

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES
Of the
COMMITTEE ON YOUTH SERVICES
Jointly with
COMMITTEE ON IMMIGRATION

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HELD AT: Committee Room - City Hall

B E F O R E: Carlos Menchaca
Chairperson

Deborah L. Rose
Chairperson

COUNCIL MEMBERS:
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Mathieu Eugene
Mark Gjonaj
Robert F. Holden
I. Daneek Miller
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Justin L. Brannan
Margaret S. Chin
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A P P E A R A N C E S (CONTINUED)

Eve Stotland
The Door

Skye Adrian
Co-Chair of New York City Continuum of Care
Youth Action Board

Jha'asryel-Akquil Bishop
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Jamie Powlovich
Coalition for Homeless Youth

Theresa Moser
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A P P E A R A N C E S (CONTINUED)

Laura Berger
Brooklyn Defender Services

Jeffrey Colton
Covenant House

Princess Mosulunen [sp?]
Care New York

2 CHAIRPERSON MENCHACA: Buenos dias,
3 everyone. Good morning. I'm really thankful that
4 we're here today at the City Council, the Committee
5 Room. My name is Carlos Menchaca. I'm the Chair of
6 the New York City Council's Committee on Immigration,
7 and I would like to thank my colleague, Chairperson
8 Debbie Rose, of the Committee on Youth Services, for
9 making this joint hearing possible. I would also
10 like to thank the members of the Immigration
11 Committee who are here from Queens, Council Member
12 Holden, from Brooklyn, Council Member Eugene, and we
13 also have Council Member Margaret Chin here as well.
14 Today, our committees will be hearing testimony on
15 the realities that the LGBTQ immigrant youth face in
16 New York City. Even though New York City is a
17 Sanctuary City and we fight every day to ensure that
18 we keep to that promise, we have some of the
19 strongest anti-discrimination laws in the country.
20 LGBT immigrant youth continue face unique challenges
21 and barriers when it comes to housing, education,
22 healthcare, and economic opportunities. There have
23 been a lot of discussions and conversations in the
24 news lately about immigration policies in the United
25 States and the impact that these policies have on

2 individuals and families, but the LGBTQ immigrant
3 youth are almost never part of that conversation.
4 They keep getting left behind. Part of the reason is
5 because data on the number of immigrant youth who
6 identify as LGBTQ does not exist. So, I am very
7 proud that today we are recognizing this population
8 and thinking about how we as a city, as a whole city,
9 every city agency, every public official, all of us
10 can better serve them. The LGBTQ immigrant youth face
11 challenges that all youth and LGBTQ youth face, but
12 they also often fall through the cracks of a system
13 due to the flaws in our U.S. immigration system.
14 This makes them one of the most vulnerable
15 populations. For example, the LGBTQ immigrant youth
16 are disproportionately represented in the
17 unaccompanied minor population in the United States,
18 making up 19 percent of immigrant children in foster
19 care. Unaccompanied LGBTQ children account for 12 to
20 15 percent of immigrant children in the juvenile
21 justice system, and 40 percent of the homeless youth
22 population. Forty percent, that's unacceptable. A
23 survey of runaway homeless youth in New York
24 estimates that each night a minimum of 3,800 youth
25 are homeless, more than half of whom identify as

2 LGBTQ, and about 15 percent of whom were born outside
3 the U.S. many LGBTQ immigrant youth are undocumented
4 and qualify for immigration legal services, and it's
5 important that we connect them to those services so
6 that they can get a path to citizenship and access
7 necessities such as healthcare, and I am proud of my
8 colleague Council Member Daniel Dromm for introducing
9 legislation to help connect runaway and homeless
10 youth who qualify for special immigrant juvenile
11 status with services. I fully support Intro number
12 480, and I am proud that my colleagues, Council
13 Member Dromm and Rose, for their leadership on this
14 issue. Because of this intersecting issue area of a
15 very vulnerable population that LGBTQ immigrant face-
16 - immigrant youth face, it is imperative that City
17 agencies, all of them, coordinate to ensure access to
18 critical programs and services for this vulnerable
19 population. As Chair of the Immigration Committee, I
20 am particularly interested in hearing from the
21 Mayor's Office of Immigrant Affairs about their
22 efforts to coordinate with other city agencies in
23 serving the LGBTQ immigrant youth community. This
24 includes updates on the MOIA-led interagency
25 taskforce which we passed by law last year which is

2 mandated by Local Law 185, but we understand it
3 hasn't really convened. We want to understand what
4 is happening with this taskforce in particular to
5 today's discussion. We look forward to hearing
6 testimony today from the Department of Youth and
7 Community Development, the Mayor's Office of
8 Immigrant Affairs, NYC Unity Project, and advocates,
9 on how the City is serving the LGBTQ immigrant youth
10 and how we can do better. In the preparation for
11 this hearing I want to thank my senior advisor,
12 Caesar Vargas, my Chief of Staff Sosiata Ming [sp?],
13 Communications Director Tony Cherito [sp?], and the
14 whole Committee Staff. This is Committee Counsel
15 Hermania Huja [sp?], Committee Policy Analyst,
16 Elizabeth Krun [sp?], Finance Analyst Jen Lee [sp?].
17 Chair Rose will be making her opening statement a
18 little later, and to kick us off, to really set the
19 tone, we're going to have Eve Stotland from The Door,
20 please come to the bench and speak to us and really
21 kind of give us a sense about what we're dealing with
22 here in the City, and as you come up, I want to thank
23 Council Member Dromm, and to deliver his statement,
24 if you would like, on 480, which we're really proud
25 to have and hearing today.

2 COUNCIL MEMBER DROMM: Thank you, Chair
3 Menchaca, and good morning and thank you, and Council
4 Member Rose, for hearing Intro 480 and for your
5 steadfast support for the City's immigrant
6 communities. In 2010, the Council passed legislation
7 that I introduced to improve how the Administration
8 for Children's Services dealt with immigrant children
9 in its custody, specifically there was the concern
10 that young people were aging out of the system before
11 getting the opportunity to apply for special
12 immigrant juvenile status, or SIGS. This is a form
13 of immigration relief that allowed certain qualified
14 undocumented children and youth to become permanent
15 residents of the United States. Intro 480's purpose
16 is analogous with Local Law Six of 2010 but focuses
17 instead on undocumented immigrant, homeless and
18 runaway youth in the care of or in contact with
19 runaway and homeless youth providers in the
20 Department of Youth and Community Development. The
21 Department should be identifying SIGS eligible youth
22 and assisting them in obtaining immigration relief.
23 These young folks are often left without a voice due
24 to their undocumented status, and that is only
25 exacerbated when they are without a home or support.

2 Fortunately, there are advocates, some of whom are
3 here today, working to ensure that these New Yorkers
4 do not continue to go unheard. Intro 480 would
5 require the Department along with other runaway and
6 homeless youth providers to establish a plan on how
7 to identify and serve this community. The
8 legislation calls for the plan to include a
9 description of the Department's current policies and
10 training programs as well as a plan to identify these
11 young people and to coordinate services for them
12 among other things. Today, we look forward to
13 hearing testimony from the Department and runaway and
14 homeless youth providers and how they currently serve
15 this community on a daily basis. We also look
16 forward to hearing from immigrant and child welfare
17 advocates on what happens on the day to day basis,
18 what is working in the Department, and what it needs
19 to be improved. I look forward to hearing from all
20 the witnesses about how New York City can better
21 serve immigrant runaway and homeless youth. Thank
22 you very much.

23 CHAIRPERSON MENCHACA: Thank you, Council
24 Member Dromm. And Ms. Eve Stotland, take it away.

2 EVE STOTLAND: I'm supposed to be red.

3 Red is good, okay. Yes, it's red. Good morning

4 everyone. My name is Eve Stotland. I'm the Director

5 of Legal Services at The Door, a center for

6 alternative youth development center serving about

7 10,000 young people, New Yorkers at risk ages 12 to

8 21 each year. Thank you so much to Chairperson Rose,

9 to Chairperson Menchaca to the introducer of this

10 bill, Council Member Dromm, and to the Committees on

11 Youth and the Committees on Immigration for bringing

12 this very important issue to the forefront. As we

13 all know, immigrants are under attack in this city

14 and across the nation, and New York City has been and

15 remains a model nationally, perhaps internationally,

16 for best practices in keeping our communities and

17 vulnerable population safe. In all of this action,

18 trying to cover so many fronts with immigrants under

19 attack in new ways each day, each week. I read the

20 paper, we read the paper, uh-oh, another problem

21 today to deal with on the ground. I do believe that

22 population or the sort of constellation of

23 populations, undocumented youth, undocumented youth

24 who are LGBTQ, which highly correlates with

25 undocumented youth are homeless or at risk of

2 homelessness can be forgotten. At The Door, it's
3 never forgotten. That is a core population that we
4 serve and have served for many years with the City's
5 tremendous support. We have both a drop-in RHY
6 program, an outreach program, and a legal services
7 program, all of which received generous support from
8 the City and other sources. Never the less, as Intro
9 Number 480 indicates, there is more that can be done.
10 So, The Door-- and I also speak on behalf today of
11 the Peter Cicchino Youth Project at Urban Justice
12 Center who regret that they couldn't send a
13 representative, which does similar work to The Door
14 with this population. We support Intro Number 80,
15 and I'd like to just raise a few ways that I think we
16 could make it even stronger, and this is not in any
17 way critical. Things are changing so quickly on the
18 ground that if you'd ask me for my opinion or my
19 reaction to this bill a year ago, it would be
20 different than today. So, thank you for asking me my
21 opinion. Okay. So, first of all, we got to move
22 beyond special immigrant juvenile status. Special
23 immigrant juvenile status is a very powerful
24 important tool for getting immigration relief,
25 meaning a green card lawful status, to children who

2 have been abused, neglected, and abandoned. However,
3 like many paths to lawful residents, it is under
4 attack by the Federal Government, and I have details
5 in my written testimony. I don't want to bore people
6 with some very technical information, but the U.S.
7 Citizenship and Immigration Service has started to
8 deny correctly filed applications for children who
9 are unquestionably eligible for special immigrant
10 juvenile status. In my office alone we have received
11 over 10 denials over the past year, and this is
12 particularly true that they are denying cases for
13 children who became dependent on the Family Court
14 order-- became dependent on the Family Court or
15 received an order from the Family Court when they
16 were 18, 19, or 20. New York is a very special state.
17 We allow Family Court jurisdiction both in foster
18 care proceedings and in guardianship proceedings
19 until children turn 21. This is because we recognize
20 in New York that most 19-year-olds are not ready to
21 be on their own. It's hard for any of us to make our
22 rent. Most 19-year-olds are not ready to just go out
23 there and pay market rent, for example. So we have
24 Family Court jurisdiction until 21, and USCIF, the
25 Federal Government, is saying no you don't. This is

2 outrageous. There is no situation under which a
3 federal bureaucracy should be telling the New York
4 State legislature and New York State Family Court
5 judges what they do and don't have jurisdiction over.
6 Legal Aid Society, together with Latham & Watkins,
7 has filed a class action lawsuit. All of this is to
8 say we need to move beyond SIG, and so I would be
9 very glad to see the language broadened, and there is
10 some more broader language there, but more explicitly
11 to say that we want young people who are LGBTQ and/or
12 in the homeless youth system to be screened, to
13 receive a comprehensive immigration screening, for
14 any immigration relief, any path to a green card that
15 they might be eligible for. Paths that I know that
16 this committee is very familiar with that are worth
17 mentioning include, asylum, U-Visas, T-Visas,
18 sometimes even an older sibling who's a U.S. citizen
19 who might be able to sponsor them, right? We want to
20 look at every opportunity because an opportunity
21 that's available one day under the Trump
22 Administration, the next week it's not available. So
23 that's the first request. The second request is just
24 that the bill contemplate also exploring access to
25 full representation. Screening is absolutely the

2 first step. If young people don't know that there's
3 anything they can do about their undocumented status,
4 they're not going to do anything about it. So that's
5 very important. Once they find, for example, that
6 they're eligible for SIG, it's just really-- I do not
7 say this because I'm a lawyer. I am a lawyer. But
8 so just really not something that a young person can
9 obtain on their own. They really need a lawyer.
10 They need to go to Family Court. They need to then
11 file something and get a very specific kind of order.
12 They then need to file applications with the U.S.
13 Citizenship and Immigration Services. Under the
14 current Administration applications are being
15 rejected or there's request for more information,
16 there's request for ev-- they keep putting up
17 hurdles. It's not-- it's never an easy system for a
18 person to navigate without an attorney. Now I'd say
19 it's really possible. So, if we could include some
20 language that would ask DYCD to also look up at what
21 would it require for all the children who receive
22 this screening, are found to be undocumented but
23 eligible for relief [sic] to actually get a free
24 attorney, that would be a terrific step forward. I
25 want to thank the City and the City Council for the

2 funding that The Door and other service providers
3 already receive to do this work, but I am sorry to
4 say that even with that funding we do turn-- The Door
5 does turn away and other providers do turn away young
6 people who may be eligible for relief, because we are
7 at capacity. That is something that happens, and we
8 would like that-- I know everyone in this room would
9 like that to not happen. Every homeless or LGBTQ
10 young person who is eligible for immigration relief
11 should be able to get a free attorney so that they
12 can make a successful transition to adulthood. So,
13 thank you so much. I'm always proud when I think
14 about these issues to be a New Yorker and to be a
15 partner with the City Council and the City on these
16 issues.

