Testimony of Caswell F. Holloway
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Before the New York City Council Committee on Public Safety
(June 20, 2013)

Good afternoon Chairman Vallone and other members of the City Council. Thank you for having me here today to talk about the progress we have made evaluating the City's response to Hurricane Sandy and our roadmap to improve our operations for the next coastal storm and other severe weather events. I am joined today by Deputy Mayor for Health and Human Services Linda Gibbs, who co-chaired the City's post-storm review.

When I testified before the City Council on January 16 of this year, I committed that we would review every aspect of the City's preparation for and immediate response to Hurricane Sandy, including the operations to clear debris, dewater infrastructure and housing, provide temporary power to critical facilities and housing with generators, assess damage to structures in affected areas, and provide relief by distributing food and water, medical care, and supplies to thousands of New Yorkers. We fulfilled that commitment on May 3, when Deputy Mayor Gibbs and I released the Hurricane Sandy After-Action Report, which contains 59 specific recommendations in six categories to improve and strengthen the City's capacity to respond to future coastal storms. The AAR report is the product of a rigorous, collaborative process with more than 125 City employees who work for more than two dozen City agencies and offices. In addition to input from front-line responders and agency managers, the Council held a comprehensive set of hearings about Sandy earlier this year and shared many of their findings with us. Thank you for your thoughtful attention and feedback; in comparing the Council's recommendations with our report, a majority are completely aligned with our findings. Other recommendations seek to achieve goals that we identified in our review, but differ on the terms of proposed implementation or other details.

Context

Some brief context. Hurricane Sandy was a devastating storm that tragically took the lives of 43 New Yorkers and severely impacted thousands of families. The details of the storm and its impacts are already well-chronicled and I won't recount them here, except to direct you to the long-term resiliency plan that Mayor Bloomberg released on June 11, *A Stronger, More Resilient New York*—available on nyc.gov. Taken together, the After-Action Review and the Mayor's resiliency plan provide a detailed roadmap to (i) strengthen the City's emergency preparedness and response to future disasters; (ii) understand the full impacts of Hurricane Sandy on the City and future climate-change impacts New Yorkers can expect; and (iii) the concrete steps we can take in the immediate-, medium-, and long-term to prepare the City to weather those impacts.

And we are not just planning, we are acting. The United States Department of Housing and Urban Development (HUD) has approved the City's Action Plan A, which outlines how we will spend the first installment of $1.77 billion in federal relief aid to assist as many New Yorkers impacted by the storm as possible and better prepare the City for the next storm and other climate-related impacts. On June 3 the Mayor launched *Build It Back,* the City's program to

assist homeowners, landlords, and tenants, and that is currently accepting registration on nyc.gov and 311. As of 8:00 AM this morning, more than 9,000 property owners and tenants have registered for a *Build It Back* program, all of which are on schedule. And we're helping business owners recover, too. To date, we have approved more than 650 loans totaling nearly $15 million and have waived $3.4 million in sales taxes related to $157 million of rebuilding work by nearly 100 businesses. We are also accepting applications for loans for federal relief funds and expect to begin issuing these loans shortly.

After-Action Overview

The After-Action Report is a high-level summary of recommended improvements to the City's operations before, during, and after Hurricane Sandy. It is not an exhaustive list of the lessons learned and internal adjustments that City agencies will make—and in many cases have already made—to staffing, communications, and deployment of resources. The report has been online for several months so I will not summarize every recommendation, but would like to highlight a few that illustrate the breadth and depth of the effort.

Updated Hurricane Evacuation Zones

One of the key recommendations was to review and update the evacuation maps and zones that are a critical component of the City's comprehensive Coastal Storm Plan. This past Tuesday, OEM Commissioner Joe Bruno and I released new hurricane evacuation zones that reflect more sophisticated modeling and forecasting from the National Weather Service than was previously available. The evacuation zones on the pre-Sandy maps corresponded to the anticipated flooding caused by hurricanes categorized on the Saffir-Simpson hurricane wind scale. One of the major differences between Hurricanes Sandy and Irene that explains their vastly different impacts on the City was the different bearings of those storms--specifically, the direction and strength of storm winds as Sandy approached and ultimately struck the City. Based on this updated modeling, a category one hurricane heading North-North-West would have impacts similar to a category two storm bearing North-North-East. These more finely calibrated evacuation zones will allow the Mayor to more effectively communicate with and evacuate those residents who are most at risk based on the characteristics of a particular storm.

During Sandy we saw that many New Yorkers who live in an evacuation zone did not follow the Mayor's instruction to evacuate in advance of the storm. A survey we conducted as part of the After-Action Review shows that people decided not to evacuate for a number of reasons, ranging from concern about personal property to a belief that their homes were well-built and could withstand the impact of a storm. Tragically, we saw that was too-often not the case. In connection with the release of the new maps, OEM is updating its Ready New York Hurricane Guide in 11 languages and will mail a copy to every home and business in an evacuation zone later this month. OEM is also working with community groups and organizations to raise awareness of the evacuation zones and emergency preparedness in these areas. While these efforts should help us to boost compliance with an evacuation order next time, anything the Council can do to spread the word—particularly members who represent New Yorkers who live in an evacuation zone—would be a great help.

Improved Healthcare Facility Evacuations

New York State regulates healthcare facilities and requires that nursing homes and hospitals have a backup power source to allow them to shelter in place and continue services in the event of a power outage. The City's Special Medical Needs Shelters are intended to serve individuals who do not live in or receive care from these facilities but who require more resources than what are available at general evacuation shelters. Special Medical Needs Shelters became a last-resort placement option for licensed facilities that are unable to shelter in place or evacuate their residents to another residential facility.

To limit the disruption to care and risk of increased morbidity associated with healthcare facility evacuations—a concern I highlighted in my testimony in January and that is discussed in our After Action Review—we committed to work with the State Department of Health to enforce existing regulations for minimum facility standards and evacuation planning, and to develop any new regulations necessary to fill gaps in the existing regulatory framework.

Additional Public Safety Assets

The City had approximately 120 light towers on hand immediately after the storm to maintain public safety and continue recovery efforts after dark in areas that lost power. Given the scope of the power outages Sandy caused across the City, it is clear that we will need more light towers and other assets available in future emergencies. Just yesterday I reviewed an acquisition plan with Chief Fleet Officer Keith Kerman and we are already moving forward with the purchase of $25.8 million of equipment, including 200 light towers, 35 fuel trucks, and 60 forklifts. In addition, the police and fire departments are purchasing boats and other assets to increase their response capacity in future emergencies.

Better Data Integration and Coordination

Field data about on-the-ground conditions was critical to target response operations where they were needed most. For example, matching HPD's records of high-density buildings with utility data enabled us to quickly identify high-density buildings without critical services—heat, light, and power. This and many other data collection and analytics efforts greatly expedited recovery efforts.

In this year's State of the City address, Mayor Bloomberg appointed Mike Flowers to the newly created position of Chief Data and Analytics Officer. In this role, Flowers and his team are pulling and synthesizing data from dozens of agencies and scores of data sources to increase our understanding of properties and infrastructure that could lead to problems down the road, or in an emergency. The recently activated risk-based inspection system at the Fire Department is a prominent example. Based on an algorithm developed with firefighters, officers, and other indicators (for example, the age, construction, and use of a building; fire suppression and egress systems; neighborhood characteristics; financial condition and permitting; and complaint history) the new system dramatically increases the likelihood that fire companies will be directed to inspect those buildings that present the greatest risks.

Codifying Essential Emergency Plans

The conditions immediately after Sandy required massive, round-the-clock recovery and relief operations spread over a large geographic area that encompassed communities in all five boroughs. City employees worked tirelessly to manage the logistics of dewatering buildings and infrastructure, placing generators at hospitals and nursing homes, distributing food and water, and instituting high-occupancy vehicle lanes when other transit options were not available, among many other roles.

Some preparation and response operations—like activating the evacuation shelter system—proceeded almost seamlessly because of experience gained from Hurricane Irene as well as training and intensive planning in advance of the storm. Others, while successful, were developed in a comparatively *ad hoc* way based on operational need. Through the After-Action Review, we concluded that a number of these operations should be codified in what we call "playbooks"—written plans that detail a strategy and implementation plan to deliver a service or services following an emergency that can be activated in advance of a coastal storm or other event. Playbooks currently in development include a food and water distribution plan, a fuel and transportation plan, a dewatering and generator plan, and a volunteer and donation management plan. We are currently meeting with stakeholder agencies to put as many elements of as many of these plans in place as possible by the beginning of the New York City hurricane season on August 1.

These are just a few examples of the recommendations in the After-Action Report; if there is any area I neglected to mention, please raise it in questions and answers following my testimony.

Proposed Legislation

I'll turn now to the proposed bills, many of which seek to legislate the creation of the additional plans or "playbooks" that I described above. I'd like to begin with a heartfelt thank you to Speaker Quinn and her team, as well as many members of the Council. Throughout the storm, Deputy Mayor Gibbs and I, along with many members of the Administration, worked side-by-side with Speaker Quinn and other members of the Council. During those weeks, we witnessed together how quickly conditions change on the ground and how important it is to have flexible options to meet the most critical needs. Indeed, that is precisely why the Coastal Storm Plan has a modular framework that allows for flexible activation at the discretion of the Mayor, his senior staff and Commissioners, and the seasoned managers and public servants responsible for everything from policing, to sanitation, to navigating complex human- and emergency-service processes.

A general observation at the outset: with the exception of Intro. 1075 (the "Reporting Bill") and Intro. 1073 (the "Special Medical Needs Evacuation Bill)—which I will address shortly—the Administration supports the general goals of these bills; and we recognize that additional planning is needed in these areas in the form of additions or refinements to the existing Coastal Storm Plan. As currently drafted—and as we have made clear to Council staff in advance of this hearing—however, many of the bills seek to legislate to a level of detail, and impose layers of iterative oversight that are inappropriate, unworkable, and will actually decelerate and delay

future emergency responses, rather than accelerate them. They are inappropriate because the details of and responsibility for implementation are properly a function of the Mayor and his or her staff and responding agency personnel; unworkable because this level of detail will either prevent the planning and execution of a successful response plan—or else the law will be ignored; and a decelerant because the requirements of the law in the face of unanticipated and ill-suited circumstances will at best create confusion and delay—and at worst, create a bureaucratic tendency toward mindless (and ineffectual) adherence.

A necessary pre-requisite to maintaining public safety is the ability to bring to bear the expertise, judgment, and discretion that first responders, emergency managers, healthcare professionals and dozens of other City employees—in managerial and line-level positions—are hired and trained to provide. That includes establishing the operations necessary to provide dozens of services in a manner best-suited to the particular circumstances of an event—not in a manner dictated by a rule or a law. Rather than address each bill individually, I will discuss our general concerns as they apply to the group.

Level of detail included in the legislated plans

Emergency plans are not assembly manuals; they must be flexible enough to accommodate particular circumstances and cannot rigidly proscribe how the Mayor and City responders must react to every condition triggered by severe weather. Our first concern about this set of bills is a level of detail and specificity that far surpasses what is practicable and appropriate for legislation. For example, the Community Recovery Plan would have us set requirements for the exact criteria of how to select both a borough recovery director and a deputy borough recovery director. It would have us detail their roles as points of contact for generator placements, debris removal, shelter operations, food and water distribution, household item distribution, and medical services deployment. This level of specificity ignore the reality that future emergencies will likely require different community services with a different leadership structure than what was put in place during Sandy; or that the best person for the job might have a different background from the borough recovery directors who Mayor Bloomberg appointed following the most recent storm.

The shelter plan required under Intro. 1070 legislates the specific mechanism by which outgoing shelter staff must transition to incoming staff. Like the hearings that produced this legislation, our After-Action Review found room for improvement in shelter staffing operations, and we have committed to developing a plan to shorten how long congregate evacuation shelters remain open; but this requirement is unduly prescriptive and singles out just one of many elements in the sheltering plan. The bill calls for the assignment of an OEM staff member at every evacuation shelter, effectively eliminating the ability of the OEM Commissioner to direct agency operations, or the Mayor or other senior managers to decide which staff are best suited to which assignments.

The City's nonprofit service providers and advocacy groups took over food and water distribution from the City as we transitioned from immediate relief to ongoing recovery. This transition worked well and we expect to memorialize it in the food and water distribution plan that we are developing. However, the food and water plan requires detailed logistics planning

and execution that will depend on the specific incident; for example, whether the affected areas have power, the impact of the incident on the regional transportation network that supplies the City with food, and the needs of affected communities. As written, this bill would not allow the City to focus recovery efforts where they are most needed because it adds the additional obligation of supporting food pantries, soup kitchens, and food benefits programs, without consideration of whether or not these providers will have the greatest impact where help is needed the most. This bill would have us sacrifice valuable time to figure out questions such as whether a building that houses one of these providers has power, is structurally sound, and is accessible by available means of transportation.

Pre-identification of Resources and Locations and the Need for Confidentiality

The effects of Hurricane Sandy were most severe in the communities that hem in Jamaica Bay, the South and Eastern shores of Staten Island, and Lower Manhattan. One thing we learned while researching *A Stronger, More Resilient New York* was that if the storm had hit during a different period in the tide cycle, the Bronx and northern Queens would have borne the brunt of the damage.

I note this to illustrate the futility of committing to use pre-identified resources and locations for recovery operations, not to mention the planning and other resources that would be wasted in doing so. Recovery operations must be adapted to the circumstances on the ground. Without mass transit, power or fuel, even a quarter of a mile is an insurmountable distance for some; and City agencies cannot be bound to locations or forced to make personnel assignments dictated by a law that has no connection to the facts.

Moreover, pre-identifying and publishing the locations of assets and staging areas presents a public safety hazard by introducing the risk that New Yorkers seeking shelter would arrive at a shelter that had not been opened, or that people seeking food would arrive at a location that had not been activated. Unfortunately, we must also consider that people with malicious intent could use this information to damage facilities that are critical to City operations. This is also true for fuel sites, evacuation routes, and transportation routes for priority goods and services.

This is not to suggest that any reporting would be unduly burdensome. A number of City agencies, including the NYPD, have regular reporting requirements to the Council and have protocols in place to redact certain types of information and to limit how the documents are distributed. It is imperative that these types of protections be applied to any City emergency plan that is shared with the Council.

Registry of vulnerable and homebound individuals in the Vulnerable Populations Outreach bill

In the months after the storm, the City partnered with the National Guard and nonprofit and voluntary organizations to go door to door to check on the wellbeing of the City's homebound residents in areas without power. Although this operation was one of the most important ways in which we provided necessary food, water, household items, and medical care to some of the City's most vulnerable residents, we cannot support the creation of a standing registry of citizens who may require care at their homes during and after an emergency. The Federal Emergency

Management Agency (FEMA) and Department of Homeland Security (DHS) Office of Civil Rights and Civil Liberties has published guidance about the limitations of registries for special needs and vulnerable populations, including that "registries should not be used as a master tool for first responders" and that "The smaller the community, the more effective the registry."[1] For these reasons, we do not think that a registry is a viable solution to the challenge of providing care to homebound and other vulnerable individuals in a city as large as New York, though the plan we are drafting will certainly address this challenge through other strategies.

Finally, I will address the two most significant objections to the considered bills before us.

Regulatory authority of the Special Medical Needs Evacuation bill and duplication of work for the Special Medical Needs Tracking bill

As I described in my testimony on January 16, the City co-located many operations with our partners in the state and federal governments. One example of this is the State Department of Health—the regulatory authority over healthcare facilities, who worked from the Healthcare Evacuation Center at the OEM Emergency Operations Center. Based on the experience that many facilities that are required to have systems in place to allow them to shelter in place did not have these systems, or that these systems were inadequate, the City committed in our After-Action Report to work with the State to hold facilities responsible for meeting the existing requirements for backup power and patient tracking, the subject of two of the considered bills.

Although we are firm in our commitment to better preparing healthcare facilities for severe weather events, the City does not have the jurisdictional authority to implement the measures of the Special Medical Needs Evacuation bill, and must oppose it. Furthermore, on June 5 Governor Cuomo announced the New York State Evacuation of Facilities in Disasters System (NYS e-FINDS), which will largely fulfill the goal of the tracking bill. I urge the Council to work with us to find an appropriate solution for achieving these goals in a way that does not give rise to a battle between the City's Administrative Code and New York State Law, or that duplicates the efforts of a parallel state agency.

Threshold for activation and reporting

Many of the City's weather-related emergency plans are activated frequently and without need for significant review after every activation. For example, the flash flood warning plan was activated three separate times during the weekend of June 22-23—this is not uncommon during New York City's hot and humid summers and is a good example of how the Reporting bill would impose an impractical and burdensome obligation if required to assess the adequacy of this plan after every activation.

In its current form, the Reporting bill is unworkable and we oppose it. We are very willing to work with the Council to amend the bill—as well as all of the proposed legislation in ways consistent with my earlier comments—and hope you will work with us to do so. For example,

[1] FEMA and DHS Office for Civil Rights and Civil Liberties, Aug 15, 2008
Interim Emergency Management Planning Guide for Special Needs Population, pp. 13-17

we propose that the Reporting bill be limited to the component elements of the Coastal Storm Plan, and that the City only be required to notify the Council of material changes to these plans—regardless of whether they are made in connection with an activation, or for any other reason.

I have only discussed the major themes of our objections to the considered bills; there other many smaller, specific concerns that I am confident can be addressed in a mark-up session or two. In closing, I reiterate that we share the Council's goal of improving the City's response to severe weather and other emergencies and look forward to working together to achieve this end.

Thank you for the opportunity to testify. Deputy Mayor Gibbs and I will answer any questions.

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New York City Environmental Justice Alliance testimony to the New York City Council Committee on Public Safety: Hearing on Hurricane Sandy after action report and recommendations.
June 20th, 2013

Founded in 1991, the New York City Environmental Justice Alliance (NYC-EJA) is a non-profit city-wide membership network linking grassroots organizations from low-income neighborhoods and communities of color in their struggle for environmental justice. NYC-EJA empowers its member organizations to advocate for improved environmental conditions and against inequitable environmental burdens. Through our efforts, member organizations coalesce around specific common issues that threaten the ability of low-income communities of color to thrive and coordinate campaigns designed to affect City and State policies. The impact of climate change and mitigation measures is central to NYC-EJA's agenda, and therefore, we would hereby like to testify in support of the bills that have been put forth by the City Council. We see appreciate the opportunity to advocate for an equitable recovery process that integrates regional rebuilding efforts with local resiliency priorities, strengthens vulnerable communities & addresses public health impacts, expanding community-based climate change planning, preparedness & response.

NYC-EJA's Waterfront Justice Project
In 2010, NYC-EJA launched the Waterfront Justice Project, New York City's first citywide community resiliency campaign. When the City of New York initiated its overhaul of the Comprehensive Waterfront Plan (Vision 2020) in 2010, NYC-EJA began an advocacy campaign to convince the Bloomberg Administration to reform waterfront zones designated as the Significant Maritime and Industrial Areas (SMIAs.) These are zones designed to encourage the clustering and concentration of heavy industrial and polluting infrastructure uses. There are only six SMIAs in the City – all are located in classic "environmental justice" communities (the South Bronx, Sunset Park, Red Hook, Newtown Creek, Brooklyn Navy Yard & the North Shore of Staten Island) and predominantly low-income communities of color. Development applications in SMIAs are treated differently – and to a lower review standard – than other waterfront areas, thereby easing the siting and clustering of polluting infrastructure.

As part of these efforts, NYC-EJA discovered the six SMIAs are all in hurricane storm surge zones, and that the City of New York had not analyzed the cumulative contamination exposure risks associated with clusters of heavy industrial use in such vulnerable locations. In collaboration with Pratt Institute, NYC-EJA began a research project to assess facilities that use, transport, or store hazardous or toxic substances in order to identify community vulnerability for those working and living in and around SMIAs in the event of severe weather. Preliminary results of this research where presented as part of NYC-EJA's testimony to the New York City Council Committee on Environmental Protection at the Hearing on Climate Change Impacts and Mitigation Measures in New York City that took place on December 16, 2011.

The Sandy Regional Assembly
Following the aftermath of Superstorm Sandy, NYC-EJA co-convened the Sandy Regional Assembly, an association of environmental justice organizations, community-based groups, labor unions and our allies from Superstorm Sandy-impacted and storm surge-vulnerable areas in New York City, New Jersey and Long Island. Nearly 200 participants representing over 40 organizations participated in a January 2013 meeting to assess the aftermath of Sandy and the role of local communities in the Sandy Recovery process. Together, we are advocating for a grassroots-led recovery that includes priorities of low-income people, communities of color, immigrants, and workers. Participants of this meeting discussed goals and recommendations that structured a Recovery Agenda, available at www.nyc-eja.org. The Agenda was released on April 1st 2013, and emailed to the City Council after that. In addition, this agenda was handed that month to representatives of the Mayor's Special Initiative for Rebuilding and Resiliency (SIRR) for their incorporation in the City's recovery plan.

In an effort to advocate for the goals that have been articulated by the Sandy Regional Assembly, NYC-EJA urges the City Council to consider the following recommendations as they relate to the bills under discussion, seeking to engage the NYC Office of Emergency Management (OEM) in the long-term planning and capacity building efforts required to increase community preparedness and resiliency in New York City:

1. **As part of the City Council's efforts to address the needs of vulnerable groups requiring special attention during emergencies, evacuations, and recovery operations, we urge you to consider the following recommendations:**

   (Intro. 1053: Tracking of Persons with Special Needs; Intro. 1070: A Sheltering Plan; Intro. 1073: Health Care Facility Evacuation Planning; and Intro. 1065: Outreach and Recovery Plan for Vulnerable and Homebound Individuals)

   a. **Address the specific needs of vulnerable populations:**
      - Support disaster plans focused on the most vulnerable population, including people with disabilities, residents in long-term care facilities, immigrant communities, seniors, youth, people with limited English proficiency, people with language access plans or disability plans, and residents of industrial waterfront communities vulnerable to storm surge.
      - Include vulnerable populations in planning and outreach activities and create multilingual outreach materials.
      - Maintain privacy rights while creating a public housing registry of elderly or disabled residents in NYCHA properties.

   b. **Improve evacuation and disaster response planning:**
      - Provide community-based registries/lists of local resources, distribution sites, and evacuation centers.
      - Distribute information at a variety of locations that are accessible and contextually appropriate.
      - Use "Old school" communication methodologies to share information with communities instead of relying on Internet or phones alone.
      - Include youth in planning and make plans accessible to youth.

   c. **Train volunteers & local CERT teams:**
      - Train and certify local Community Emergency Response Teams (CERT) in collaboration with community- based non-profits. Local CERT teams led by CBOs would supplement

NYC OEM's CERT teams. CBOs should receive funding to train community members and barriers to entry should be analyzed and addressed to ensure that people are able to participate.

- Expand access to training - many people don't have time to take off work and get trained; mandatory time off from work for public employees should be encouraged to receive disaster response training.
- Create a Youthcorps of First Responders (coordinate with local youth programs like NYC's Summer Youth Employment Program).

2. **As part the City Council's efforts to create a community recovery plan to respond to emergency conditions, we urge you to consider the following recommendations:**

(Intro. 1054: Creation of a Community Recovery Plan to Respond to Emergency Conditions; Intro. 1075: Plan Review and Reporting to the Council (Rodriguez and Gentile; and Intro.1072: A Small Business Plan)

a. **Address potential public health impacts of climate change on vulnerable communities:**
   - Identify industrial waterfront threats by funding a participatory investigation of public health risks associated with potential exposures to industrial clusters of hazardous substances and toxic chemicals, and the opportunities to mitigate them – as a collaborative effort between community, industry and government.
   - Prevent environmental hazards after disasters, training recovery workers and first responders on protocols for hazardous materials and contaminants.

b. **Create community oversight and inclusive decision-making:**
   - Guarantee that City recovery efforts authentically include local/neighborhood/grassroots involvement beyond "invitation-only" style meetings.
     - Require that NYC's Special Initiative for Rebuilding and Resilience (SIRR) related and successor plans/ processes be more participatory.
     - Require that government and task force decision-making be transparent, including any amendments to the recovery plans.
   - Ensure community oversight of CDBG and other funding decisions:
     - Obligate local officials to keep track of federal funding expenditures.

c. **Support community hubs for climate resiliency planning & disaster response:**
   - Support Disaster Relief/Evacuation Coordination/Climate Centers where people can get help & information before and after storms. Give funding to existing community-based centers to undertake this work.
   - Fund Community-based organizations to retrofit existing facilities as evacuation centers.
   - Link local stakeholders with scientific community and information.

d. **Support local climate resilience and community-based planning initiatives:**
   - Encourage technical assistance grants for policy and planning networks and community-based organizations with histories of effective advocacy partnerships promoting environmental justice, resiliency and sustainability with the most vulnerable

communities: Federal Sandy funding to support planning should not be dedicated exclusively to local or municipal planning agencies. Funding should also support community-based initiatives to reduce vulnerability through research, training, and emergency preparedness.

