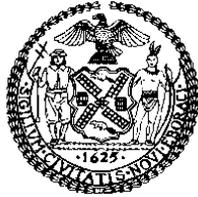


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**THE COUNCIL**

**Briefing Paper of the Infrastructure Division**

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**COMMITTEE ON PUBLIC HOUSING**

Hon. Ritchie Torres, Chair

October 14, 2014

***Oversight: Evaluation of the Victim of Domestic Violence Need-Based Preference Category and Support and Services for Victims of Domestic Violence in NYCHA Developments***

**I. Introduction**

On October 14, 2014, the Committee on Public Housing, chaired by Council Member Ritchie Torres, will hold an oversight hearing entitled “Evaluation of the Victim of Domestic Violence Need-Based Preference Category and Support and Services for Victims of Domestic Violence in NYCHA Developments.” Those invited to testify include the New York City Housing Authority (“NYCHA”), as well as other relevant City agencies, and interested members of the public, including public housing and domestic violence advocates.

## **II. Background on NYCHA and Public Housing**

Former New York City Mayor Fiorello La Guardia created NYCHA in 1934 – three years before the advent of federal public housing.<sup>1</sup> NYCHA originally served two purposes: (1) to provide low-cost housing for middle-class, working families temporarily unemployed because of the Depression and (2) to bolster the lagging economy by creating jobs for the building trades.<sup>2</sup> Later, NYCHA’s purpose evolved into providing safe, decent housing for families with the lowest incomes.<sup>3</sup>

The first NYCHA development – “First Houses” – was built in 1935 and contained 123 public housing units.<sup>4</sup> By 1942, NYCHA had 12 developments and 13,180 units.<sup>5</sup> Today, NYCHA has 334 developments, 2,563 buildings, and 178,557 public housing units, making it the largest public housing authority in North America.<sup>6</sup> NYCHA also administers Section 8 affordable housing vouchers for 91,103 apartments.<sup>7</sup> All told, NYCHA serves a community of 615,199 people, roughly the population of Boston.<sup>8</sup>

NYCHA is a “public benefit corporation,”<sup>9</sup> a “public housing agency” under the United States Housing Act of 1937,<sup>10</sup> an “authority” under the New York State Public Housing Law,<sup>11</sup>

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<sup>1</sup> Peter Marcuse, “The Beginnings of Public Housing in New York,” *Journal of Urban History* 12(4) at 353-54 (1986); *see also* NYCHA Housing Developments, La Guardia & Addition, *available online at* <http://www.nyc.gov/html/nycha/html/developments/manlaguardiaadd.shtml> (last accessed Sept. 12, 2013).

<sup>2</sup> Marcuse, 353-54; J.A. Stoloff, “A Brief History of Public Housing,” *Paper presented at August 14 meeting of the American Sociological Association*, at 3 (2004).

<sup>3</sup> Marcuse, 354; Stoloff, 1; *see also* Judith D. Feins, et al., “Revised Methods of Providing Federal Funds for Public Housing Agencies,” *US Department of Housing and Urban Development*, at 9 (1994).

<sup>4</sup> Marcuse, 356.

<sup>5</sup> Nicholas Dagen Bloom, “Public Housing That Worked: New York in the Twentieth Century,” *University of Pennsylvania Press*, at 43 (2008).

<sup>6</sup> *See* NYCHA’s Fact Sheet *available online at* <http://www.nyc.gov/html/nycha/html/about/factsheet.shtml>.

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

<sup>9</sup> Public Housing Law § 3.

<sup>10</sup> *See* 42 USC § 1437a(b)(6); Public Housing Law §§ 3, 220, 400 and 401.

<sup>11</sup> *See* Public Housing Law §§ 3 and 56.

and, for certain purposes, a City agency.<sup>12</sup> In addition to applicable federal and state law, NYCHA must abide by the City's laws and rules related to planning, zoning, sanitation, building, and housing maintenance standards.<sup>13</sup>

### **III. Background on Domestic Violence**

Domestic violence is a pervasive problem in New York City. In 2013, the NYPD responded to 280,531 domestic violence incidents, averaging 765 incidents per day. In addition, the City's Domestic Violence Hotline advocates answered 99,719 calls, averaging more than 270 calls per day.<sup>14</sup> According to NYPD data, the number of reported domestic violence related crimes rose 25% between 2009 and 2013 – 32,324 incidents in 2013 compared to 25,761 in 2009.<sup>15</sup> The crimes that constitute domestic violence are felony assaults, assault in the third degree and related offenses, sex offenses, and violations of protective orders. In addition to these offenses, according to preliminary data from the NYPD, there were 62 domestic violence related homicides in 2013. 74% of these cases had no known prior police contact and 86% of these cases had no current order of protection.<sup>16</sup> Domestic violence crime has risen at NYCHA developments as well. At an April 2014 hearing of this Committee, the NYPD revealed that domestic violence crimes increased from 820 in 2009 to 1,642 in 2013 and that the rise in domestic violence crimes made up almost two thirds of the total increase in violent crime.<sup>17</sup>

Domestic violence is a pattern of abusive behavior that occurs between family members or intimate partners and can take the form of physical, sexual, psychological, or economic

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<sup>12</sup> *Bass v. New York*, 38 AD2d 407, 410 (2d Dept 1972).