17 CHAIRPERSON MENCHACA: Thank you for not
18 just the analysis but the recommendations. I'm going
19 to ask the sponsor of the bill to maybe further ask
20 questions on that front, and I'm going to hold my
21 questions for you and give it over to Council Member
22 Dromm.

23 COUNCIL MEMBER DROMM: I'm going to think
24 aloud, which may be dangerous to do in a hearing.

25 CHAIRPERSON MENCHACA: Please.

2 COUNCIL MEMBER DROMM: I hear you on the
3 complete screening. I think that that is very
4 necessary. Some of the issues that we have had in
5 the past, as you've mentioned as well, is that often
6 times youth do not have any idea of what type of
7 relief may be available to them, and I think the
8 problem is worse when you're talking about LGBT youth
9 as well, because you know, either often times it's
10 overlooked by providers, and not just DYCD, actually
11 other institutions, legal services as well, and so
12 part of the reason that makes that a little bit
13 complicated is because people sometimes often feel
14 uncomfortable rightfully or wrongfully asking
15 particularly about LGBTQ identification. And so,
16 that is something that we are thinking somewhat
17 about, just have not come up completely with the
18 answer to that. But you know, I did have an
19 experience in my office early on, right after we
20 passed the initial piece of legislation, I think it
21 was, where I had a former student-- I was a New York
22 City public school teacher for 25 years before I got
23 elected to the Council-- and a student came in and he
24 was 17 years old, he was being thrown out of the
25 home. His mother found out that he was gay, and

2 actually, the mother was okay with me being gay, but
3 not with him. So, that's a whole other layer of
4 issues there, but he came to the office, closed the
5 door, told me that he was gay, and told me that he
6 was undocumented. So, that student was applying for
7 asylum. He did-- was lucky enough to be able to find
8 out that that might be a possibility for him, but it
9 became even more complicated when judges questioned,
10 you know, his time in the country because you're only
11 eligible for asylum I think for a year after you
12 come, but he didn't know that he was gay until he was
13 like 16. So, fortunately for him, though, in this
14 case we were able to get him housing in
15 Queensborough, in Queens College, where they do have
16 a dormitory, and his case worked out well. But these
17 are the types of cases that we see very often
18 actually, especially in the LGBT community. So,
19 that's my spiel on this, and I appreciate your
20 testimony. I have more questions, actually, for the
21 Administration. They coming? Okay. We just did it
22 this way today? Yeah, okay, so that we would hear
23 from the advocates first? Yeah, okay, I know that's
24 your style, and I do appreciate that. So, we'll

2 continue to talk on this, and we definitely
3 appreciate the suggestions.

4 EVE STOTLAND: Absolutely, and I
5 appreciate you bringing up the issue of schools or
6 high school students. We have found at The Door that
7 many high schools are receptive, need information,
8 and so we believe that those schools, especially high
9 schools, are an important part of getting this
10 message out as well.

11 CHAIRPERSON MENCHACA: And I'll be asking
12 this of the other advocates and the other panels, but
13 the kind of two, the two things that you brought up
14 were relating to funding and capacity, and so can you
15 speak a little to that further than your testimony
16 gave us, a sense of dollar and need, and how you feel
17 the City can do better to bring more resources. And
18 then the other piece that we spoke to at the ICE
19 hearing was relating to ICE presence, specifically in
20 their enforcement in areas and how that impacts the
21 LGBTQ community, specifically? So, those two points
22 if you can speak to, and I will say that we have two
23 youth who are here and want to tell their story, and
24 I wanted to have them speak next before the
25 Administration.

2 EVE STOTLAND: Sure. So, on the issue of
3 funding, I think it's important. I believe everybody
4 on this committee understands, but there may be other
5 City Council members or people in the Administration
6 who don't, that, for example, NYFAP, the city's
7 groundbreaking program to provide counsel for
8 detained immigrants in deportation proceedings, and
9 ICARE, the city's groundbreaking program to provide
10 representation to children in removal proceedings,
11 are again, amazing programs. We participate in one
12 of them at The Door; however, they don't quite get at
13 this issue. Many of the children we see who are
14 LGBTQ, for example, the young man that Council Member
15 Dromm saw in his office was not in removal
16 proceedings, and so it's just important for people to
17 understand that while those programs are beyond
18 reproach, they don't get to this particular
19 population. And so to the extent that we really want
20 to do something as a city for this population, it's
21 not going to be through those programs. It's going to
22 be through another program. The existing program
23 that I'm most aware of is a program that The Door is
24 a contractor on, which is-- used to be DYCD, it's
25 CSPG, is Community Service Block Grant program. Now,

2 the contract has been transferred to HRA, and it's a
3 terrific contract that is very specifically for
4 immigrant youth. You have to be under 20. I can't
5 serve a 22-year-old in this part. This is money that
6 has been earmarked and dedicated to young people,
7 right? And generally young people who are not in
8 removal proceedings, but are often homeless LGBTQ, in
9 foster care. It's an amazing program. The funds for
10 that program have not grown over the period that I'm
11 aware of. That's probably because they're federal
12 funds. But anything that we could do to enhance that
13 program. It's a great program, but again it could
14 use to grow. And I also want to bring up a difficult
15 point. Under the Trump Administration, as an
16 immigration lawyer, it takes me more hours to do a
17 case. Cases have become more resource intensive, and
18 this puts me as a program manager and an advocate in
19 an awkward position of asking for the same amount of
20 money or sometimes more money to serve fewer people.
21 And I understand that that is, you know, that's not
22 like what you want to hear from a sales person,
23 right? Why wouldn't you like to buy one banana? It
24 used to cost you three dollars for eight bananas, now
25 it's going to cost you three dollars for two bananas.

2 I understand that's a hard sell, but I also really
3 think that y'all are reading the news and you
4 understand that that's not because of any failure in
5 our service or any desire by us to serve fewer youth,
6 but because the Administration is-- the Trump
7 Administration is dead-set on making it as hard to
8 get every single green card as possible. And zealous
9 advocacy now, a case might have taken us 40 hours,
10 and now it takes us 80 hours, and we're not going to
11 stop representing that kid, but as it takes us 80
12 hours we would have usually taken another case and we
13 can't, and this is something that we see throughout
14 the legal provider's world. So, I don't have an
15 answer for that, but I do want to bring it up and ask
16 for your continued support as the Federal Government
17 very intentionally wants to make it more expensive to
18 prevent people from being deported or to get people's
19 green cards.

20 CHAIRPERSON MENCHACA: Thank you so much
21 for this, and you've identified some gaps. Some of
22 them we've kind of understood and know, and we'll be
23 part, and have been part of our negotiations with
24 this Administration to ensure that every New Yorker
25 gets the right kind of representation, not just in

2 the gaps, but the amount as they increase. Now just
3 the cost of a case, but the cost of bail, the cost of
4 all these things that are going up to make it more
5 difficult, and the City has to make a decision
6 whether this is a population worth investing in or
7 not, and I think that's what this conversation is all
8 about today. So, thank you so much for your time,
9 and thank you for everything that you and The Door do
10 to serve our immigrant LGBTQ youth.

11 EVE STOTLAND: Thank you so much.

12 CHAIRPERSON MENCHACA: Thank you. Thank
13 you. We're going to call up the youth, the two youth
14 who've come and want and need to tell their story.
15 The first youth-- the two youth are Skye O'Neill
16 Adrian, if you could come up please and sit in front
17 of us here, and Jha'asryel-Akquil Bishop, please come
18 on up. And I want to say thank you again on behalf
19 of the City Council and everyone that is here to
20 listen to you for your testimony today.

21 JHA'ASRYEL-AKIL BISHOP: Good morning and
22 thank you for having us. It's Jha'asryel-Akquil.

23 SKYE ADRIAN: Thank you, and you said my
24 name correct, Skye Adrian. Thank you. So, yeah, my
25 name is Sky Adrian. I'm 22 years old. I'm a

2 Jamaican gay black man. I emigrated here in February
3 2015 in fear of persecution of-- because of my
4 sexuality. I currently act as a co-chair of New York
5 City's Continuum of Care Youth Action Board, and I
6 just want to thank everyone for putting this on and
7 giving me this opportunity. So, I've had many
8 experiences living in New York, but the most
9 challenging has been my immigration preceding. Back
10 in September 2015 I had found the Ali Forney Center
11 where I'd received legal support via Urban Justice,
12 intensive case management, housing, healthcare, and a
13 host of other referral services. However, even
14 though I did everything right, three years later I am
15 still stuck with an alien status confined to the fine
16 print, but even in that moment I identified a few
17 challenges that were a little bit more apparent, not
18 just to myself but other young people in the same
19 situation were going through those. On some of those
20 where-- and this is in reference to the SIG process.
21 So, that's seeking a willing and suitable guardian to
22 assist with the SIG process, and for those who don't
23 understand what that means, is that for you to be
24 emancipated, you have to find another guardian who's
25 going to replace the guardian that you're trying to

2 emancipate yourself from. So, because DYCD does not
3 allow providers to do the sign-off as that guardian,
4 that's an immediate challenge if it is that you are
5 coming from another country and you're not too sure
6 who it is that you can ask. And then it's also a
7 legal liability, so it's not very easy to convince
8 someone to do something of that nature without some
9 kind of exchange that may be unsolicited. Despite
10 there being a time-gap for the process, which is
11 ideally six months, it tends to take longer. It
12 tends to take a longer time and delay like other
13 process, and that's in immediate response to wherever
14 it is that you are. As a young person experiencing
15 homelessness, you may not necessarily have a stable
16 address, and therefore, it's harder for you to prove
17 which court your case would be heard in because you
18 have no address. And DYCD providers only just maybe
19 a few of them allow you to use their mailing address
20 services, but others don't. So if it is that you're
21 not eligible for their services to be able to get
22 that access, then it's hard for you to prove an
23 address. As a part of the SIG process, notification
24 must be made to your legal guardian that you're
25 seeking guardianship from someone else if they're not

2 capable of caring for you or are not in the United
3 States. Now, many youth experiencing homelessness
4 have very strange relationships with their guardians,
5 and requesting that they sign this form can cause
6 additional tension. And I think what is also not
7 thought about in this process is when this
8 notification needs to be sent intentionally, which
9 was my situation, the postal system differs very much
10 in other countries, so it can cause significant,
11 like, barriers in individuals receiving the form and
12 signing and returning it to you in a timely manner.
13 A next apparent, and this is what I think everybody's
14 been speaking about, is many runaway homeless youth
15 providers do not, like, have funding allocations for
16 immigration-related fees if the young person can
17 prove their ability to pay the fees. So, my
18 situation now, like, coming up is the work
19 authorization. Ideally, before, if it is that I
20 can't prove that I have Medicaid, I would now have to
21 pay 410 dollars until it is that I actually get a
22 response from the immigration office, and that's a
23 fee even though I may be able or the system shows
24 that I may be able to pay it. I'm still within the
25 runaway homeless youth jurisdiction, so I'm not too

2 sure why it is that you're not eligible if you can't
3 prove Medicaid. So that was, like, another issue.