- Create Interagency Climate Adaptation Teams for each Community Board. All agencies (City, State, Federal) that work in those communities must participate.

e. **Support comprehensive community-based disaster preparedness plans using ground-up grassroots planning principles:**
   - Support Comprehensive Community Disaster Preparedness Plans built around community driven planning and local priorities. Utilize community plans that already provide adaptation/resiliency strategies, such as Sunset Park's & Williamsburg's 197-a plans and the Hunts Point Vision Plan.
   - Community Asset and Vulnerability mapping: provide support to community-based organizations to identify local assets and vulnerabilities.
   - Engage community knowledge of disasters and include immigrant populations that experience these issues. For example, immigrant populations may be familiar with strategies from Caribbean islands (i.e. Puerto Rico's resiliency plan for Mayaguez, and Cuba's plan for storm response).

f. **Secure local recovery jobs that pay wages and benefits at the established industry standards:**
   - HUD Section 3 opportunities for local hiring/contracting should be maximized for the Disaster Recovery.
   - Employ local businesses & workers at prevailing wages for recovery and rebuilding – maximize Minority and Women-Owned Business Enterprise (MWBE) opportunities.

3. **As part the City Council's efforts to take advantage of the opportunities to build redundant, distributed, sustainable systems related with energy, transportation and food distribution, we urge you to consider the following recommendations:**

   (Intro. 1069: A Food and Water Access Plan; Intro. 1076: Traffic Management Planning; Intro. 1077: A Fuel Management Plan; and Intro. 1073: Health Care Facility Evacuation Planning)

   a. **Reduce vulnerabilities involving critical energy by building energy security:**
      - Distribute solar-powered wireless and cell phone charging stations in vulnerable areas prior to severe weather events.
      - Identify strategies to decentralize energy infrastructure and create distributed networks of sustainable energy sources.
      - Create back-up power systems in vulnerable areas that will maintain critical building systems (elevators, heat, hallway lights, and water) in the event of power outages.
      - Reduce dependency on fossil fuels (e.g., encourage expansion of alternative fuel vehicular fleets, expedite conversions/switches of cleaner heating fuel for large buildings, support repowerings for dirty electricity-generating "peaker" units, etc.)
      - Create/deploy solar energy projects that will generate power when the electrical grids go out in storm surge vulnerable areas. (One example is the North Brooklyn Community Solar Initiative to generate back-up power for First Spanish Presbyterian Church in

Williamsburg: This can serve as a model for solar back- up power in critical facilities such as schools, nonprofits, churches, etc., near vulnerable waterfront areas.)

b. **Reduce vulnerabilities involving transportation, by creating a resilient transportation system:**
   - Expand public transit (public buses and Bus Rapid Transit) in underserved, vulnerable coastal areas.
   - Develop local emergency transportation plans and inform local communities about evacuation protocols in partnership with local environmental justice and community-based organizations.
   - Implement regional transportation improvements that respond to community priorities regarding mobility needs, pollution reduction, and the need for increased capacity in underserved communities.

c. **Reduce vulnerabilities involving critical food distribution networks by building food security:**
   - Protect regional food distribution systems: The Hunts Point Food Distribution Center (the nation's largest, handling 70% of the Tri-State area's produce alone) is located in a Significant Maritime and Industrial Area and is vulnerable to storm surge. If impacted, the entire region's food supply could be seriously disrupted. Another food distribution center should be created – without losing any of the jobs currently active in Hunts Point - so the region's food distribution system can become more decentralized and redundant.
   - Ensure access to food and Electronic Benefits Transfer (EBT) after a disaster: Post-Sandy those without power/Internet did not receive information about food sources and local residents were unable to use EBT cards in areas without power.
   - Identify local resources for food preparation and distribution (existing assets, such as food trucks, soup kitchens, etc.)
   - Promote locally grown food, by supporting current farming activities and the creation of additional community gardens: El Puente's Green Light District has identified 10 publicly owned properties in North Brooklyn that should be converted into community gardens.

We commend the Committee on Public Safety for holding this hearing allowing an opportunity for public comment to offer insight into the recovery process. The City Council plays a critical role in ensuring that New York City fully recovers from Superstorm Sandy and builds the resiliency required to face the challenges posed by future climate change impacts.

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Testimony given by

David Berman

for the

Committee on Public Safety

on

Reviewing the City's Hurricane Sandy After Action Report and Recommendations

and

Intro. 1069 of 2013—a Local Law to amend the administrative code of the city of New York, in relation to developing and implementing a food and water access plan in response to emergency conditions

Intro. 1077 of 2013—a Local Law to amend the administrative code of the city of New York, in relation to a fuel management plan in response to emergency conditions.

June 20, 2013

on behalf of

Food Bank For New York City

INTRODUCTION

Good afternoon and thank you Chair Vallone and members of the Public Safety Committee. My name is David Berman, and I am the Disaster Services Lead at Food Bank For New York City. Food Bank appreciates the opportunity to present testimony today to the City Council on the

proposed legislation regarding preparedness and management in times of emergency conditions.

Food Bank thanks the City Council for bringing attention to food access issues in emergencies and disasters, and for your ongoing efforts to ensure all New Yorkers have access to affordable, nutritious food. The City Council's consistent support for protecting and improving access to the Supplemental Nutrition Assistance Program (SNAP; formerly known as the Food Stamp Program), expanding the in-classroom School Breakfast Program, and providing funding for emergency food are especially appreciated and needed in this post-recession economy, which has seen the problem of food poverty in New York City become only more deeply entrenched.

Food Bank For New York City works to end hunger and food poverty by increasing access to nutrition, education and financial empowerment. Every year, approximately 1.5 million New York City residents rely on our programs and services. We distribute food and provide support services to approximately 1,000 emergency and community food programs citywide; manage nutrition education programs for schools and community-based organizations (CBOs); operate income support programs including food stamp outreach & enrollment assistance and one of the largest Earned Income Tax Credit (EITC) programs in the country; and conduct research to inform community and government efforts to end hunger in New York City.

Many New Yorkers were already struggling when Superstorm Sandy struck. Nearly one in three New York City residents was already having difficulty affording food, and 30 percent reported purchasing less food in order to save money.[1] To make matters worse, Superstorm Sandy hit at the end of the month when many New Yorkers who rely on SNAP have already exhausted their benefits, leaving food pantries and soup kitchens as their only line of defense against hunger. The emergency food network was already stretched thin from the heightened need for emergency food that has persisted since the start of the Great Recession in 2007. In fact, the number of food pantries and soup kitchens in New York City shrank by 25 percent since the start of the recession, resulting in nearly 250 fewer emergency food providers to meet the growing need—and fewer of those had paid staff to rely on.[2] In the year prior to Superstorm Sandy, 72 percent of food pantries in the City had run out of food, and nearly half had turned people away due to lack of food.[3]

Despite these challenges, Food Bank For New York City and our network of emergency food providers mobilized immediately to help meet the need for food and water in communities devastated by Sandy. Leveraging assets and infrastructure already in place – including a five-borough food distribution system, trained staff and volunteers and mobile food distribution units – the network of Food Bank members began a coordinated disaster relief and recovery operation that continues to this day. While today's hearing is on the comprehensive package of legislation pertaining to New York City's preparedness for disasters, our testimony will focus primarily on Introduction 1069

PREPARING FOR THE STORM

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[1] *NYC Hunger Experience 2012:One City, Two Realities,* Food Bank For New York City
[2] *Serving Under Stress Post-Recession: The State of Food Pantries and Soup Kitchens Today,* Food Bank For New York City
[3] *Ibid.*

In the week leading up to the storm, the New York City Volunteer Organizations Active in Disaster (VOAD) group, of which Food Bank is a member, began conference calls to share information about the storm and to urge members to be prepared.

Due in part to lessons learned during the two-and-a-half day transit strike in 2005, Food Bank had a Business Continuity Plan in place to help ensure that our food distribution system could continue uninterrupted in the immediate aftermath of the storm. In the days leading up to the storm, we implemented a carpool plan to enable warehouse staff to make it to our Hunts Point warehouse to send out deliveries the day the storm hit. We also contacted all member agencies scheduled to receive deliveries to confirm that they would be able to receive them. As a result of the plan Food Bank had in place, our trucks were on the road making their scheduled deliveries the very morning Sandy struck.

IMMEDIATE RESPONSE TO THE STORM

Immediately after the storm hit, Food Bank shifted into disaster relief mode. Our top priority was to make food and supplies available to New Yorkers in those areas of the City that were impacted and accessible. Bridge and tunnel closures limited our ability to reach some parts of the City from our warehouse at the Hunts Point Market in the Bronx. Where possible, we used alternate routes, and we resumed full distribution as soon as closed infrastructure reopened.

Although our main office in lower Manhattan was closed after the storm hit, we had Business Continuity Planning calls three times daily so that key staff working remotely could share information from the field. Our membership department began conducting a needs assessment with member agencies through phone calls, emails, online surveys, and where necessary, site visits—only to find that many agencies in areas of lower Manhattan, the Rockaway Peninsula, Coney Island, Red Hook and Staten Island suffered the same destruction as the people they serve—power outages, flooding and other storm-related damage. Nearly half of the organizations surveyed in these areas had to close immediately after the storm. Fortunately, most were able to resume regular operations within five days.

Within days of the storm, we received the first shipment of supplies from our national partner Feeding America, and the Human Resources Administration (HRA) released Emergency Food Assistance Program (EFAP) supplies already in our warehouse for disaster response use. This enabled Food Bank to quickly deliver needed and nutritious products to hard-hit communities. Within a week of the storm, the federal government also authorized the release of The Emergency Food Assistance Program (TEFAP) supplies we already had in inventory for disaster response. The United States Department of Agriculture (USDA) approved the use Disaster SNAP (D-SNAP) and the issuance of automatic mass replacement benefits for SNAP recipients in the hardest hit zip codes. The USDA also permitted the use of SNAP benefits to purchase hot and prepared meals, and allowed schools to provide universal free lunches to students.

In the days after the storm, Food Bank continued outreach to our network to confirm scheduled deliveries and to ascertain when closed sites would reopen and be able to resume operations and accept deliveries. In addition, we deployed field teams to coastal communities to make contact with food pantries and soup kitchens and to assess needs. We then identified and determined the availability of mobile units within our network and deployed them to the hardest

hit areas. Because of the plan Food Bank had in place, we were able to deliver more than a million pounds of food within the first week of the storm.

LONG-TERM RESPONSE

Since Superstorm Sandy, Food Bank has distributed more than 12 million pounds of food to the most heavily impacted communities. We will continue to serve these impacted communities through at least August 2013 with support from American Red Cross (ARC).

Since tens of thousands New York City residents found themselves suddenly homeless and/or newly unemployed, SNAP has been even more vital in ensuring that these vulnerable New Yorkers can put food on the table for themselves and their families. Recognizing this, Food Bank has distributed tens of thousands of flyers City-wide, in both English and Spanish, to raise awareness about SNAP, replacement SNAP, and D-SNAP, focusing particularly on those locations hardest hit by Sandy.

Also recognizing that tax refunds would be monumental in helping families devastated by Sandy to get back on their feet, Food Bank opened Volunteer Income Tax Assistance (VITA) sites offering free tax services to ensure that these families received the maximum tax refunds they were entitled to. Our VITA sites in Sandy-impacted zip codes filed nearly 20,000 returns providing over $16 million in refunds (including $8 million in EITC). Food Bank will continue to operate VITA programs in these locations during the 2013 tax season.

Although Food Bank's Business Continuity Plan worked well in enabling Food Bank to provide for the hardest hit communities in the aftermath of the storm, we are reflecting on lessons learned and creating a Disaster Playbook to ensure our network is even better prepared for the next emergency. Additionally, as part of our planning for future emergencies, we are developing a "Disaster Network," a selection of partners from our existing food distribution network that will allow us to optimally respond during the next state of emergency. The Disaster Network will have the have the ability to deliver the full scope of Food Bank's services, geographic diversity, mobile and fixed site capabilities, food storage capabilities, ability to receive and efficiently utilize volunteers and diverse power supplies.

In addition to coordination with Food Bank's member agency network, we are coordinating with other stakeholders such as the City, ARC, and our broad donor base to ensure that the appropriate players are informed and in sync during the next emergency. We are in ongoing conversations with City Hall, the Office of Emergency Management (OEM) and HRA to determine how to integrate and coordinate Food Bank's disaster preparedness efforts with City, State and Federal plans. We are also updating a memorandum of understanding with ARC regarding how to coordinate efforts to prepare and respond to crises, including procuring and distributing food, serving ARC operated shelters, and jointly operating Food Bank's two mobile crisis units, which have the capacity to provide SNAP screenings and enrollment, VITA tax preparation, and establishing a command and control center. Simultaneously, we are working with Food Bank donors to educate them about the financial demands of disaster preparedness, the efficacy of investing in disaster preparation and the most impactful ways to provide support in times of disaster including allowing support funding to flow from relief to recovery.

LEGISLATION BASED ON LESSONS LEARNED DURING SUPERSTORM SANDY

Int. 1069 – Developing and Implementing a Food and Water Access Plan in Response to Emergency Conditions

Food Bank commends the City Council for its effort to have a disaster response plan in place by the beginning of October that would better prepare the City to respond during an emergency situation. We pledge to work in good faith with OEM and other identified task force members to help OEM meet this goal.

In the days following Superstorm Sandy, various government and community leaders began contacting Food Bank and other emergency food providers to ask for assistance in their communities. Because no centralized system for making requests existed, requests were often not coordinated, resulting in potential duplication of efforts and inefficient use of limited resources. We appreciate that the City Council has recognized this challenge and requires the plan to include a system to manage requests for support from emergency food providers and identification of a clear hierarchy of city personnel who will implement the plan and serve as points of contact.

Food Bank appreciates that, within days of the storm, HRA released EFAP supplies already in our warehouse for use in disaster response. The swift release of this food supply was instrumental in enabling Food Bank to provide nutritious products, such as shelf-stable milk to meet the need of the affected communities.

- Therefore, Food Bank requests the City Council to authorize the automatic release of EFAP supplies for use in emergency response efforts during emergency conditions as defined by section 497 of the New York City Charter that affect the ability of New York City residents to access food and water.

Although within the first week after the storm, Food Bank distributed more than 40 tractor-trailers of food—about a million pounds, our distribution capacity was constrained by the lack of additional trucks for rental or donation. Had additional trucks been available, our team would have been able to do more. However, had our trucking partner's fleet of trucks been incapacitated by the storm, we would have been unable to distribute emergency food and supplies, making it critical to identify a backup truck supply for future emergency situations.

- For that reason, we recommend that the City Council amend Int. No. 1069 to require that the food and water distribution plan also include a strategy to ensure that emergency food distributors have adequate trucking capacity to provide needed food and water supplies to impacted areas.

Within days of Superstorm Sandy, Food Bank developed a budget of anticipated emergency response expenses. This budget was tremendously helpful in soliciting donors to specific needs. In any future emergency, a well-planned budget will assist participants in the plan to devise an emergency preparedness fundraising strategy and will be helpful in documenting the reasonableness of the funding spent during an emergency, particularly when applying for emergency funding reimbursement.

- Therefore, Food Bank recommends that all of the legislation before the Committee today, particularly Int. No. 1069, include formation of a budget for implementing the plan that is developed.

Finally, Food Bank looks forward to learning more about how the plan proposed today will be tested and whether any testing drills will follow the OEM's Regional Catastrophic Plan or United States Department of Homeland Security's Urban Area Security Initiative guidelines. We also look forward to learning about how the plan will interact with the Mayor's Storm Protection Plan, and State and Federal plans that are already in place.

Int. 1077 – A Fuel Management Plan in Response to Emergency Conditions

After Sandy hit, fuel shortages quickly became a concern, and because there was some initial ambiguity about Food Bank's status as a first responder, it was not clear that we would be able to utilize the emergency fuel supply. Fortunately, our trucking partner had prepared for the potential fuel shortage, and within a few days we were able to ascertain that our trucks would be recognized as first responders, and our food deliveries were not impacted. However, key Food Bank staffers in mission-critical roles were affected by the shortages. Food Bank commends the City Council for acknowledging these challenges and proposing legislation to create a fuel management plan in response to emergency conditions.

- We request that Int. No. 1077 be amended to include identified emergency food providers, and key staff members, amongst those with fuel access prioritization. We also request that the City Council amend Int. No. 1069 to formally recognize identified emergency food providers as emergency responders during emergency conditions that affect the ability of New York City residents to access food and water.

Thank you once again for the opportunity to testify. I am happy to answer any questions you may have.

Testimony of Lisa Levy, Director of Policy, Advocacy & Organizing, New York City Coalition Against Hunger

Before the New City Council Committee on Public Safety

Reviewing the City's Hurricane Sandy After Action Report and Recommendations

June 20, 2013

Introduction Summary:

Good afternoon. I'm Lisa Levy, Policy, Advocacy and Organizing Director of the New York City Coalition Against Hunger. My testimony today is on behalf of the more than 1,100 soup kitchens and food pantries in New York City, and the more than 1.4 million New York City residents who, even before Sandy hit, lived in homes that couldn't afford sufficient food.

The New York City Coalition Against Hunger endorses the legislation proposed by Councilmembers Comrie, Gonzalez, Koppell, Oddo, Rose, and Vacca, namely the Food Access Plan, the Community Recovery Plan, the Outreach and Recovery Plan for Vulnerable Populations, and the Transportation Plan.

My testimony today will focus on eight points:

1) Given that local poverty, hunger and food insecurity were soaring even before Sandy hit – and agencies serving low-income people were unable to keep up with the growing demand – the storm and its aftermath made a bad situation worse.

2) Evacuation plans did not adequately address the unique challenges in communicating with low-income populations.

3) Evacuation plans did not adequately protect supplies of food and water at soup kitchens and food pantries.

4) Non-profit groups who are 'second responders' – tasked with providing help soon after a storm – were themselves hampered by lack of adequate post-storm infrastructure and communications.

5) There was an unacceptable delay in food relief reaching some of the hardest-hit, low-income neighborhoods.

6) Some of the food distributed immediately after the storm was unsuited to many of the people in need.

7) Recipients of SNAP benefits (formerly known as food stamp benefits) had serious difficulty using them at neighborhood retailers in the hardest hit neighborhoods.

8) Disaster-SNAP was unduly delayed and limited.

9) The greatest needs for low-income people are long-term.

Pre-Sandy Needs Made Worse

"We're still struggling. We're still hungry. Don't forget about us. We're still here."

Even before Hurricane Sandy hit New York, that's the message we heard time and time again from low-income New Yorkers in all five boroughs, as well as from the staff and volunteers of the more than 1,100 food pantries that we represent. This message reflects the reality of the ongoing struggle in New York City. Federal data calculated by the Coalition found that even before the storm, more than 1.4 million New Yorkers lived in households than couldn't afford enough food.

Economists claimed that the recession officially ended in June 2009. Between 2010 and 2011, the Dow Jones average rose by over 1,000 points. Poverty and hunger slipped out of the headlines.

Yet low-income New Yorkers generally did not see these signs of economic improvement in their own lives. During that same time, median family income in New York City declined from $50,282 annually to $49,461, and more than 100,000 additional New Yorkers slipped below the meager poverty line ($18,530 for a family of three).

By 2011, fully 1.7 million New York City residents lived in poverty. That number is larger than the entire population of Philadelphia. The number of New Yorkers living in poverty equals 85 times the capacity of Madison Square Garden or the new Barclay's Center in Brooklyn.

Yet even as New York's minimum wage remains stuck at $7.25 per hour –or about $14,000 a year for full-time work – prices for rent, child care, health care, transportation, and yes, food, continue to soar.

Given the reality of rising costs and stagnating wages, it is no wonder that one in five city residents – and more than one in four of the city's children – now live in households defined by the Federal government as food insecure, meaning they are unable to afford a consistent supply of sufficient food throughout the year.

In the richest city in the history of the world, one in four children struggle against hunger, more reminiscent of the struggling in Oliver Twist's London than of the city experiencing economic recovery portrayed in the news.

In this testimony, I am referring to three entirely different sets of data. The first is Federal food insecurity/hunger data collected by the U.S. Census Bureau on behalf of the U.S. Department of Agriculture (USDA), and analyzed by the Coalition. This is based on three-year averages, with the most recent year being 2011. The second set of data was collected by the Coalition in the fall of 2012, from a survey of over 300 of the city's soup kitchens and food pantries, requesting their year-long data. The third is a set of data based on responses from city soup kitchens and food

pantries to a one-page questionnaire regarding the direct or indirect impact of Hurricane Sandy on emergency food programs (EFPs), compiled in November 2012.

According to the Federal food insecurity data, in 2009-2011, an estimated average of 1.42 million, or approximately 17 percent of New Yorkers, were food insecure. That number, which represents one in six New Yorkers, also includes children and seniors over the age of 60. This number also represents a 300,000 person increase (27 percent) between 2006 – 2008 when there were approximately 1.12 million food insecure New Yorkers. In 2009-2011, nearly 474,000 children in New York City lived in food insecure households; households that did not have an adequate food supply throughout the year. This number represents 25 percent, or one in four, of the City's child population and also represents a 31 percent increase from 2006-2008, when 363,000, or one in five, New York City children lived in food insecure homes. In 2006-2008 there were more than 130,000 food insecure seniors over the age of 60. That number increased by 30,000 between 2009-2011 bringing the total to 163,183, or 11 percent of the senior population, up from 10.2 percent.

As a result of the increased need in 2012, food pantries and soup kitchens that responded to our annual survey faced a 5 percent spike in demand that year. This further added to surges in need in previous years: 12 percent in 2011, 7 percent in 2010, and 29 percent in 2009.

Yet the Federal government cut the main source of Federal cash for these agencies – the FEMA Emergency Food and Shelter Program – by a whopping $3.7 million (51 percent less than the level of three years ago) because Congress and the President not only allowed extra funding for the program from the Federal recovery bill to expire, but also enacted further cuts in the program. Additionally, without the reauthorization of the 2009 Federal Recovery Act, SNAP beneficiaries in New York will lose another 60 million meals as of November 1, 2013, a so-called 'hunger cliff.' While state funding for pantries and kitchens increased slightly, it did not come close to making up for the Federal cuts, and City funding stayed flat. As result, fully 63 percent of the city's pantries and kitchens lacked enough food to meet the growing demand. 56 percent were forced to ration food by reducing portion size, limiting their hours of operation and/or by turning away hungry New Yorkers.

These cuts are in addition to sequestration, which has also taken its toll on New Yorkers, who have lost funding for programs including Meals on Wheels, Head Start, and AmeriCorp, which provides vital assistance to soup kitchens and pantries, as well as NYCCAH. Additionally, because of cuts to the Farm Bill, New Yorkers could lose as many as 132 million meals, with the House proposing to slash $20 billion from the SNAP program.

Hungry children can't learn. Hungry adults can't work. Hungry senior citizens can't stay independent. All those problems cost the economy money. Extrapolating from national data produced by the Center for American Progress, the Coalition has calculated that hunger and food insecurity cost New York City's economy about $5 billion per year. In contrast, the Coalition has also calculated that we could end the problem entirely by increasing the food purchasing power of food insecure and hungry New Yorkers by about $1 billion per year. If you owned a home that had a hole in its roof that cost you $5 per year in extra heating and cooling costs, but you could fix the problem for $1, wouldn't you do so? Of course you would. It's common sense. Likewise, New York City should fix this problem, saving billions of dollars in the long-term.

Yet instead of making the investment needed to end this problem and aid our economy, some of our elected officials are doing the reverse.

Certain conservative leaders who played key roles in enacting policies that precipitated the nation's economic collapse were also the loudest voices for slashing food aid even more. In other words, the very people who sunk our nation's economic ship wanted to take life preservers away from the drowning.

In sum, low-income New Yorkers have long suffered mightily from this perpetual economic storm. That was all *before* Hurricane Sandy.

On November 8, 2012, the Coalition sent out a one-page supplemental survey to food pantries and soup kitchens asking about the impact of Superstorm Sandy on their programs. The survey was only one page in order to limit the extra burden on agencies and allow for a rapid response.

This post-Sandy survey found that, because low-income New Yorkers lost wages and their children lost access to school meals, the number of people forced to use food pantries and soup kitchens surged. Over 60 percent of responding agencies reported an increase in the number of people requesting food. Agencies that were directly impacted experienced a number of problems with operating their programs. Over 35 percent of agencies reported having food ruined either due to direct wind, water and/or a loss of power. Nearly 70 percent of emergency food programs had to deal with cancelled or late food deliveries. The largest number of agencies, almost 75 percent, were forced to close or limit their hours of operation. Although many were back to pre-storm service as of November 16th, 2012, some were not.

Evacuation Plans Impact On Low-Income People

Evacuation plans pre-storm seemed to focus on communicating with impacted residents through the traditional mass media and new social media. However, as we warned the City last year, such efforts are bound to miss many low-income people, who are often too busy to regularly access mass media, and are less likely to utilize social media.