<sup>13</sup> See 24 CFR §§ 5.703(g) and 902.20(e); Public Housing Law § 155.

<sup>14</sup> Mayor's Office to Combat Domestic Violence, Domestic Violence Annual Fact Sheet 2013, *available at*: [http://www.nyc.gov/html/ocdv/downloads/pdf/Statistics\\_Annual\\_Fact\\_Sheet\\_2013.pdf](http://www.nyc.gov/html/ocdv/downloads/pdf/Statistics_Annual_Fact_Sheet_2013.pdf).

<sup>15</sup> See New York State Division of Criminal Justice Services, Domestic Violence Data, 2009-2013, *available at*: <http://www.criminaljustice.ny.gov/crimnet/ojsa/domestic-violence-data.html>.

<sup>16</sup> Mayor's Office to Combat Domestic Violence, Domestic Violence Annual Fact Sheet 2013, *available at*: [http://www.nyc.gov/html/ocdv/downloads/pdf/Statistics\\_Annual\\_Fact\\_Sheet\\_2013.pdf](http://www.nyc.gov/html/ocdv/downloads/pdf/Statistics_Annual_Fact_Sheet_2013.pdf).

<sup>17</sup> NYPD Housing Bureau testimony for April 28, 2014, at 76, *available online at* [legistar.council.nyc.gov](http://legistar.council.nyc.gov).

abuse.<sup>18</sup> Although the Department of Health and Mental Hygiene (“DOHMH”) estimates that 93,000 women and 48,000 men in New York City are afraid of their partner,<sup>19</sup> many victims do not leave due to fear, shame, loss of economic resources, public humiliation, name calling and threats of being killed.<sup>20</sup> These victims are at risk of another incident. According to a report by the United States Department of Justice, the risk of another domestic violence incident is greatest within the first eleven days after the previous victimization.<sup>21</sup>

Many victims who do end up leaving their abusers are at risk for homelessness. According to Safe Horizon, 25% of the homeless households in the shelter system are homeless due to domestic violence incidents.<sup>22</sup> According to advocates, many victims will first stay in Human Resources Administration (“HRA”) domestic violence emergency shelters for the maximum allowable 180 days before moving to Department of Homeless Services (“DHS”) general shelters, where they end up staying indefinitely.<sup>23</sup>

Additionally, victims may not report incidents to the police or seek help. In NYCHA, the consequences of not reporting can affect whether a victim has a safe place to live or becomes homeless. If a victim leaves his or her abuser but has not reported any incidents, he or she will not have the documentation needed to apply for NYCHA housing or request an emergency transfer to another NYCHA development. That victim may be forced to enter the shelter system

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<sup>18</sup> Mayor’s Office to Combat Domestic Violence, Introduction to Domestic Violence, *available at*: <http://www.nyc.gov/html/ocdv/html/prevention/introduction.shtml>.

<sup>19</sup> See New York City Department of Health and Mental Hygiene, Domestic Violence and Your Health, *available at*: <http://www.nyc.gov/html/doh/html/living/violence-data.shtml>

<sup>20</sup> See National Coalition Against Domestic Violence, The Problem, *available at*: <http://www.ncadv.org/learn/TheProblem.php>

<sup>21</sup> See Robert C. Davis, David Weisburd and Edwin Hamilton, “Preventing Repeat Incidents of Family Violence: A Randomized Field Test of a Second Responder Program in Redlands, CA” *United States Department of Justice*, September 2007

<sup>22</sup> See Safe Horizon, Domestic Violence: Statistics & Facts, *available at*: <http://www.safehorizon.org/page/domestic-violence-statistics--facts-52.html>

<sup>23</sup> Rosa Goldensohn, *Domestic Violence Victims Wait up to a Decade for Emergency NYCHA Housing*, DNAinfo New York, (March 5, 2014), *available at* <http://www.dnainfo.com/new-york/20140305/morris-heights/domestic-violence-victims-wait-up-decade-for-emergency-nycha-housing>.

if no alternative housing is available. According to New Destiny Housing, 74% of domestic violence emergency shelter residents do not have the required documentation to apply for NYCHA housing, and ultimately, only 1% of those leaving emergency shelters are able to obtain NYCHA housing.<sup>24</sup>