4 And then many young people who have lived experiences
5 of homelessness as was mentioned before, like myself,
6 do not have a stable and consistent address. So,
7 therefore, that might affect what courts you may be
8 heard in. Like say, for instance, we all know that
9 if you're heard in the Bronx or if you're here for
10 Bronx Court, that takes like even years just to be
11 heard because of like, you know, the backup that's
12 associated with that particular court in question.

13 However, I'm not a person to come in and just state
14 my problems. Like, I also, like force [sic]

15 resolutions are recommendations that I think could be
16 helpful to the process. So, I also believe that DYCD
17 providers should provision their site to receive mail

18 for young people that they receive service. That's
19 not something that's mandated, and I think that's
20 something that needs to be taken into account,

21 because we are-- they are young people within that
22 particular age group or within that particular

23 community are, like, in this space for 30 days or
24 more, so ideally you should provide that kind of

25 service. Runaway homeless youth providers must

2 support youth in identifying any possible individual
3 that could act as guardians for the application. In
4 addition, if youth do not have potential guardians
5 available to them, providers need to explore other
6 immigration options that they may qualify for,
7 because I did not know about SIG until maybe two to
8 three lines down the process. And of course, again,
9 allocating additional funding to assist young
10 people's legal fees that cannot be waived. And then
11 SIG process should take six months or less to be
12 completed. I think DYCD also needs to assist with
13 the tracking of that process whenever the case
14 becomes too drawn out, and that concludes my
15 recommendation. Thank you.

16 CHAIRPERSON MENCHACA: Thank you for
17 that, not just the analysis and the feedback and also
18 for the solutions and possible ways that we can work
19 together. One of them I want to underscore is the
20 additional funding. That keeps coming up, but we've
21 got to keep saying it or else it doesn't happen. And
22 then really thinking about the Department of Homeless
23 Services, DHS, and thinking about that address thing
24 more and how we can as a city agency responds, as a

2 city responds with its agencies can really focus on
3 that one piece. Thank you.

4 SKYE ADRIAN: Thank you.

5 CHAIRPERSON MENCHACA: Thank you.

6 JHA'ASRYEL-AKQUIL BISHOP: Good morning
7 again. So my name is Jha'asryel-Akquil Bishop. I
8 use they/then pronouns. I am 22 years of age. I am
9 from Guyana. I identify as Afro-Guyanese. I
10 migrated to New York City on July 4th, 2016. Sorry,
11 it was a special day. I'm currently a student at the
12 Borough of Manhattan Community College and serve as
13 an Executive Member to the New York City COC Youth
14 Action Board, Leader of the Training and Development.
15 Similarly, I have had some of the same challenges;
16 however, my asylum case is affirmative, so I'm an
17 affirmative asylum applicant, but in my time being
18 here my struggles have been supporting myself because
19 I don't have, like, a family or family circle, and so
20 for a long time until I did get my work permit I was
21 basically depending on, I guess, program stipends
22 and, like, friends and just people in general which
23 put me at risk for a lot of things, like you know, a
24 lot of risky involvement, and so I think those were
25 some of my challenges early on. It's still very

2 challenging coming from another country and not
3 having, I guess, work experience that a lot of
4 employers in New York City are looking for, just
5 coming from a different culture which has also been a
6 challenge, and like, you know, finding and securing
7 jobs, but also the biggest thing is when I first came
8 wanting to go to school but not meeting the
9 requirement or having, like, the financial support to
10 do that, and spending a lot of that time just
11 wondering and hopping from program to program, and so
12 I think my recommendations are similar to Skye, but
13 also, I guess, increased funding for academic support
14 especially for immigrant youth who are coming into
15 the country who can't work, but might be able to go
16 to school during that gap while they are here waiting
17 for status. I think that would be really helpful for
18 anyone looking to start over, wanting to start over
19 and building a better and brighter future for
20 themselves, and I think that's really the most--
21 like, I'm very, like, passionate about education, and
22 I know and I've seen how impactful it is for a young
23 person in New York City to have an Associate's Degree
24 or a Bachelor's Degree, especially if they're trying

2 to build a career or get employed, and so I think
3 that's, like, really important.

4 CHAIRPERSON MENCHACA: Thank you for your
5 testimony, and I think not just the education piece,
6 but really thinking about how we bring more awareness
7 so people can feel empowered. Moving through the
8 system is key in every way. I'm going to hold my
9 questions and hand it over to Council Member Dromm to
10 ask a few questions of both of you.

11 COUNCIL MEMBER DROMM: Thank you. I have
12 a question for you, actually, which I didn't get to
13 ask before we switched over. How did you get pointed
14 in the right direction for services? How did that
15 happen?

16 SKYE ADRIAN: So, originally when I came
17 here and I met, like, other young people that were in
18 the same situation before having gone to Ali Forney
19 Center, the resolution that they gave me was to go
20 online to find other men to host me at that time, and
21 I just didn't feel like that was the only option. I
22 felt like there was more. So, when I looked online,
23 the first place that popped up was the Ali Forney
24 Center, and that's how I was pointed to that service.

2 COUNCIL MEMBER DROMM: What was the what?
3 I'm sorry, it's a little hard for me to hear.

4 SKYE ADRIAN: Oh.

5 COUNCIL MEMBER DROMM: What center?

6 SKYE ADRIAN: The Ali Forney Center.

7 COUNCIL MEMBER DROMM: Oh, okay.

8 SKYE ADRIAN: So, yeah, I had found them.
9 I found them online and that's how I'd gotten
10 connected to their services, and then they connected
11 me to other services that they worked with.

12 COUNCIL MEMBER DROMM: So, that's LGBT-
13 identified, right?

14 SKYE ADRIAN: Yeah, that's LGBT-
15 identified--

16 COUNCIL MEMBER DROMM: [interposing] So,
17 is that component of it, that aspect of you already
18 knew that you were LGBT?

19 SKYE ADRIAN: Yes.

20 COUNCIL MEMBER DROMM: So that wasn't an
21 issue for you to deal with looking for the services
22 at the same time for immigrant services?

23 SKYE ADRIAN: Yeah, no, so when I--
24 because I had looked at a few of the shelters and
25 that was the only one that explicitly stated that it

2 was LGBTQ-identified. So then I felt a lot more safe
3 in that space as opposed to going to somewhere else
4 that wasn't like particular to that community.

5 COUNCIL MEMBER DROMM: And how old were
6 you?

7 SKYE ADRIAN: I was 18, turning 19 at the
8 time.

9 COUNCIL MEMBER DROMM: And do you hear
10 stories from other LGBT youth about the difficulty of
11 finding or accessing services? I mean, maybe now
12 that you know what to do, you refer people, or-- but
13 do you know of other young people that just don't
14 know where to turn to?

15 SKYE ADRIAN: Yeah, because I think it
16 gets a little bit more. Even though there are so many
17 services that are around, it gets very complicated to
18 navigate that, because even though they may serve
19 community and you see the same people in the spaces,
20 like a lot of them have different operational hours.
21 A lot of them have public access or by-appointment
22 access, and that's information that regardless of how
23 you communicate that, that doesn't stay stable. So,
24 it's very difficult for you to find somewhere if it
25 is that you are not aware of the system. I was just

2 an individual that okay, like, I know that this
3 particular place closed at one time, and then this
4 would open at another. So I was able to like
5 transition rather quickly, but for someone who is
6 just coming and not-- or maybe someone that's not in
7 the same mental capacity as I am are going to have
8 like several challenges trying to navigate what that
9 looks like.

10 COUNCIL MEMBER DROMM: Have you ever
11 heard of the New York City Unity Project?

12 SKYE ADRIAN: Yes, three of my board
13 members are featured in that project.

14 COUNCIL MEMBER DROMM: Okay, do you know
15 of other youth that have heard of it?

16 SKYE ADRIAN: Yes, that's correct.

17 COUNCIL MEMBER DROMM: Do you feel that
18 the program is effective?

19 SKYE ADRIAN: Yeah, I definitely-- like,
20 we've been working very extensively with DYCDs and
21 the Unity Project. The only recommendation-- we had
22 some recommendations around the messaging, and they
23 took-- they received that really well, and then we
24 also recommended that they create like a Youth
25 Advisory Board or just to ensure that young people

2 are informing their conversations after this project
3 has been launched, and they've been forthcoming and
4 already started initiating plans to do that.

5 COUNCIL MEMBER DROMM: Do you know if
6 DYCD collects demographic data on LGBT youth? Do
7 they ask questions upon admission to a program like
8 other than Ali Forney, it would definitely-- you
9 know, it's an LGBT, basically, center. But do other
10 DYCD-funded programs collect that data?

11 SKYE ADRIAN: Well, I mean, I can only
12 speak for Ali Forney Center and Street Works because
13 those are the two-- which is Safe Horizon. Those are
14 the two programs that was actively involved in, and
15 for those two programs they did collect, like,
16 demographic information like intake, and then also, I
17 think within the transition of houses, like if you're
18 moving from emergencies to transitional independent
19 living, re-intake is done, so any information that
20 may have changed six months ago is always updated.

21 COUNCIL MEMBER DROMM: Well, thank you.
22 Can I ask you some of those same questions?

23 JHA'ASRYEL-AKQUIL BISHOP: Yes.

24 COUNCIL MEMBER DROMM: Sure. So, how did
25 you find out about services and where did you go?

2 JHA'ASRYEL-AKQUIL BISHOP: Upon coming to
3 the United States I did my research, and so that's
4 how I also knew about the asylum process. I already
5 had a visitor's visa and I was looking for, like,
6 places to go to, and I guess I decided that it would
7 be easier to come here since I was already, like-- I
8 already had a visa, and I just googled LGBT spaces
9 and center and programs, and so I made a list of
10 those, and when I arrived, contacted and called those
11 agencies.

12 COUNCIL MEMBER DROMM: And have you heard
13 of the New York City Unity Project prior to that?

14 JHA'ASRYEL-AKQUIL BISHOP: When I came--
15 so this was in 2016. So the Unity Project wasn't a
16 think of yet, but I am featured in the Unity Project.
17 I am one of the ambassadors.

18 COUNCIL MEMBER DROMM: You're also one of
19 the ambassadors, okay, good. And do you feel other
20 youth are taking advantage of that?

21 JHA'ASRYEL-AKQUIL BISHOP: I think it's
22 available, and like-- it's a hub for resources, but I
23 also feel like maybe because of limited access to the
24 internet or just I guess an absence of navigation
25 tool to that or referral tools for that specific

2 website, it's not being used at its full capacity.

3 Last week, in our prevention meeting with the
4 Deputy's Mayor's Office and Homeless Taskforce which
5 is called [sic] is spearheading, we did speak about
6 an app that might be somewhat accessible because it's
7 on your smartphone that would have those information
8 that a young person can easily access.

9 COUNCIL MEMBER DROMM: SO, do you know
10 any youth who go to Covenant House?

11 JHA'ASRYEL-AKQUIL BISHOP: I know of,
12 yes, there--

13 COUNCIL MEMBER DROMM: [interposing] Do
14 you know if Covenant House does any demographic
15 screenings?

16 JHA'ASRYEL-AKQUIL BISHOP: Not sure.

17 COUNCIL MEMBER DROMM: And they're DYCD-
18 funded, I believe, also. So, alright, I'm just
19 trying to get at because part of the issue for me as
20 a legislator is trying to get these agencies to do
21 their demographic data collection, and it's been a
22 bit of a struggle, and that's why I was asking these
23 questions. So, thank you both for coming in.