Consequently, many low-income people in hardest hit areas, especially in public housing, did not receive full and complete – or any information – about City evacuations plans. The Coalition notes that Councilmembers Rose and Vacca's proposed transportation plan includes transportation options for disabled and senior community members and Councilmembers Koppell and Gonzalez's proposed Outreach and Recovery Plan for Vulnerable Populations includes a door to door task force. Additionally, we suggest that future efforts include use of sound trucks.

Food and Water Supplies Not Protected in Evacuated Areas

There didn't seem to be a plan in place to protect private and government-issued food at food pantries and soup kitchens in impacted areas. The City placed the responsibility for protecting such supplies on the non-profit sector, which simply didn't have the resources to do so. A great amount of food was ruined. Ironically, some food and water that was brought into the impacted neighborhoods in advance of the storm to aid storm response was itself ruined. Our Executive Director, Joel Berg aided volunteers in Coney Island in discarding large amounts of bottled water

– brought in just before the storm to aid those impacted by it – that were contaminated by the storm.

'Second Responder' Infrastructure Problems

Rightfully so, first priority has been given to ensuring the continuance of working infrastructures and communications systems for first responders – police, fire fighters, EMS, etc. – but little effort seems to have been made in advance of the storm to ensure the continuance of working infrastructures and communications systems for what I term the 'second responders' – groups such as ours that are expected, so after the storm hits, to help victims access food, shelter, clothing, etc.

Our main office is at 50 Broad Street in Lower Manhattan. Even though the building received no apparent wind or water damage, power was out for nearly two weeks, as our landlord blamed Con Ed and Con Ed blamed our landlord. Given that key members of our staff lacked electricity, heat, internet connections, or working phones at their homes for extended periods of time – and further given that the power outage at our headquarters knocked out our internet server and our regular e-mail system – our operations were critically impacted for much of the two weeks following the storm.

Many of the key organizations involved in food-related response – City Harvest, the Food Bank for New York City, the Metropolitan Council on Jewish Poverty and many others – were unable to use their offices and/or their full communications system for some period of time after the storm.

We experienced grave challenges communicating with our own staff, no less coordinating with the appropriate people at partner agencies.

NYCCAH acknowledges the community recovery plan as outlined in Councilmember Comrie's proposed law includes food and water distribution as part of a comprehensive recovery plan and recognizes that Councilmember Oddo has included members of the advocacy community in the development and implementation of the proposed food and water access plan. By specifically including the publication of food distribution infrastructure such as emergency food programs, food banks, and food pantries, this plan aspires to reach those who need assistance most.

Delays in Food to Hardest-Hit Low-Income Neighborhoods

Immediately following the storm, myself and my team started visiting the hardest hit areas, including the Lower East Side, Coney Island, Staten Island and Red Hook. One member of our staff lives in Far Rockaway, and was not evacuated. For the lowest-income areas, the first wave of coordinated food relief didn't arrive until days after the storm, and in some cases, longer. When the food did eventually arrive in these neighborhoods, it was usually in mass quantities, so for the people who knew where distribution sites were, and could physically access them, there was eventually sufficient food. However, even in the longer term, many people in the impacted neighborhoods did not know about food distribution sites and/or (especially in buildings without power) could not easily get to the sites. Too many of the most vulnerable New Yorkers felt forgotten by the government and their society. In the days immediately after the storm, as a

volunteer, I personally experienced this, with people in flooded areas repeatedly asking when first responders or government agencies would arrive.

Problems with FEMA Meals Ready-to- Eat (MREs)

Some of the Meals Ready-to- Eat (MREs) food packets distributed immediately after the storm were unsuited to many of the people in need. They included extensive, complicated instructions for using a chemical canister in the packet to heat the food, in small print, only in English. The packets would have been hard enough to use by native English speakers, with perfect eyesight, with full light. They were impractical to use for many families in impacted neighborhoods that has impaired vision, lack of fluency in English, and a lack of electricity.

Problems with Immediate SNAP (food stamp) Access

On a positive note, the City, State, and Federal government worked together to rapidly and effectively ensure access to free school meals as soon as schools were back in operation, and also to grant a waiver to allow SNAP/food stamp recipients to temporarily buy hot food with their benefits.

Also on a positive note, the City, State, and Federal government worked together to rapidly and effectively implement a replacement SNAP program, and to help people in a large number of impacted zip codes obtain additional food stamp/SNAP benefits to make up for food lost in the storm. (This contrasted greatly to the later Disaster SNAP program, which was slow and ineffective in targeting a small number of impacted zip codes to obtain new food stamp/SNAP benefits to make up for economic losses due to the storm.)

However, even in areas in which replacement SNAP benefits were issued, many recipients still has great difficulty accessing them, since food stores often did not have working electricity and/or phone lines necessary to access the Electronic Benefits (EBT) system. Many stores and customers were unaware of the legal option to use manual, paper vouchers.

We urge USDA, the State, and the City to work together with the food industry to better advertise and provide technical assistance on the SNAP options for retailers when power and/or phone lines are out.

Disaster SNAP Unduly Delayed and Limited

I understand that this hearing is focused on the immediate response to the storm, but I must at least place into the written record my grave concerns about the implementation of the Disaster SNAP Program which is designed to aid families who were economic victims of the storm.

News reports have indicated that the application rate for the Disaster SNAP Program was extraordinarily low. The low turnout was likely because of limited application sites, a small geographic area covered by the program, a short application time period, and a lack of publicity from City officials.

New York City Council Speaker Quinn, U.S. Senators Schumer and Gillibrand, Public Advocate de Blasio, Borough President Stringer, and numerous members of the U.S. Congress, State

Senators, and City Council members called upon the City to rectify these problems. Elected officials have been particularly critical – rightfully so – of the City's refusal to open an application site in the Rockaways.

The New York City Coalition Against Hunger strongly urged the City to increase participation in this vital, federally-funded, program by: Extending the application date, increasing the number of zip codes included, opening additional application sites (including one in the Rockaways), and conducting more public outreach. The City lost perhaps $100 million Federal dollars that could have helped feed families who suffered from Sandy, as well as boosted the City's economy. The City's reluctance to provide this help is a truly baffling lose-lose situation. Yet the Bloomberg Administration ignored all these requests.

The Greatest Needs Are Long-Term

The greatest need for food aid is long-term. Of the food pantries and soup kitchens that reported an increase in the number of people served as a result of the storm, half reported that they would only be able to meet food needs for a short period of time unless more food and funding became available. I worry greatly that, as TV cameras and many elected officials migrate to the next disaster, low-income, hungry New Yorkers will again face neglect.

I hope that the feelings of goodwill immediately following the storm can be expanded to include the understanding that no one should go without food for years and years at a time, due to human-made disasters like recessions and social service cut-backs. The time is long overdue to end the perpetual storm of food insecurity and hunger facing low-income New Yorkers.

For these reasons and the reasons outlined above, The New York City Coalition Against Hunger endorses the legislation proposed by Councilmembers Comrie, Gonzalez, Koppell, Oddo, Rose, and Vacca, namely the Food Access Plan, the Community Recovery Plan, the Outreach and Recovery Plan for Vulnerable Populations, and the Transportation Plan.

jasa
staying alive for as long as we live.

Committee on Public Safety
Public Hearing
6/20/2013

FOR THE RECORD

Remarks by Molly Krakowski, Director, JPAC & Legislative Affairs
Jewish Association for Services for the Aged (JASA)

Good afternoon. I'd like to thank Councilmember Vallone and members of the Council Committee on Public Safety for scheduling the public hearing today. My name is Molly Krakowski and I am Director of Legislative Affairs and the Joint Public Affairs Committee for Older Adults at the JASA.

JASA is a publicly funded, not for profit agency serving the needs of older adults in the greater New York area. Its mission is to sustain and enrich the lives of the aging in the New York metropolitan area so that they can remain in the community with dignity and autonomy. JASA has developed a comprehensive, integrated network of services that provides a continuum of community care.

Hurricane Sandy challenged us on all fronts. As the preeminent organization in New York City and Long Island serving seniors, JASA touches many lives each year. JASA houses 2,400 low to moderate income seniors; serves 1.3 million meals annually; provides social, recreational, cultural and nutritional activities in 22 senior centers supports seniors with early stage dementia in 4 social adult day care programs; protects the legal rights and dignity of seniors through elder abuse prevention and legal services provides case management services for 4800 seniors annually; provides protective services and serves as community guardian for over 1600 seniors helping them to remain at home; helps more than 1,000 frail seniors in their homes through home care services; and advocates for the rights and needs of seniors throughout the region.

With many of JASA's services being provided in Far Rockaway and South Brooklyn, JASA's sites suffered significant damage during Hurricane Sandy estimated in the $3-4 million range. All eight of JASA's housing sites lost power during the storm, most for extended periods of time, leaving seniors isolated and unable to leave their apartments. JASA played a key role in keeping these seniors safe, warm and fed during this time without power or access to food and/or medical care, working closely with City and State agencies and community partners. In addition, JASA reached out to thousands of seniors throughout the community to ensure that they were safe, bringing them food and medicine as needed and coordinating with other service providers.

In reviewing Int 1065, JASA would specifically like to raise a few issues relating to the needs of home bound elderly. In the aftermath of Sandy, it was extremely difficult to secure prescription drugs for vulnerable clients. Many of the pharmacies were closed and clients were unable to access the medicines they needed. While clients may have been prepared with two-three days of extra medicines, few were prepared for a 2-week period. In the advent of future emergencies, JASA would like to suggest that once the City has reason to believe there is an impending crisis, pharmacies are able to dispense additional doses as part of emergency preparedness. A second request for consideration, involves emergency vehicles. JASA would recommend that vans used for home delivered meals are given priority, alongside emergency vehicles, if there is a shortage of gas. Finally, it is essential that diesel fuel be made available to emergency generators in senior housing. In the aftermath of Sandy, these generators were able to provide critical power to the buildings systems in order to reduce the health and safety risk to the tenants. It is clear that buildings with generators were better situated for this emergency.

JASA looks forward to continuing the discussion on public safety and planning for future emergencies. Thank you.

Testimony on Sandy Legislative Package
New York City Council Committee on Public Safety
June 20, 2013

I'm Emmaia Gelman, Policy Coordinator for the Alliance for a Just Rebuilding. The Alliance for a Just Rebuilding is a coalition of about 50 community-based organizations and unions, working together toward an equitable rebuilding, including addressing underlying inequalities that magnified Sandy's impacts and that threaten our resiliency in future storms.

Thank you for the opportunity to testify this afternoon on the City Council's important group of bills to make sure that disasters like Superstorm Sandy never catch us as unprepared, and never again leave New Yorkers so completely stranded without shelter, food, medicine and other necessities.

To start with, just a note on the larger context in which these bills are coming forward. While legislation like this addresses many important needs related to the immediate impact of disasters, we believe strongly that to have a truly 'resilient' city, we must more broadly define what resiliency means. Resiliency must mean more than immediate responses and storm barriers, although those are very important. To have a more resilient city, we need to create more equity and economic opportunity for communities that have been neglected for decades. Resiliency means things like access to good jobs, pathways to job training, real affordable housing, and stewardship of our environment.

Regarding these very useful bills and the Office of Emergency Management: we'd like to begin by stressing that, despite the efforts of City agencies to activate a response to Sandy's destruction, some blocks did not get the services they needed for several days after the storm hit. City workers were on task and committed, but communities felt the impact of the fact that there wasn't an adequate plan in place to guide the City's efforts in this massive and complicated emergency.

In many places, the first responders were communities themselves, who figured out how to coordinate with each other on the fly. From very local operations out of churches, to the citywide operations of Occupy Sandy, neighbors and supporters assessed each other's needs, put out the word about what was needed in each community, and established volunteer systems for getting it there. They did great work, but it's important to fill those holes, especially as we anticipate more such storms.

For those reasons, we are really pleased to see that the package of bills now before the City Council tackles emergency planning issues, and begins to remedy the problem of leaving communities out of that planning.

Although we won't go through everything that's great about these ten bills, we'll start by saying that each of them addresses a critical need. Finding people; making sure people with a variety of needs can get out in a safe and coordinated way; tracking people across shelters in the upheaval of their trying to hold families together and meet medical needs, etc.; and making sure they have clear paths to food, clothing, shelter and information – all critical functions that desperately need City plans.

We have a few remaining concerns that we'd like to raise.

First, although the bills call for the City to leverage community-based organizations in their plans, they still don't require the city to include CBOs in *making* plans. Probably no one here needs to be told that CBOs hold the kind of intricate local knowledge about the particularities of their neighborhoods and people on which emergency plans succeed or fail. Central planning is important, but it can't be done well without local knowledge.

What we'd like to see is a requirement in the OEM administrative code that each of the required plans be developed at a table *with* CBOs. Ideally, that includes two things.

- OEM should be required to work with a community advisory group that includes CBOs and community leaders from each neighborhood impacted by Sandy; from the neighborhoods that the City has identified that would have been hit by Sandy if the storm's timing had been different – these include neighborhoods in the Bronx that are notably missing from the Mayor's SIRR plan to address future storms; and from public housing, health care, and low-income advocacy groups.

- OEM should be required to open up plans for a two-week public comment period every time they're updated, and document and respond to those comments publicly. That's important because plans that are so critical must be made accountable to the public, but even more because – no matter how smart OEM planners are – there will be gaps because neighborhoods and housing are incredibly quirky. Let's just make sure there's a way to identify those gaps, and adjust the plans, so they don't end up costing New Yorkers' lives.

Second, Intro 1069 starts to address an issue that has been really difficult for our communities, which is the interruption of benefits like food stamps and income supports during the crisis. We were relieved to see that in here, and we would urge that the connection be made stronger and more deliberate. During Sandy, people lost EBT cards, they lost ID cards and other documentation, and they lost communication with City agency staff who were familiar with them. OEM and City agencies should be required to plan not just for continuous benefits – which is critical, and again we really commend the Council for taking it up – but also for quickly and seamlessly restoring access to benefits for people who can't provide the usual documentation. In the same vein, we'd like to see a plan for very quickly adding people to benefits programs who suddenly need them because they have lost income or jobs in the storm – and again, that would need to include a plan for serving people who cannot provide documentation of their circumstances in the ways that are usually required.

On Intro 1070, requiring OEM to create a plan for sheltering people, we note that there must be a specific, deliberate requirement to make sure people can access shelter both immediately and in the longer term, until the City has identified long-term disaster housing support for them *and* until they've been able to actually get that housing. After Sandy, the City has unfortunately pushed people out of hotels, and threatened to end the hotel program altogether, before long-term housing was in place. As we all know, the emergency doesn't end when the storm is over. And in fact, ending emergency shelter too soon creates much longer-term displacement and crisis for the families who needed it, who are the lowest-income people, the people with the least access to jobs that can help them recover, and the fewest community resources to lean on. We would also urge the Council to explicitly write in OEM's responsibility to shelter undocumented families, both immediately and until long-term disaster housing aid is in place for them. Since the federal government does not provide long-term housing support to them, it's particularly importnat to provide them with emergency shelter until other solutions are found. It's also important to be really explicit and public about the fact that emergency aid is available to undocumented people, so that they are confident enough to seek it – we've heard many stories of folks who were too scared to seek help. Undocumented parents and their children, who are not necessarily undocumented, have really suffered after Sandy, as we'll hear in a minute.

Intro 1065 makes an admirable attempt to figure out how to connect people to information, and track them throughout a crisis. That said, it raises enormous red flags about privacy for New Yorkers on public assistance. In theory, the registration information that the City holds about low-income New Yorkers could be useful. In practice, "information sharing" across agencies has historically been used to punitively regulate low-income people's lives in a way that no one else is subject to. It's our

understanding that legal advocates are taking up this issue, and we'll leave it to them as the experts, but we do register it as a major concern.

Finally, Intro 1072, which deals with the small business plan, is welcome. Our only concern is that the definition of "small business" has been stretched, particularly in the Mayor's recovery plan, to include businesses of vastly varied sizes, who have vastly different needs. Businesses who operate on tiny margins, in relatively tiny space, with minimal stock, for instance, will have very different needs from larger "small" businesses who operate with more leeway. Small businesses that are one-offs, like family-run shops, will have very different needs from small businesses that are part of larger networks and employ people from a much wider range of communities. We'd urge that the Council walk back some of the expansive definition that the Mayor has put in place in the Action Plan, and make sure that emergency and recovery plans really cover the mom-and-pop businesses that are so essential to the city, especially in outer-boro neighborhoods that are so vulnerable to climate disaster.

Thank you again for the opportunity to testify, and for considering legislation to address the really important issues contained in these bills.

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The Alliance for a Just Rebuilding is made up of community, labor, faith and environmental organizations including: 350.org, ALIGN, CAAAV: Organizing Asian Communities, Center for Popular Democracy, Center for Social Inclusion, Coalition for the Homeless, The Community Development Project at the Urban Justice Center, Community Voices Heard, Consortium for Worker Education, Faith in New York (formerly Queens Congregations United for Action), Families United for Racial and Economic Equality (FUREE), Good Jobs New York, Greater New York Labor-Religion Coalition, Hunger Action Network of NY State, LiUNA Local 10, LiUNA Local 78, Long Island Civic Engagement Table, Long Island Jobs with Justice, Make the Road NY, Mutual Housing Association of NY, National Domestic Workers Alliance, NEDAP, New York Committee for Occupational Safety and Health (NYCOSH), New York Communities for Change, New Yorkers for Fiscal Fairness, New York State Nurses Association, Occupy Sandy, Participatory Budgeting Project, Physicians for a National Health Program-NY Metro, Pratt Center for Community Development, Respond & Rebuild, RWDSU, SEIU 32BJ, TWU Local 100, and VOCAL-NY.

www.rebuildajustny.org

STATEMENT OF AAA NEW YORK, INC.,
BEFORE THE NEW YORK CITY COUNCIL
COMMITTEE ON PUBLIC SAFETY
NEW YORK, NY
June 20, 2013

My name is Jeffrey Frediani, I am a legislative analyst with AAA New York. AAA New York serves more than 1.6 million members residing in the City of New York and adjacent counties of New York State. We support both Intro 1076 and Intro 1077.

Superstorm Sandy cast a spotlight on traffic management and fuel supply networks that simply could not withstand the impact of a severe storm. The implications of the storm on the fuel distribution network, the roads and tunnel systems and other critical infrastructure assets were unprecedented. With power knocked out and traffic lights not functioning as well as streets flooded and impassible, it is crucial that a traffic management plan is implemented, as proposed in Intro 1076, before another natural disaster strikes. It is also vital for safety that traffic lights continue to be operational, particularly at high traffic intersections, in the event of a power outage. Installing alternate power, solar, or both would go a long way towards reducing the number of traffic lights and signals that would otherwise not be illuminated, jeopardizing public safety.

The expansion of alternative transportation is vital as well, as called for in Intro 1076, which requires planning for expanded bus and ferry service, and the expanded use of vehicles licensed by the Taxi and Limousine Commission. Allowing for the expansion of these services, along with a more functioning grid of traffic control devices, will help minimize transportation disruptions.

At the same time, we all know how much of an issue fuel management became in the days after Superstorm Sandy. Without a clear plan in place, the City of New York and other localities were forced to implement a fuel rationing system. As proposed in Intro 1077, a fuel management plan would, in our opinion, help mitigate disruptions to the fuel supply. It is especially important to assess potential transportation routes to allow fuel providers to reach their destinations within the City of New York, as required by Intro 1077.

These proposals will help ensure the City of New York is better prepared to contend with the severe impacts of another "superstorm" and we are pleased to support their enactment.

Thank you for the opportunity to comment.

Lawyers Alliance *for* New York

Connecting lawyers, nonprofits, and communities

Testimony of Lawyers Alliance for New York before
The Committee on Public Safety of the New York City Council Regarding Int. No. 1053, 1054, 1065, 1069, 1070, 1072, 1073, 1075, 1076, 1077
June 20, 2013

Lawyers Alliance for New York (Lawyers Alliance) respectfully submits this testimony regarding a package of ten bills to improve New York City's emergency preparedness and response. If the bills are enacted, New York City's response to future disasters will be greatly improved. The purpose of this testimony is to describe the essential role of the nonprofit sector in disaster planning and response, to support the bills' inclusion of community-based nonprofits in the disaster planning and response system, and to suggest additional ways that the bills can incorporate nonprofits into that system

Lawyers Alliance is the leading provider of business and transactional legal services to nonprofit organizations that are improving the quality of life in New York City neighborhoods. We have a long history of supporting the nonprofit community in response to disasters, including in the aftermath of the attacks of September 11, 2001. Today, in the wake of Hurricane Sandy, Lawyers Alliance represents and provides legal information to New York nonprofits assisting disaster victims and New York nonprofits impacted by the storm. Based on this experience, Lawyers Alliance is uniquely qualified to testify as to the role community-based nonprofit organizations can play in mitigating the impact of future natural disasters and in disaster recovery.

Community-based organizations play a critical role in disaster recovery.[1] This is especially true in New York City, given the diversity of the city's population and the strength of the nonprofit sector. According to Mayor Bloomberg: "In the days after a disaster like Hurricane Sandy the City relies more than ever on nonprofit partners for help....They are trusted by their communities and their close relationships and local knowledge makes them invaluable when it comes to rapid-response."[2]

As the Mayor acknowledged, community-based nonprofits have unparalleled knowledge about the needs of their communities. They know what parts of the physical infrastructure are weakest and where vulnerable people live. They are fluent in the languages spoken in their communities and in the cultural mores of those communities. They have the trust of community members who may be wary of government officials. And, they know what their own organizations need to be able to respond effectively to a disaster. These organizations should be an integral part of all of the City's disaster planning processes.

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[1] http://www.fema.gov/pdf/recoveryframework/ndrf.pdf at pg. 10.

[2] http://www.nyc.gov/portal/site/nycgov/menuitem.c0935b9a57bb4ef3daf2f1c701c789a0/index.jsp?pageID=mayor_press_release&catID=1194&doc_name=http%3A%2F%2Fwww.nyc.gov%2Fhtml%2Fom%2Fhtml%2F2012b%2Fpr446-12.html&cc=unused1978&rc=1194&ndi=1

Many parts of the proposed legislation recognize the importance of New York City's nonprofit sector in preparing for, and recovering from future disasters. However, the bills would be stronger if they more consistently directed the Office of Emergency Management to work closely with nonprofits in every part of disaster planning and response. For instance, Intro 1054 directs OEM to include in its community recovery plan "a description of ways to leverage community-based organizations, service providers and volunteers to ensure that a unified recovery assistance operation is commenced as rapidly as possible." The Commissioner should develop that plan in collaboration with existing community-based organizations and service providers, including but not limited to, the Voluntary Organizations Active in Disaster (VOADs) operating on a city-wide, borough-wide or community-wide basis. To ensure that happens, OEM should be required to identify in its plan, or in a report to the Council, the community-based organizations it consulted.

Additionally, the bills should specify how the City would help nonprofits recover from physical or other damage they have received. Nonprofits should either be included in the small business recovery plan described in Intro. No. 1072, or there should be a separate bill requiring OEM to develop a nonprofit recovery plan.

And the bills should specify how the City will help nonprofits meet the needs of their communities. Intro. No. 1069 appropriately requires OEM to include in its food and water access plan "contracts that can be activated [during an emergency] for providers who can provide and distribute food and water." There should be a specific effort to ensure that community-based nonprofits can apply for these contracts. Similarly, the community recovery plan described in Intro. No. 1054 should include a plan for paying community-based organizations to provide emergency services, for instance through an emergency procurement process.

Intro. No. 1072 requires the translation of information to be distributed to small businesses impacted by a disaster into languages specified in Executive Order 120 of 2008. The other proposed legislation should have similar requirements as to all aspects of a disaster preparation or recovery plan that will be distributed to the general public.

Finally, but most importantly, these laws should be passed and made effective as soon as possible. Hurricane season has begun already. Most of it will have passed by October 1. Planning needs to happen now.

I have attached to my written testimony a list of these and other suggested changes to the already very strong bills. Thank you for the opportunity to present this testimony. I would be glad to take any questions.

Lawyers Alliance for New York Specific Suggestions for
Int. No. 1053, 1054, 1065, 1069, 1070, 1072, 1073, 1075, 1076, 1077

Lawyers Alliance recommends that the following issues be clarified:

Int. No. 1054

§30-105(a)(1)(i) – The Commissioner of the Office of Emergency Management (hereafter OEM or Commissioner) should develop the timeline in collaboration with existing community-based organizations and service providers, including but not limited to, the Voluntary Organizations Active in Disaster (VOADs) and Long-Term Recovery Organizations operating on a City-wide, borough-wide or community-wide basis.

§30-105(a)(1)(iii) – Work can begin now, cataloging the services available from community-based organizations and service providers on a neighborhood basis to inform the work of borough recovery directors, deputy borough recovery directors and office staff in the event of a disaster.