#### **IV. NYCHA Preference Programs for Victims of Domestic Violence**

##### ***1. N-1 Priority for New Applications***

As of March 2014, there were approximately 247,262 families on the waiting list for conventional public housing as well as an additional 121,999 families on the waiting list for housing through the Section 8 program.<sup>25</sup> The turnover rate in 2013 for conventional public housing was 3.1% and the vacancy rate of apartments available for occupancy as of January 2014 was 0.95%.<sup>26</sup> On average, just 5,000 public housing units become available each year.<sup>27</sup> According to NYCHA, because of “the varied need priorities that comprise a family’s TSAP [Tenant Selection & Assignment Plan] profile and the low turnover and vacancy rates of apartments, it is virtually impossible to establish an average waiting time for a family to enter Conventional Public Housing. Some applicants can be matched up with an available apartment in months, while others often have to wait years.”<sup>28</sup>

In accordance with federal regulations, NYCHA has adopted in its TSAP Need-Based and Working Family priorities by which it ranks each applicant for public housing.<sup>29</sup> Need-Based priorities are ranked N0 (highest priority), N1, N3, N4, or N8 (no need-based priority) and

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<sup>24</sup> New Destiny Housing, Facts and Stats, Access to Public Housing, *available at*: <http://www.newdestinyhousing.org/what-we-do/facts-a-stats>

<sup>25</sup> See NYCHA’s Fact Sheet *available online at* <http://www.nyc.gov/html/nycha/html/about/factsheet.shtml>.

<sup>26</sup> *Id.*

<sup>27</sup> See Executive Summary, NYCHA’s Proposed Amendment to the Agency Plan for FY 2014, *available at*: <http://www.nyc.gov/html/nycha/downloads/pdf/annual-plan-fy2014-amendment.pdf>.

<sup>28</sup> See NYCHA’s Fact Sheet *available online at* <http://www.nyc.gov/html/nycha/html/about/factsheet.shtml>.

<sup>29</sup> See NYCHA’s Tenant Selection and Assignment Plan (TSAP), adopted September 24, 2012, *available at*: <http://www.nyc.gov/html/nycha/downloads/pdf/TSAPlan.pdf>.

include, but are not limited to, the following: (N0) city agency referrals (includes certain referrals from DHS, the HIV/AIDS Services Administration, the Department of Housing Preservation and Development or the New York City Health and Hospitals Corporation); (N1) victims of domestic violence; (N1) intimidated witnesses; (N3) applicants who have been involuntarily displaced (includes displacement due to a government order); (N4) applicants legally doubled-up *and* overcrowded in a NYCHA apartment; (N4) applicants doubled-up *or* overcrowded in private housing; and (N4) applicants with a high rent burden.<sup>30</sup> Applicants are offered apartments based on highest priority and oldest certification date. Therefore, N0 priority applications will be offered apartments before N1 priority applications.<sup>31</sup> As part of the Mayor's Housing New York Plan, on May 30, 2014 NYCHA released a Significant Amendment to the FY 2014 Annual Plan to upgrade the Need-Based preference for DHS-referred homeless clients from N4 to N0.<sup>32</sup> To meet housing needs, NYCHA has agreed to provide housing to 1,000 homeless families by the end of 2014 and will provide 750 homeless families with public housing units each year over the next three years.<sup>33</sup> This change in policy will likely affect waiting times for N1 domestic violence victims. In effect, 750 N0 homeless families each year will now be placed ahead of N1 domestic violence victims on the waiting list.

Victims of domestic violence are considered an N1 priority, which is the second highest priority category.<sup>34</sup> According to NYCHA, an applicant is considered a victim of domestic violence if he or she has suffered serious or repeated abuse from a family member or a person

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<sup>30</sup> See NYCHA's Applying for Public Housing Priority Codes → Need Based Preference, *available at* [http://www.nyc.gov/html/nycha/html/assistance/need\\_based.shtml](http://www.nyc.gov/html/nycha/html/assistance/need_based.shtml).

<sup>31</sup> *Id.*

<sup>32</sup> See Executive Summary, NYCHA's Proposed Amendment to the Agency Plan for FY 2014, *available at*: <http://www.nyc.gov/html/nycha/downloads/pdf/annual-plan-fy2014-amendment.pdf>

<sup>33</sup> Fiscal 2014 Mayor's Management Report, at 267, *available at*, [http://www.nyc.gov/html/ops/downloads/pdf/mmr2014/2014\\_mmr.pdf](http://www.nyc.gov/html/ops/downloads/pdf/mmr2014/2014_mmr.pdf).

