusiones y aun asi sin saber que me esparaba, llegue por Mexico y me entregue por frontera, una de las peores cosas que vivi fue volver a sentirme con miedo, insegura e intimidada por parte de las "supuestas" personas que debian protegerme, fui persuadida, intimidada y robada por parte de agentes inmigracion Mexicana y supuestos "coyotes" por que realmente si no pagas como por decirlo una cuota las "mafias" te pueden secuestras, violar, meterte a trata de personas entre otras cosas, desde el momento en el que me agarro migracion Estado Unidense pude sentirme un poco mas tranquila y pude conciliar algo el sueño, dure 6 dias en lo que se le hace llamar HIELERA, una carpa blanca en el cual se mantienen a temperaturas muy frias, buenos y malos tratos de algunas personas, luego de ahi me dirigieron a un centro de detencion en Texas en el que dure 1 mes detenida, en la cual para mi la tomo como una experiencia increíble en la que comparti, vivi, llore, supere, reflexione e hice amistades con muchas personas de otros paises, contandonos nuestras experiencias, el porque, como, cuando y todo lo que les toco pasar para llegar hasta ese momento, si me pongo a contarles mas sobre ese proceso me demoria horas y en algun momento de mi vida lo hare, sali de este lugar con la prueba de miedo temor creible, luego de haber comentado toda mis historia al agente de asilo me dio mi positivo y asi fue que pude ingresar ha este pais, estoy muy agradecida con Covenant House me ha ayudado bastante en mi proceso, me ha orientado, escuchado tanto en mi salud mental y emocional, me ha ayudado con un poco de los servicios legales, con clases de ingles, informacion sobre programas, actividades y recursos que me pueden ayudar, hablando sobre el gobierno les pediria que nos ayudaran un poco mas a programas como Covenant House y entre otras mas donación de dinero para proveedores de servicios legales en toda la ciudad, mas abogados gratuitos(probono) con esto dejandoles una incognita en la que quiero que ustedes oyentes reflexiones un poco y puedan entender un poco de la pregunta que me hago todos los dias, mientras estoy haciendo mi proceso y meto mi caso de asilo para que me pueda llegar mi permiso de trabajo y mi social security apartir del dia en el que aprueben mi solicitud se cuenta 150 dias hasta mas en la espera de que eso llegue, fuera de que uno recien llega al pais con poca informacion y como para que ustedes hagan cuenta llevo casi 4 meses en este pais y apenas estoy haciendo el proceso de enviar mi solicitud de asilo mas 6 meses de espera en el que se demora en llegar los documentos se demora bastante tiempo, en el cual algunos jovenes optan por cometer infracciones a la ley y contribuye mas al trabajo informal, ilegal y donde a muchos inmigrantes los explotan, por ultimo ya por terminar quisiera que nos ayudaran con tutores, tutores no que nos ayuden financieramente, si no que nos ayuden con un poco de orientacion y acompanamiento en nuestro proceso legal, se que serian muchas las

personas que lo harian voluntariamente, de antemano estoy muy agradecida por la atencion prestada, ojala mi mensaje y peticiones sean escuchadas y toamadas en cuentas, recuerden somos la generacion del manana y esto es por mi, por ti y por el futuro.

Thank you, Chairperson Hanif and Chairperson Ayala, for calling an important hearing on the oversight of the Emergency Shelters and Humanitarian Emergency Response and Relief Centers (HERRCs) that have been opened over the past year to address the influx of recent arrivals to New York City. As of June 12, the City had opened 171 emergency sites, including 11 HERRCS and there were approximately 48,100 asylum seekers housed by the City.

New York's right-to-shelter is a longstanding legal obligation that makes New York City a safer, more humane place for people without a home of their own. We do not need to roll shelter safety protections back, and we should not. With more support from Albany and Washington, and with overdue action from the Adams Administration to provide the assistance that will help asylum seekers get on their feet and move out of shelter, we can face this challenge with both compassion and common sense.

New York City did not always have a right to shelter. The modern crisis of homelessness in New York City, and other major cities across the United States began in the late 1970s. To address the crisis, a system of emergency shelters emerged, but they were frequently filled to capacity, were not always located within the five boroughs, and had notoriously deplorable conditions. Deaths and injuries within the unhoused population were commonplace, with New Yorkers frequently dying from cold-related deaths and communicable diseases such as tuberculosis.

Following a lawsuit brought on behalf of Robert Callahan, a homeless Korean war veteran, a New York State Supreme Judge ordered the City to provide shelter to all homeless men. After a few years of negotiations with the City and State, the 1981 *Callahan v. Carey* consent decree enshrined the legal right to shelter for homeless individuals, and in the years following, the right to shelter was expanded to women, children, and families. The consent decrees significantly improved the options available to New Yorkers experiencing homelessness, and through persistent organizing and advocacy work over the past 40 years, expanded protections and rights have been put into place. Two key advocacy partners, the Legal Aid Society and the Coalition for the Homeless, have been consistent monitors – regularly bringing lawsuits to resist attempts by the City and State to lessen their obligations and insisting that New York City shelter meet health and safety standards.