Int. No. 1065

§30-104(a) – The Commissioner should develop the plan in collaboration with existing community-based organizations and service providers, including but not limited to, the VOADs and Long-Term Recovery Organizations operating on a City-wide, borough-wide or community-wide basis.

§30-104(d) – The Commissioner should specify what role, if any, community-based organizations and service providers would have in implementing the Door to Door Task Force.

Int. No. 1069

§30-109(a)(1) – the legislation should clarified to explain the term "advocacy committee" to indicate that community-based organizations and service providers with extensive experience in the distribution of food and water to vulnerable populations will be consulted to make recommendations on the development of a food and water distribution plan.

§30-109(a)(2) – the legislation properly recognizes the key role the nonprofit sector plays in the distribution of food and water to vulnerable populations and the importance of re-establishing this distribution network in the event of a disaster.

§30-109(a)(6) – the VOADs operating on a City-wide, borough-wide or community-wide basis should be consulted regarding the establishment of Hubs and Points of Distribution (PODs) since they have data or experience from Superstorm Sandy relief that would be relevant to the development of the plan

§30-109(a)(8) – The legislation should make clear that community-based organizations and service providers are eligible for contracts to offset the cost of distributing emergency food and water.

Int. No. 1072

§30-110(b) – requires the translation of information to be distributed to small businesses impacted by a disaster into languages specified in executive order 120 of 2008. The other proposed legislation should have similar requirements as to all aspects of a disaster preparation or recovery plan that will be distributed to the general public.

Int. No. 1075

The Commissioner should be required to identify, in a report to the Council, the community-based organizations it consulted in developing each plan. This report could be included in the plans themselves, or in a separate report.

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Testimony at the City Council Committee on Public Safety Hearing:

Oversight: Reviewing the City's Hurricane Sandy After-Action Report and Recommendations

Thursday, June 20, 2013

Good Afternoon,

My name is Anne Bove, and I am a Registered Nurse at Bellevue Hospital and Secretary of the Board of Directors of the New York State Nurses Association.

I am here to speak on Intro No.1073 – In relation to the evacuation of persons with special medical needs during and after emergency conditions:

Let me say that October 1 seems very far away, given that we are already in hurricane season. And considering that the National Weather Service says we are expecting 11 hurricanes this year, I suggest that the date for completion of this evacuation plan be moved up, so that we are not caught unprepared during this dangerous time.

Secondly: It's imperative that this plan be made in consultation with all the health care providers on the ground who will be responsible for implementing it, including but not limited to RNs, doctors, assistive personnel, engineers, machinists and maintenance people. These critical members of the emergency response teams in our facilities have much experience to share from both Irene and Sandy, and no real plans can be developed without us.

On the issue of developing a coordinated communications mechanism: During Sandy, we at Bellevue, Coney Island and Coler-Goldwater were able to do a remarkably well-coordinated evacuation – we didn't lose one patient! But communication was sorely lacking in two areas: 1) there was no uniform system of communicating with staff and 2) at the outset, there was a serious lack of communication with the community.

There were staff members who were left in the dark figuratively and literally, with no phones or computer access. They could not reach the nursing office and thus did not know the situation at the hospital nor what was expected of them. Many staffers were themselves impacted by Sandy and had flooding and relatives who'd been flooded out staying with them. Any communication plan needs to address the issue of a uniform method of reaching the staff.

Residents from the community kept coming to the hospital after it was shut down, and there was no proper communication with them. There needs to be some focus on redirecting the community to alternative health care facilities once a hospital has been evacuated. Also, transportation needs to be made available for the community from the closed facility to the alternative site even after evacuation has been completed.

Clearly, mechanisms for coordinating with appropriate New York State officials will help ensure that the next disaster response is better coordinated and managed than it was during Sandy. NYSNA suggests that incorporating in the plan a mechanism for communication with federal officials as well, like those from FEMA and Homeland Security.

Thank you.

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Testimony of
MARK LADOV
on behalf of
NEW YORK LAWYERS FOR THE PUBLIC INTEREST
before the
NEW YORK CITY COUNCIL COMMITTEE ON PUBLIC SAFETY
HEARING ON HURRICANE SANDY AFTER ACTION REPORT AND RECOMMENDATIONS

June 20, 2013

Good afternoon and thank you for the opportunity to provide testimony today. My name is Mark Ladov, and I am a staff attorney with New York Lawyers for the Public Interest (NYLPI). NYLPI is a nonprofit civil rights law firm formed in 1976 to address the unmet legal needs of New Yorkers. In 1991, NYLPI formed its Environmental Justice & Community Development Project to represent communities facing disproportionate environmental burdens. NYLPI is a member of the Sandy Regional Assembly, a coalition of over 40 community-based and non-profit organizations who represent and serve the communities hit hardest by Superstorm Sandy.

We commend the City Council for taking action to help our communities rebuild after Sandy, and for holding hearings to ensure that the public has a voice in this process. And we are pleased that the City Council's legislative package recognizes the critical role that grassroots organizations must play in a successful disaster recovery plan.

The New York City Environmental Justice Alliance (NYC-EJA) is presenting testimony today that describes some of the recommendations of the Sandy Regional Assembly as they relate to the goals of these bills. We fully endorse that testimony, and urge the Council to take action to implement those proposals. These recommendations are based on the hard-earned wisdom of community residents about what worked – and more importantly what did not work – in the aftermath of Superstorm Sandy, and should be a part of the City's planning process.

The Sandy Regional Assembly's Recovery Agenda explains why grassroots organizations are so critical to the disaster recovery process:

> After Sandy, community-based organizations, neighbors, volunteers, and low-wage workers served as first – and last – responders and provided critical post-disaster support in impacted areas. Community-based organizations in NY/NJ have long demonstrated the capacity to work collectively to support neighborhoods from the ground up. Our resilience is built on decades of work establishing ties with our local communities, longstanding networks of volunteers, and effective organizing strategies. Sandy showed how communities that were resilient and organized before Sandy, were also the most resilient after disaster hit.[1]

The City Council can improve this legislative package even further by listening to, and supporting the work of, grassroots community advocates.

First: the City Council should require the Office of Emergency Management to incorporate community-based planning principles into the process created by these bills.

These bills require OEM to identify ways to coordinate better with community-based organizations after the next disaster. But community organizations and members must be a formal part of a participatory and transparent planning process.

The "Small Business Recovery Plan" bill (Int. No. 1072, introduced by Council Member Reyna) best reflects these priorities. This bill requires the department of small business services to consult with small business owners during the emergency planning process – and to survey those business owners about their actual needs once an emergency has struck. The bill would improve communication to City residents, by creating a voluntary database of small businesses to receive alerts about potential incidents and recovery assistance. Critically, the bill requires the City to communicate to small businesses "in the languages that reflect the communities impacted."

These are good ideas. But community participation and transparency are equally important for the other pieces of the disaster recovery plan. Effective planning for future extreme weather events cannot occur without the vital input of organizations and residents that were working on the ground in areas most impacted by Sandy. The entire legislative package should incorporate these and similar community-based planning principles.

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[1] Sandy Regional Assembly, Recovery Agenda 1 (April 2013), available at h ps://dl.dropboxusercontent.com/u/4969505/NYC-EJA/SandyRegionalAssemblyRecoveryAgenda_WEB_033013.pdf

Second: the City Council should invest in community infrastructure and preparedness.

This legislative package can help ensure that a good emergency plan is in place before the next storm or disaster. But even the best plan will only be effective if New York City's communities are prepared to implement it.

After Sandy, community-based organizations and residents were critical first responders. They helped vulnerable neighbors, distributed resources and information, organized volunteers, and led local recovery efforts. The testimony by NYC-EJA includes specific proposals for training and funding community-based response teams – and for building community institutions that are always needed, but especially at times of crisis.

The Mayor's Special Initiative for Rebuilding and Resiliency (SIRR) has also called for a "pilot program to identify and address gaps in community capacity." As the SIRR plan explains, "The local capacity to organize and support residents and businesses varies greatly from neighborhood to neighborhood. The City learned from Sandy that neighborhoods with higher community capacity tended to prove more resilient."[2]

The City Council should endorse the goal of investing in community infrastructure. The Council can help ensure that OEM works with communities to identify local preparedness needs – and that the City provides the funding needed to fill in those gaps citywide before the next disaster.

*****

We commend the Committee on Public Safety for holding this hearing to promote transparency in the post-Sandy rebuilding process, and to give community members a chance to offer their insight into the recovery process. The City Council plays an essential role in ensuring that our neighborhoods are prepared for future emergencies. It is critical that any laws enacted by the City Council reflect these goals of transparency and community participation.

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[2] PlaNYC, A Stronger, More Resilient New York 158 (June 2013), available at h p://www.nyc.gov/html/sirr/downloads/pdf/ nal_report/Ch8.5CommPreparedness_FINAL_singles.pdf.

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Testimony at the City Council Committee on Public Safety Hearing:

Oversight: Reviewing the City's Hurricane Sandy After-Action Report and Recommendations

Thursday, June 20, 2013

Good afternoon,

My name is Patricia Caridad and I am a Registered Nurse. I work for the New York State Nurses Association. I was responsible for coordinating medical care for the residents of Staten Island in the aftermath of Sandy. I have also done Sandy recovery work in ~~Staten~~ Coney Island and Far Rockaway.

I would like to make some suggestions to take into consideration related to Intro 1065: Creating an outreach and recovery plan to assist vulnerable and homebound residents, and indeed all affected residents before, during and after emergency conditions:

On community outreach and tracking of vulnerable and homebound residents:

- How will first responders and volunteers on the ground get access to a registry or listing of vulnerable and homebound resident to be able to offer aid? We suggest that Community Boards be responsible for the tracking of such residents with special medical needs within their neighborhoods. Each Community Board could then report to one medical professional that could keep a constantly updated list. In the event of another disaster these individuals could be tracked and found by their neighbors, for evacuation, healthcare and food and nutrition services.
- Canvasing disaster-affected areas is a must! That means door-to-door, and it should be done frequently. People need regular meals and medical attention and often help with daily living, so once is not enough.

On coordination of services:

- Loss of durable medical equipment after Sandy was a major problem for survivors in Staten Island. An arrangement needs to be made with medical supply companies before a disaster so that disaster survivors who have lost their equipment can get replacement nebulizers, wheelchairs, CPAP machines, glucometers, etc. immediately, free of charge to the survivor. During the aftermath of Sandy, NYSNA leaders pleaded with the Mayor's office to help us obtain portable nebulizers. We were told that these were not life-or-death medical devices. People die every day from asthma attacks that require use of nebulizers. These are lifesaving machines for many patients.
- Develop an emergency-response tetanus vaccination plan to be conducted by registered health professionals within the disaster area, going door to door. During the weeks after Sandy, I had the NYSNA mobile van parked in the disaster area and vaccinated at least 500 individuals who had stepped on nails or otherwise hurt themselves during the recovery.

Continue on back side →

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- Each community should have a designated place with emergency generators, a walk-in refrigerator to hold medical and food supplies that can be stocked during preparation for a storm or other disaster. It is important that there be local places/generators to allow people to re-charge their phones and other devices so they are not cut off from the world.
- In an emergency, speed of response is critical. Thus, there must be a minimum of red tape and bureaucracy, which holds back the ability to move quickly. The plan as outlined in Intro 1065 has many layers that, if not perfectly synchronized, can delay the emergency response.

How medical services can be made available to affected residents:

- I have travelled to Oklahoma to provide emergency relief of the victims of the devastating tornados that hit Moore, OK. Oklahoma City provides "clinics in a can" which are freight containers converted to clinics. They station these clinics right in the neighborhood and can administer care to victims immediately. I ran such a clinic in Coney Island for 6 months and cared for at least 40 patients a day. (That mobile clinic was donated by the Physicians for a National Health Program, not the City of NY.)
- After Sandy, residents could not get over the bridge to go to Coney Island Hospital clinic, which was destroyed; it took several weeks before any mobile units were on SI. There must be a faster response with mobile clinics where healthcare facilities have been wiped out or shut down.
- Mental health issues must be addressed on a consistent and ongoing basis. PTSD is rampant and survivors should have support from the City to attain therapy. Most people think of PTSD as something that affects only members of the military who have seen active duty. In reality, PTSD can affect anybody who has survived and experienced the losses associated with a disaster. It can manifest itself as an inability to sleep or loss of appetite. It must be treated to enable people to fully get their lives back.
- The closing of the Bayley Seaton inpatient detox center has been a true hardship and detrimental to the residents of the affected area, and has compounded the problem by cutting these patients off from local treatment. It is not good public health policy to close clinics or hospitals that provide care in the aftermath of a disaster.

NYSNA has been involved with many other local organizations in the Long Term Recovery Organization on Staten Island since November. Our organization is involved in developing long-term solutions and preparation for future disasters. This group should be a part of any city planning for disaster relief. We have after all, been on the ground all these many months, rebuilding our homes and communities and trying to heal. We feel it's a failing that there's no representative from Staten Island on the City Council Committee on Public Safety. Certainly Staten Island has experience to contribute to this discussion, and the City needs the input of the Sandy survivors.

Thank you.

DISASTER CHAPLAINCY SERVICES www.disasterchaplaiancy.org; (212) 239.1393;
for more information: volunteercoordinator@dcs-ny.org

My name is Rabbi Janise Poticha. I am on the leadership team for Disaster Chaplaincy Services of New York.
Disaster Chaplaincy Services is the pre- 9/11 non-profit multi-faith, multi-cultural, multi-language spiritual care disaster relief chaplaincy organization.
Our 160 volunteer chaplains represent 28 faith traditions, speaking 30 different languages. Each of our chaplains is trained in emergency spiritual care.

Even before 9/11, the importance of spiritual care during a disaster was apparent. Subsequent to Hurricane Katrina, Disaster Chaplaincy Services was one of the partnering agencies helping to write the previous New York City Coastal Storm Plan. We encouraged the city and agencies to make sure that voluntary spiritual care offered by Disaster Chaplaincy Services be utilized.

Disaster Chaplaincy Services and the City of New York:

During and in the aftermath of Sandy, Disaster Chaplaincy Services worked with and offered interfaith chaplaincy to: victims of the storm,
to people working with city and private agencies,
to people involved with other volunteer organizations and their support. The spiritual and emotional care provided is difficult to calculate in numbers, except for the statics provided below. Disaster Chaplaincy Services knows from all our contacts that the service we provide is deep and abiding.

DCS Response to Sandy and statics:

While Sandy was still wrecking havoc, Disaster Chaplaincy Services leaders were communicating with our volunteer chaplains to determine their safety and availability.

1/3rd of our chaplain responders were either directly affected by Sandy, their houses of worship or their congregants were badly affected. They rejoined our team once they had taken care of their personal or community needs.

Two Disaster Chaplaincy Service chaplains were part of an initial advance fact-finding team in the Rockaways on Thursday, Nov 1, 2012.

Overall Statics:

Disaster Chaplaincy Service chaplains deployed:
76 chaplains during and in the aftermath of Sandy

Sites staffed:
16 shelters
9 other locations*
Total: 25 sites

DISASTER CHAPLAINCY SERVICES

Shifts staffed by Disaster Chaplaincy Service chaplains:
197 shifts
43 shifts: at American Red Cross – HQ
Total: 240

Hours chaplains spent in the field or work related to Sandy:
645 hours

Number of contacts with victims of Sandy or with professional staff:
900 contacts in the field
344 contacts at American Red Cross – HQ
Total: 1,244 contacts

*Other locations included:
feeding vehicles,
feeding centers,
EAP (Employee Assistance Program) for the Mayor's office of Labor Relations requested we work with Dept. of Sanitation employees,
field areas where sanitation employees worked and
bulk distribution centers (for food, clothing, information)

Chaplains trained in Disaster Chaplaincy Service "Just In Time" program:
71 attended trainings
24 completed process

Disaster Chaplaincy Services chaplains while volunteering at shelters, ARC-HQ and all other locations not only served the victims of Sandy but also offered spiritual care to mental health volunteers and support staff though February 2013.

Timely and Future Preparation:

Our chaplains reside or work in a large region from Columbia County down throughout the five boroughs. Due to the widespread damage of Sandy and the inability to travel, Disaster Chaplaincy Services were unable to deploy 1/3rd of our chaplains.
Not knowing the duration of long-term need, subsequent to Sandy and doubling our efforts to be prepared for the unknown future, Disaster Chaplaincy Services implemented the "Just In Time" training program for faith leaders not yet volunteering with Disaster Chaplaincy Services. Our leadership team reached out to the extended interfaith community inviting ordained faith leaders endorsed by recognized denominations or judicatories. As a result (as noted above) 71 clergy attended training sessions with 24 clergy completing the process.

We strongly urge that Disaster Chaplaincy Services of New York be utilized to the fullest extent to provide spiritual care during any and all disasters that occur New York City and it's boroughs.

Coalition of **I**nstitutionalized **A**ged and **D**isabled, Inc.
425 East 25th Street • New York, NY 10010 • 212-481-7572

TESTIMONY FOR A HEARING ON:

Reviewing the City's Hurricane Sandy After Action Report and Recommendations

PRESENTED BEFORE:
New York City Council
Committee on Public Safety

Geoff Lieberman
Executive Director

June 20, 2013

Good afternoon. My name is Geoff Lieberman, Executive Director of the Coalition of Institutionalized Aged and Disabled (CIAD). CIAD is a non-profit, grassroots organization run by and for adult home residents and resident councils. We were established in 1973 to bring pride, purpose and self-determination to residents of long term care institutions.

Hurricane Sandy had a devastating impact on the people of New York City including the 2,300 adult home residents living in 15 facilities in the Rockaways, Coney Island and Staten Island. Fifteen hundred residents from 11 homes were evacuated after the storm hit, and the residents from two of these homes still have not been able to return.

In the immediate aftermath of Super Storm Sandy, CIAD staff worked around the clock to locate displaced residents, report their needs to state agencies and provide assistance. CIAD spent much of its time between October 2012 to February 2013 reaching out to residents to help them get housing, food, beds to sleep on, and health and mental health services. We even helped some obtain absentee ballots so they could participate in the November election. Based upon what we saw and what residents told us, we made recommendations to the New York City Council during its hearings on Hurricane Sandy in January. We are pleased to see some of what we suggested reflected in several of the bills up for discussion today. We are also one of 21 organizations who support a comprehensive set of recommendations for improving New York's disaster response planning and preparedness, an effort organized by New Yorkers for Patient and Family Empowerment.

We are currently working with students and recent graduates from the Columbia University School of Social Work on a participatory research project on Hurricane Sandy that provides a powerful platform from which residents can communicate their stories and concerns to policymakers. The preliminary findings of the report support aspects of the proposed legislative package before us today but also point to how these important proposals can be strengthened to improve the state's and city's disaster preparedness.

For example, several of the bills require the commissioner of OEM to develop and implement several plans, including a health facilities evacuation plan, a sheltering plan, and a special medical needs tracking plan. There is no question that planning is essential to disaster preparedness, but essential to developing a good plan is its inclusiveness and engagement with the disabled communities it is meant to serve. The development of these plans must

include the participation and input of adult home residents, nursing home residents, and people with disabilities living in the community.

Furthermore, because of the unique situation of adult homes and nursing homes as state regulated facilities that will be inevitably be dependent on municipal services in a disaster, New York City and New York State must work together to develop a comprehensive disaster plan, not only for the orderly and timely evacuations of people in institutions, as proposed in 1073, but also for the development of a safe and adequate sheltering plan as well. Many of the problems that adult home residents faced could have been ameliorated if there was better communication, coordination and cooperation between the City and State, and with a better, more informed understanding of adult homes and adult home residents.

We applaud the City Council for its leadership in this area. We believe that 1053, 1070, 1073 and 1075 are critically important first steps. CIAD and the adult home residents it serves and represents looks forward to working with you in the days ahead to ensure the safety and well-being of adult home residents when the next storm or disaster hits.

I'll now turn it over to my colleague Sophia Carlton, who will discuss our preliminary findings and responses to the bills in a little more detail.

Thank you for the opportunity to speak to you today.

Coalition of Institutionalized Aged & Disabled

125 East 25th Street Phone: (212) 481-7672 Fax: (212) 481-5149 ciadny@aol.com

Experiences of Adult Home Residents During Hurricane Sandy: Implications for Evacuation and Sheltering

June, 2013

Residents of adult homes across New York City faced unique hardships in the aftermath of Hurricane Sandy. In order to shed light on these experiences, student researchers from the Columbia University School of Social Work partnered with Coalition of Institutionalized Aged and Disabled (CIAD) to conduct focus groups and interviews in adult homes throughout New York City. Researchers asked a series of questions on seven main topics concerning: the evacuation process, shelter conditions, medication, cash allowance, communication issues, safety concerns, and accessibility of evacuation sites. The project was undertaken with the guidance of Dr. Lori McNeil, Director of Research and Policy for the Safety Net Project at the Urban Justice Center.

This brief highlights preliminary findings from the report, which will be released in the coming weeks. The results from this participatory research project will serve as evidence in support of key recommendations backed by numerous organizations and reflected in proposed legislation.

Selected Findings:

- 100% of residents who were evacuated reported issues with the evacuation process.
- All of the residents who were evacuated reported concerns with conditions at the shelters, ranging from food and overcrowding to staff and operations.
- One-third of residents reported having issues with access to monthly personal allowance.
- Nearly 20% of all adult home residents interviewed reported having issues with medication during the evacuation or sheltering process.

"The worst part for me was when the lights went out. I have trouble walking and the elevators were not working. We were told we had to take the stairs to evacuate and I was scared someone would push me."

"I have health conditions and for me to sleep on a cot for weeks was absolutely horrible."

"Several residents were missing at different times during the two weeks (at the shelter). They were not reported missing by the staff. There was no daily census taken until a family member came over and had no idea where her brother was. The police got involved and it was discovered that there were other people that were also unaccounted for."

"I unite myself to the voice of all of my fellow residents that they should have evacuated us the day before. As a matter of fact, management made the remark that everything was going to be ok, that we did not need to evacuate. The opinion of management did not coincide with what that the mayor of our city was advising everyone to implement for the evacuation."

Selected Findings Continued:

- 100% of residents evacuated to DHS-operated shelters reported difficulties with access to restrooms.
- 85% of residents evacuated to DHS-operated shelters identified issues with shower operations, including lack of privacy and inconsistent coordination.
- Of the residents who were evacuated or sheltered in place, nearly 30% reported accessibility issues at their shelter or facility.
- 28% of residents who were evacuated reported issues with safety at the evacuation site or the surrounding neighborhood.

"All of our medical records were completely destroyed. The medical staff from our facility had to start interviewing all of our residents, asking questions about everything that went into opening new medical records. It's like starting all over again..."

"I had an issue with medication because they gave me the wrong pills. My face blew up like a balloon and I landed up in the hospital (for) about two weeks. They had to bring my blood pressure down... I was all messed up."

"In my case, I was accommodated with another resident of my facility in a room that was already occupied by two local residents of the home... There was tension there, animosity between residents of their facility and residents of ours... I heard many people say that they were dying for us to get out of their facility."

"There was a total lack of resident input in the process. We have to have input in the decisions that affect our lives. We have to be able to advocate for our own safety. It's our lives."

Recommendations:

1. New York City and New York State must work together to develop a comprehensive evacuation plan for adult homes and nursing homes in hurricane flood zones to ensure close coordination and cooperation before, during and in the aftermath of an emergency.
2. New York City should conduct a thorough review of shelter accessibility and safety for residents of institutions.
3. Emergency planning must be participatory – with involvement and input from adult home residents.
4. Mandatory evacuation orders should apply to adult homes, taking into account the additional advanced planning and coordination necessary in moving institutionalized residents.
5. Adult homes in unaffected areas should not be considered an acceptable place to evacuate residents of other adult homes unless there are empty beds available. An adult home's capacity standards should not be waived in emergency situations.

For details on the full report, email: skc2136@columbia.edu

Coalition of Institutionalized Aged and Disabled, Inc.
425 East 25th Street | New York, NY 10010 | 212-481-7572

TESTIMONY FOR A HEARING ON:

Reviewing the City's Hurricane Sandy After Action Report and Recommendations

PRESENTED BEFORE:

New York City Council
Committee on Public Safety

Sophia Carlton, M.S.S.W.

skc2136@columbia.edu
sophia.k.carlton@gmail.com

June 20th, 2013

Good afternoon and thank you for the opportunity to testify. My name is Sophia Carlton and I am a recent graduate of Columbia University's School of Social Work. I am also a resident of Park Slope, Brooklyn, and during the weeks following Hurricane Sandy, I had the chance to volunteer at the Park Slope Armory while it was used as a shelter for individuals with special medical needs. It was in this setting where I first met residents of adult homes and became touched by their resilience, their humor and their positive outlook. But it wasn't until a couple of months after the closing of the Park Slope Armory shelter, when I had a chance to meet Geoff Lieberman, executive director of CIAD, that I learned of the terrible conditions and situations many residents faced in the months following the closure of the hurricane shelters (whose operations were led by the Department of Homeless Services). Geoff's work assisting displaced adult home residents prompted me to pursue our collaborative research endeavor as a way to inform policy making around emergency planning.