<sup>34</sup> See NYCHA's Applying for Public Housing Priority Codes → Need Based Preference, *available at* [http://www.nyc.gov/html/nycha/html/assistance/need\\_based.shtml](http://www.nyc.gov/html/nycha/html/assistance/need_based.shtml).

with whom he or she had, or continues to have, an intimate relationship, *and* as a result of the abuse, the victim suffered actual physical injury or the threat of injury, *and* the victim: (a) will continue to suffer abuse if he or she continues to live in the current residence or (b) has left the residence due to the abuse and is not living in standard permanent replacement housing.<sup>35</sup>

To qualify for the N1 Priority, an applicant must present NYCHA with three documents to verify the applicant is a victim, unless the applicant was the victim of a serious felony in which case the requirement is two documents. If the applicant was a victim of a serious felony, including, but not limited to, assault in the first or second degree, strangulation in the first or second degree or rape in the first degree, he or she must submit: (1) proof of *one* incident of physical violence or threat by providing either orders of protection, police reports, or in-patient hospital admission letters that document a serious felony against the victim and (2) an advocacy letter from a hospital, mental health provider, social services provider or government agency. If the applicant was not a victim of a serious felony, he or she must submit: (1) proof of at least *two* incidents and (2) an advocacy letter from a hospital, mental health provider, social services provider or government agency. As of September 29, 2014, there are a total of 754 applicants on the N1 priority wait list across the five boroughs, some of which have been waiting for ten years.<sup>36</sup> The Victim of Domestic Violence Priority Documentation Requirements chart and Certified N0 and N1 Waiting List chart are attached as Attachments A and B, respectively.

In March 2013, Legal Services NYC sued NYCHA over concerns with the priority granting process. Tenant advocates claimed that NYCHA did not process the priority-based applications in a timely manner, lost documents, and denied priority requests without a good

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<sup>35</sup> *Id.*

<sup>36</sup> NYCHA, Certified N0 and N1 Public Housing Applications, *available at*: [http://www.nyc.gov/html/nycha/downloads/pdf/report\\_manager.pdf](http://www.nyc.gov/html/nycha/downloads/pdf/report_manager.pdf)

reason.<sup>37</sup> According to press reports, records produced in the case showed that NYCHA approved only 889 of 8,066 applications (11%) for the domestic violence priority in 2011 and 2012.<sup>38</sup> A settlement reached in January 2014 requires NYCHA to make the application process internet-friendly, establish an appeal process for applicants, provide a receipt to applicants, and provide a clear notice to domestic violence victims regarding application defects. NYCHA also agreed to train its employees on all of the new policies.<sup>39</sup>

## ***2. Emergency Transfers for Existing Residents***

Victims of domestic violence who are already NYCHA residents have the opportunity to request an emergency transfer to another development through NYCHA's Emergency Transfer Program (ETP).<sup>40</sup> A resident may select a borough to be transferred to, including their present borough of residence, except for Staten Island residents who must choose a different borough.<sup>41</sup> To apply for an emergency transfer, domestic violence victims are urged to contact the management office at their development and complete an emergency transfer application.<sup>42</sup> Like new applicants to NYCHA, domestic violence victims seeking emergency transfers must provide NYCHA with proof of two incidents, unless one incident is a serious felony.<sup>43</sup> As part of the emergency transfer process, domestic violence victims meet with a case manager or a liaison

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<sup>37</sup> See Legal Services NYC, LSNYC Settles Federal Lawsuit Against NYCHA on Behalf of Domestic Violence Victims, *available at*:

[http://www.legalservicesnyc.org/index.php?option=com\\_content&task=view&id=790&Itemid=98](http://www.legalservicesnyc.org/index.php?option=com_content&task=view&id=790&Itemid=98)

<sup>38</sup> See Daniel Beekman, *To Settle Lawsuit, the Housing Authority Will Change How it Handles Apartment Applications From Domestic Violence Victims*, N.Y. Daily News, January 6, 2014, *available at*:

[http://www.nydailynews.com/new-york/nycha-seals-deal-abuse-article-](http://www.nydailynews.com/new-york/nycha-seals-deal-abuse-article-1.1568107?utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+nydnrss%2Flatino+(Latino))

[1.1568107?utm\\_source=feedburner&utm\\_medium=feed&utm\\_campaign=Feed%3A+nydnrss%2Flatino+\(Latino\)](http://www.nydailynews.com/new-york/nycha-seals-deal-abuse-article-1.1568107?utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+nydnrss%2Flatino+(Latino))

<sup>39</sup> See Legal Services NYC, LSNYC Settles Federal Lawsuit Against NYCHA on Behalf of Domestic Violence Victims, *available at*:

[http://www.legalservicesnyc.org/index.php?option=com\\_content&task=view&id=790&Itemid=98](http://www.legalservicesnyc.org/index.php?option=com_content&task=view&id=790&Itemid=98)

<sup>40</sup> See Emergency Transfer Program, *available at*,

[http://www.nyc.gov/html/nycha/html/community/social\\_serv.shtml#etp](http://www.nyc.gov/html/nycha/html/community/social_serv.shtml#etp).

<sup>41</sup> See Emergency Transfer Program Information Sheet, *available at*,

<http://www.nyc.gov/html/nycha/downloads/pdf/emergency-transfer-program-info-sheet.pdf>.

<sup>42</sup> See Emergency Transfer Program, *available at*,

[http://www.nyc.gov/html/nycha/html/community/social\\_serv.shtml#etp](http://www.nyc.gov/html/nycha/html/community/social_serv.shtml#etp).