Today, the right-to-shelter distinguishes New York City from our peers when comparing the rate of unsheltered homelessness. Los Angeles County, which faces

similar challenges with housing unaffordability, had an unsheltered homeless population of 48,000 people in 2022.¹ New York City had 3,400 homeless people sleeping on the street. To put that into additional context, over 70% of Los Angeles' homeless population is living on the streets, while less than 6% of New York's homeless population are unsheltered. Smaller cities facing similar housing affordability and homelessness crises also have a high proportion of unsheltered homeless people. In San Francisco, 57%, of the unhoused population are living on the street rather than in shelter. That number is similar in Phoenix (56%) and Las Vegas (51%).

Let's be clear: when individuals sleep on the street, instead of in shelter, they are more likely to struggle with drug addiction and untreated mental illness, more likely to remain chronically homeless, and more likely to die. That's the difference the right-to-shelter makes. The Adams Administration's attempt to erode the right-to-shelter undermines the foundation of the social safety net in this city.

To be sure, providing shelter to arriving asylum seekers is a massive undertaking that stretches the City's financial and logistical capacity. We must continue to demand and work strategically to insure that the State and Federal governments step up to meet their obligations and provide their fair share of the funding required.

The obligation under international law to provide the opportunity for people to safely seek asylum is an obligation of the Federal government. That is why we must continue to demand that Washington allocate additional funding to jurisdictions like New York that are providing shelter and services. In addition, the federal government must show leadership in expanded temporary protected status program and expanding the number of work permits for those arriving from Venezuela, Columbia, and other South American countries as it has done for recent arrivals from Afghanistan and Ukraine.

At the State level, the Adams Administration is failing to seize a clear opportunity: Rather than seeking to circumvent the New York State constitutional requirement to provide safe and dignified shelter, the Mayor should work with advocates to appeal to the court to clarify that it applies to all municipalities and counties in

¹ <https://storymaps.arcgis.com/stories/400d7b75f18747c4ae1ad22d662781a3>

New York State. After all, the right-to-shelter is a requirement found in the New York State constitution; it does not only apply here. With that simple clarification, the other 57 counties across the state would legally share the obligation with us. At that point, the State government would surely step up as well, and we would have more allies in Washington, too.

In the meantime, however, we cannot wait for Washington and Albany. Given the urgency of the challenge, New York City must move forward both prudently and compassionately.

I want to thank Council Members Bottcher, Hanif, Hudson, Lee, Narcisse, Schulman, and Stevens for putting forth a thoughtful package of legislation that seeks to uphold the City's critical right to shelter, ensuring the City's emergency shelters meet basic habitability requirements set forth in the Callahan consent decree and that push the City to improve conditions and services in our shelter system.

The City should avoid creating a further fragmented system of shelter and support services, subject to different regulatory standards and managed by different City agencies and ensure that there is a basic habitability standard and level of care for any individual and family seeking temporary refuge in our City's shelter system. Finally, but most urgently, we must turn our attention towards helping recent arrivals apply for asylum within one year of their arrival. Once individuals file their asylum application, even if their hearing is not scheduled for years, they nonetheless become eligible for work authorization in six months. This is the fastest and most cost-effective way for the City to help families get on their feet, become able to provide for their families, and move out of shelter.

According to a survey by Make the Road New York, 93% of respondents have not been able to get any legal assistance or started the application process. This is not surprising, since over 99% of the City's spending on asylum seekers has gone for shelter and related costs (e.g. food, security), with far less than 1% on legal and support services.

Yesterday's announcement by the Administration of a new coordinated effort to connect new arrivals with pro-bono legal assistance is a welcome start. Pro se clinics can empower newcomer migrants by providing them information on the U.S. immigration process, eligibility requirements for asylum and work authorization, and advice on how to complete relevant application forms.

But we must act with much more urgency, and much more funding. If we don't act, many families will go past their one-year deadline for filing their asylum applications, and thus become undocumented while remaining residents of the shelter system.

That's why it is so critical for the City Council to insist that the Administration add \$70 million to the Fiscal Year 2024 budget for outreach, pro-se clinics, and expanded legal services. By adequately funding both legal advice and full legal representation, the City will enable legal service providers, working in partnership with the pro-bono assistance of the firms announced yesterday, to serve the widely varying needs and capacity of individuals navigating the byzantine immigration system. Additionally, staff can help tackle the numerous needs of these communities that extend beyond immigration application assistance and work to ensure that all are protected from discrimination and abuses in the labor and housing market and receive access to medical or other benefits.

In addition to considering today's legislation, we therefore continue to urge the Council to insist that the Administration add at least an additional \$70 million to Fiscal Year 2024's budget for outreach, pro-se clinics, legal representation, and case management for asylum seekers. This is not only the most compassionate path; it is also the most cost-effective one.

Thank you again to Chairs Ayala and to Hanif for your leadership on these critical issues – I look forward to continuing to partner with you both to advocate for the resources needed to respond with the compassion and care these asylum seekers deserve, and with the competence and prudence that this crisis requires.