As Geoff mentioned, during my last semester as a student, I partnered with CIAD to investigate these issues within a framework of *participatory action research.* For this project, myself and three other Columbia students visited 8 adult homes that were impacted by the storm. We asked a series of questions on seven main topics concerning: the evacuation process, shelter conditions, medication, cash allowance, communication issues, safety concerns, and accessibility of evacuation sites. CIAD's Policy Committee provided recommendations on the topics, survey questions and logistics of the data-collection process. The project was undertaken with the guidance of Dr. Lori McNeil, Director of Research and Policy for the Safety Net Project at the Urban Justice Center.

Throughout the months of March-May, my fellow students and I conducted focus groups and one-on-one interviews with 28 residents who either: (1) evacuated to a hurricane shelter or to another group home, (2) hosted evacuees at their facilities, (3) or sheltered in place. Although the results I speak about today are preliminary (the final report should be anticipated soon) – we believe that these findings provide evidence in support of several of the proposed bills on the agenda today. We believe that these findings also highlight areas where these proposals must be strengthened.

Bill 1073 would provide mechanisms to ensure the availability of transportation and beds at *healthcare* facilities in the advent of an evacuation. Given that ALL of the participants in our study who were evacuated reported issues with the process, adult home facilities *must* be included in this legislation. Issues that were brought to light included having to evacuate in knee-deep water, or in complete darkness, or having to wait hours in extremely uncomfortable conditions until transportation to shelter arrived. Residents who have mobility issues faced even *greater* difficulties during this time. Adult home residents should not have to evacuate their facilities *after* these conditions have set in. Expanding the mandate of 1073 could prevent many of these problems in the future.

In addition, our study highlighted many issues that arose for residents who were evacuated to other adult homes to shelter. Participants cited instances of gross overcrowding – with room capacities more than doubling in some cases, as well as instances of theft and resentment between residents of different facilities. At one point, Queens Adult Care Center provided shelter to *two additional* facilities. Residents should not have to bear the burden of having their homes' capacities increased by threefold practically overnight. We believe that the commissioner's evacuation plan, as specified in Bill 1073,

must be extended to adult home facilities. A system to monitor available beds at other adult home facilities could prevent the unacceptable conditions that residents faced during Sandy.

Bill 1070 would address several of the concerns brought to light in our research. For example, all of the participants in our study who were evacuated to DHS-operated shelters reported concerns with restrooms, with issues ranging from cleanliness, to accessibility, to the lack of adequate facilities. Similarly, an overwhelming majority of participants identified issues with showers, including lack of privacy, inconsistent coordination, and even threats to personal safety. Bill 1070 would make sure that mechanisms would be put into place to solve some of these issues.

It is clear that the city must conduct a comprehensive review of shelter accessibility and safety. The development of short, medium, and long-term shelter plans, as outlined in Bill 1070, is a necessary part of this endeavor.

Finally, we would like to express not only our support but also the *urgency* for Bill 1053. Our study uncovered shocking consequences likely spurred by destroyed medical records or records that were in disarray after evacuation to various shelters. Nearly 20% of all adult home residents interviewed reported having troubles with medication during the evacuation or sheltering process. One individual we spoke with was admitted to a hospital for two weeks after his medication was mixed up with another resident's. In another case, the disruption of medications coupled with the stress of being evacuated and relocated to several facilities, may have led one person to attempt to take their own life. It is our belief that similar issues could be prevented in the future with the implementation of a mechanism to track the medical needs of individuals when files are destroyed.

In summary, we believe that our research findings provide evidence in support of bills 1075, 1073, 1070, and 1053, and also point to areas where these bills must be expanded to protect adult home residents during emergency situations. We look forward to sharing the final report when it is completed and to working with council members, advocacy organizations, and adult home residents to ensure that these critical steps are taken to improve emergency planning for future disasters. Thank you.

Metropolitan Waterfront Alliance

Testimony of Roland Lewis, President and CEO

Before the Committees on Waterfronts, Transportation, and Economic Development

June 20, 2013

Good afternoon, and thank you for the opportunity to submit this testimony. I am Roland Lewis, President and CEO of the Metropolitan Waterfront Alliance (MWA). The MWA is a coalition of over 730 businesses, community and recreational groups, educational institutions, and other stakeholders committed to transforming the New York and New Jersey Harbor and its waterways to make them cleaner and more accessible, a vibrant place to play, learn, and work with great parks, great jobs, and great transportation for all.

Superstorm Sandy sounded a wakeup call across the five boroughs: natural disasters beget a whole host of problems for island people like ourselves. I applaud Speaker Quinn and the City Council for their aggressive approach to preparing New York for the hazards of climate change and extreme weather. In particular, I am pleased to see that the Council recognizes the criticality of ferries in emergency situations. As the most resilient mode of public transit, it is essential that ferries are central to all contingency transportation plans. However, to maximize the utility of ferries under emergency circumstances, there are several policy measures the City can undertake in the short term to ensure we are adequately prepared for the future.

First of all, at present, New York City suffers from a conspicuous dearth of coastal infrastructure for ferryboat tie-up. Legal regulations require that all airplanes, public buildings,

and subway cars be equipped with unobstructed emergency exits to allow for quick and safe evacuations. However, though fringed with a 520-mile coastline, New York City lacks analogous requirements for waterborne evacuation points. The vast majority of New York City's marine edge either precludes public access entirely or is designed for passive use, while opportunities for active maritime use and water access are extremely limited.

Design guidelines should call for the retrofitting of the City's coastline with landings, gangways, cleats, and bollards at strategic points to ensure ample tie-up opportunities. Waterfront neighborhoods with a particular dearth in both public transportation and landing facilities should be prioritized for new infrastructure, while existing infrastructure—regardless of present use or future development plans—should be preserved in order to ensure that ferries and other emergency vessels can safely receive and transport passengers during evacuations. To help achieve these goals, the City should seek a commitment from permitting agencies to support new coastal infrastructure that is large enough to accommodate an adequate number of appropriately sized vessels.

Second, in the wake of an emergency event that results in power outages and transit shutdowns, New Yorkers instinctively flock to piers and landings, waiting in long lines to board ferries and rescue boats. Time and again, this phenomenon leads to overcrowding, delays, and inefficiencies as available vessels are overwhelmed by passenger demand. Transit experts have consistently recommended adding more inter-borough ferry routes in order to mitigate congestion on both the water and the land. This is crucial because ferries' ability to provide redundancy in contingencies is greatly affected by the availability of vessels and landings in New

York's waterways. Given the rapid population growth projected in coming decades—with nearly a million new New Yorkers expected by 2030—the best way to achieve these investments is to expand citywide ferry service. Growing water mass transit will strengthen the City's capacity for waterborne evacuation and the effectiveness of its emergency response.

Third, though ferry crews are vital to waterborne evacuation efforts, they lack official authorization as emergency management personnel. This inconsistency manifests itself following emergencies when police officers and emergency response officials often deny ferry crews access to blockaded roads and river crossings—delaying their ability to get to their vessels—or prohibit them from entering disaster areas. Moreover, following Sandy, ferries were critical for evacuating residents from hard-hit neighborhoods and delivering emergency supplies. Yet amid a debilitating fuel crisis, ferry operators found their crews to be short-staffed.

To rectify these problems, the City must grant ferry operators and their crews emergency personnel status. For example, in addition to the Transit Workers Identification Credential (TWIC) card, ferry crews must be supplied with a form of identification that designates them as essential emergency personnel. Police officers and other officials will then recognize them as integral to emergency response, enabling them to effectively fulfill their evacuation duties. Moreover, when fuel shortages result in excessive wait times at gas stations, ferry operators and their crews must be prioritized for fuel allocation so they may quickly travel to the water and run necessary waterborne transit service.

Thank you for the opportunity to deliver this testimony.

FOR THE RECORD

Corporate Headquarters At The Hutch Metro Center

June 20, 2013

Peter Vallone Jr.
Chair, Public Safety Committee
City Hall
New York, NY 10007

Re: Intro 1077 (Fuel Management Plan in Response to Emergency Conditions)

Dear Chair Vallone:

We applaud the Council and your committee for focusing on the City's ability to respond to and recover from the next storm. We learned many lessons from Hurricane Sandy and the package of bills before your committee reflects that learning.

Intro 1077, sponsored by Council Member Vacca, would require the Office of Emergency Management to develop and implement a fuel management plan. The plan must include a number of elements, including fuel access prioritization for those involved in rescue, recovery and clean-up operations.

In light of the important role fuel plays in recovery operations, this bill is an important component of the City's storm preparedness plans.

In addition to first responders such as police, fire and medical personnel, another critical component of recovery operations are utility and telecommunications personnel. Electricity, gas, cable and telecommunications play a crucial role in recovery from a storm. Bronx residents and businesses rely on these critical services in order to get back on their feet.

Despite best efforts to plan for the storm, the unexpected and prolonged fuel access issue in the aftermath of Hurricane Sandy caused many problems throughout the City, including for utility and cable and telecommunications providers. Our member companies from these industries provide critical services to the public. Helping them to ensure adequate fuel supplies for generators, repair vehicles and other critical recovery activities is important to swift and effective response and recovery.

In light of the importance of the services these companies provide, we respectfully suggest that the bill be amended to specifically reference electric, gas, steam, telecommunications and cable for fuel access prioritization, as indicated in the attachment.

Thank you for the opportunity to provide our thoughts on this important issue.

Sincerely,

Lenny Caro, President & CEO
The Bronx Chamber of Commerce

Copy:
Speaker Christine Quinn
Council Member Vacca

Executive Officers

Founder
Elias Karmon

Chairman of the Board
Joseph Kelleher
Hutchinson Metro Center

President & CEO
Lenny Caro
The Bronx Chamber of Commerce

Vice Presidents
John Collazzi
Scott Place Café
Hon. June Eisland
Eisland Strategies
Sandra Erickson
Sandra Erickson Real Estate
Dr. Stephen Jerome
Monroe College
April Horton
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NY Power Authori
Joseph Deglomini Jl
Simon Developme.
Dr. Ricardo Fernand
Lehman Colle
Barry Fitzgeral
F & F Insuran
Joe Galli
D & J Ambulet
Roberto Garc
Montefiore
Fr. Gorma
Community Board
Louis GrassoJl
Kingston Blo
John Haberman
Hudson Valley Ba
Michael Knobl
Bronx N
Clarence Lildharri
CATS In
Vincent Mutarel
Capital One Ba
Felix Matos Rodrigu
Hostos Community Colle
Sigfrido Rive
TD Ba
Miguel Ru
Help US
Brian Smit
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Kathy Zameschansk
KZA Real

Legal Couns
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1200 Waters Place, Suite 106 Bronx, NY 10461 718. 828.3900 Office 718. 409.3748 Fax

PROPOSED EDITS TO INTRO 1077

§30-111 Fuel management plan. The commissioner shall develop and implement a fuel management plan no later than October 1, 2013 in consultation with other city agencies and other relevant governmental entities, to be implemented during and after emergency conditions and incidents as described in section 497 of the charter, when such conditions or incidents disrupt the fuel supply in the city of New York. Such plan shall include but not be limited to: (1) the procedures and criteria for determining when a fuel shortage exists and for rationing of fuel in the event of a fuel shortage in the city of New York, with such criteria to include the uses of fuel for generator and emergency needs; (2) the amount of fuel reserves the city of New York should maintain and for what priority purposes; (3) the establishment and maintenance of lines of communication between the city and the industries that provide fuel to the city of New York; (4) prioritization of fuel access for persons involved in rescue, recovery and clean-up operations, including emergency services and medical and uniformed services personnel such as police, fire and sanitation workers **AS WELL AS ELECTRIC, GAS, STEAM, CABLE AND TELECOMMUNICATIONS PERSONNEL**; and (5) an assessment of transportation routes to allow fuel providers to reach their destinations within the city of New York.

Testimony of
Coalition for the Homeless
and
The Legal Aid Society

on

The City of New York's Plan for the Provision of Shelter and Other Vital Services During Emergency Conditions

Presented before

The New York City Council
Committee on Public Safety

Giselle Routhier
Policy Analyst
Coalition for the Homeless

Steven Banks
Attorney-in-Chief
The Legal Aid Society

June 20, 2013

The Coalition for the Homeless and The Legal Aid Society welcome this opportunity to testify before the Committee on Public Safety regarding planning and preparation for future weather disasters and other emergency conditions.

About the Coalition and The Legal Aid Society:

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 New Yorkers each day. The Coalition advocates for proven, cost-effective solutions to the crisis of modern homelessness, which now continues past its third decade. The Coalition also protects the rights of homeless people through litigation around the right to emergency shelter, the right to vote, and life-saving housing and services for homeless people living with mental illness and HIV/AIDS.

The Coalition operates twelve direct-services programs that offer vital services to homeless, at-risk, and low-income New Yorkers, and demonstrate effective, long-term solutions. These programs include supportive housing for families and individuals living with AIDS, job-training for homeless and formerly-homeless women, rental assistance which provides rent subsidies and support services to help working homeless individuals rent private-market apartments, 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 distributes 900 nutritious meals each night to street homeless and hungry New Yorkers. Finally, our Crisis Intervention Department assists more than 1,000 homeless and at-risk households each month with eviction prevention assistance, client advocacy, referrals for shelter and emergency food programs, and assistance with public benefits.

The Coalition also represents homeless men and women as plaintiffs in *Callahan v. Carey* and *Eldredge v. Koch*. In 1981 the City and State entered into a consent decree in *Callahan* in which it was agreed that, "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 adults.

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

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 1,000 of the brightest legal minds. These 1,000 Legal Aid Society lawyers work with nearly 700 social workers, investigators, paralegals and support and administrative staff. Through a network of borough, neighborhood, and courthouse offices in 26 locations in New York City, the Society provides comprehensive legal services in all five boroughs of New York City for clients who cannot afford to pay for private counsel.

The Society's legal program operates three major practices — Civil, Criminal and Juvenile Rights — and receives volunteer help from law firms, corporate law departments and expert consultants that is coordinated by the Society's Pro Bono program. With its annual caseload of more than 300,000 legal matters, The Legal Aid Society takes on more cases for more clients than any other legal services organization in the United States. And it brings a depth and breadth of perspective that is unmatched in the legal profession.

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, the Society's law reform representation for clients benefits some two 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 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. Together, the Coalition and The Legal Aid Society act as New York City's first responders, protecting and enforcing the legal rights of homeless families and individuals in New York City.

Providing Shelter after an Emergency Event

In February, Coalition for the Homeless and The Legal Aid Society testified before the General Welfare Committee about the City's response to Hurricane Sandy (attached). Among the problems we witnessed were poor shelter conditions for evacuees, unmet medical needs, a severe lack of accountability, and inadequate re-housing assistance.

We are extremely grateful that the City Council has listened to affected New Yorkers and community advocates in proposing a plan for future emergencies. We support the Council's legislative efforts to propose amendments to the local law to address the needs of New Yorkers in emergencies. In this testimony, we highlight some of the key initiatives that the Council has proposed and make some recommendations for the Council's consideration as part of this effort.

Already, the City of New York has existing legal obligations to provide adequate shelter and services for homeless individuals and families as laid out in *Callahan v. Carey* and *Boston v. City of New York*. These obligations establish the minimum standards for safe, secure, and adequate shelter and must continue to guide the provision of emergency shelter following all future emergency events.

In preparing for future storms, it is imperative that the City work to limit the amount of time evacuees spend in large-scale congregate shelters and, if necessary, quickly transition households to locations more suitable for longer term stays. In all emergency sheltering locations, but particularly in large-scale congregate shelters, the City must ensure that food, medical, bathroom, and other special needs are addressed adequately for all individuals.

The Council's proposed bill on sheltering will require descriptions of shelter staffing and accountability, assessments of emergency supply stockpiles, plans for shower and laundry

facilities, provision of adequate food, the continued provision of public benefits, and mechanisms for tracking the census. We support all of these requirements.

Additionally, one of the most common problems Coalition and Legal Aid monitors witnessed was a lack of assistance for individuals with medical needs. Many individuals came into shelter after having lost all their prescription medication, or with only a small supply. Most were unable to reach their doctors or health care providers, who were often based in the same affected neighborhoods. There were potentially serious health risks posed to these individuals, many of whom were not in special medical needs shelters. It is therefore imperative that trained health care staff be present in all congregate shelters in addition to staff who are able to assist individuals in obtaining new prescriptions. We stand ready to work with the Council to address this need.

Almost eight months after Hurricane Sandy, there are still hundreds of displaced families living in temporary hotels and shelters throughout New York City. We agree with the Council that the best solution for any future disaster is to reduce the need for temporary shelter wherever possible. Accordingly, the City Administration should commit to making permanent affordable housing options available much more quickly after all future emergency events, thus reducing the need to rely on expensive emergency shelter.

Other Bills/Special Medical Needs Outreach

Regarding Intro 1065, In Relation to the Creation of an Outreach and Recovery Plan to Assist Vulnerable and Homebound Individuals Before, During and After Emergency Conditions.

We applaud the thoughtful and detailed nature of this proposed local law. In addition to assisting with recovery efforts after an emergency, we suggest that it be made clear that the Door-to-Door Task Force has a responsibility to provide assistance to vulnerable and homebound clients *before* anticipated emergencies. Specifically, the plan should outline evacuation procedures for vulnerable and homebound people which include culturally and linguistically appropriate in-person assistance. The need for such an approach is demonstrated by the fact that, after Superstorm Sandy, a Legal Aid Society staff member visited elders in Coney Island who did not evacuate because language barriers kept them from fully understanding evacuation information.

In addition to evacuation procedures in the plan, we recommend that the required registry of homebound and vulnerable individuals created by the Door-to-Door Task Force should record information about the caretakers of vulnerable individuals, including both informal supports and formal home care arrangements. Updated versions of this registry should be available to other agencies, community-based organizations, and volunteers, and should be created prior to emergency conditions. After the storm, for example, a Legal Aid Society staff member spoke with a home attendant who had stayed with her elderly patient in a high-rise public housing project for nine straight days because her agency could not find anyone to relieve her. In addition to the care she provided for her own patient, this home attendant worked around the clock to take care of the many frail elderly residents on the upper floors of the building who needed assistance carrying supplies up the stairs. Advance outreach to the caretakers of vulnerable individuals could help prevent situations like this.

We also respectfully suggest that the Human Resources Administration ("HRA") be included among the agencies required to cooperatively plan for disaster and recovery operations for vulnerable individuals. HRA's Adult Protective Services ("APS") has primary responsibility for

assisting these New Yorkers during times of personal crisis. Furthermore, in its public assistance operations, HRA has a code in its WMS computer indicating which individuals on their caseload are home bound. After the Storm, HRA admitted to Legal Aid staff that it took no action before or after Sandy to identify homebound individuals who resided in affected areas and failed reach out to them before or after the storm.

Regarding Intro 1076, In Relation to a Traffic Management Plan in Response to Emergency Conditions

Based on our experience during and after Sandy, we recommend that the traffic management plan require communications, written or otherwise, to the affected communities to be available, to the extent possible, in the languages that reflect the communities impacted. Additionally, many of the communities most affected by the transportation disruptions are low-income isolated New Yorkers, such as in Far Rockaway. The plan should include consideration of, during and after emergency conditions, the elimination of fares for buses, subways and ferries, and fare limitations on other modes of transportation in low-income isolated communities.

Regarding Intro 1054, In Relation to the Creation of a Community Recovery Plan to Respond to Emergency Conditions

We respectfully suggest that the community recovery plan require that communications, written or otherwise, to the affected communities be available, to the extent possible, in the languages that reflect the communities impacted. The plan should include provisions that, to the extent possible, the recovery directors, deputy recovery directors and office staff be drawn from and have familiarity with the anticipated impacted areas and communities. The plan should also include a mechanism for feedback from impacted communities, both prior to and after an emergency situation, in order to better plan for future events.

Regarding Intro 1069, In Relation to Developing and Implementing a Food and Water Access Plan in Response to Emergency Conditions

We respectfully suggest that the food and water access plan require that communications, written or otherwise, to the affected communities be available, to the extent possible, in the languages that reflect the communities impacted. A major problem after Superstorm Sandy was that the ability for the public to access emergency food aid through the D-SNAP program was limited to one location in Brooklyn and one part-time location in Staten Island, making it nearly impossible for the most vulnerable and isolated New Yorkers to access these emergency benefits. The plan should prioritize the ability of affected communities to access emergency benefits locally to the extent possible, and it should take into consideration the transportation disruptions within these communities and ensure that those communities have services brought to them.

Regarding Intro 1077, In Relation to A Fuel Management Plan in Response to Emergency Conditions

We respectfully suggest that the fuel management plan require that communications, written or otherwise, to the affected communities be available, to the extent possible, in the languages that reflect the communities impacted.

Regarding Intro 1072, In Relation to A Small Business Recovery Plan in Response to Emergency Conditions

We respectfully suggest that the Department of Small Business Services (SBS) require a survey communication to small business service providers and small business owners to identify critical resources necessary to ensure that businesses are able to function during and after a disaster. SBS should also collect data from their list of clients and actions through evaluation of previous disasters in order to determine the potential impact of disruptions on small businesses caused by unforeseen disasters. Based upon this information, SBS could develop an initial recovery plan that would contain written information for small business owners on how to prepare for emergency conditions.

We further suggest the implementation of a disaster alert communication to be disseminated in various languages through a phone hotline, email, radio and TV public service announcements. This alert should also be distributed through pamphlets or facts sheets and posted in local newspapers and magazines, ensuring that low-income small businesses in traditionally underserved communities also receive notice. SBS should coordinate with State, federal and municipal agencies and organizations in addition to non-profit groups to assist small business owners with loan and grant applications and to provide counseling, technical assistance, and legal services. SBS could compile a list of government agencies and non-profit organizations that can assist small business owners to facilitate and expedite recovery if impacted by emergency conditions. SBS should use small business technical assistance providers and organizations that assist low-income small businesses in predominantly low-income and underserved communities to disseminate recovery information and conduct/distribute surveys. We believe that the recovery plan should consider information and recommendations provided by local, state and federal agencies that assisted small businesses after prior emergency conditions.

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Thank you again for seeking our comments on this important Council initiative. We look forward to continuing to work with the Council on these matters, as we did during and after Sandy.

Testimony of
Coalition for the Homeless
and
The Legal Aid Society

on

The City of New York's Provision of Shelter and Other Emergency Services for People Displaced by Hurricane Sandy

Presented before

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Committee on General Welfare

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February 5, 2013

Coalition for the Homeless and The Legal Aid Society welcome this opportunity to testify before the New York City Council about the City of New York's provision of shelter and emergency services to people displaced by Hurricane Sandy.

About the Coalition and The Legal Aid Society

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 New Yorkers each day. The Coalition advocates for proven, cost-effective solutions to the crisis of modern homelessness, which now continues past its third decade. The Coalition also protects the rights of homeless people through litigation around the right to emergency shelter, the right to vote, and life-saving housing and services for homeless people living with mental illness and HIV/AIDS.

The Coalition operates 12 direct-services programs that offer vital services to homeless, at-risk, and low-income New Yorkers, and demonstrate effective, long-term solutions. These programs include supportive housing for families and individuals living with AIDS, job-training for homeless and formerly-homeless women, rental assistance which provides rent subsidies and support services to help working homeless individuals rent private-market apartments, 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 distributes 900 nutritious meals each night to street homeless and hungry New Yorkers. Finally, our Crisis Intervention Department assists more than 1,000 homeless and at-risk households each month with eviction prevention assistance, client advocacy, referrals for shelter and emergency food programs, and assistance with public benefits.

The Coalition also represents homeless men and women as plaintiffs in Callahan v. Carey and Eldredge v. Koch. In 1981 the City and State entered into a consent decree in Callahan in which it was agreed that, "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 adults.

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

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 1,000 of the brightest legal minds. These 1,000 Legal Aid Society lawyers work with nearly 700 social workers, investigators, paralegals and support and administrative staff. Through a network of borough, neighborhood, and courthouse offices in 25 locations in New York City, the Society provides comprehensive legal services in all five boroughs of New York City for clients who cannot afford to pay for private counsel.

The Society's legal program operates three major practices — Civil, Criminal and Juvenile Rights — and receives volunteer help from law firms, corporate law departments and expert consultants that is coordinated by the Society's Pro Bono program. With its annual caseload of more than 300,000 legal matters, The Legal Aid Society takes on more cases for more clients than any other legal services organization in the United States. And it brings a depth and breadth of perspective that is unmatched in the legal profession.

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, the Society's law reform representation for clients benefits some 2 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 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.