24 JHA'ASRYEL-AKQUIL BISHOP: You're
25 welcome.

2 SKYE ADRIAN: Thank you.

3 CHAIRPERSON MENCHACA: And I want to just
4 say thank you. Council Member Dromm asked some of the
5 questions that I wanted to get a sense of as well on
6 how you're interacting with the city nonprofits.
7 Many of these nonprofits get a lot of support from
8 the City, and so it gives us a sense of the ecosystem
9 that we have to build to really allow for not just
10 access, but for capacity to make sure that people
11 have that capacity. And we heard from The Door that
12 they need more capacity, not just at detention with
13 cases that bring us detention, clients who are in
14 detention, but also folks that are just trying to
15 learn what options that they might have. And so
16 thank you for your courage today to be out here and
17 speaking your truth, and we have a few openly gay
18 members of the Council here, including myself, and
19 Council Member Dromm, and we're just really proud
20 that hopefully one day you can join us on this side,
21 move these questions and policies and funding
22 questions forward, and I can't wait to help you do
23 that one day. I hope you can consider that. It
24 would be an honor. Thank you. Thank you for your
25 testimony today.

2 SKYE ADRIAN: Thank you.

3 CHAIRPERSON MENCHACA: Thank you. And so
4 we have next the Administration and the multiple
5 agencies that are here today. So, if we can call up
6 DYCD and the Mayor's Office of Immigrant Affairs who
7 will be testifying. Oh, and HRA. So, we have the
8 Assistant Commissioner for the Mayor's Office of
9 Immigrant Affairs, Kavita Sanchez, Pawria-Sanchez.
10 We have from DYCD Kathleen Almanzar. We also have the
11 DYCD Assistant Commissioner, Randy Scott, and then
12 from the Human Resources Administration, Jordan
13 Dressler. Is there anyone else that's going to come?

14 ASHE MCGOVERN: Ashe McGovern from the
15 Unity Project.

16 CHAIRPERSON MENCHACA: One more time?

17 ASHE MCGOVERN: Ashe McGovern from the
18 Unity Project.

19 CHAIRPERSON MENCHACA: Thank you. Okay,
20 and Jordan, did you want to join the group? Q&A, you
21 got it. Thank you. Okay. So, take it away after we
22 swear you in.

23 COUNCIL CLERK: Would you raise your
24 right hands, please? Do you affirm to tell the
25 truth, the whole truth and nothing but the truth in

2 your testimony today? Please state your names for
3 the record.

4 COMMISSIONER SANCHEZ: Kavita Pawria-
5 Sanchez.

6 ASHE MCGOVERN: Ashe McGovern.

7 ASSISTANT COMMISSIONER SCOTT: Randy
8 Scott.

9 KATHLEEN ALMANZAR: Kathleen Almanzar.

10 CHAIRPERSON MENCHACA: Who would like to
11 begin? We have straws.

12 [laughter]

13 ASSISTANT COMMISSIONER SCOTT: We'll
14 begin. DYCD will begin.

15 CHAIRPERSON MENCHACA: Make sure you
16 speak closely into the mic, and when you're ready.

17 ASSISTANT COMMISSIONER SCOTT: Alright.
18 Good morning Chair Rose and Chair Menchaca and the
19 members of the Committees on Youth Services and
20 Immigration. I am Randy A. Scott, Assistant
21 Commissioner for Vulnerable and Special Needs Youth
22 at the New York City Department of Youth and
23 Community Development, and I am joined by Kathleen
24 Almanzar, Senior Director of DYCD's Literacy and
25 Immigrant Services. Thank you for inviting DYCD to

2 testify today. Intro Number 480 requires DYCD to
3 submit a comprehensive plan to provide services for
4 runaway and homeless youth participants who may be
5 deemed eligible for Special Immigrant Juvenile Status
6 or other immigration benefits, and to report annually
7 on progress towards that goal. Special Immigrant
8 Juvenile Status is a classification available to
9 undocumented immigrants under the age of 21 who have
10 abused, neglected, or abandoned by one or both
11 parents and are dependent on the Family Court.

12 Obtaining this status allows an immigrant youth to
13 obtain permanent legal residency and provides a path
14 to citizenship. DYCD is strongly in favor of
15 connecting participants to appropriate supports. As
16 part of the contract to provide runaway and homeless
17 services, providers are funded to assist young people
18 to meet their needs in all basic areas: education,
19 careers, health, mental health, and including basic
20 life needs such as acquiring identification and
21 including helping them navigate their rights. DYCD-
22 funded RHY programs currently refer participants to
23 organizations including RHY contractors such as The
24 Door, Rising Ground Legal Services, Covenant House
25 Legal Services, Project Hospitality's El Centro,

2 Single Stop, and other groups such as the Urban
3 Justice Center, and Legal Aid Society. Service
4 providers are required to make appropriate referrals
5 for legal services including immigration legal
6 services. Providers make case referrals to nonprofit
7 legal service providers across the City or in some
8 cases refer internally in their in-house legal
9 services teams. DYCD's goal is to make sure
10 participants are able to access immigration services,
11 and we support the intent of Intro Number 480.

12 Through the Human Resource Administration, the City
13 contracts with Immigration Legal Service Providers,
14 and we will explore additional ways to connect our
15 participants with these providers as appropriate. It
16 appears that the process outlined in Intro Number 480
17 is modeled on the process used by the New York City
18 Administration for Children's Services for children
19 in foster care. There are important differences
20 between ACS and DCYD that would affect implementation
21 of the process outlined in Intro 480. For youth in
22 the caring custody of ACS, the agency's access to
23 important documents such as youth's birth certificate
24 and case history can help with the identification
25 referral for immigration legal services.

2 Additionally, and active Family Court proceeding is a
3 pre-requisite for SIJ relief, which applies to ACS-
4 involved youth, but not necessarily to DYCD's
5 population. For both agencies it can be challenging
6 to obtain information about the outcome of a case,
7 because you have the legal right to a confidential
8 attorney/client relationship. Given the unique
9 characteristics of DYCD's runaway and homeless youth
10 population, we'd like to work with the Council on
11 amending the bill. Our providers work to build trust
12 with the participants who share sensitive information
13 on a voluntary basis, and we do not want participants
14 to worry that receiving services obligates them to
15 disclose immigration status. We also do not want to
16 expose the participants to any unnecessary risks that
17 could result from maintaining records about
18 immigration status, particularly since immigration
19 status is not relevant to eligibility for DYCD-funded
20 RHY services. I will now discuss the oversight
21 topic: LGBTQ immigrant youth in New York City. DYCD
22 supports New York City youth and their families by
23 funding a wide range of high-quality youth in
24 community development programs including afterschool
25 programs, community centers, literacy programs, and

2 Youth Workforce Development. We require that all of
3 programs are fully open and welcoming to both LGBTQ
4 individuals. This Administration has made
5 unprecedented investments of over 20 million to keep
6 young people safe in shelter. By 2019 we will have,
7 since 2014, tripled the number of beds available to
8 runaway and homeless youth in this city. We are on
9 target to have 753 beds open in Fiscal Year 19 for
10 youth up to the age of 21, and we have released a
11 request for proposal to serve young adults ages 21 to
12 24. New resources from the Unity Project have
13 supported the expansion of the 24-hour drop-in
14 centers and we expect to have one 24-hour center open
15 in each borough this fall. DYCD is the
16 administrative agency for the Interagency Coordinate
17 Council on Youth, ICC, and the LGBT Workgroup. I
18 have been the co-chair of this workgroup since 2011.
19 Through the ICC, DYCD has offered trainings with many
20 partners for both agency staff and providers to
21 increase their ability to work effectively and
22 sensitively with the LGBTQ population. The workgroup
23 meets monthly and consists of 15 members representing
24 City agencies and the provider community. Through
25 ongoing efforts to strengthen our site monitoring

2 practices and investment in capacity-building
3 services, DYCD staff and providers are focused on
4 ensuring that LGBTQ youth who are over-represented in
5 the RHY population have positive and welcoming
6 experiences in our programs. DYCD regularly
7 evaluates programs to determine whether they are
8 inclusive, welcoming, and respectful environments
9 that embraces diversity of all participants. Serving
10 immigrants is an integral part of the work of DYCD.
11 We fund programs for immigrants that assist
12 participants with accessing government benefits,
13 application assistance, including assistance with
14 matters relating to citizenship and immigration
15 status: employment, healthcare, social services, and
16 civic classes in preparation for citizenship. Our
17 Comprehensive Services for Immigrant Families program
18 help identify the complex and multiple needs of newly
19 arrived immigrant families with limited English
20 proficiency and in collaboration with a network of
21 community-based providers connects them to relevant
22 services that will help them prosper and become self-
23 sufficient. The goal is for each enrolled family to
24 build self-advocacy skills and gain the knowledge to
25 enable them to address specific challenges and

2 navigate key systems that impact their lives such as
3 their education, healthcare, housing, benefits, tax,
4 workplace, and legal and immigration systems. Beyond
5 Immigrant Services programs, we are mindful that New
6 York City is a city of immigrants and work to ensure
7 that all of our programs are accessible to immigrants
8 and their families. Our funding model acknowledges
9 that community-based organizations and their staff
10 are best equipped to meet the culture and language
11 needs of a community. When applying for a contract
12 with DYCD, all community-based providers must
13 describe how they would work within the local
14 communities and understand their specific culture and
15 linguistic needs. To support this, DYCD translates
16 many of our outreach documents into 11 languages.
17 Once a contract is underway, our evaluation criteria
18 reflect these requirements. DYCD's contracts require
19 meeting enrollment and attendance targets that cannot
20 be achieved without engaging parents and young people
21 in a linguistically and culturally competent manner.
22 Through our Capacity Building Department, we offer
23 technical assistance and trainings to providers.
24 Training topics have included supporting English
25 language learners, sexual orientation and gender

2 identity, and working with LGBT and gender
3 nonconforming youth. The Hetrick-Martin Institute
4 has a multiyear contract with DYCD to develop a self-
5 assessment tool to help other youth-oriented
6 community organizations to address the specialized
7 needs of LGBTQ youth, particularly transgender youth,
8 including providing inclusive and welcoming
9 environments. Our Youth Connect Hotline is available
10 to connect New Yorkers to our funded services through
11 311 or 1-800-246-4646. Youth Connect specialists
12 help callers learn more about DYCD-funded programs
13 and find program sites in their neighborhood. When
14 we identify callers that need interpretation
15 assistance, we connect them to the Language Bank
16 operators who have the ability to speak up to 180
17 different languages. We have also targeted our
18 outreach in advertising to immigrant communities. In
19 Fiscal Year 18, DYCD placed ads in community
20 newspapers promoting our funded services including
21 shelters for youth and the Youth Connect Hotline.
22 The advertisements ran in Spanish, Arabic, Bengali,
23 Urdu, Chinese, Haitian-Creole, Polish, and Russian.
24 In July, we promoted our Youth Connect Hotline and
25 our funded services on the LinkNYC Kiosk around the

2 City. The success of our programs is dependent on
3 being able to reach New Yorkers most in need of our
4 services, and we are committed to reaching out to
5 traditionally underserved communities. After you
6 hear from my colleagues at the Mayor's Office of
7 Immigrant Affairs and the Unity Project, I will be
8 happy to answer your questions. Thank you very much.

9 CHAIRPERSON MENCHACA: Thank you, and
10 we're going to actually take a pause before the rest
11 of the panel to bring in some very specific DYCD
12 questions from Council Member Dromm.