<sup>43</sup> *Id.*

from the District Attorney's office of their respective borough.<sup>44</sup> The emergency transfer process is similar for Section 8 residents.<sup>45</sup>

According to NYCHA, the time needed to process an emergency transfer depends upon the completeness of the documentation submitted by the applicant and the timeliness of submission, the record of the tenant while living in public housing, the results of a criminal background check which will be conducted by NYCHA for all household members age 16 or older, and the availability of suitably-sized apartments.<sup>46</sup> According to the most recent Mayor's Management Report, the residents approved for ETP (which includes victims of domestic violence, intimidated victims, intimidated witnesses and child sexual victims) decreased 14% from 937 in Fiscal Year 2013 (FY13) to 808 in Fiscal Year 2014 (FY14), and ETP disposition time improved by 15% from 54 days in FY13 to 46 days in FY14.<sup>47</sup>

Pursuant to the Violence Against Women Act,<sup>48</sup> NYCHA bifurcates public housing leases in order to terminate the tenancy rights of an abuser who commits criminal acts of physical violence against another household member while preserving the tenancy rights of the victim.<sup>49</sup> After the emergency transfer occurs, NYCHA recommends that transferees consider the following safety tips: avoid areas where friends or relatives of the abuser are known to reside or spend time; avoid speaking about the transfer to acquaintances; avoid places you are known to frequent; and, after the transfer, do not return to your old neighborhood for any reason.<sup>50</sup>

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<sup>44</sup> *Id.*

<sup>45</sup> NYCHA, Tenant Transfers, *available at*: [http://www.nyc.gov/html/nycha/downloads/pdf/emergency\\_transfers.pdf](http://www.nyc.gov/html/nycha/downloads/pdf/emergency_transfers.pdf)

<sup>46</sup> See Emergency Transfer Program Information Sheet, *available at*, <http://www.nyc.gov/html/nycha/downloads/pdf/emergency-transfer-program-info-sheet.pdf>.

<sup>47</sup> See Fiscal 2014 Mayor's Management Report, at 271, *available at*, [http://www.nyc.gov/html/ops/downloads/pdf/mmr2014/2014\\_mmr.pdf](http://www.nyc.gov/html/ops/downloads/pdf/mmr2014/2014_mmr.pdf).

<sup>48</sup> See Violence Against Women Reauthorization Act of 2013, *available at*, <http://www.gpo.gov/fdsys/pkg/BILLS-113s47enr/pdf/BILLS-113s47enr.pdf>.

<sup>49</sup> *Id.*

<sup>50</sup> See Emergency Transfer Program Information Sheet, *available at*, <http://www.nyc.gov/html/nycha/downloads/pdf/emergency-transfer-program-info-sheet.pdf>.

## V. Support and Services for Domestic Violence Victims at NYCHA

NYCHA, NYPD, HRA, and OCDV have different programs and initiatives designed to help domestic violence victims in public housing. NYCHA's social workers and staff advocate for domestic violence victims and will help victims to develop a plan and obtain assistance from City agencies or community organizations. These services include household management services, transitional supportive services, outreach and referral to community organizations and prevention services for domestic violence victims. NYCHA staff will meet with domestic violence either at the victim's home or at a social service office as needed.

### 1. *NYPD Domestic Violence Unit*

The NYPD has a dedicated Domestic Violence Unit to respond to domestic violence incidents. Officers in the unit conduct home visits, provide court referrals, assist victims in obtaining counseling services and finding shelter alternatives, help in obtaining orders of protection and developing a safety plan, and perform domestic violence awareness outreach.<sup>51</sup> In addition, each local precinct and police service area has a domestic violence office.<sup>52</sup> According to testimony from the NYPD at a Committee hearing in April 2014, there are 36 officers in the unit with 4 officers per housing precinct or police service area (PSA).<sup>53</sup>

### 2. *Domestic Violence Aftercare Program*

The HRA Domestic Violence Aftercare Program (DVAP) assists NYCHA domestic violence victims by providing support services when NYCHA approves an emergency transfer to a new neighborhood. The program recognizes that tenants may need assistance during the relocation to a new neighborhood. NYCHA helps the victims by keeping families safe during

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<sup>51</sup> NYPD, Crime Prevention, Domestic Violence, *available at*: [http://www.nyc.gov/html/nypd/html/crime\\_prevention/domestic\\_violence.shtml](http://www.nyc.gov/html/nypd/html/crime_prevention/domestic_violence.shtml).