Hurricane Sandy and New York City's Historic Homelessness Crisis

Hurricane Sandy devastated much of New York City, but it was particularly savage for New Yorkers in the affected areas who were already living on the edge. Many of the hardest-hit neighborhoods – from Far Rockaway to Red Hook, from Coney Island to Midland Beach in Staten Island – are low-income communities. The storm instantly displaced thousands of poor New Yorkers, who have struggled ever since to obtain food, clothing or alternative housing. More than three months after the storm, government efforts to shelter victims remain chaotic, leaving many in need of basic necessities and, ultimately, stable long-term housing.

Sandy also worsened New York City's already historic homelessness crisis. The thousands displaced by the storm have added to the all-time record number of homeless people bedding down each night in the municipal shelter system. Before Sandy, 48,700 people were in shelter each night, including more than 20,000 children. And we have yet to see long-term housing assistance to help kids and adults who were homeless both before and after Sandy – so those numbers will continue to climb.

Preventing Harm During the Storm

In the days before Sandy hit, the New York City Department of Homeless Services and not-for-profit service providers made extraordinary efforts to protect homeless New Yorkers from immediate harm. Shelters and intake centers that were located in flood zones were evacuated and nearly 1,200 homeless single adults and 300 homeless families were relocated to other facilities across the city. DHS temporarily stopped barring families it had found ineligible from entering the shelter system, and a directive was issued to ensure single men and women would not be turned away from emergency shelter.

After the storm struck, many municipal shelters were left without electricity and some without heat, particularly those in Manhattan below Midtown. Many shelters were able to operate with emergency generators while City workers and non-profit shelter providers continued to provide food and other vital services to residents.

A number of other private shelters were also hit. In the immediate aftermath of the storm, facilities housing HIV/AIDS patients had no heat and had run out of blankets – their residents left literally shivering in the dark as the days wore on. One of the premier shelters for LGBT youth – the Ali Forney Center – was completely demolished. Men and women who had suffered through the storm on the streets were in desperate need of assistance. Food was scarce, and the need was dire.

As soon as the storm passed, the Coalition's Grand Central Food Program vans hit the streets to feed hundreds of hungry storm victims, many of whom had no power and no access to a hot meal. When the first refugees were placed in hotels and YMCAs in Manhattan, the Coalition was there with extra meals, dry clothing and warm blankets – working closely with the Legal Aid Society to provide comprehensive care to homeless evacuees.

Planning for Storm Evacuees

In the first few days after the storm, thousands of people sought refuge in emergency evacuation shelters, set up mostly in large spaces like high school gyms. While these locations served the purpose of keeping thousands of men, women, and children out of harm's way during the immediate crisis of the storm, it quickly became clear why these sorts of congregate shelters are, except in the most severe emergencies, unlawful for families. As the days wore on, the significant risks of congregate shelters, including crime, contagious disease, lack of accommodations for people with disabilities, and the threat such settings pose to the mental health of people who have just experienced a catastrophe – let alone people who were already experiencing mental health needs before the storm – were all manifest. These problems were worsened because the City had failed to prepare for the food, medical, and other special needs of evacuees; the co-location of children, adults, and seniors; and the possibility of long-term displacement. Other possible providers, including the Red Cross and FEMA, failed to step in to remedy the situation.

It was also clear that no one undertook an organized canvas of affected neighborhoods to determine where people in need might still be trapped, waiting for help. While this did occur in some neighborhoods, such as Red Hook, where the not-for-profit Red Hook Initiative maintained a database on all the homebound individuals in the community and sent volunteers to check on them on at least a daily basis, in other communities no one knew where or even whether anyone needed help. HRA has acknowledged to Legal Aid that it made no effort to reach out to its clients who it knew to be homebound in the affected zip codes. In Coney Island, Legal Aid staff at the FEMA site were handed a handwritten list by Red Cross staff of people in need of assistance in their homes, but City workers on site refused to even take the list. One notation, for a disabled woman still living in her destroyed basement apartment, read, "client requests welfare check—still alive?" When Legal Aid staff went to her home, they found her medical needs to be so extreme that they helped her call 911, and she left the home immediately in an ambulance.

The Legal Aid Society and Coalition for the Homeless began regular outreach in evacuation shelters shortly after the storm. About two weeks after the storm, the City started shutting down some evacuation sites and transferring evacuees to other large-scale shelters, many of them in existing DHS shelter facilities. Families, single adults, seniors, and people with disabilities were transferred to multiple sites, including armory drill floors in existing DHS shelters, and often crowded together.

Hundreds of evacuees ended up on drill floors at the Franklin Armory in the Bronx, the Bedford Atlantic Armory in Brooklyn, and the Fort Washington Armory in Manhattan. They were placed far away from their home neighborhoods, and conditions were terrible. A scathing *New York Times* article relayed the experience of those being moved and the conditions at Franklin[1]:

> *"It's like you were being processed to go to jail," Mr. Etienne said, echoing many others who described waiting for hours in the cold to enter a vast sea of cots under constant fluorescent lights, with one shower for everybody and one toilet for men, where guards yelled into two-way radios all night and, Mr. Etienne and a Salvation Army official said, a couple had sex in the open.*

Indeed, Coalition and Legal Aid staff witnessed firsthand many of the deplorable conditions in armory shelters and elsewhere. A lack of bathroom facilities for men at the Franklin armory (there was one toilet) was a serious problem, because dozens of men had been placed there. Families with young infants had no cribs, resulting in at least one baby falling from a cot to the floor. Many other individuals spent weeks without access to medical care or essential prescription medication. One family we recently spoke with at the end of January said her 7-year-old daughter is still traumatized from her experience at Franklin and any mention of it causes her to experience extreme anxiety. A Legal Aid social worker found that she, like many of the people we continue to meet through our outreach, suffers from Post Traumatic Stress Disorder (PTSD).

Unmet Medical Needs

In the days after the storm, The Legal Aid Society's Health Law Unit was inundated with calls about people in need of assistance. Of particular concern were the calls about the disabled or elderly residents of high-rise apartments. Without elevators, these residents were unable to access any of the distribution centers that had been set up to supply the community with food, water, blankets, and flashlights. Many of these residents also needed new medications and durable medical equipment. Legal Aid Society staff walked up flights of stairs, dozens of floors high, to bring assistance to those in need.

These disabled and elderly residents of high-rise apartments were forced to rely on the coordinated efforts of community members and volunteers for the most basic necessities. A Legal Aid Society staff member spoke with a home attendant who had stayed with her elderly patient for nine straight days because her agency could not find anyone to relieve her. She worked around the clock taking care of the many frail and elderly residents on the upper floors of that fourteen-floor building, walking gallons of water up to the top floors.

Evacuees able to leave their apartments still experienced tremendous barriers when trying to access health care. Immediately after the storm the New York State Department of Health (NYSDOH) released emergency pharmacy guidelines to help consumers access needed medication. The guidelines were not distributed and were only posted on the State website without official letterhead. Consequently, residents and local pharmacies in Far Rockaway and Coney Island were unaware of the temporary emergency rules.

A Legal Aid Society staff member met a woman in Far Rockaway who had been without insulin or epilepsy medication for over two weeks. She was one of the many people in her building who were turned away at the pharmacy for failing to obtain a new prescription. The woman in need of insulin explained that her doctor's office was closed and she didn't know where else to go to get a prescription. This resident would have benefited greatly from the emergency guideline

which directed pharmacists to refill certain medications without a new prescription. Unfortunately this needed information did not reach the affected communities, or else reached them too late.

While some Medicaid health plans worked hard to help consumers locate alternative providers, others offered no help at all. Because information about access to care was inconsistent and uncoordinated, residents of affected areas spent significant time coping with an array of unmet medical needs. The City's oversight and education of Medicaid managed care plans was not sufficient to meet the needs of those affected by the storm. The lack of information about access to healthcare in affected communities similarly highlighted the need for enhanced education and outreach efforts.

Lack of Accountability

Throughout this entire process in the weeks after the storm, there was no accountability or transparency regarding the City's organization of relief efforts, nor any clear indication of who was in charge, leaving evacuees and advocates in the dark. Indeed, in many cases, it seemed as though no one was in charge. At Brooklyn Tech High School evacuation shelter, a volunteer had taken over responsibility for coordinating food, services, and medical care to the frail evacuee population, which included over 200 patients with mental health issues evacuated from group homes. A 52 year old schizophrenic man went missing from this shelter. According to the *Daily News*[2]:

> *The two city agencies run the temporary shelter – the health and homeless services departments – declined to say how many staff from the city or from either of the group homes – Surf Manor or Chai - were on hand when Thomas wandered off.*

It was additionally unclear who was making decisions to move large groups of people to armory drill floors and why those groups included a mixing of single adults, families, elderly and disabled individuals. Repeated calls for clarification from advocates and evacuees went ignored. When on-site staff were present at these sites, they indicated that they had not been given any information about the needs of the populations they were there to serve.

Ongoing Needs

Right before Thanksgiving, after the media exposure of the conditions on drill floors, the City began moving evacuees to hotels, YMCA's, and, tragically, to some hazardous "flophouse" hotels and rooming houses.

In early December, Coalition staff found an 85-year-old woman who was placed on the third floor of the Park Avenue Hotel, a decrepit East Harlem hotel with no elevator that is, to this day, still used by the City to shelter evacuees. She was dehydrated, unable to get up and down the stairs and had to rely on one compassionate security guard – himself homeless– who bought her food with money from his own pocket. Coalition workers reconnected this elderly woman with her Coney Island seniors' residence and moved her back to safety.

As December rolled on, the Coalition and Legal Aid staff met scores of displaced families, unable to find affordable apartments with their FEMA grants, on the brink of eviction to the streets because their hotel stays were being terminated. We battled with government officials to get their hotel stays extended so they would not be forced into the bursting-at-the-seams municipal shelter system.

Lack of food, transportation, medical services, social services, and looming FEMA and City hotel deadlines continue to be major problems with the thousands of storm evacuees who remain displaced. Moreover, conditions at some locations where the City has placed evacuees are not only bad, but potentially dangerous. A recent *New York Daily News* exposé highlighted such conditions[3]:

> *Another garden spot where Sandy victims wound up is a fleabag at 104 W. 128th St. in Harlem — a building the city has said is chopped up into illegal apartments. The Buildings Department issued a stop-work order there in January 2012, but the owners kept operating as an SRO. After Sandy hit, the city began placing Sandy victims there. As of last week, there were 34 open housing code violations.*

Legal Aid and the Coalition have continued outreach efforts at some of the locations where evacuees remain and continue to find unmet needs on a daily basis. The majority of evacuees we have met are struggling to survive on very low incomes. Many were in precarious housing situations even before the storm—in illegal conversions, renting rooms or apartments without a lease, doubled up, or living in illegal boarding houses, known as "three-quarter houses." The impact of the storm has been particularly severe on these individuals and families, who now have even fewer resources and greater needs.

Nearly all evacuees have been placed in hotels or shelters far from their original neighborhoods, making it difficult and more expensive to travel back and forth for school, doctor's appointments and other necessities. Many students have missed days and even weeks of school as a result. Some evacuees have been forced to put medical treatments on hold or have been unable to see their physicians and psychiatrists for necessary appointments.

Additionally, most evacuees have been placed in settings where cooking or preparing meals is impossible and buying prepared meals is expensive, especially since many of these families are food stamp recipients. Many families placed in midtown Manhattan hotels cannot afford higher-priced groceries and many stores in the neighborhood do not accept food stamps. Some families on food stamps have tried to apply for the additional restaurant allowance, but have been unsuccessful when hotels refuse to provide necessary documentation about the lack of cooking facilities.

Urgent Housing Needs

Apart from the immediate needs of food and transportation, the broader need of permanent, affordable housing for low-income evacuees remains the biggest challenge. Our informal assessment that most evacuees are struggling to survive on very low incomes was confirmed just last week in the *Wall Street Journal*, which reported that of the 1,100 families that have applied for assistance through HPD so far, over three-quarters are ineligible because their incomes are too low.[4]

It is clear that the majority of households who are still homeless after being displaced by Sandy – including the unknown number of displaced people who are not residing in hotels and shelters, and who are living doubled up or sheltering in place – will require long-term housing assistance. Indeed, similar needs emerged quickly after Hurricanes Katrina and Rita devastated the Gulf Coast. Sadly it took years before the Federal government and Congress allocated Section 8 voucher resources to assist thousands of low-income households left homeless by those storms.

It is therefore urgent that every level of government involved in the Sandy recovery and rebuilding work rapidly to ensure that people displaced by the storm are guaranteed stable, long-term housing aid and that they are not left to languish in hotels or unsafe settings for months and months.

Thank you for the opportunity to share this testimony. And, as always, we look forward to working with the Committee and the City Council in the coming months and years on efforts to assist New Yorkers displaced by the storm and to reduce New York City's homeless population.

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The New York Times

November 20, 2012

Storm Bared a Lack of Options for the Homeless in New York

By NINA BERNSTEIN

Even before Hurricane Sandy, New York was sheltering more homeless people than any city in the United States: a record 47,000 women, men and children, in a system strained to the breaking point. Overnight, as the storm bore down on urban flood zones, city officials ramped up emergency spaces to shelter thousands more people, mostly in public schools and colleges.

And that was the easy part.

In the three weeks since, the city has repeatedly relocated evacuees on short notice. To reopen schools, it bused many to armories, turning drill floors into open dormitories for the first time since a 1980s lawsuit halted the practice. Amid complaints of chaotic, unsanitary conditions, it then scattered hundreds of those people to $300 hotel rooms, from Midtown Manhattan to remote parts of Brooklyn and Queens.

This week, officials closed all evacuation centers but two on Staten Island. Now they plan to rely solely on hotels, even as they brace for a new wave of people displaced from storm-damaged housing where they are facing winter without heat or hot water.

Hurricane Sandy was a disaster without modern precedent for the city that, in one night, created a new homeless population of thousands. But longtime advocates for the homeless, and families repeatedly dislocated since the storm, say it exposed and worsened the city's acute lack of affordable housing options.

"Moving people from drill floors to hotel rooms makes a lot of sense, but it begs the question: From there, where?" said Steven Banks, the chief lawyer of the Legal Aid Society, a veteran advocate for the homeless.

"The city gets high marks for the actual planning and execution of the evacuations," Mr. Banks added. "But now the harsh reality is that the city didn't have a recovery plan."

Seth Diamond, commissioner of the Department of Homeless Services, drew a evacuees and the "traditional homeless," arguing that court-ordered rules on s do not apply to short-term shelter from a natural disaster.

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"We've moved people to give us some time to assess the options," Mr. Diamond said.

"If you look at the scope of what the city has done, the resources are there," he added, noting that the Federal Emergency Management Agency was expected to cover hotel costs. "The same kind of resources will make sure that people are not left without a place to go."

But desperation filled the accounts by weary evacuees who had been shuffled from one end of the city to the other, like the Etiennes, a family of seven flooded out of their $1,250 first-floor rental in Far Rockaway, Queens. They had moved there a year ago after their landlord emptied their Queens apartment building and sold it.

"Total disaster — like 11 feet of water altogether," said Tareste Etienne, 56, a former cabdriver disabled by a heart ailment, who more recently worked as a street vendor to help support his four children. The flood destroyed his whole stock.

"Everything is finished," he said last week at the LaGuardia Airport Hotel, after hunting in vain for a store in the area where he could use food stamps to feed the family. He looked shellshocked as he watched his youngest, Cedric, 7, sleeping on a real bed for the first time in weeks in a hotel room that they will have to vacate on Dec. 2.

Their landlady rescued them before the storm, he said, providing two unheated rooms with no way to cook. As the dimensions of the disaster unfolded, they moved to cots in a warm hallway of an evacuation center at York College in Queens, grateful for hot meals. But on Nov. 6 they were roused in the night, herded onto buses with hundreds of others and left at the Franklin Avenue Armory in the Bronx.

"It's like you were being processed to go to jail," Mr. Etienne said, echoing many others who described waiting for hours in the cold to enter a vast sea of cots under constant fluorescent lights, with one shower for everybody and one toilet for men, where guards yelled into two-way radios all night and, Mr. Etienne and a Salvation Army official said, a couple had sex in the open.

On the third day, the family fled back to the landlady's cold rooms, then started over at another high school evacuation center. By then, the remaining evacuees included children with autism and elderly and disabled people, many from nursing homes and halfway houses.

Mr. Diamond defended the decision to turn to social service contractors to open drill floors a week after the storm, when 4,000 people were still in evacuation centers, down from 7,000. (There are now just over 1,100, nearly all in hotels, but the cold-weather influx is still to come.) He would not respond to specific complaints about conditions or about treatment by staff members.

"It was a crisis," he said. "Everyone was provided a safe, secure, warm place to stay, with food if necessary."

"We had to move very quickly," he added, noting that even with 90,000 hotel rooms in the city, vacancies run at only 10 percent, and that this is high tourist season. "The drill floors represented a good short-term solution. We recognized that they were not ideal, but they allowed us to open the schools, which was important for millions of New York City schoolchildren."

Confusion about who was in charge made the chaos worse, said Annette Bethea, 49, another evacuee from the Rockaways. After the armory experience, she said, she sent her two younger sons, 12 and 9, to stay with different relatives who could ferry them to their distant schools. She also has a 21-year-old son in a wheelchair after a car accident, his surgery schedule derailed by the storm.

The hurricane claimed her job as a home health aide. With a dwindling $1,500 nest egg from FEMA, she is now at the Comfort Inn in Flushing, Queens, hunting for an apartment to reunite the family. "I don't even know who put me up in this hotel," she said.

To handle evacuees at the Franklin Avenue Armory, city officials had turned abruptly to Samaritan Village, an agency that specializes in substance abusers and runs a Brooklyn men's shelter under contract to the city. Unprepared for babies, it had no cribs the first night. Some babies fell from cots to the floor, said Patrick Markee, director of the Coalition for the Homeless.

A spokeswoman for Samaritan, Sheila Greene, responded in an e-mail, "We provided a safe and secure environment for all evacuees."

The drill space is normally used for recreation and meals for 300 chronically homeless women who sleep on upper floors, in a program run by another city contractor, the Salvation Army. Maj. James Foley, a Salvation Army spokesman, said his agency was blamed for Samaritan's mistakes.

"At a moment's notice we were told this was going to happen," Major Foley said. "We didn't understand it, but we just did what we were told. We have women that attack one another, mentally unstable women. We had to confine them to the second and third floor."

For some families, like the young parents of Zayden Lewis, a sturdy 6-month-old, the storm only escalated a continuing search for housing — but brought a surreal silver lining.

Zayden's maternal family lost its so-called Advantage apartment in Brooklyn on Aug. 30, after the city ended that rental subsidy program in a dispute with the state over money. Officially,

they were not homeless, since their application for shelter was repeatedly denied in the months before the storm, the baby's mother, Shabria Covington, 19, explained.

But with no room for them in her aunt's apartment in Canarsie, Brooklyn, they ended up sleeping in her aunt's Toyota van outside. It was wrecked by the storm.

Redefined as evacuees, she and the baby's father, Zamond Lewis, 23, were soon sent with their infant son to the Park Central Hotel, on Seventh Avenue and 56th Street in Midtown, with a view of Carnegie Hall. They are grateful, if bewildered.

"Better than sleeping in a car," said Mr. Lewis, who had a few dollars from his last job as a carpenter's helper. "But now we're inside this expensive hotel where we can't even feed ourselves."

City officials explained that people moved to hotels were handled under a longstanding city contract with the American Red Cross that helps families burned out of their apartments. That contract does not include food, but Mr. Diamond said a food voucher program was being added.

Out at the LaGuardia Airport Hotel, Mr. Etienne tried to put the family's ordeal in perspective, recalling how his daughter Isabelle, 11, asked him at one shelter, "Daddy, don't you hate your life?"

His answer: "We are lucky to be alive."

DAILY NEWS
New York

City wasting Hurricane Sandy FEMA cash on roach-infested hotels and single room occupancies

EXCLUSIVE: As of Friday, 800 Sandy households were still living in 50 hotels and SROs in the city. The Mayor's Office of Recovery has refused to release the complete list, but a spot-check investigation by The News found five that were full of safety and health issues.

BY GREG B. SMITH / NEW YORK DAILY NEWS
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JOE MARINO/FOR NEW YORK DAILY NEWS
A sign on the wall in an SRO at 1038 Faile St. in the Bronx warns displaced victims of Hurricane Sandy not to "feed roaches."

Cast adrift by Hurricane Sandy, dozens of storm victims have been placed by the city in squalid SROs and fleabag hotels plagued by vermin, housing code violations and fire safety problems, a Daily News investigation has found.

As of Friday, there were 800 Sandy households still living in 50 hotels and SROs around town. The Mayor's Office of Recovery refused to release the full list, but a spot check by The News found five full of safety and health issues.

"In the beginning, it was kind of shocking," said a stoic Antonio Ramirez, 60, who was placed in a decaying SRO at 1038 Faile St. in the Bronx that has been cited repeatedly for vermin and fire safety issues.

Ramirez's tiny, bare-walled apartment has no smoke detector, and outside next to a stove in the hallway a hand-written sign reads, "CLEAN UP AREA — DON'T FEED ROACHES!!!"

JOE MARINO/FOR NEW YORK DAILY NEWS
Antonio Ramirez, 60, has been residing in an SRO at 1038 Faile St. in the Bronx since being displaced by Hurricane Sandy from his lower east side basement apartment.

In July, the owners were cited when a broken drain pipe jutting out of a third-floor wall began spilling raw sewage into the air shaft.

That building and a sister SRO at 1033 Faile St. that also houses Sandy refugees currently have 45 open housing code violations. Neither building is registered with the city Housing Preservation & Development Department as required.

The Faile St. SRO was Ramirez's fourth stop after being washed out of his first-floor apartment near the East River in Manhattan by Hurricane Sandy.

JOE MARINO/FOR NEW YORK DAILY NEWS
A man who did not want to reveal his name lost all of his furniture when his Far Rockaway apartment was flooded. He now resides at the Park Avenue Hotel in East Harlem.

Last week, he says, a nonprofit agency that works with the city came to his apartment and told him, "You're going to have to leave the room because there's someone waiting for the room."

On Friday, Bloomberg recommended that Sandy homeowners choosing to stay in homes without heat seek the "alternative" of taxpayer-funded hotels, admitting with some understatement, "The alternatives are not living at the Ritz-Carlton."

FEMA spokeswoman Hannah Vick said all the hotels and SROs examined by The News were picked by the city and though the city can request reimbursement for costs, it has yet to do so.

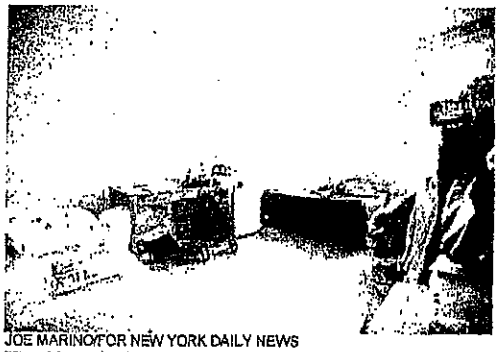
The Recovery office spokesman Peter Spencer said the city has received only a handful of complaints from tenants at the rooms found by The News: "All those locations have been determined to be safe and the city continues to provide case management services to address any issues that arise and to get them to a permanent housing solution as quickly as possible."

JOE MARINO/FOR NEW YORK DAILY NEWS
The SRO Antonio Ramirez lives in in the Bronx has been cited for vermin, fire safety issues and a broken drain pipe that spilled raw sewage into the air shaft. His apartment also does not have a smoke detector.

While some lucky refugees were sent to Holiday Inns, Double Trees and even the W Downtown, the unlucky ones wound up in rundown rooms and were "given the runaround, moved again and again," said Giselle Routhier of the Coalition for the Homeless.

"It seems like the most marginalized people, the poorest people ended up in these places," she said. One of these places is the Park Avenue Hotel at 100 E. 125th St. in East Harlem, blocks away and a

world apart from Park Ave.'s Waldorf-Astoria.



JOE MARINO/FOR NEW YORK DAILY NEWS
The Mayor's Office of Recovery has yet to release the complete list hotels and SROs housing Sandy victims, but The News found five full of safety and health issues during a recent investigation.

There, single males and females and couples who were displaced from the Rockaways and Brooklyn have found themselves dealing with fistfights and angry disputes in the hallways.
"I had no idea where I was going, but it wasn't what I was really expecting," said a 20-year-old man staying in a cramped bedroom at the Park Avenue after losing his bed, sofa, TV and radio when his Far Rockaway apartment was flooded.

The Park Avenue has been the site of criminal activity in the recent past, including an August larceny arrest there and a 2010 incident in which a thug mugged an elderly tenant in the hallway.

The Rockaway refugee, who spoke on the condition of anonymity, said he kept to himself in his tiny room where the double bed takes up most of the space. "I don't get along with anybody here," he said. "I hear them arguing but I don't pay attention. "It's not really too safe. Nobody knows you so they be looking at you," he said.

JOE MARINO/FOR NEW YORK DAILY NEWS
One Sandy refugee was placed at the Park Avenue Hotel, located at 100 E. 125th St. in East Harlem. The establishment has been the site of criminal activity, including a larceny arrest and an incident where an an elderly tenant was mugged. Residents have also complained of fistfights and angry disputes in the hallways.