13 COUNCIL MEMBER DROMM: Thank you, Chair.
14 I have to go to a budget negotiating team meeting, so
15 that's why I asked for you to indulge me in this.
16 I'm curious about how you go about collecting
17 demographic data, and how much data do you currently
18 have? You know, I passed my law about a year and a
19 half or so ago, and I'm wondering how the
20 implementation of that is going.

21 ASSISTANT COMMISSIONER SCOTT: In
22 relation to our runaway and homeless youth programs,
23 or DYCD in general?

24 COUNCIL MEMBER DROMM: And LGBT youth
25 specifically, how you're identifying them, what the

2 questionnaire looks like, what the response has been,
3 and are all contracting agencies using it?

4 ASSISTANT COMMISSIONER SCOTT: Currently,
5 DYCD does not collect data on-- because we're not the
6 direct provider.

7 COUNCIL MEMBER DROMM: So you're
8 violating the law?

9 ASSISTANT COMMISSIONER SCOTT: No, we're
10 not violating the law. We're not the direct--

11 COUNCIL MEMBER DROMM: [interposing] Yes,
12 you are, because that law was supposed to be in
13 effect over six months ago.

14 ASSISTANT COMMISSIONER SCOTT: Let me
15 just finish the answer to the question. DYCD is not
16 the direct provider of service. We contract out to
17 our provider agencies who are the ones that collect--

18 COUNCIL MEMBER DROMM: [interposing]
19 Well, how do you-- how do you-- if you don't collect
20 demographic data, how do you provide services? All
21 the other stuff is nonsense.

22 ASSISTANT COMMISSIONER SCOTT: No, I'm
23 just saying, in terms of the data that's collected,
24 it's not within our system--

2 COUNCIL MEMBER DROMM: [interposing] What
3 data do you have?

4 ASSISTANT COMMISSIONER SCOTT: For Fiscal
5 Year 18-- in Fiscal 18, 25 percent of the youth were
6 in our crisis that identified as LGBTQ, and 26 in the
7 TIL, transition, but identified as LGBTQ.

8 COUNCIL MEMBER DROMM: [interposing] And
9 where are you serving those-- where is that data
10 coming from?

11 ASSISTANT COMMISSIONER SCOTT: The data
12 is coming from our contracted providers.

13 COUNCIL MEMBER DROMM: And what does the
14 questionnaire look like for that?

15 ASSISTANT COMMISSIONER SCOTT: It
16 basically asked if-- it's voluntary information where
17 the provider, youth volunteers the information--

18 COUNCIL MEMBER DROMM: [interposing] Have
19 you seen the questionnaire?

20 ASSISTANT COMMISSIONER SCOTT: Which
21 questionnaire are you referring to?

22 COUNCIL MEMBER DROMM: On LGBT youth.

23 ASSISTANT COMMISSIONER SCOTT: We have an
24 intake form that our providers have that asks
25 questions relat-- which basically allows for the

2 youth to voluntary identify, so it's not a
3 questionnaire that comes and sits in front of a
4 person and asks, "Are you LGBTQ?" If the youth
5 identifies as LGBTQ, then the provider will then
6 identify that information and provide the necessary
7 services that the youth deems as needing.

8 COUNCIL MEMBER DROMM: And every
9 contracting agency is using that form?

10 ASSISTANT COMMISSIONER SANCHEZ: I can
11 share a little bit of information about-- I think
12 you're referring to Local Law 126 to 128.

13 COUNCIL MEMBER DROMM: Uh-hm.

14 ASSISTANT COMMISSIONER SANCHEZ: So, the
15 Mayor's Office of Operations has been overseeing the
16 implementation.

17 COUNCIL MEMBER DROMM: I'm sorry, I can't
18 hear you.

19 ASSISTANT COMMISSIONER SANCHEZ: The
20 Mayor's Office of Operations has been overseeing the
21 implementation of this set of laws, and my
22 understanding is that they've made tremendous
23 progress. The-- there's a portion that has rolled
24 out through some of HRA's programs online, and then
25 paper surveys are being rolled out this fall across

2 more of the programs, but we can get you more of an
3 update from the--

4 COUNCIL MEMBER DROMM: [interposing] No I
5 know, and I've been in touch with the Director of the
6 Mayor's Office of Operations, the new director. I
7 was unfortunately received a terrible response, and I
8 believe it was from DYCD as well, about the roll out
9 of the implementation of the law and the time that
10 it's taken to implement this law, and I think that
11 you would agree that it has been problematic, right?

12 ASSISTANT COMMISSIONER SANCHEZ: I think
13 it has been more complicated than we anticipated to
14 roll out the--

15 COUNCIL MEMBER DROMM: [interposing] So,
16 problematic, and you have not abided by the law
17 itself, because I believe that that data was supposed
18 to already being collected.

19 ASSISTANT COMMISSIONER SANCHEZ: I
20 actually can't speak to that.

21 COUNCIL MEMBER DROMM: Yeah, I know.
22 Alright, so this is a big issue for me, and so I
23 don't know how you provide services without data
24 collection, and so it doesn't make sense to me
25 anymore to even further question without being able

2 to talk about data and statistics. Every other
3 service in the City is based on that type of data
4 collection. I don't understand what the
5 administration is doing, I really don't. Thank you,
6 Chair. I'm sorry.

7 CHAIRPERSON MENCHACA: Thank you, Council
8 Member Dromm, and really I just want to echo that
9 sentiment, that we are in a unfortunate situation
10 here, not just from the kind of execution, the City's
11 execution that is complicated, and we understand
12 that. We get it, but what's unacceptable is that we
13 haven't yet arrived at the place that we need to, to
14 really understand how we provide not just the data,
15 but the actual policies and services that can connect
16 to a vulnerable population that feel often-- and you
17 heard it today-- that they are forgotten, not just
18 from the advocates, but from them themselves. And so
19 this is not only concerning, but I think something
20 needs to happen, and we're hoping that we hear that
21 today. We didn't hear that today. I don't know if
22 you want to respond, but I want to make sure that all
23 the other agencies that are going to be reporting
24 report as well.

2 ASSISTANT COMMISSIONER SCOTT: With
3 respect to the contracted providers that we have, we,
4 as I mentioned in my testimony, is the expectation
5 that they provide all services that our youth
6 identifies, and legal services is part of that, and
7 within legal services, immigration could-- status
8 could come up as a need, right? So, it is-- we
9 expect that our contracted providers then work with
10 the necessary agencies, whether it's HRA who has
11 contracts now, whether it's our internal legal
12 services that they have, to make sure that they sit
13 down and provide that information. Now, of the
14 information that we receive back from our contracted
15 providers, in Fiscal Year 18, of those who--
16 immigrant youth, it was 97 youth, right? Of those
17 youth who were referred to SIJ services, 75. And of
18 those youth who are potentially SIJ eligible, 23. So
19 these are the numbers that have been reported back to
20 us in regards to Fiscal Year 18 last reporting period
21 from our providers. So, our providers are doing
22 great work in terms of communicating the legal
23 services that they can represent youth on and making
24 sure that they have the representation to go out
25 there and do so. So, it's-- I don't want it to be

2 seen as it's not being collected. We know that our
3 providers are doing a great job in terms of making
4 sure that youth have the ability to go internally and
5 state what their concerns are and get the necessary
6 assistance in order to identify that, whether it's
7 legal services, whether it's around criminal justice,
8 whether it's around immigration, or whether it's
9 around mental health, whether it's around education,
10 or whether it's around employment, they have these
11 abilities at the contracted sites. So, I just wanted
12 to make sure that that's represented.

13 CHAIRPERSON MENCHACA: Council Member
14 Dromm?

15 COUNCIL MEMBER DROMM: Well, I would
16 argue a little differently, and say that without data
17 we don't know what we're doing, okay? And that's why
18 collecting data is so vitally important, especially
19 in this era, in this age, there's no excuse for not
20 having this type of data, especially because now that
21 it's the law, it should have been done. But let me
22 just give you an example of what it is that I'm
23 talking about. When I first started the hearing here
24 today I mentioned a student who had come in to see me
25 and he was applying for asylum, only recognized that

2 he was LGBT within the framework of a year from
3 between 16 and 17. Matter of fact, it was in Council
4 Member Holden's district where this youth lived, but
5 you know, had he not been directed in the right way
6 or had it not been discussed at some point about him
7 being LGBT, that's what made him eligible for the
8 asylum case. So, that's why the collection of this
9 data is so vitally important because oftentimes if
10 you don't ask that demographic data, those questions,
11 you're not going to get to the type of relief,
12 immigration relief that is possible. You know, these
13 kids, some of them, were to be sent back, and there
14 have been case of youth who have been sent back to
15 their countries who have been killed, because of
16 their LGBT status, okay? So, that's why I'm so
17 insistent on this piece of it, and I do look forward
18 to continuing to work with the Administration, with
19 the Mayor's Office of Operations, to get this all
20 straightened out. I met with her three months, or
21 two or three months ago. We need to really move on
22 this because it's long overdue.

23 CHAIRPERSON MENCHACA: I want to ask a
24 very specific question about the provider's data that
25 are brought to DYCD specifically. Do you ask them

2 for data, or do they give you the data that they want
3 to give you? What is that expectation between city
4 and the providers?

5 ASSISTANT COMMISSIONER SCOTT: Well, when
6 we are in need of statistical data from the
7 providers, then we can go and request the data from
8 them or whatever service that we need. So--

9 CHAIRPERSON MENCHACA: [interposing] So,
10 this is ad-hock? So this is-- this isn't necessarily
11 policy that you say here's the framework, this is
12 what we need to know as the City of New York
13 multiagency approach? You're saying you just kind of
14 go and kind of pick, oh we want to see it here, we
15 want to see--

16 ASSISTANT COMMISSIONER SCOTT:
17 [interposing] No, well--

18 CHAIRPERSON MENCHACA: [interposing] Help
19 us understand what you mean?

20 ASSISTANT COMMISSIONER SCOTT: There are
21 five key indicators that we currently focus services
22 on. A key in the case are housing, employment,
23 education, mental health, and basic life skills. So,
24 monthly our providers report back on those indicators
25 in order to share with us the steps that they have

2 taken to provide services to youth in those key
3 indicators. So, that's how we get our information.
4 We currently use a Capricorn system which tracks that
5 information, but we are building a new participating
6 tracking system in order to give not only internal,
7 but our external providers a more user-friendly
8 system in order to input information, to make reports
9 so that they can use it at their disposal and we can
10 use it as well.

11 CHAIRPERSON MENCHACA: And that system, is
12 that new? Is that-- that's a new system. That'll be
13 a new system that you create. What's the timeline
14 for that system, and is that connected the law to the
15 local laws we mentioned earlier?

16 ASSISTANT COMMISSIONER SCOTT: The
17 timeline is still pending, because we're currently
18 building a system now. We're doing many different
19 focus groups. We're working with the providers to
20 make sure that is something that works with them.
21 We're also, you know, testing it out. So we hope that
22 within soon-- I don't have an exact timeframe right
23 now in order to tell you about the participant
24 tracking system, but we are using the Capricorn
25 system which is online.

2 CHAIRPERSON MENCHACA: And in terms of
3 the contracts with the providers, is any of this
4 information gathering request for data in the
5 contracts themselves?

6 ASSISTANT COMMISSIONER SCOTT: Yes, it
7 is.

8 CHAIRPERSON MENCHACA: And how is that
9 described?

10 ASSISTANT COMMISSIONER SCOTT: How is it
11 described in the contracts, that basically--

12 CHAIRPERSON MENCHACA: [interposing] Is it
13 specific, this is the kind of data we want?

14 ASSISTANT COMMISSIONER SCOTT: Well, it
15 speaks to-- our RFPs are-- speak to all the
16 requirements that are necessary. So, we speak to
17 what they need to have in terms of linkages and in
18 terms of completing putting information in our
19 database system, whether it's Capricorn or a new
20 system that's being built. So, I don't have that
21 language in front of me now, but I can always get it
22 to you.