<sup>52</sup> *Id.*

<sup>53</sup> NYPD Housing Bureau testimony for April 28, 2014 hearing, at 101-102, *available online at* [legistar.council.nyc.gov](http://legistar.council.nyc.gov).

the transfer process and provides assistance so they do not return to the abuser's home. DVAP offers public housing tenants: (1) counseling and safety planning before the tenants relocate to another unit; (2) support and advocacy when the tenant is offered an apartment and moving in stages; (3) supportive counseling as the tenant transitions to the new development; (4) emotional counseling for children affected by the violence; (5) information and referrals to help achieve long-term goals such as job training and higher education; and (6) assistance in emergency situations such as help with access to food, baby supplies and metrocards.<sup>54</sup>

### ***3. The Witness Relocation Program***

NYCHA works with the District Attorneys and the United States Attorney's office to fast-track transfers for public housing tenants who are intimidated witnesses. This includes domestic violence victims who need a safe and confidential place to assist in the prosecution of the batterer.<sup>55</sup>

### ***4. The Supportive Outreach Services Program***

The NYCHA supportive outreach program provides case management services on a variety of issues from coping with everyday situations to handling extremely stressful events like domestic violence incidents. People can be referred to this program by NYCHA Development Management, neighborhoods, family members, other NYCHA staff and by the tenant.<sup>56</sup>

### ***5. Domestic Violence Intervention, Education and Prevention Program (DVIEP)***

The HRA DVIEP program, which Safe Horizon administers for NYCHA residents, provides comprehensive domestic violence services to public housing residents. This program is recognized nationally by various police departments for its approach to addressing domestic

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<sup>54</sup> See New York City Housing Authority, Residents' Corner: Information for Domestic Violence Victims, *available at*: <http://www.nyc.gov/html/nycha/html/residents/residents-vdv-where-to-go.shtml>

<sup>55</sup> See New York City Housing Authority, Residents' Corner: Information for Domestic Violence Victims, *available at*: [http://www.nyc.gov/html/nycha/html/community/social\\_serv.shtm#arrnss](http://www.nyc.gov/html/nycha/html/community/social_serv.shtm#arrnss)

<sup>56</sup> *Id.*

violence issues. DVIEP caseworkers help victims to identify their needs and provides them with information, safety planning, and referrals to other agencies. The DVIEP program also provides community presentations, emergency transfer assessments, and police sensitivity training. To receive these services, tenants may contact their local PSA for services or can contact the Safe Horizon Hotline number: 1-800-621-HOPE.<sup>57</sup>

#### **6. Furniture Distribution Program**

Through NYCHA's Furniture Distribution Program, residents in need of assistance can acquire used furniture items from other residents. Victims of domestic violence are given a priority.<sup>58</sup>

#### **7. Anonymous Resident Referral for NYCHA Social Services**

NYCHA residents can anonymously refer other residents for NYCHA social services programs. NYCHA staff will then contact the referred tenants to identify what assistance they may need.<sup>59</sup>

#### **8. NYPD and OCDV Programs in the Mayor's Plan to Reduce Crime at NYCHA**

On July 8, 2014, Mayor Bill de Blasio announced a \$210.5 million citywide plan to make neighborhoods safer and reduce crime in the 15 NYCHA developments that account for 17% of all violent crime in public housing. The plan includes two initiatives to combat domestic violence. First, the City has relocated 700 police officers to precincts and NYCHA developments with the highest need. These officers are tasked with making more visits to victims of domestic crimes to ensure their safety, offer assistance, and help to facilitate access to services as needed. Second, the plan includes \$15.6 million for the expansion of residential programs to help prevent

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<sup>57</sup> See New York City Housing Authority, Residents' Corner: Information for Domestic Violence Victims, *available at*: <http://www.nyc.gov/html/nycha/html/residents/residents-vdv-where-to-go.shtml>

<sup>58</sup> See New York City Housing Authority, Residents' Corner: Information for Domestic Violence Victims, *available at*: [http://www.nyc.gov/html/nycha/html/community/social\\_serv.shtm#arrnss](http://www.nyc.gov/html/nycha/html/community/social_serv.shtm#arrnss)

<sup>59</sup> *Id.*

crime. One of these programs includes the deployment of a team from the Mayor's Office to Combat Domestic Violence (OCDV) to NYCHA developments with high rates of domestic violence to conduct outreach, provide information to residents about how to obtain domestic violence services, and provide prevention workshops.<sup>60</sup> According to testimony from OCDV at this Committee's September 2014 hearing, the deployment team consists of 8 members.<sup>61</sup>

## **VI. Conclusion**

Today, the Committee will examine domestic violence at NYCHA as well as efforts the Authority and Administration have made to address this issue. The Committee expects to learn more about the prevalence of domestic violence in public housing, the functioning of NYCHA's admission preference for domestic violence victims, the rationale behind the various policies and programs NYCHA and the Administration have implemented to deal with domestic violence, and the areas that NYCHA and the Administration have identified as needing improvement. In addition, the Committee is particularly concerned about the homelessness rate of victims of domestic violence and the factors exacerbating the problem.