The Park Avenue has 10 open housing code violations and the Buildings Department cited the owners in 2011 after the building's steel awning nearly collapsed onto the sidewalk.

Another garden spot where Sandy victims wound up is a fleabag at 104 W. 128th St. in Harlem — a building the city has said is chopped up into illegal apartments.

The Buildings Department issued a stop-work order there in January 2012, but the owners kept operating as an SRO. After Sandy hit, the city began placing Sandy victims there. As of last week, there were 34 open housing code violations.

TODD MAISEL/NEW YORK DAILY NEWS
Mayor Michael Bloomberg, pictured right with Brooklyn Borough President Marty Markowitz, recommended that Sandy homeowners living without heat seek "alternatives" to taxpayer-funded hotels, noting that the public-paid options would not be comparable to "living at the Ritz-Carlton."

Days before Christmas, the city fielded yet another call about the illegal apartments there with more than the allowed six bunk beds per room.

That apparently was enough. On Jan. 18 — after Hurricane Sandy victims had spent months there — the city moved them to 2416 Atlantic Ave. in Brooklyn, listed as the King's Hotel.

In June, the Fire Department found no second means of exiting at that building, records show.

Then there's 1236 Atlantic Ave., where Sandy victims have been placed in a quasi-hotel that sits hard by the rumbling Long Island Rail Road and above a car wash. On Wednesday, undercover cops were seen handcuffing a suspect on the sidewalk a block away.

In recent months, the Department of Homeless Services began housing families there who have a 10 p.m. to 6 a.m. curfew. A guard is posted at the reception desk.

One tenant there who didn't want to give his name said he had lost his home in the Rockaways and had been at the Atlantic Ave. address for weeks. He said he had no idea what was going to happen next.

The building has no certificate of occupancy from the city and in August inspectors investigated allegations of inadequate fire protection there, records show.

In agency records, an inspector asks, "Does BLDG require self-closing fireproof doors on all floors?" A tenant who spoke to The News described how residents routinely leave the stairwell doors open — a dangerous condition that can cause fires to spread from floor to floor.

The building also is not registered as required with HPD, the agency that monitors conditions in multiple dwelling buildings. Currently, there are 11 open housing code violations there, including citations for multiple smoke detectors that don't work.

gsmith@nydailynews.com

Read more: http://www.nydailynews.com/new-york/city-wasting-hurricane-sandy-fema-cash-roach-infested-hotels-article-1.1248619#ixzz2Jl5woAFq

The Wall Street Journal
http://online.wsj.com/article/SB10001424127887324539304578263983439125290.html?mod=googlenews_wsj#

No Panacea for Sandy's Displaced

Storm Victims Haven't Flocked to Vacant Apartments as Government Officials Planned, Leaving Thousands in Hotels

By LAURA KUSISTO

Two months after government officials struck a landmark deal with landlords to set aside 2,500 affordable units to house victims of superstorm Sandy, one apartment lease has been signed.

Many of those displaced by the storm are too poor to pay rent even for apartments restricted to city residents with low or middle incomes, while others don't want to move far from their homes in the Rockaways or Staten Island.

Finding temporary housing for families has proved one of the biggest challenges in Sandy's aftermath: The city has a historically low rental-vacancy rate of about 3%, and there is little empty land to put up temporary trailers or build new housing. "It's a housing market, a rental market that is different than anywhere else in the country, in the world. It's presented a unique set of challenges for us," said Hannah Vick, a spokeswoman for the Federal Emergency Management Agency.

Enlarge Image

PJ Smith for The Wall Street Jo

Devon Lawrence, 48, is one of hundreds of people in the city still without heat three months after superstorm Sandy, but like many he's chosen to tough it out rather than leave his home in Far Rockaway.

Officials had once seen the vacant units as an important piece of the puzzle. Instead, New York and New Jersey announced a fourth extension of FEMA's hotel housing system, for two weeks, for nearly 2,000 households still living in hotels in New York and about 1,500 in New Jersey. The hotel program so far has cost about $50 million in New York and more than $24 million in New Jersey.

Hotel living is beginning to wear on people such as Mark McGregor, 38 years old, who is living with his wife and three children in the Park House Hotel in Borough Park, Brooklyn. His two-bedroom apartment in Queens' Howard Beach neighborhood was badly hit, and he said he didn't want to move back because living conditions were bad even before the storm.

He said the city helped connect him with a couple of landlords willing to take people displaced by Sandy, but the so-called affordable apartments were too expensive.

"They want like sky-high prices, $1,700, $1,800, $2,000. I'm not going to take that chance jumping out, paying the rent and then get stuck. I'd be right back to ground zero again," said Mr. McGregor, who added that he paid $1,375 in Howard Beach.

He and his wife were both born in Brooklyn, and their two daughters attend school there, so he said he is hesitant to leave the borough. The city is helping him apply for public housing, but he is worried that it may be dangerous or far away from their former home.

The FEMA hotel program now expires on Feb. 9, but even if the state extends it again, federal officials said hotels aren't an acceptable alternative to providing interim housing in apartments.

"That is never a long-term solution for anyone's housing needs," Marty Bahamonde, a FEMA spokesman said.

In December, private landlords agreed to give priority to Sandy victims for hundreds of market-rate apartments. Since the process of renting these apartments was done privately, it is difficult to say how many Sandy victims found housing.

Aid workers said few of those who remain displaced can afford market rents. "The folks who are having trouble getting out [of the hotels] are elderly, disabled, but many of them are low-income and isolated," said Ann Dibble, director of the storm-response unit at the New York Legal Assistance Group.

The city's Department of Housing Preservation and Development has also tried to connect Sandy victims with about 2,500 vacant affordable apartment units, which typically rent for just over $900 for a one-bedroom. Officials said about 1,100 households applied for those units, and more than 800 were matched for interviews. One lease has been signed in the Bronx, but city officials said a couple of dozen leases could be signed in the next two weeks.

Officials found that three-quarters of the families that applied had incomes below the level needed to qualify for affordable units. For instance, a family of four must have an income of about $25,700 or more to qualify. FEMA helps cover rent on a temporary basis, but landlords generally want to know that people can continue paying it once assistance expires, officials said.

City officials are helping those families apply for public housing through the New York City Housing Authority, but the waiting list for those units is often years, and it isn't clear whether Sandy victims would be able to jump the line.

Many of the affordable units that landlords made available are also located in northern Manhattan and the South Bronx, an upheaval for people whose friends, jobs, medical care and children's schools are located in Staten Island or the Rockaways.

City officials said they can act as a matchmaker between displaced families and landlords but can't do much more.

"We're here to provide guidance and to do the best we can to make that match and get interviews facilitated, but we can't force somebody to move and sign a lease; that's a decision each family has to make for themselves," a Department of Housing Preservation and Development spokesman said.

Ron Moelis, a principal at L+M Development Partners, set aside about 170 affordable units primarily in northern Manhattan and the South Bronx for Sandy victims, but he said interest has been surprisingly low.

"We've had very little success getting people to come up to the Bronx or Harlem. We've had a lot of calls, but people don't want to do it. They don't want to leave Staten Island or the Rockaways or wherever they were," Mr. Moelis said.

By contrast, a building he recently purchased near Far Rockaway has proved a rare bright spot. Located by hard-hit areas, Ocean Village has units ranging from just over $700 a month for some studios to about $1,700 a month for a five-bedroom. At least five families displaced by Sandy could move in soon. "It's a testament to neighborhoods. New York is one city, but it's a lot of neighborhoods," he said.

—Heather Haddon, Danny Gold and Alison Fox contributed to this article.

Brooklyn Chamber of Commerce

Carlo A. Scissura, Esq.
President and CEO

June 20, 2013

FOR THE RECORD

Hon. Peter Vallone, Jr.
Chair, Public Safety Committee
City Hall
New York, NY 10007

Re: Intro 1077 (Fuel Management Plan in Response to Emergency Conditions)

Dear Councilmember Vallone, Jr.:

We applaud the Council and your committee for focusing on the City's ability to respond to and recover from the next storm. We learned many lessons from Hurricane Sandy, which the package of bills currently before your committee reflects.

Intro 1077, sponsored by Council Member Vacca, would require the Office of Emergency Management to develop and implement a fuel management plan. The plan must include a number of elements, including fuel access prioritization for those involved in rescue, recovery and clean-up operations.

In light of the important role fuel plays in recovery operations, this bill is an important component of the City's storm preparedness plans.

In addition to first responders such as police, fire and medical personnel, another critical component of recovery operations are utility and telecommunications personnel. Electricity, gas, cable and telecommunications play a crucial role in recovery from a storm. Brooklyn residents and businesses rely on these critical services in order to get back on their feet.

Despite best efforts to plan for the storm, the unexpected and prolonged fuel access issue in the aftermath of Hurricane Sandy caused many problems throughout the City, including for utility and cable and telecommunications providers. Our member companies from these industries provide critical services to the public. Helping them to ensure adequate fuel supplies for generators, repair vehicles and other critical recovery activities is important to swift and effective response and recovery.

In light of the importance of the services these companies provide, we respectfully suggest that the bill be amended to specifically reference electric, gas, steam, telecommunications and cable for fuel access prioritization, as indicated in the attachment.

Thank you for the opportunity to provide our thoughts on this important issue.

Very Truly Yours,

Carlo A. Scissura, Esq.
President & CEO

Copy:
Speaker Christine Quinn
Council Member Vacca

CAS/mc

MFY LEGAL SERVICES INCORPORATED

FOR THE RECORD

SUPPORT

Hurricane Sandy After Action Recommendations

June 20, 2013

MFY Legal Services, Inc. envisions a society in which no one is denied justice because he or she cannot afford an attorney. To make this vision a reality, for 50 years MFY has provided free legal assistance to residents of New York City on a wide range of civil legal issues, prioritizing services to vulnerable and under-served populations, while simultaneously working to end the root causes of inequities through impact litigation, law reform and policy advocacy.

MFY's Disaster Response Law Project works to address the legal needs of low-income New Yorkers devastated by Hurricane Sandy. MFY's Disability and Aging Rights Project focuses on protecting the rights of people who live in institutions, including adult care facilities and nursing homes.

MFY applauds the City Council for these important improvements to New York City's disaster plan, and offers the following recommendations to ensure their success.

General Recommendations

1. *Community Input.* Regular, systematic input from relevant stakeholders is a vital component of a robust, responsive disaster plan. On this basis, MFY recommends that the Commissioner aggressively solicit input from the community.

2. *Language Accessibility.* New York City residents should have access to important information during emergencies regardless of the language(s) they speak. On this basis, MFY recommends that all emergency-related information disseminated by City agencies be available in the seven most commonly-spoken languages in New York City: English, Spanish, Chinese, Russian, Korean, Italian, and French Creole.

Reasons for Support and Specific Recommendations

Int. No. 1073 - In relation to the evacuation of persons with special medical needs during and after emergency conditions.

MFY supports the development and implementation of a plan to evacuate people who have disabilities.

Through its work with nursing home residents during and after Hurricane Sandy, MFY has identified a troubling lack of infrastructure to protect people with disabilities during

emergency situations. A 2006 report by the New York State Assembly acknowledged this problem, finding that "58 nursing homes . . . located in [New York City's] hurricane evacuation zones are *completely unprepared* to evacuate the thousands of special needs individuals who will require assistance during a hurricane emergency."[1]

MFY welcomes the evacuation plan as an important step towards a safer, more coordinated evacuation process, and makes the following recommendations to ensure its success:

1. *The Plan Should Include Adult Care Facility Residents.* The current language of Int. No. 1073 provides for a plan to evacuate healthcare facilities, but makes no mention of adult care facilities. Although an evacuation plan that covers healthcare facilities is important, it provides insufficient protection to New York City's residents with special needs. During Hurricane Sandy, many adult care facilities were poorly prepared to shelter residents, resulting in chaotic, dangerous evacuations of residents to overcrowded locations. Adult care facility residents may not require the same level of medical care as hospital patients or nursing home residents, but many cannot evacuate safely without assistance. Because many adult care facilities are densely grouped in flood-prone areas, a coordinated evacuation strategy is necessary. The evacuation plan proposed by Int. No. 1073 should cover all adult care facilities, including adult homes and assisted living residences.

2. *Mandatory Evacuation Orders Should Apply to Healthcare and Adult Care Facilities.* Although the City issued a mandatory evacuation order for all residents in Zone A, residents of nursing homes and adult care facilities were directed to "shelter in place." Mandatory evacuation orders should apply to all people who live in the relevant zone, including residents of healthcare and adult care facilities in order to ensure the safety of facility staff and residents. Residents of healthcare and adult care facilities often have medical needs that require special preparation and resources. By including healthcare and adult care facilities in mandatory evacuation orders, Int. No. 1073 can ensure that such facilities have the necessary time to ensure the safe evacuation of their staff and residents.

<u>Int. No. 1053 - In relation to the tracking of persons with special medical needs during and after emergency conditions.</u>

MFY supports the development and implementation of a plan to track admission, registration, transfer, and discharge of persons to and from special medical needs emergency shelters.

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[1] "Final Report on NYC Emergency Response and Evacuation Plans in the Event of a Weather-Related Emergency," New York State Assembly Committee on Corporations, Authorities, and Commissions, March 2006 (emphasis added).

A recent governmental study raised grave concerns about the transparency of nursing home evacuation planning.[2] The study found that some nursing homes refuse to disclose their emergency evacuation plans to residents and their loved ones. During Hurricane Sandy, many nursing home and adult care facility residents were evacuated without any record of their transfer locations. Concerned family members had no way to contact their loved ones, and they were provided with no assistance, other than instructions to call 311 or visit the Red Cross' website.

A uniform system of tracking evacuees, including a centralized telephone helpline, will ensure that people in institutional settings, as well as their loved ones, have vital information in the event of an emergency.

MFY welcomes Int. No. 1053 as an important step towards transparency and uniformity for those living in institutional settings.

Int. No. 1070 - In relation to a sheltering plan in response to emergency conditions.

MFY supports Int. No. 1070's proposal to develop and implement an emergency sheltering plan for New York City residents, including those with disabilities.

In the aftermath of Hurricane Sandy, many of MFY's clients endured long periods of time in temporary shelters without access to shower facilities and with army rations as their only source of food. MFY strongly supports a sheltering plan that includes long-term sheltering solutions.

In order to ensure that the needs of all shelter occupants are considered in the event of an emergency, MFY makes the following recommendations regarding Int. No. 1070:

1. *Shelter Staff Should Receive Disability-Literacy Training.* In order to fulfill its obligation to make shelters accessible for all New York City residents, the City Council should ensure that workers in all shelters receive disability-literacy training.

   In the aftermath of Hurricane Sandy, MFY found that many adult care facility residents suffered discrimination upon their evacuation to city shelters. For example, residents of Belle Harbor Manor Home for Adults and Central Manor Home for Adults sheltering at the Armory in Park Slope were told that they were not allowed to leave unaccompanied, even though adult home residents can come and go from their homes as they please. Additionally, despite clearly established laws protecting the rights of adult care facility residents to make their own financial decisions, many residents were

[2] Manhattan Borough President Scott Stringer, No Way Out: An Analysis of the New York State Department of Health's Role in Preparing Nursing Homes for Emergencies (December 2006).

illegally denied possession of their Supplemental Security Income benefits upon their evacuation to shelters, ostensibly in the name of shelter security.

Such sobering accounts of discrimination make clear that the City has much to do in educating shelter workers regarding the rights of people with disabilities. On this basis, MFY believes that providing disability-literacy training to shelter staff is vital to the success of Int. No. 1070.

2. *Healthcare and Adult Care Facilities Should Not Be Filled Beyond Capacity During Emergencies.* During Hurricane Sandy, the State waived capacity standards at numerous healthcare and adult care facilities, forcing them to house evacuees at double, and sometimes triple capacity. MFY attorneys visiting these dangerously overcrowded facilities found evacuees in make-shift cots lining noisy, crowded corridors. Frequently, MFY found that nursing home residents evacuated to other facilities were bathed in public view of other residents.

   In addition to raising grave safety and privacy concerns, overcrowding of healthcare and adult care facilities during emergencies creates unnecessary stress for evacuees. Overcrowding also adversely affects residents of the host facilities who are forced to share bedrooms and bathrooms with hundreds of evacuees.

   As a result, MFY recommends that the Office of Emergency Management prohibit using healthcare and adult care facilities that are filled to capacity as shelters.

<u>Int. No. 1065 - In relation to the creation of an outreach and recovery plan to assist vulnerable and homebound individuals before, during, and after emergency conditions.</u>

MFY supports the development and implementation of a plan to assist people who are vulnerable and homebound during emergencies.

In the aftermath of Hurricane Sandy, many of MFY's homebound clients struggled to gain access to essential services and to repair their homes. MFY believes that a comprehensive outreach and recovery plan is essential to the safety of vulnerable and homebound individuals during an emergency, and supports Int. No. 1065 as a welcome step towards ensuring that safety.

<u>Int. No. 1072 - In relation to a small business recovery plan in response to emergency conditions.</u>

MFY supports the development and implementation of a recovery plan for small businesses that are impacted by emergency conditions.

When Hurricane Sandy hit, New York City's small business owners were among the hardest hit, sustaining damage not only to their homes, but also to their livelihoods. MFY's

clients include many low-income small business owners—often the sole breadwinners in their families—who were pushed to the brink of financial ruin during Hurricane Sandy.

MFY believes that a recovery plan for small business owners affected by emergencies will provide an important safety net that protects hardworking New Yorkers from unmanageable debt, home foreclosure, eviction, and homelessness.

For more information, please contact:
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FOR THE RECORD

Ctany

The Cable Telecommunications Association of New York, Inc.

COMMITTEE ON PUBLIC SAFETY

Intro 1077: A Local Law to amend the administrative code of the city of New York, in relation to a fuel management plan in response to emergency conditions

June 20, 2013

Written Testimony of the Cable Telecommunications Association of New York

Thank you for the opportunity to provide written testimony about the views of the Cable Telecommunications Association of New York (CTANY) regarding Intro 1077.

The magnitude of Hurricane Sandy took a great toll on the City and its residents and we are proud of our employees who worked tirelessly in its aftermath to restore service. We appreciate the efforts of the Council and this committee to examine the package of bills that will assist the City to better respond to and recover from the next storm.

A significant, unforeseen consequence of Sandy was the impact on local fuel supplies. Each day hundreds of our companies' trucks and system generators needed access to fuel to power our equipment and facilities and to enable network management and field service technicians to repair our system and reach customer locations throughout the City. As a result, our companies had to seek State and local assistance to help ensure access to fuel.

In light of our experience, Intro 1077 provides a key component of storm recovery by requiring the Office of Emergency Management to develop and implement a fuel management plan, which must include fuel access prioritization for those involved in rescue, recovery and clean-up operations. The bill lists first responders such as police, fire and medical personnel. While perhaps already the intent of Intro 1077, we suggest an amendment to make clear that electricity, gas, steam, cable and telecommunications are part of the OEM fuel management plan, given the vital nature of the services these companies provide and the impact they have on the City and its residents.

Our member companies are an important source for news and information provided over the cable television and broadband platforms. Additionally, with more and more customers now relying on cable delivered voice service, our members provide an even greater role in keeping people connected to family, friends and emergency services.

Our networks rely on the availability of commercial power, but once electricity is restored, residents and businesses next expect to quickly access phone and Internet service. Ensuring adequate fuel supplies for generators, repair vehicles and other critical recovery activities of cable and telecommunications companies is therefore important to a swift and effective storm response and recovery.

Phone- 518 813-4832 Fax – 518 813-4837 111 Washington Ave 2nd fl Albany, NY 12210

The amendments to Intro 1077 provided below will help ensure adequate fuel management and planning.

Thank you for the opportunity to provide our thoughts on this important issue.

PROPOSED EDITS TO INTRO 1077

§30-111 Fuel management plan. The commissioner shall develop and implement a fuel management plan no later than October 1, 2013 in consultation with other city agencies and other relevant governmental entities, to be implemented during and after emergency conditions and incidents as described in section 497 of the charter, when such conditions or incidents disrupt the fuel supply in the city of New York. Such plan shall include but not be limited to: (1) the procedures and criteria for determining when a fuel shortage exists and for rationing of fuel in the event of a fuel shortage in the city of New York, with such criteria to include the uses of fuel for generator and emergency needs; (2) the amount of fuel reserves the city of New York should maintain and for what priority purposes; (3) the establishment and maintenance of lines of communication between the city and the industries that provide fuel to the city of New York; (4) prioritization of fuel access for persons involved in rescue, recovery and clean-up operations, including emergency services and medical and uniformed services personnel such as police, fire and sanitation workers **AS WELL AS ELECTRIC, GAS, STEAM, CABLE AND TELECOMMUNICATIONS PERSONNEL;** and (5) an assessment of transportation routes to allow fuel providers to reach their destinations within the city of New York.

FOR THE RECORD

New York City Special Needs Registry: Considerations and Options for Effective Implementation

June 19, 2013

Gray Panthers Task Force on Emergency Planning and Response for Special Needs Populations in New York City

Jack Kupferman
Jennie Smith Peers

Written by Sam Linnerooth

This document operates within the context of the proposed legislation Int. No. 1065-2013. It provides an important opportunity to discuss the most effective ways of reaching and protecting those with special needs, the vulnerable elderly and those with functional needs. While this document specifically references the effects of a special needs registry on older persons, the conclusions drawn herein retain applicability for a broader special needs population. Our goal is for the development of effective approaches which can be integrated into the daily fabric of New York City for the long term.

Background

A special needs registry is designed and intended to provide a medium for tracking older adults and individuals with functional and access needs. Information gathered may assist responders in planning and response efforts in times of emergency. While the proposed city-wide special needs emergency registry may be intriguing, there may be reason to question its practical feasibility. The potential benefits such a registry could very likely be mitigated by the social and economic costs of implementation and maintenance on such a large scale.

New Jersey currently has a statewide special needs registry in use. However, following Hurricane Sandy, 20 out of 37 (54%) NJ deaths were 65+ years old while only 20 out of 43 (47%) NYC deaths were 65+ years old.[1] While it is important to remember that these data are predicated on a very small sample size, the New Jersey state registry was not seen to have any significant positive statistical impact on preventing the deaths of the aging in Hurricane Sandy. Consequently, a special needs registry such as the one proposed in New York City cannot be seen as a cure-all solution.

Contemporary research has pointed to two main criticisms of a special needs registry as proposed in NYC:

1. The opportunity costs of such a registry are simply too high. The resources devoted to registry creation, maintenance, and implementation would be much better used to promote tangible community preparedness and response measures.

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2. Even when the registry is fully implemented, it has not been seen to be successful in protecting special needs populations. Too few registrants and inadequate city follow-up capabilities have diminished efficacy.

The major critiques of the registry are founded on several philosophical and practical flaws in the framework of the system.

Criticisms

Participation and Maintenance:

The challenges associated with creating and maintaining an expansive and accurate special needs registry pose the most tangible threats to the efficacy of this type of legislation. Current registries across the country struggle to reach a meaningful portion of eligible special needs populations. For example, New Jersey's statewide registry of approximately 14,000 people only accounts for only about 2.5% of state residents aged 75 years or older.[2] It should be noted here that statistics for non-elderly special needs registrants were not included in this assessment; however, that only suggests that an even smaller percentage of the total eligible population is registered with the state. There are many reasons why these existing programs have not seen adequate participation rates:

- People of any socio-economic demographic are reluctant to self-identify as 'needy' and the premise may work to disempower registrants[3]
- Systemic ambiguity and lack of clarity can make it difficult for the public to engage
- Privacy and security concerns arise when collecting personal information[4]
- The average person is very distanced from local government institutions and is unlikely to feel comfortable interacting on this level
- People simply see it as "one more government intrusion"[4]

While appropriate (and potentially costly) programming may alleviate some of these concerns, there is no reason to think that New York City will have significantly more success if the registry

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is to be constructed using traditional models. Additional challenges with maintenance arise as people are unlikely to update their information when they move and deceased registrants are never removed from the database. A representative for a county registry in North Carolina reported that only one person had ever called to update his/her information.[4] If a registry in any city or state cannot be constantly amended to maintain accuracy, whatever information is gathered can lose credibility very quickly.

Inefficient Response Efforts

The challenges associated with maintaining this type of special needs registry can decrease the efficiency of disaster response efforts. In situations where a registrant has either moved or died, any attempt to account for him/her following a disaster is ultimately a waste of vital resources and manpower. Additionally, many disasters occur unexpectedly and even special needs populations could be caught away from their residence and unable to return home in the following days.[3] This points to another limitation as the registry and subsequent relief efforts would be rendered useless.