23 CHAIRPERSON MENCHACA: Thank you. Stay
24 where you are. We want to go to anyone else that's
25 going to testify today and then we can continue the

2 conversations. I just wanted to make sure that
3 Council Member Dromm had the opportunity since it's
4 his bill, support him in that vision. Anyone else
5 testifying today? Please? Thank you.

6 ASSISTANT COMMISSIONER SANCHEZ: Thank
7 you to Speaker Johnson, Chairs Menchaca and Rose, and
8 the Members of the Committees on Immigration and
9 Youth Services for convening this hearing. My name
10 is Kavita Pawria-Sanchez, and I'm the Assistant
11 Commissioner at the Mayor's Office of Immigrant
12 Affairs. Today's hearing is about immigrant youth,
13 an area MOIA is particularly proud to work on. In
14 fact, our Commissioner has just returned from a week
15 volunteering her legal services to detained immigrant
16 youth and separated families in a federal detention
17 center in Texas which is why she is not here
18 currently. My testimony will provide an overview of
19 the work MOIA has done under the leadership of Mayor
20 de Blasio to support immigrant New Yorkers, and in
21 particular, LGBTQ immigrant youth. I am very proud
22 to report that MOIA has conducted unprecedented
23 outreach efforts to reach and provide support to
24 immigrant youth across the city, including by
25 providing information about resources for LGBTQ

2 immigrant youth. First, I would like to briefly
3 address Intro 480. The de Blasio Administration has
4 made a historic investment of more than 30 million
5 dollars on immigrant legal services, alongside the
6 largest-ever investments from the City Council. In
7 line with our broader goal of expanding access to
8 legal services, we applaud the goal of Intro 480 of
9 ensuring that the City's runaway and homeless youth
10 are connected to these services. We are particularly
11 gratified that the bill seeks in effect to expand on
12 our existing agency-based immigration legal services
13 programs for immigrant youth through MOIA's ActionNYC
14 in Schools program. We look forward to working with
15 the Council to ensure that our City continues to
16 effectively connect vulnerable immigrant population
17 to services and benefits. Turning to the topic of
18 LGBTQ, immigrant youth in particular. New York City
19 is home to approximately 3.1 million immigrants.
20 Over 150,000 are under 18, and of this number we
21 estimate that approximately a third are undocumented.
22 While there is no reliable data on the number of
23 immigrant youth who identify as LGBTQ, we know that
24 New York City has one of the largest LGBTQ
25 populations in the country, including many teenagers

2 and young adults. LGBTQ youth have unique needs and
3 challenges as we've heard today, and we know from our
4 work with community members and advocates that young
5 people who identify as LGBTQ and lack immigration
6 status may face even more obstacles in accessing
7 legal and social services, greater rates of
8 discrimination, and other unique issues related to
9 the intersection of their immigration status and
10 gender identity and/or sexuality. MOIA has
11 undertaken truly unprecedented outreach work to reach
12 immigrant youth over the past several years. To
13 provide a snapshot just since the beginning of 2017,
14 MOIA conducted a total of 513 Know Your Rights
15 workshops in schools and colleges, reaching over
16 12,000 students and family members. These school
17 setting Know Your Rights workshops informed immigrant
18 youth about their legal rights and how to access city
19 resources such as IDNYC and ActionNYC, and they help
20 youth connect to information about affordable
21 housing, fraud prevention, and support for victims of
22 discrimination, including information about gender
23 and sexuality-based discrimination. In addition, late
24 last year, MOIA participated in the Gender and
25 Sexuality Alliance Summit for LGBTQ immigrants in the

2 DOE system, the GSA, including running a workshop and
3 interactions with local law enforcement and ICE, and
4 opportunities for youth activism. One of our largest
5 efforts to support immigrant youth has been through
6 our ongoing citywide work on DACA. Through this work
7 we have reached thousands of immigrants, both
8 directly and through public education and have
9 directed them to legal services as well as other
10 resources, including information on LGBTQ health
11 specialists and gender and sexuality-based
12 discrimination help. So, DACA remains under threat
13 from the Trump Administration. MOIA has continued to
14 provide information via Know Your Rights workshops
15 and targeted days of action to ensure that immigrant
16 New Yorkers are up to date on the latest
17 developments. Importantly, we know that DACA has
18 represented a powerful opportunity for LGBTQ
19 immigrant youth, many of whom have tremendously
20 benefitted from the ability to gain work
21 authorization and health insurance among other
22 benefits. We've had the privilege to meet and work
23 with incredibly talented and courageous DACA youth
24 who have been very public about the intersectionality
25 of their identities as both immigrant and LGBTQ New

2 Yorkers. MOIA has also conducted efforts and events
3 to reach the broader LGBTQ immigrant population,
4 including both youth and adults. For example, as
5 part of our 2016 Immigrant Heritage Week, MOIA hosted
6 a successful roundtable in Jackson Heights on the
7 needs of LGBTQ immigrants with participation from a
8 number of different LGBTQ community groups. And just
9 last month we took part in a roundtable organized in
10 partnership with a Russian-speaking LGBTQ group,
11 CCHR, CAU, and ThriveNYC to discuss discrimination,
12 homophobia and other challenges faced by Russian-
13 speaking LGBTQ communities, including recently
14 arrived immigrants. Through this outreach we seek to
15 build stronger relationships with immigrant
16 communities throughout the City and support greater
17 access and inclusion. More specifically, on MOIA and
18 interagency initiatives, MOIA's outreach to immigrant
19 youth about immigration legal services is most
20 focused at their schools, as these are often safe and
21 familiar settings for young people who may be wary of
22 seeking services elsewhere. In the last school year,
23 ActionNYC at schools provided immigration legal
24 services at 30 schools. This program has also
25 facilitated access for immigrant youth for other

2 necessary services and benefits. MOIA has
3 participated in targeted IDNYC outreach to immigrant
4 students as well. Recently, we worked with IDNYC to
5 lower the minimum eligibility age from 14 to 10,
6 expanding access to identification for hundreds of
7 thousands of youth. This eligibility change paired
8 with applicant's ability to self-designate or omit
9 their gender on their card provides a younger
10 population of LGBTQ New Yorkers regardless of
11 immigration status with the ability to obtain not
12 only their first ID, but also an ID that empowers
13 them to identify themselves in the way they choose.
14 MOIA and IDNYC have begun this school year with great
15 energy and enthusiasm for promoting IDNYC to an even
16 larger number of young New Yorkers. We also know
17 that mental health is a concern for many immigrants,
18 and that is especially true for LGBTQ immigrants and
19 youth who often experience stigma and barriers to
20 accessing healthcare. MOIA has collaborated with
21 ThriveNYC to improve outreach and messaging for
22 immigrant communities and effectively connect them to
23 mental health support via the New York City Well
24 Hotline. To conclude, I want to recognize the
25 incredible collaborative efforts of MOIA's partner

2 sitting on this panel as well as other colleagues
3 across the Administration who have been critical in
4 the work of supportive youth and LGBTQ New Yorkers.
5 We look forward to continuing this conversation of
6 LGBTQ immigrant youth with the Council. Thank you.

7 CHAIRPERSON MENCHACA: Thank you so much,
8 Assistant Commissioner, and I want to just start off
9 by asking a few questions. Actually, I'm going to go
10 and ask the first question. The Commissioner isn't
11 here today testifying before us. Where is
12 Commissioner Bitta Mostofi right now?

13 ASSISTANT COMMISSIONER SANCHEZ: Sure.
14 So, as I mentioned earlier, she just returned from a
15 week volunteering her legal services to separated
16 children and parents in Texas. Literally, just
17 returned, as I think you know, and she is currently
18 at a press conference speaking to the issue, and the
19 reason she could not attend this hearing in
20 particular is since she was away all of last week she
21 was not able to have the time that she wanted to in
22 order to prepare for today. So, I am equipped to
23 answer all of your questions, I hope, and happy to be
24 here.

2 CHAIRPERSON MENCHACA: Awesome. What is
3 she announcing today? She's at a press conference.

4 ASSISTANT COMMISSIONER SANCHEZ: Sure.

5 CHAIRPERSON MENCHACA: Tell us a little
6 bit about what is happening at this press conference.

7 ASSISTANT COMMISSIONER SANCHEZ: Sure.

8 So she is-- well, she'll be speaking in particular on
9 the experience of the city volunteer legal group that
10 just went down to Texas.

11 CHAIRPERSON MENCHACA: This was a city
12 trip that she went on?

13 ASSISTANT COMMISSIONER SANCHEZ: Yes.

14 CHAIRPERSON MENCHACA: Paid for by the
15 City of New York?

16 ASSISTANT COMMISSIONER SANCHEZ: No, it
17 was paid for by private dollars, and relied on city
18 staff volunteering their time, and the city staff who
19 volunteer their time were lawyers or social workers.

20 CHAIRPERSON MENCHACA: To report back of
21 her time in Texas.

22 ASSISTANT COMMISSIONER SANCHEZ: Yes,
23 that is one part of it, and the second part of it is
24 a 4.1 million dollar dedication from the

2 Administration to immigration legal services for
3 unaccompanied minors in particular.

4 CHAIRPERSON MENCHACA: The same topic
5 that we're having discussion about today?

6 ASSISTANT COMMISSIONER SANCHEZ: Yes, and
7 no, right?

8 CHAIRPERSON MENCHACA: Tell us a little
9 bit about that.

10 ASSISTANT COMMISSIONER SANCHEZ: Sure. So
11 the overall population of UACs is something like
12 1,500 in New York City at any given time. That
13 number varies. The number of children that remain in
14 the City as a result of the recent crisis created by
15 the President is around 40, and the subsection-- the
16 subsector of that larger UAC number in terms of LGBTQ
17 youth is extremely small, and so there's-- yes,
18 absolutely, you are correct, there is overlap, but
19 the broader pool we're-- that she is speaking to
20 today is broader and not specific in the way that
21 today's hearing is.

22 CHAIRPERSON MENCHACA: I'm not going to
23 belabor the points that were made earlier but I just
24 want to link it up to this idea of insinuation about
25 the LGBTQ community being part, we're still

2 struggling to understand how many because the data
3 isn't there. So, I just want to know that a
4 statement like that has to be qualified with a sense
5 of-- we're still struggling to understand how many
6 because of the lack of information. And so, tell us a
7 little bit more. Again, I'm not going to belabor
8 that. That's just pointing to a point that was made
9 earlier today at this hearing. The Administration
10 made a 30-million-dollar investment in immigration
11 legal services, and can you give a sense of the
12 breakdown of that 30 million?

13 ASSISTANT COMMISSIONER SANCHEZ: Sure,
14 and actually, I think it would be best if I referred
15 to Jordan Dressler on the breakdown.

16 CHAIRPERSON MENCHACA: Wonderful. Yeah,
17 you can just pull up a seat. We can have you-- and
18 we need to swear you in as well.

19 COUNCIL CLERK: Hi, would you raise your
20 right hand, please? Do you affirm to tell the truth,
21 the whole truth and nothing but the truth in your
22 testimony today?

23 JORDAN DRESSLER: Yes, I do.

24 COUNCIL CLERK: Thank you. Can you state
25 your name for the record?

2 JORDAN DRESSLER: Sure. Jordan Dressler,
3 Civil Justice Coordinator with HRA's Office of Civil
4 Justice. Good morning, and good morning, Chair, nice
5 to see you.

6 CHAIRPERSON MENCHACA: Yep, so just-- we
7 like a great-- a sense of-- I mean, I have a series
8 of questions, but let's just start with the 30-
9 million-dollar investment and the breakdown.

10 JORDAN DRESSLER: Sure. I think it's
11 important to put it into context. In Fiscal 19, the
12 Administration is dedicating approximately over 30
13 million dollars to immigration legal services
14 covering a spectrum of needs ranging from-- and I
15 don't have the specific number, and I'm under oath,
16 so I'm going to say somewhere in the neighborhood of
17 seven to eight million for the ActionNYC program.