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<sup>60</sup> See Office of the Mayor Fact Sheet: Making New York City's Neighborhoods and Housing Developments Safer, available at <http://www1.nyc.gov/office-of-the-mayor/news/336-14/fact-sheet-making-new-york-city-s-neighborhoods-housing-developments-safer#/0>

<sup>61</sup> See Mayor's Office to Combat Domestic Violence testimony for September 16, 2014 hearing, at 79-80, available online at [legistar.council.nyc.gov](http://legistar.council.nyc.gov).

## Attachment A

<b>VICTIM OF DOMESTIC VIOLENCE PRIORITY – DOCUMENTATION REQUIREMENTS</b>					
<b>1 Document each from Category A, B, C is required unless it is a "serious felony" in which case 1 document each from Category A and C A criminal offense must be classified as either a misdemeanor or felony.</b>					
<b>Primary Documentation - Category A</b>		<b>Secondary Documentation - Category B</b>		<b>Advocacy Letter* – Category C</b>	
1	<b>Order of Protection (OOP): Criminal Court</b> documenting a <b>criminal offense</b> of physical violence or threat of violence against victim. [OOP may be current or expired but must document an incident no older than 12 months prior to the filing of the application or priority upgrade]. <b>If for a Serious Felony*, no document required from Category B.</b>	<b>Order of Protection (OOP): Criminal Court</b> documenting a <b>criminal offense</b> of physical violence or threat of violence against victim. [OOP may be current or expired but the incident must be no older than 24 months prior to the filing of the application, priority upgrade and day of the eligibility interview]. <b>Must name same perpetrator documented in Category A, but must be for a different incident.</b>	Advocacy letter from Social Services Provider/Family Justice Center.		
2	<b>OOP Family Court - and a copy of the Family Court Petition</b> indicating alleged physical violence or threat of violence against victim. [OOP may be current or expired but must document an incident no older than 12 months prior to the filing of the application or priority upgrade].	<b>OOP: Family Court - and a copy of the Family Court Petition</b> indicating alleged physical violence or threat of violence against victim. [OOP may be current or expired but the incident must be no older than 24 months prior to the filing of the application or priority upgrade]. <b>Must name same perpetrator documented in Category A, but must be for a different incident.</b>	Advocacy letter from Hospital Domestic Violence Coordinator or Hospital Social Worker.		
3	<b>Police Report (61 Complaint Report)</b> documenting a <b>criminal offense</b> of physical violence or threat of violence against victim [Incident must be no older than 12 months prior to the filing of the application or priority upgrade]. <b>If for a Serious Felony*, no document required from Category B.</b>	<b>Police Report (61 Complaint Report)</b> documenting a <b>criminal offense</b> of physical violence or threat of violence against victim [Incident must be no older than 24 months prior to the filing of the application or priority upgrade]. <b>Must name same perpetrator documented in Category A, but must be for a different incident.</b>	Advocacy letter from Mental Health Provider or Counselor.		
4	<b>Police Domestic Incident Report (DIR)</b> documenting a <b>criminal offense</b> against victim [Incident must be no older than 12 months prior to the filing of the application or priority upgrade]. <b>If for a Serious Felony*, no document required from Category B.</b>	<b>Police Domestic Incident Report (DIR)</b> documenting a <b>criminal offense</b> against victim [Incident must be no older than 24 months prior to the filing of the application or priority upgrade]. <b>Must name same perpetrator documented in Category A, but must be for a different incident.</b>	Advocacy letter from one of the five Governmental Agencies listed below: District Attorney's Office, Administration for Children's Services (ACS), Human Resources Administration (HRA), Department of Education (DOE), Department of Homeland Security (DHS)		
5	<b>In-Patient Hospital Admission Letter</b> (Must use NYCHA Form 070.246) documenting domestic violence related injuries against victim. [Incident must be no older than 12 months prior to the filing of the application or priority upgrade].	<b>In-Patient Hospital Admission Letter</b> (Must use NYCHA Form 070.246) documenting domestic violence related injuries against victim. [Incident must be no older than 24 months prior to the filing of the application or priority upgrade]. <b>Must name same perpetrator documented in Category A, but must be for a different incident.</b>			
6	<b>Court Dispute Referral Center (CDRC) Letter</b> documenting a domestic violence offense against victim, describes domestic violence incident(s), identify name of abuser and give reason why no OOP was issued and advocate for the relocation of the family. [Incident must be no older than 12 months prior to the filing of the application or priority upgrade].				
7	<b>Letter from either a NY District Attorney, NYPD Detective or District Attorney Complaint</b> documenting a <b>criminal offense (s)</b> against victim [Incident must be no older than 12 months prior to the filing of the application or priority upgrade].				
<p>*The advocacy letter must be dated within 60 days from the date of the application or priority upgrade request. The advocacy letter must identify the perpetrator, relationship between the victim and abuser, when and where the domestic violence occurred, details of the incident and advocate for the relocation of the family.</p>					
<b>SERIOUS FELONY LIST</b>					
<b>NYCHA only considers the 19 Penal offenses listed below as serious felonies which would warrant a document waiver from Category B. Families must still submit 1 document each from Category A and C. The document submitted must specify the penal code.</b>					
1	120.05	Assault 2 <sup>nd</sup> degree	12	130.70	Aggravated Sexual Abuse 1 <sup>st</sup> degree
2	120.07	Gang Assault 1 <sup>st</sup> degree	13	135.25	Kidnapping 1 <sup>st</sup> degree
3	120.10	Assault 1 <sup>st</sup> degree	14	140.25(1b)	Burglary 2 <sup>nd</sup> degree
4	120.12	Aggravated Assault Upon A Person Less than Eleven Years Old	15	140.30(2)	Burglary 1 <sup>st</sup> degree
5	121.12	Strangulation 2 <sup>nd</sup> degree	16	150.20(1a)	Arson 1 <sup>st</sup> degree
6	121.13	Strangulation 1 <sup>st</sup> degree	17	160.10(2a)	Robbery 2 <sup>nd</sup> degree
7	120.60	Stalking 1 <sup>st</sup> degree	18	160.15(1)	Robbery 1 <sup>st</sup> degree
8	125.25	Murder 2 <sup>nd</sup> degree and Attempted Murder 2 <sup>nd</sup> degree (110-125.25)	19	215.52	Aggravated Criminal Contempt
9	130.35	Rape 1 <sup>st</sup> degree	20	260.32	Endangering the Welfare of a Vulnerable Elderly Person 2 <sup>nd</sup> degree
10	130.50	Sodomy 1 <sup>st</sup> degree	21	260.34	Endangering the Welfare of a Vulnerable Elderly Person 1 <sup>st</sup> degree
11	130.67	Aggravated Sexual Abuse 2 <sup>nd</sup> degree			