My Name is **Lisbeth Regalado** and I am an **intake worker** for **HELP USA** a non-profit which provides **HOMELESS PREVENTION programs** to New Yorkers in **the 5 boroughs** of New York City. Thank you, Deputy Speaker Ayala and Chair Hanif and members of the Council, for allowing me to submit written testimony.

Thank you for holding this hearing today and for your leadership uplifting and protecting services for unhoused New Yorkers. The impact of your heroic efforts to strengthen the homeless services safety net will be diluted by the Mayor's 2.5% "Provider Flexible Funding" Budget Cut to all DHS and HRA contracted non-profit programs, including shelters, street outreach, safe havens, drop-in centers, and Homebase eviction prevention programs. **Please join us in the fight to protect our programs, and hold strong against the Mayor's proposed budget cut to homeless services! We need the Mayor to understand that the City budget shouldn't be balanced on the backs of poorest New Yorkers!**

The Mayor's 2.5% DSS Budget Cut *will hurt services*, as DHS is already telling non-profit providers to plan to eliminate vacancies and non-core services such as on-site mental health services and clinical services, and collapse several job roles into one position to be able to meet this cost-savings for the City.

I work at a HELP USA/ Homebase service area 2 helping people by preventing them from becoming homeless. My base currently has vacancies for housing specialists and case managers. If my organization must eliminate those positions, our caseloads will double. We are passionate and committed to helping our clients but no one can handle that many cases.

We applaud the Council's unwavering commitment to protecting all New Yorkers experiencing the trauma of homelessness and are extremely grateful for the landmark legislation you passed which will revolutionize access to rental assistance. Please stand strong against the Mayor's 2.5% cut. We stand ready and want to join you on the work ahead rehousing our neighbors.

**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: 6/21/23

(PLEASE PRINT)

Name: Pedro Zambrano

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: 06/21/2023

(PLEASE PRINT)

Name: Brad Lander

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: 6/21/23

(PLEASE PRINT)

Name: Power Mulu

Address: 9 Bleecker St

I represent: ARTISTS Athletes Activists

Address: _____

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

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THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: 6/21

(PLEASE PRINT)

Name: ADAMA BATH

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
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Appearance Card

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☐ in favor ☐ in opposition

Date: 6/21/2023

(PLEASE PRINT)

Name: Hildalyn Colon Hernandez

Address: _____

I represent: NICE

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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☐ in favor ☐ in opposition

Date: 6/21/23

(PLEASE PRINT)

Name: Dr. X Rivera

Address: _____

I represent: Brook Parent Housing Network

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. ALL Res. No. _____

☒ in favor ☐ in opposition

Date: 6-21-23

(PLEASE PRINT)

Name: Chris Mann, Director of Policy, WIN

Address: _____

I represent: Win

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: 6/21/23

(PLEASE PRINT)

Name: Eric Lee

Address: Edgewood NY 11385

I represent: Homeless Services United

Address: 307 W 38 St. NY NY.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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☐ in favor ☐ in opposition

Date: 6/21/23

(PLEASE PRINT)

Name: George Sarkissian

Address: 100 Gold Street

I represent: HPD

Address: _____

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

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THE CITY OF NEW YORK TRANSLATION
SERVICES *

Appearance Card

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

☐ in favor ☐ in opposition

Date: 6-21-23.

(PLEASE PRINT)

Name: YULISSA PINTO TAFUR

Address: _____

I represent: COVENANT HOUSE NY.

Address: _____

Please complete **THE COUNCIL** * NEED
THE CITY OF NEW YORK TRANSLATION
SERVICES *

Appearance Card

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

☐ in favor ☐ in opposition

Date: 6-21-23

(PLEASE PRINT)

Name: YENNIRE ORTIZ HERRERA.

Address: _____

I represent: COVENANT HOUSE NY.

Address: _____

Please complete **THE COUNCIL** * NEED
THE CITY OF NEW YORK TRANSLATION
SERVICES *

Appearance Card

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

☐ in favor ☐ in opposition

Date: 6-21-23.

(PLEASE PRINT)

Name: MARBIN FAJARDO GONZALEZ.

Address: _____

I represent: COVENANT HOUSE NY

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 942 Res. No. _____

☒ in favor ☐ in opposition

Date: 6/21/23

(PLEASE PRINT)

Name: Kathryn Kliff

Address: 199 Water St., 3rd floor, New York, NY 10038

I represent: The Legal Aid Society

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: 6/21/2023

(PLEASE PRINT)

Name: Anthony Feliciano

Address: _____

I represent: Housing Works

Address: 81 Willowby St

**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: 6/21/23

(PLEASE PRINT)

Name: Zach Iscol

Address: 105 Cadman Plaza

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 Aceng (Health and Hospitals)

Address: Senior Vice President for

I represent: Ambulatory Care and Population Health

Address: Executive Director (NYC Dept of Health)

**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: George Samission

Address: Chief of Staff and

I represent: Deputy Commissioner for

Address: External Affairs (HPD)

**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: Joslyn Carter (Administrator)

Address: DHS

I represent: _____

Address: _____