18 CHAIRPERSON MENCHACA: One more time?

19 JORDAN DRESSLER: I'm sorry, seven to
20 eight million, I believe.

21 CHAIRPERSON MENCHACA: Seven to eight
22 million.

23 JORDAN DRESSLER: For ActionNYC. Again,
24 I don't have that number in front of me, and I want
25 to be as precise as I can be. That is as precise as

2 I can be. That is providing access to free, safe and
3 qualified immigration legal screenings and legal
4 representation in straightforward matters to
5 thousands of New Yorkers every year. A large
6 portion, roughly 19.6 million, which is roughly the
7 balance there, is now part of our IOI program, the
8 Immigration Opportunities Initiative. This is a
9 program that was established in partnership with the
10 City Council several years ago. At the time, the
11 notion was that the Administration as a baseline
12 contractor needed to develop a flexible and nimble
13 approach to immigration opportunities for immigrant
14 New Yorkers to take advantage of, hopefully, positive
15 changes in the law, things like DACA, things like
16 DAPA [sic], at the time. Things have changed and we
17 now have a very flexible and nimble approach to
18 meeting the needs that are created by inhumane
19 policies by the Trump Administration. That is
20 included in there is a large portion, I don't have
21 the specific number to date, but dedicated for one of
22 the most acute needs which is deportation defense.
23 Also included there and that's been included since I
24 want to say Fiscal 17 is starting with 2.7 million
25 dollars in funding dedicated for complex legal

2 matters. I have to acknowledge the leadership of the
3 City Council here and the Chair in advocating for
4 that funding, in pushing that forward, and in working
5 with us to create those partnerships with legal
6 providers to meet those needs. Those complex legal
7 matters, and it has grown from there, from the
8 initial 2.7 in terms of what's allocated for so-
9 called complex legal work, includes matters like SIJ,
10 includes matters like asylum. And last year, we
11 threw-- I'm sorry. An additional 2.1 million is
12 dedicated that's funding through the Community
13 Service Block Grants that Mrs. Stotland at The Door
14 referenced earlier, roughly 500,000 of which is
15 specifically dedicated for immigrant youth in New
16 York City, both in foster care and out of foster
17 care. We're happy that The Door is one of our
18 providers doing that work. Put all that together and
19 it's roughly 30 million. That program is-- that's
20 where we are now. Last year, Administration-funded
21 programs served immigrant New Yorkers and
22 approximately 15,000 immigrant youth and
23 approximately 15,000 cases.

24 CHAIRPERSON MENCHACA: Those are legal
25 cases that you're referencing to?

2 JORDAN DRESSLER: Legal cases.

3 CHAIRPERSON MENCHACA: And variety forms?

4 Whatever 15,000.

5 JORDAN DRESSLER: Roughly 15,000. I do
6 want to say that approximately 16 percent of those,
7 over 2,000 of those involved youth ages 21 or younger
8 were able to make those findings in part of our
9 annual report last year.

10 CHAIRPERSON MENCHACA: Okay. I want to
11 get specific on some pieces that are related to this
12 hearing today, which is really thinking about the
13 portion of that 30 million that are going to specific
14 LGBT-related casework, outreach, services from this
15 30 million, what portion of that is going to LGBT
16 pop-- LGBTQ population?

17 JORDAN DRESSLER: There's no specific
18 designation for particular populations. By the same
19 token, there is no, obviously, limitation on where
20 those resources will go. What our approach has been
21 is to rely on providers to-- and give them the kind
22 of flexibility both in terms of the size of the
23 contracts, and the flexibility within contracts so
24 that they can meet the needs where they are, focus
25 their energies, and also have a variety of providers,

2 some provides who might be working specifically with
3 survivors of domestic or intimate partner violence,
4 some providers who are working immigrant youth here
5 in New York City.

6 CHAIRPERSON MENCHACA: So, what exactly is
7 preventing you as a city agency, as a city, with
8 contracts to give specific LGBT-related services?
9 What's preventing you from doing that?

10 JORDAN DRESSLER: I'm not sure anything's
11 preventing, but I'm not sure that's the approach that
12 we're taking at the moment.

13 CHAIRPERSON MENCHACA: Right.

14 JORDAN DRESSLER: We want to be
15 responsive to all needs.

16 CHAIRPERSON MENCHACA: Got it, okay. So
17 there's nothing preventing you from doing that, but
18 the kind of decision--

19 JORDAN DRESSLER: [interposing] I--

20 CHAIRPERSON MENCHACA: The policy
21 decision is to resource the organizations that you
22 mentioned, The Door and others, to do that kind of
23 work, given that-- give them that flexibility to
24 serve the population.
25

2 JORDAN DRESSLER: We haven't looked at
3 the legal or contracting issues around that specific
4 question, so I don't want to commit to one position
5 or another on that, but I will say, the approach that
6 you just described, being flexible, contracting with
7 a variety of different kinds of contractors, meaning
8 different geographic communities, different
9 demographic communities is the approach that we've
10 taken so far.

11 CHAIRPERSON MENCHACA: Got it, and we'll,
12 I think, want to have more conversations about that
13 afterward and think about what options we have and
14 make some decisions together--

15 JORDAN DRESSLER: [interposing] Sure.

16 CHAIRPERSON MENCHACA: on that. I think
17 what's interesting too, though, is that-- well, you
18 did hear from The Door, and we're going to hear from
19 other ICARE providers that are specifically focused
20 in this population, is that the capacity to do this
21 is higher than the funding that gives them that
22 opportunity to serve. Can you respond to that, that
23 sentiment?

24 JORDAN DRESSLER: I can. I think the
25 situation is more complicated than that.

2 CHAIRPERSON MENCHACA: Help us
3 understand.

4 JORDAN DRESSLER: Sure. I think there are
5 a number of dynamics at paly right now, and one of
6 them is a variety of needs, all of which are
7 emergent. We are doing our best to keep up and make
8 use of a flexible system that we've put into place to
9 enlist a host of providers to meet a variety of
10 needs. There are concrete limitations on expansion
11 that go beyond simple funding. They start with
12 space. I am aware of at least one provider who is
13 unable to take additional funding for Fiscal Year 19
14 because of a lack of space to place an employee.
15 Fortunately, we were able to work with that provider,
16 if not to add a lawyer, to add a social worker to
17 deal with the acute needs faced by immigrant youth
18 that's positive, but with the level of expansion that
19 we've seen-- and I just want to place [inaudible] In
20 Fiscal Year 2013, Administration funding was 2.1
21 million dollars for immigration legal services. Fast
22 forward to Fiscal Year 2019 and we're at 30 million
23 dollars, over 30 million dollars. In addition to
24 that, we must acknowledge, and we're happy to
25 acknowledge the dedication that the City Council has

2 shown in the same areas for the same providers,
3 meeting needs like deportation defense for detained
4 immigrants, including programs like ICARE, that we
5 are happy to be supplementing to meet that
6 representation gap there. There are concrete
7 limitations in terms of the number of lawyers around
8 who are qualified to do this complicated work. The
9 space, the office space, other so-called OTPS
10 expenses, this is all stuff that we're exploring with
11 the providers to make sure that we are expanding in
12 the right ways in the right areas and doing so
13 thoughtfully.

14 CHAIRPERSON MENCHACA: And when were you
15 made avail-- or when were you made aware of these
16 issues that you just explained to me now? When did
17 that become apparent for the Administration?

18 JORDAN DRESSLER: The--

19 CHAIRPERSON MENCHACA: [interposing] The
20 knowledge that you just came--

21 JORDAN DRESSLER: [interposing] It's part
22 of the continuing--

23 CHAIRPERSON MENCHACA: [interposing] or
24 the conclusion that you just--

2 JORDAN DRESSLER: The dialogues that we--
3 it's a continuing dialogue with the providers and the
4 legal services community.

5 CHAIRPERSON MENCHACA: When did that
6 become aware? I just want to get a sense about when
7 that information came in. Is there a time when that
8 happened? Did you know this in 2013?

9 JORDAN DRESSLER: No.

10 CHAIRPERSON MENCHACA: Did you know this
11 in 2014?

12 JORDAN DRESSLER: NO, but--

13 CHAIRPERSON MENCHACA: [interposing] I'm
14 asking about when you became aware that this was not
15 just a "let's put more money out there" when you just
16 gave that graph of funding that has moved from 2013,
17 not this Administration, Council or Mayor? 2013 to
18 now, we have seen an expansion of money. When did
19 you become aware that this was not just a money
20 issue, but this was a more complicated issue? When
21 did you become aware of that complicated nature of
22 this issue?

23 JORDAN DRESSLER: This issue is
24 complicated across all civil legal services programs

2 that have been expanded, and I've been in this
3 position since 2016.

4 CHAIRPERSON MENCHACA: 2016?

5 JORDAN DRESSLER: So, whoever--

6 CHAIRPERSON MENCHACA: [interposing] You
7 could have become aware of this before 2016.

8 JORDAN DRESSLER: I can't commit-- I can't
9 commit. This is not a particular fact where there
10 was a point--

11 CHAIRPERSON MENCHACA: [interposing]
12 Look, we can talk later. What I'm saying is that as
13 soon as become aware of the multiple and complicated
14 nature of this issue, and I'm also aware of the
15 issues that you just pointed out. We have to
16 response. And so I'm trying to get a sense about how
17 we respond in total to this larger need of
18 immigration services. Today, we're speaking about
19 the LGBTQ community that continues to get forgotten
20 in discussions. That is how we opened up this
21 hearing, and I'm asking all of you to think about
22 this. When we think about larger complicated issues,
23 people get left behind in discussion. And this has
24 been diagramed, this moment where we're seeing LGBTQ
25 and undocumented immigrants get left behind, because

2 we're trying to do the right thing, and that's why
3 I'm asking about the planning that the City has
4 marshalled something to get this going so that we
5 don't leave that-- this population behind.

6 JORDAN DRESSLER: Right.

7 CHAIRPERSON MENCHACA: That's my
8 question. You might not be able to answer it today,
9 but that's a question that we need to answer. I
10 think what-- I think the announcement that I think
11 we're all just hearing about today talks about this
12 4.1 million-dollar allocation. So, help us
13 understand. We're at a great opportunity right now.
14 We're at a public hearing. I think we were invited
15 to go. This is the work that we're doing. So tell
16 us a little bit about this four million dollars for
17 unaccompanied immigrant youth in deportation
18 proceedings. Was this your process in coming up with
19 the four million? Did you engage ICARE providers as
20 you made this decision? Help us walk through that
21 discussion, the process.

22 JORDAN DRESSLER: Yes. Yes, this was a--
23 the answer is yes to all those questions.

24 CHAIRPERSON MENCHACA: Tell us about it.
25

2 JORDAN DRESSLER: Part of our dialogue
3 with our IOI providers in the legal services
4 community generally was identifying needs and also
5 identifying capacity and abilities on the part of the
6 providers to grow. These were areas that the
7 providers said they could do the work, they could
8 marshal their resources about staff and otherwise to
9 meet the needs, and we were able to earmark money
10 within the larger 30-million-dollar allocation that
11 the de Blasio Administration already committed to
12 immigration legal services in general.

13 CHAIRPERSON MENCHACA: So this is part of
14 the 30 million?

15 JORDAN DRESSLER: Yes.

16 CHAIRPERSON MENCHACA: So you're
17 reallocating something that was already allocated for
18 this need?

19 JORDAN DRESSLER: We're dedicated, but
20 this is not-- this is in the spirit of growth. It's
21 not at the expense of other things.

22 CHAIRPERSON MENCHACA: Okay, and you
23 were-- you approached ICARE providers about eh
24 announcement today?

25 JORDAN DRESSLER: Yes, they are--

2 CHAIRPERSON MENCHACA: [interposing]
3 They're aware, and--

4 JORDAN DRESSLER: They're more than
5 aware, the recipients of the funding.

6 CHAIRPERSON MENCHACA: And in this
7 process, did you include the City Council in any way
8 in this decision-making process?