# Attachment B

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## New York City Housing Authority Certified N0 and N1 Public Housing Applications

### Bronx

Priority	2 Rooms	3 Rooms	4 Rooms	5 Rooms	6 Rooms	7 Rooms	8 Rooms	9+ Rooms	Total
N0	229	7	20	2	8	0	1	0	267
N0 Oldest Cert Date	08-30-2012	06-24-2014	05-05-2014	07-30-2014	03-14-2014		07-09-2014		
N1	80	15	31	12	9	0	0	0	147
N1 Oldest Cert Date	02-06-2006	09-13-2013	10-12-2011	12-16-2013	12-28-2012				

### Brooklyn

Priority	2 Rooms	3 Rooms	4 Rooms	5 Rooms	6 Rooms	7 Rooms	8 Rooms	9+ Rooms	Total
N0	122	10	13	4	7	0	0	0	156
N0 Oldest Cert Date	07-30-2013	12-19-2013	10-02-2012	04-22-2014	09-30-2011				
N1	88	11	54	7	9	0	0	0	169
N1 Oldest Cert Date	01-22-2009	04-30-2010	02-10-2010	06-27-2013	06-11-2012				

### Manhattan

Priority	2 Rooms	3 Rooms	4 Rooms	5 Rooms	6 Rooms	7 Rooms	8 Rooms	9+ Rooms	Total
N0	325	9	21	4	4	0	0	0	363
N0 Oldest Cert Date	01-03-2013	08-10-2009	01-02-2014	06-19-2014	08-23-2013				
N1	149	55	87	8	18	0	0	0	317
N1 Oldest Cert Date	04-23-2003	04-02-2012	09-27-2012	05-29-2014	11-01-2011				

### Queens

Priority	2 Rooms	3 Rooms	4 Rooms	5 Rooms	6 Rooms	7 Rooms	8 Rooms	9+ Rooms	Total
N0	95	6	8	6	4	0	0	0	119
N0 Oldest Cert Date	01-02-2013	07-02-2014	05-18-2009	01-25-2013	04-04-2013				
N1	49	8	36	7	7	0	0	0	107
N1 Oldest Cert Date	07-06-2004	06-11-2014	11-18-2013	11-18-2013	01-04-2011				

### Staten Island

Priority	2 Rooms	3 Rooms	4 Rooms	5 Rooms	6 Rooms	7 Rooms	8 Rooms	9+ Rooms	Total
N0	23	4	4	1	3	0	0	0	35
N0 Oldest Cert Date	06-04-2012	08-14-2014	06-03-2014	08-18-2014	04-07-2014				
N1	10	0	3	0	1	0	0	0	14
N1 Oldest Cert Date	04-09-2004		07-09-2014		06-11-2014				

### All Boroughs

Priority	2 Rooms	3 Rooms	4 Rooms	5 Rooms	6 Rooms	7 Rooms	8 Rooms	9+ Rooms	Total
N0	794	36	66	17	26	0	1	0	940
N1	376	89	211	34	44	0	0	0	754
Total	1170	125	277	51	70	0	1	0	1694