Next Steps:

Special needs registries across the country describe their relief capacities in very limited and vague language. Here is an example from the webpage for the Rhode Island state registry:

> This system is designed to identify individuals who may require special assistance during emergencies. Enrollment in the Registry does not guarantee assistance, but allows first responders to appropriately plan for, prepare for, and respond to the needs of the community.[5]

This may seem unobjectionable, but it points to a fundamental problem with special needs registries. Aside from very small scale programs, existing special needs registries can only feasibly be used generally for planning and to inform the city and first responders on what to expect. Registry programming is simply not designed to provide resources and training for how to respond.

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Unfortunately, registrants often assume that participation implies that individual help is coming for them.[6] This is often not the case as resources are stretched thin in times of disaster and first responders might have more pressing matters to attend to. However, even when someone is able to personally check on a resident, more assistance is often expected of them than they have the capacity to deliver.[6] This creates a significant problem when a registrant's reliance on assumed city assistance prevents that individual from creating a personal emergency plan and preparing themself. Again, it would likely be more prudent to equip first responders and community organizations with additional special needs intensive training and resources than to construct a list with few provisions for follow-up relief.

Individual vs. Community Focus:

The balance between individual and community focus constitutes a more ideological concern but remains important nonetheless. The valuation of individual need over community security is implicit in the philosophy embodied by special needs registries. While it is important to provide increased assistance to those with special needs, the city would likely have the capacity to reach more vulnerable residents through community-based special needs programming. The opportunity cost of focusing on an individual scale is seen in a compromised capacity to build overall resiliency and special needs support systems within the greater community.

Recommendations

Much of the current research would seem to indicate that progressing without a special needs registry would be the most effective and cost-efficient option for New York City. Government resources could then be better invested in community resilience programs, special needs evacuation services, tools for sheltering in place, emergency generators, accessible recovery centers, etc. However, if a registry is to be effectively implemented, it would be prudent to take an alternative approach predicated on small-scale community initiatives. The traditional

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special needs registry model just doesn't seem to be feasible to manage effectively on such a large scale.

Community-Based Organizations (CBOs):

Introduction 1065-2013 does do well in addressing the importance of coordinating with community-based organizations in times of crisis. However, the value of CBO-government collaboration in disaster relief efforts may still be understated. While the city should be the driving force behind emergency management initiatives, government offices are often ineffective when undertaking the role of a direct link to the public. Working with local CBOs such as senior centers, church groups, and healthcare providers offers many advantages with respect to the creation of a special needs registry. CBOs offer tangible community connections that the city government simply does not have.[7] People with special needs value and trust these groups because they personally interact with them on a regular basis. These special needs populations would, consequently, be more likely to register and update personal information through a community group that they see in day-to-day life. CBOs would ideally take on the same responsibilities of a government task force but on a much smaller scale. Through a closer partnership with the city, CBOs would likely be able to create and maintain much more accurate and complete neighborhood special needs registries on a small scale. The information generated locally would be shared with the city government and could be utilized in relief efforts by both the city and CBOs.

Of course, community-based organizations would be hard-pressed to take on this level of additional responsibility on their own. This model would require the city to provide financial and practical resources to CBOs in order to enable and incentivize them to participate in the registry program. It would also be important to establish memorandums of understanding outlining expectations with all involved groups.[7] This resource commitment would take the place of the investment in creating a door-to-door governmental task force for the traditional registry model. Regardless of the cost, the program would be more successful and inclusive when conducted at the local level.

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Increased Definition and Clarity:

Reports and evaluations of existing special needs registries have pointed to several additional recommendations to increase the transparency of the program. As previously noted, systemic ambiguity and lack of understanding among the public are two factors that can decrease the efficacy of a registry by preventing people from participating. Consequently, it is vital that any registry or similar project in NYC include clear definitions of the capabilities and limitations of the program, as well as information on who is eligible to participate.[4]

Existing registries have been vague in defining their exact roles in disaster management. It is vital to explicitly outline what type of support registrants can expect in order to avoid over-reliance on government assistance and ensure adequate individual preparedness.[4] The program's capacity to provide special needs services such as check-in calls, evacuation assistance, and door-to-door response would be defined here.

Additionally, clear classifications for who is eligible for programming may convince people who would otherwise be hesitant to self-identify as having a special need to participate. Explicit definitions here improve the general structure and efficiency of a registry as well. If the requirements for eligibility are too broad, the program will become a less effective resource in times of disaster; conversely, too stringent requirements risk exclusion.[4] A tiered system may be the best option here as it "allows for the registration of people with diverse needs, while prioritizing individuals with critical medical needs and allocating resources in an effective manner."[4]

Personal Preparedness:

One unfortunate consequence of implementing this type of emergency management program is the effect it can have on discouraging individual preparedness.[4] While government and community response efforts can be invaluable, it is always important to communicate the need for personal preparation. Many city and state emergency management offices already place a heavy emphasis on this. For example, the Rhode Island Department of Health does an excellent job providing clear, specific personal preparedness recommendations on the front page of their

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special needs registry website.[5] An focus on the importance of self-preparation should ideally accompany any type of citywide emergency management plan.

Conclusion

This document was intended to provide a review of the critiques and recommendations found in relevant literature and contemporary case studies as they pertain to the feasibility of a special needs registry in New York City. While any effort to protect vulnerable populations in the event of a disaster deserves careful consideration, the research identified here does point to a significant number of barriers and gaps in the current special needs registry framework. Consequently, it is imperative that concerns regarding the cost-effectiveness, feasibility, and overall efficacy of the proposed special needs registry play a prominent role in any continued discourse. Many of the critiques put forth in the literature do appear to be compelling and, at the very least, suggest the need for a more critical examination of relevant legislation at the city level.

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Make the Road New York **FOR THE RECORD**

Testimony on Sandy Legislative Package

Thank you for the opportunity to comment on City Council's bills to ensure that we are better prepared to response to future disasters. I would like to start by applauding the foresight that these bills represent. We believe that Sandy has highlighted for each us the importance of carefully evaluating the response to Hurricane Sandy and using these lessons to inform future plans. Each of the bills proposed offers thoughtful plans for how to better reach vulnerable populations and ensure that all New Yorkers receive vital survival goods, services and information as soon as possible after the storm.

I want to focus my comments on the importance of involving community based organizations to create specialized outreach plans to reach vulnerable populations after disasters. We are pleased that the proposed legislation also recognizes the importance of CBO's and want to offer short summary of our experience after the storm in support of this proposal.

Because of our unique and long term relationships in vulnerable communities, our experience with immigrant access issues, and extensive legal knowledge and experience we were able to quickly reach very vulnerable populations that were missed by other outreach efforts, or even in some cases provided misinformation from outreach workers who were less familiar with the issues facing vulnerable populations. For example:

- After Sandy we immediately opened our offices as warming shelters where folks could get a hot meal, coffee and charge their phones. Because these locations generally serve as community centers and are well know in the community as a safe place of support we saw 100's of people through our doors in the first week after Sandy
- Within days after Sandy we began a door-to-door canvass of affected neighborhoods. In the first week after Sandy we brought food, conducted an initial needs assessment and provided information about available relief resources to 100's of families
- Within four days after the storm our legal team had compiled information about available relief benefits, including eligibility requirements for undocumented immigrants and mix status families. We were able to distill this information for clients and provide information within days of the storm
- We distributed these flyers, and talked one-on-one with families about the resources they may qualify for. This contact was especially important with undocumented and mixed status families who in the very early days of recovery were often turned away from government resources such as FEMA or DSNAP, because workers were not yet familiar with complex eligibility requirements. Because of our outreach we actually got a number of people signed up who were either turned away, or were too afraid to approach FEMA workers
    - I would like to pause here and emphasize the importance for the City to make an explicit commitment in their disaster plans to provide survival services, such as housing, to ALL New Yorkers in disaster situations regardless of immigration status. We acknowledge the City's work to date to implement inclusive policies, especially for immigrant families, and to recognize that it is NOT the City's policy to discriminate based on immigration status in disaster situations. However, in disaster situations it if very easy for misinformation to spread and as a result for certain populations to be excluded. We believe an explicit commitment to inclusion will hopefully avoid situations that we saw after Sandy were some families unfairly excluded from relief, and it will encourage vulnerable populations to seek assistance with less fear for negative repercussions based on immigration statue.

In summary, our experience speaks to the critical need to include CBO's in outreach and relief plans after disasters. Our experience and long term relationships uniquely positioned us to respond to certain vulnerable populations, and we recognize that many other CBO's are similarly positioned to reach and respond to populations that are otherwise likely to fall through the cracks. CBO's nimble structures as well as existing relationships of trust in communities uniquely position

CBO's to get into the nooks and crannies of neighborhoods and do customized outreach to meet the needs of the most vulnerable New Yorkers in a way that large out of state organizations, or even government is not equipped to do.

Again, thank you for the opportunity to speak this afternoon. We look forward to working with the Council to discuss in more detail ways that our institutions can work more closely, both in disaster relief, but also in using our on the ground knowledge and experience to create stronger disaster relief plans for our City.

NECA
NEW YORK

Testimony of Christine Rangel before the Committee on Public Safety of the NYC Council
Oversight Hearing on the City's Hurricane Sandy After Action Report & Recommendations
Preconsidered Int. 1054
June 20, 2013

Today I speak on behalf of NECA New York. We are the largest chapter of the National Electrical Contractors Association in the United States, and the voice of the unionized electrical construction industry in New York City, Westchester and Fairfield Counties. We are comprised of over 300 unionized member firms employing over 15,000 men and women, contributing to over 20 million man-hours of work per year. Over 2.5 million man-hours were dedicated to the recovery and reconstruction efforts in the aftermath of Hurricane Sandy.

Since 1892, our Association has been building and powering New York City, from the smallest bodega to the Freedom Tower and everything in between. We represent an important contingent and resource for the city of New York during emergency situations. We have assisted in reconstruction efforts to get New York City back up and running in times of disaster and crisis. Whether it be fire damage, blackouts, the terrorist attacks in 1993 and 2001, storms, or Hurricane Sandy, NECA NY has always been at the forefront in times of need, with manpower and expertise to get the City back on its feet.

Immediately following Hurricane Sandy, our contractors were in every corner of the Rockaways, Staten Island and downtown Manhattan, installing hundreds of power-providing generators, and working swiftly to get New Yorkers—in both business and residential dwellings—back online. We participated in the early meetings with the Office of Emergency Management. The City called on us to mobilize our contractors and our massive workforce to participate in the Rapid Repairs Program.

If there's one thing we all learned from Hurricane Sandy, it's that rapid response is what is needed in the immediate aftermath of a disaster. One recommendation in the *NYC Hurricane Sandy After Action Report* is to "Develop a comprehensive plan to expedite power restoration to multi-family public and private housing." We believe that we can play an integral role in your development of a comprehensive disaster recovery plan. When you're doing your emergency response planning, please allow us to join you at the table to work out the many specific details relating to electrical construction.

NECA New York has the ability to mobilize and attend to immediate needs of our city during crisis, restoring infrastructure, street lighting, power and communications systems, and get the subways, homes and businesses running. We are a well-organized, reliable, agile resource that is able to deploy teams immediately following a disaster. We have responded to the call in the past, and we'll do it again.

The New York Academy of Medicine

At the heart of urban health since 1847

Testimony for the NYC Council Hearing on Emergency Preparedness & Response Bills

Ruth Finkelstein, SVP, Policy and Planning

June 20, 2013

The New York Academy of Medicine (NYAM) has been advancing the health of people in cities since 1847. An independent organization, NYAM addresses the health challenges facing the world's urban populations through interdisciplinary approaches to research, education, community engagement, and policy leadership. Our current priorities include creating environments that support healthy aging; strengthening systems that prevent disease and promote the public's health; and working to eliminate health disparities.

We applaud the City Council for proposing the bills under consideration today and thereby bringing to the fore some of the key issues that have emerged as a result of Hurricane Sandy. These are complex challenges that require thoughtful planning and implementation processes to keep New Yorkers safe before, during and after disasters. Best practice in emergency planning recognizes the inability of government to singlehandedly address the multitude of needs following a disaster. Our national disaster preparedness policy is therefore guided by an underlying philosophy of community inclusion, collaboration, coordination, and transparency.[i] Informed by other recent disasters, the National Disaster Recovery Framework emphasizes the engagement of local governing bodies and the private and nonprofit sector. The Framework also specifically highlights the importance of soliciting input from older adults, people with disabilities, and others with access and functional needs, in developing programs and services.[ii] We are grateful to the Council for acknowledging that all emergency planning, response, and recovery strategies must appropriately incorporate the assets and address the needs of vulnerable populations.

The New York Academy of Medicine applies these best practices to our current Older Adults Disaster Preparedness & Response Initiative. This project engages multiple stakeholders to work collaboratively toward creating better formal and informal support systems for New York's community-dwelling older adults and other vulnerable populations before, during, and after disasters and other mass emergency events, such as power outages and heat waves. The initiative calls upon our collective responsibility to cultivate improved community-based networks to protect older adults in disasters and thereby preserve and leverage their invaluable social and intellectual capital.

Building on the successful model of NYAM's Age-Friendly NYC partnership with the Mayor's Office and New York City Council, NYAM formed the Older Adults & Disasters Policy Advisory Committee which convenes representatives from nearly 40 multi-sector organizations including the New York City Housing Authority, the New York City Department for the Aging, the Municipal Arts Society, AARP, the Gray Panthers, City Harvest, the Legal Aid Society, the Council of NY Coops and Condominiums, Hunter College, and many others. The initiative also engages five community-based partners who sit on the advisory committee and lend an on-the-ground perspective to the process.

To understand how older adults have been affected by Hurricane Sandy, we are conducting focus groups and key informant interviews with older adults, frontline responders, and Long-term Recovery Groups in Red Hook, Coney Island, Staten Island, Far Rockaway, and the Lower East Side. Our primary areas of inquiry are:

1. Risk Communication: Only a third of people in Zone A complied with the mandatory evacuation order, and 71% of people knew about the order but chose to stay anyway.[iii] Drowning, which is preventable through evacuation, was the most common cause of death,

and 45% of drowning deaths occurred in homes in Zone A.[iv] Studies of hurricane evacuation behavior have shown that messaging from public officials affect evacuation rates more than any other factor.[v] Therefore, we must look at how these messages are worded and delivered to ensure they are persuasive.

2. Identification of Individuals in Need: How can we assist those who don't appear on client lists or in databases? Regarding special needs registries, some of the questions that arise include the best level at which to create a registry, the expectations of the people on the registry, where the responsibility sits for meeting the needs of people on the registry, and how the registry is maintained.
3. Deployment of Resources: During Hurricane Sandy, there were disparities between regions and populations with respect to the distribution and accessibility of resources. The Park Slope Armory in Brooklyn had ample medical care and wellness programs, but the Franklin Avenue Armory in the Bronx had no such services. Many shelters were not accessible to people with disabilities. The Disaster SNAP program did not have an application center in Queens, and hours were limited in Brooklyn, making it difficult for working people to apply. These are just a few of many examples. We must ensure resources are equitably dispersed and accessible to the people who need them the most.
4. Coordination of Volunteers and Services: We are looking at communication gaps that hindered Hurricane Sandy response at multiple levels, including across government agencies, between government agencies and contracted service providers, and among service providers, grassroots efforts, and constituents. What strategies are most effective to address these gaps? How can social media be better utilized to this end? How can we ensure information is relayed from the ground up and that data is tracked and shared to avoid duplication of effort?

Our work also recognizes a growing body of evidence that substantiates community cohesion as a protective factor in times of stability and disaster.[vi] Community assets must be identified, cultivated and effectively leveraged for their potential to create supportive networks and thereby enable people to care for one another when in crisis. Strategic investment to nurture such critical cohesion must happen well in advance of the next disaster.

NYAM will be issuing its committee's report in 2014 that will include policy recommendations for public agencies and private sector groups. In the interim, we'd like to offer the Council our services to convene stakeholders and to consult on any policy research and analysis that may be required. We believe an inclusive and evidence-based approach to emergency preparedness and response policy will promote more resilient and elder-friendly communities.

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Mental Health Association of New York City

NYC City Council Testimony –

Distinguished Committee Chairs and members of the Committees, thank you for giving us the opportunity to testify before you today regarding proposed bills **Int 1054-2013 (Community Recovery Plan) & Int 1065-2013 (Outreach and Recovery for Vulnerable Populations)**. My name is Melany Avrut, and I am a Program Manager for LifeNet. LifeNet is a program of the Mental Health Association of New York City (MHA-NYC).

MHA-NYC has been a major voice for the cause of mental health for over 40 years and in recent years has increasingly been called upon to support communities both locally and nationally. LifeNet is New York City's only multicultural crisis center operating 24/7 with mental health professionals providing free behavioral health assessments, interventions, and support in English, Spanish, Cantonese, and Mandarin. LifeNet is the go-to source for New Yorkers seeking information and referrals to the vast and complex behavioral health treatment and social support services network. The Disaster Distress Helpline is a national network of crisis centers providing 24/7 hotline and text support for people struggling with difficult emotions before, during or after any disaster in the U.S. The Disaster Distress Helpline is a program of the federal Substance Abuse and Mental Health Services Administration (SAMHSA) administered by MHA-NYC. Our organization has also provided trainings, technical assistance, disaster case management and through our crisis counseling services, all of which have been utilized in response efforts including the Sept. 11th terrorist attacks, Sandy Hook Elementary shooting, Boston Marathon bombing, Hurricane Katrina, Tropical Storm Irene, and now Hurricane Sandy.

After Hurricane Sandy, LifeNet was selected as the primary point of contact for *Project Hope*, the post-Sandy FEMA-funded Crisis Counseling Program set up in partnership with the NYS Office of Mental Health and the NYC DOHMH. The **Hurricane Sandy After Action Report** briefly references Project Hope, which began soon after Sandy and continues to provide essential services to the diverse communities of New York City throughout the ongoing recovery process.

In light of MHA-NYC's service to New Yorkers over the years and now with Hurricane Sandy, I am here today to call attention to the importance of addressing mental health in all aspects of emergency planning and management. Regarding disasters, material 'basic needs' are understandably being planned for, distributed and measured at all stages of preparedness, but it's essential that we

remember: mental health is *also* a basic need. Therefore it is vital to make the public aware of available services and to educate on recognizing the signs of such mental health issues as depression, anxiety, and substance abuse (all of which may be exacerbated in reaction to disasters and their enduring impact).

Shortly after Hurricane Sandy a Gallup survey was conducted among residents of New York and New Jersey,[i] with findings that those living in ZIP codes most directly affected by Hurricane Sandy experienced a 25% increase in depression diagnoses in the six weeks after impact. (I have shared a copy of this report as an attachment to my written testimony.)

In light of the Gallup report, FEMA's National Disaster Recovery Framework and most importantly in reflection of our own experiences serving New Yorkers in emotional distress following disasters, MHA-NYC urges the New York City Council to include the following provisions when **Int 1054-2013** (Community Recovery Plan) and **Int 1065-2013** Outreach and Recovery for Vulnerable Populations are passed and subsequently developed:

1) Mandate that LifeNet, as New York City's designated mental health and substance abuse crisis intervention, information and referral service, be included in any/all disaster response educational materials, trainings, disaster planning outreach events, so that New Yorkers experiencing emotional distress before, during and after disasters know where to turn to for 24/7 support;

2) Highlight the need for continued and expanded funding for mental health services that play critical roles in disasters. Such as LifeNet which coincidentally was identified as the "perhaps single most important asset"[ii] in the 9/11 mental health response;

3) Ensure that mental health experts, providers and consumers are invited to the Emergency Planning and Management table via committees, task forces & other opportunities for inclusion;

4) Address the mental health needs of *all* affected individuals, including response and recovery workers and other high-risk populations: children, seniors, people with disabilities, ESL/immigrant communities, adults with serious and persistent mental illness and other underserved populations, all of whom have members that have unique needs;

5) Offer resources for evidence-informed disaster mental health trainings such as *Listen, Protect and Connect: Psychological First Aid* for New York City employees, Emergency Responders, etc. to better assist the community before and after a disaster.

A city that supports year-round, comprehensive, culturally-inclusive mental health initiatives in disaster planning is a stronger, more *resilient* city, one that is better equipped to bounce back after devastating disasters such as Hurricane Sandy. Thank you for the opportunity to testify today, and please feel free to call on us at any time for background information or for help in developing strategies to address mental health in disaster planning.

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DRA
DISABILITY RIGHTS ADVOCATES
A non-profit corporation

June 20, 2013

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TESTIMONY OF DISABILITY RIGHTS ADVOCATES RE: §30-104 TO §30-112

Good afternoon. My name is Julia Pinover, and I'm a Senior Staff Attorney in charge of the New York office of Disability Rights Advocates. First, I would like to thank the City Council for recognizing that there are serious failures with the City's emergency plans. I also applaud the City Council for taking steps to improve the City's plans.

I. EMERGENCY PLANNING IS THE SUBJECT OF FEDERAL LITIGATION.

These bills deal with emergency preparedness. The Council should be aware that emergency preparedness for New Yorkers with Disabilities is the subject of a federal class action lawsuit. I am one of the attorneys working on that lawsuit. Many of the issues covered in these proposed bills are also covered by that lawsuit. There was a trial on these issues in March, and the City and the Plaintiff Class is awaiting a ruling. What became clear at trial is that OEM's emergency plans do not adequately serve needs of New Yorkers with disabilities. The bills in front of City Council today may improve the City's emergency response for persons with disabilities, but as is, this package of legislation remains problematic for persons with disabilities. Rather than dissect this legislative package bill by bill, I'd like to give the council some overall feedback identifying several problems that run throughout this package of legislation.

II. THE PROPOSED LEGISLATION IS VAGUE.

The proposed bills are not specific enough to create meaningful change in the City's emergency planning with respect to vulnerable populations. The bills instruct OEM to draft several plans but few contain any specifics with regards to serving the needs of persons with disabilities. For example, the Sheltering plan includes many specifics, but the only instruction with regards to persons with disabilities is that the City consider "mechanisms to ensure that such shelters are accessible to persons with disabilities, including bathroom and shower facilities." Vague instruction like this is not enough. Shelters must be accessible, and this legislation must require accessible shelters. Where shelter entrances and bathrooms are not accessible, OEM should be required to implement a plan and articulate a timeline for making City shelters accessible. The Community Recovery Plan is a good example of a bill that does articulate specifics, but not with regards to persons with disabilities. I encourage the Council to review each bill and add a provision articulating foreseeable needs of seniors and persons with disabilities and instructing OEM to think through how persons with disabilities' needs will be met during a disaster.

III. FORMALIZED AGREEMENTS WITH NGO'S ARE NECESSARY.

While these bills do require OEM to identify non-governmental groups to partner with, a fatal flaw is that none require OEM to enter into any formal agreements with groups or individuals participating in a response. Several times, these bills discuss identifying who will participate in a given plan, but there is no bill that recommends written agreements articulating roles and responsibilities of non-governmental emergency responders. For example, outreach to vulnerable populations was a tremendous problem during Sandy. The plan for handling this situation was not in fact drafted until two days after the storm hit. We agree that plan for outreach should be drafted prior to an emergency. However, the proposed legislation requires no formal agreements with individuals and groups who will play a key role in emergency outreach. A plan without a formal agreement about division of labor and responsibility is not a reliable plan. A formal agreement with people or groups assigned outreach duties in the City's emergency plans is necessary for an effective response. This criticism is true throughout this package of legislation: formalized agreements with third parties are necessary for an effective plan and should be required.

IV. THE EFFECTIVENESS OF PROPOSED PLANS MUST BE ASSESSED.

The legislation must require OEM to assess the efficacy of proposed plans. The results of the efficacy assessment should be an integral part of the City Council's review of the plans. A plan is useless if participants are unable to fulfill assigned duties during an actual emergency. The logistics of a plan must also be assessed. The transportation plan, for example, is problematic. The transportation plan instructs the commissioner to incorporate transportation needs of persons with special needs into the transportation plan. However, there is no mandated assessment of whether the proposed transportation plan for this group will effectively move them during a disaster. Day-to-day in New York City, accessible transportation is extremely limited. Consequently, leveraging these limited resources will be challenging during an emergency. It is impossible to know if a plan for accessible emergency transportation is realistic without assessing if it will in fact move people from point A to point B. If the first time a plan like this is tested is during an actual emergency, lives will be in grave danger.

V. CONSULT WITH VULNERABLE POPULATIONS.

The basic principal of emergency planning for seniors and persons with disabilities is: persons with disabilities are in the best position to identify their own needs. Academics and other experts in emergency planning for persons with disabilities agree on this point. Plans will not effectively anticipate the needs of persons with disabilities unless persons with disabilities themselves are consulted about the needs they're likely to have during an emergency. There are many groups in New York City active in emergency planning. Each of these bills should mandate OEM (1) to solicit feedback from persons with disabilities, (2) to identify specific needs that will exist for these populations and (3) to solicit ideas from the community about how those needs can be met. It is the person with a disability who knows best what needs are and are not foreseeable during a disaster and a conversation about feasible ways to meet basic foreseeable needs will save lives.

Thank you for your consideration of this testimony.

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