9 JORDAN DRESSLER: I think--

10 CHAIRPERSON MENCHACA: [interposing] I
11 mean, I can say no for myself. I was not-- I don't
12 know where. But I don't know, maybe you asked any--
13 some of the others-- some other members of the
14 Council.

15 JORDAN DRESSLER: I can't speak to
16 discussions they have had--

17 CHAIRPERSON MENCHACA: [interposing] Okay.

18 JORDAN DRESSLER: that I wasn't part of.

19 CHAIRPERSON MENCHACA: So that would be
20 great to follow up on to see how you are engaging in
21 partnership with the City Council on this funding
22 that the City Council approved and want to continue
23 working in partnership with you. And so tell us a
24 little bit about the breakdown and the providers that
25 you've identified for this funding?

2 JORDAN DRESSLER: They're all part of the
3 IOI consortia that are under contract with the adm--

4 CHAIRPERSON MENCHACA: And who are those
5 provides that will be contracting in the amounts that
6 are connected to the four million dollars?

7 JORDAN DRESSLER: I don't have the
8 breakdown of amounts, but I can tell you that the
9 providers include-- and this is a non-exhaustive list
10 because it's over a dozen providers. The Door--

11 CHAIRPERSON MENCHACA: [interposing] Can
12 you give us that list?

13 JORDAN DRESSLER: I beg your pardon?

14 CHAIRPERSON MENCHACA: Can you give us
15 that list?

16 JORDAN DRESSLER: Well, I don't have the
17 list. We would probably be best following up and
18 providing the comprehensive list.

19 CHAIRPERSON MENCHACA: So you don't have
20 the list, but you're announcing a-- you're announcing
21 something today without a list of providers?

22 JORDAN DRESSLER: I don't have the list--

23 CHAIRPERSON MENCHACA: [interposing] If
24 you can email someone, I can wait. I have a couple
25

2 of other questions, so if you can get that to us
3 that'd be great, in real-time.

4 JORDAN DRESSLER: We will get it to you.

5 CHAIRPERSON MENCHACA: Awesome. So, let-
6 - I'll just keep going down the questions--

7 JORDAN DRESSLER: [interposing] Sure.

8 CHAIRPERSON MENCHACA: and we can come
9 back to that, that question. If someone on your
10 staff can get that, that'd be really helpful. And is
11 this a one-year commitment for the four million?

12 JORDAN DRESSLER: The money is baselined.

13 CHAIRPERSON MENCHACA: Say that again?

14 JORDAN DRESSLER: The money is baselined.
15 Chair, I do have the list.

16 CHAIRPERSON MENCHACA: Wonderful. Please
17 share.

18 JORDAN DRESSLER: Catholic Charities,
19 Catholic Migration Services, Central American Legal
20 Assistance, Immigration Justice Corps, Kids in Needs
21 of Defense, Legal Services NYC, New York Legal
22 Assistance Group, Northern Manhattan Center for
23 Immigrant Rights, Safe Passage Project, Sanctuary for
24 Families, The Door, the Legal Aid Society, Urban
25 Justice Center, Bronx Defenders, Brooklyn Defender

2 Services, and Make the Road New York, are all IOI
3 providers doing work on behalf of migrant youth
4 facing deportation.

5 CHAIRPERSON MENCHACA: And what you don't
6 have right now, as I understand, is the amounts
7 associated with each of these organizations, but each
8 of these organizations know that they're part of this
9 new initiative that you're announcing today.

10 JORDAN DRESSLER: Each of these
11 organizations know that they are providing legal
12 services for migrant youth facing removal.

13 CHAIRPERSON MENCHACA: And how much of
14 these dollars are going to social services and case
15 management?

16 JORDAN DRESSLER: We'll get back to you,
17 but it is a-- not insignificant portion. We did
18 specifically designate funding as part of this at the
19 request of providers to not just support straight up
20 legal staff, but also the kind of case management and
21 social work staff needed to meet the acute needs of
22 migrant youth, many of whom have been traumatized.

23 CHAIRPERSON MENCHACA: Got it, but this
24 is all going to providers. So none of this is going

2 back into ActionNYC. This is all for legal service
3 providers and--

4 JORDAN DRESSLER: [interposing] Well--

5 CHAIRPERSON MENCHACA: This is baselined.

6 JORDAN DRESSLER: Yes, I'm sorry, yes.

7 CHAIRPERSON MENCHACA: Baselined, and back
8 to the question of the LGBT community our-- and I--
9 you-- I'd like to get that sheet if you can with all
10 the lists, because it is a long list. Are any of
11 these dedicated to the LGBT community, LGBTQ
12 community in any way, any of these beyond The Door?
13 I heard The Door. Are any of those LGBTQ?

14 JORDAN DRESSLER: I think every provider
15 on that list is providing services to the LGBTQI
16 [sic] community.

17 CHAIRPERSON MENCHACA: Okay. That's
18 fair. Okay. I am going to pause here and hand it
19 over to Chair Rose, and I have a quick vote that I'm
20 going to do in Land Use, and I'm going to come back,
21 and I think what I want to say-- I don't know if I'm
22 going to-- if you'll be here by the time I get back.
23 But so many of the questions that we have for MOIA,
24 and I hope that the Chair can kind of go through them
25 while I'm gone, really speak to this lack of

2 opportunity that we leave at the table to engage each
3 other and focus on vulnerable communities, and
4 today's conversation is a really important one, the
5 LGBTQ immigrant undocumented community, and they
6 deserve every ounce of respect, and I know that each
7 and every one of you are doing incredible work. That
8 does not assume-- we cannot assume because we're
9 doing good work that we're doing it in the best way,
10 and so I really want to make sure that we adhere to
11 that promise of public service to our community, and
12 again, thank you for your work, but we are seeing
13 lack of opportunities that we don't take to partner
14 up, and I hope that we can change that in a very real
15 way. And so I'm going to hand it over to Chair Rose
16 while I go vote, and I'll be right back.

17 ASSISTANT COMMISSIONER SANCHEZ: I also
18 wanted to mention, Council Member that the Director
19 of the Unity Project is also here to deliver
20 testimony. We didn't want you to miss that, if you
21 do have a moment.

22 CHAIRPERSON ROSE: Oh, you do? Oh, yes,
23 so please do so.

24 ASHE MCGOVERN: Wonderful. Good morning,
25 Chair Rose, Chair Menchaca, and members of the

2 Committees on Youth Services and Immigration. My
3 name is Ashe McGovern, and I'm the Director of the
4 NYC Unity Project, New York City's first coordinated
5 citywide initiative to support and empower LGBTQ
6 young people through innovative policy and program
7 change. I thank you for the opportunities to testify
8 today about the needs of LGBTQ immigrant youth
9 communities and the relevant services we provide as a
10 city. As you know, the de Blasio Administration has
11 been and continues to be a champion of LGBTQ equality
12 and justice. In June of 2016, New York City became
13 the first municipality to launch a citywide campaign
14 specifically affirming the rights of transgender
15 individuals to use the bathroom consistent with their
16 gender identity or expression. In March 2016, Mayor
17 de Blasio issued an Executive Order requiring city
18 agencies to ensure that employees and members of the
19 public are given equal access to city single-sex
20 facilities without being required to show
21 identification, medical documentation, or any other
22 form or proof of verification of identity. In
23 December 2015, the New York City Commission on Human
24 Rights issued legal enforcement guidance defining
25 specific gender identity protections under the City's

2 Human Rights Law, including equal bathroom access, as
3 well as access to housing employment, public
4 accommodations, and other protections. And of
5 course, in September 2017, the Administration
6 launched the New York City Unity Project, and these
7 are just some of the commitments of the de Blasio
8 Administration. The Unity Project was created to
9 strengthen and expand upon the Administration's LGBTQ
10 justice commitments with the focus on meeting the
11 needs of our most vulnerable and marginalized LGBTQ
12 youth, including LGBTQ immigrant youth. In May of
13 this year, the Unity Project announced an
14 unprecedented 9.5 million-dollar commitment over the
15 next three years to address key issues that directly
16 and disproportionately impact LGBTQ immigrant young
17 people. First, to address the incredibly high rates
18 of LGBTQ youth homelessness broadly, we committed
19 funding to expand three youth drop-in centers to 24/7
20 service in partnership with DYCD. To ensure that for
21 the first time there will be a 24-hour drop-in center
22 in every borough where young people can seek
23 services, get connected to case managers, build
24 community, and have a safe place to go when they have
25 nowhere else to turn. We also committed funds to

2 create the City's first DYCD shelter serving young
3 people age 21 go 24, an initiative made possible by
4 City Council's leadership on address youth
5 homelessness. Second, to address the issue of family
6 rejection among LGBTQ young people, which is a key
7 contributor to inequity across multiple areas, we
8 invested in a package of programs to help families to
9 develop better tools to support and affirm the LGBTQ
10 young people in their lives. In partnership with ACS
11 and the Ackerman Institute's Gender and Families
12 Project, we are expanding training for parents and
13 caregivers to support their LGBTQ young people. We
14 have also created a first of its kind clinical
15 training program in partnership with the Ackerman
16 Institute specifically aimed at training clinicians
17 of color from geographically diverse neighborhoods in
18 New York to support family acceptance in their
19 clinical work. In partnership with the LGBT Center,
20 we are expanding a successful family acceptance
21 clinical training program called Project Lift, which
22 provides training to clinicians working with ACS-
23 involved families, and in partnership with CAMBA
24 Project Ally, we committed funds to create bilingual
25 Spanish-speaking family support services for families

2 of LGBTQ Latinx youth in central Brooklyn. Finally,
3 recognizing the needs of LGBTQ foster care youth,
4 disparities in health equity, and the need to ensure
5 our policies and programs are youth-driven, we have
6 also committed funds to first-ever confidential
7 foster youth care population survey, which will
8 include questions about sexual orientation, gender
9 identity, and gender expression. We funded a youth-
10 led participatory action research project which will
11 help identify youth-drive goals and priorities for
12 LGBTQ family acceptance work moving forward, and
13 we've also committed funding in partnership with
14 DOHMH for two new prep for adolescence clinical sites
15 in Harlem and Central Brooklyn where LGBTQ young
16 people are more likely to see services and HIV
17 transmission rates are high. The Unity Project is
18 committed to centering the needs of the most
19 vulnerable and marginalized LGBTQ young people in our
20 cities, and that absolutely includes addressing the
21 needs of LGBTQ immigrant young people. We are
22 committed to continuing this work in partnership with
23 City Council, and I'm happy to take questions. Thank
24 you.

2 CHAIRPERSON ROSE: Thank you. I'm not
3 going to be redundant. I apologize for my lateness.
4 I had some strange event happening in my district
5 this morning, so I was late. But I-- so I won't try
6 to be redundant, but there are some questions that
7 I'd like to ask, and if you've answered them before,
8 please bear with me. But in terms of the Unity
9 Project, how many-- you talk about funds that you
10 committed to bilingual, Spanish-speaking family
11 support services. Is that only in central Brooklyn,
12 and if so, are you thinking about considering, you
13 know, expanding language access plan in compliance
14 with Local Law 30?

15 ASHE MCGOVERN: Yeah, so CAMBA Project
16 ALY, they're based in Central Brooklyn, but they also
17 have marketing campaign that goes throughout the
18 city, a Spanish-speaking marketing campaign focused
19 on acceptance for family members with LGBTQ young
20 people.

21 CHAIRPERSON ROSE: You say throughout the
22 city.

23 ASHE MCGOVERN: So, they--
24
25

2 CHAIRPERSON ROSE: [interposing] And then
3 what does that mean? Does that mean that there are
4 actually sites--

5 ASHE MCGOVERN: [interposing] No.

6 CHAIRPERSON ROSE: in each of the five
7 boroughs, or?

8 ASHE MCGOVERN: No, so there's outreach
9 across the City. There's a marketing campaign across
10 the City, essentially featuring family members of
11 like parents who have LGBTQ young people, Spanish-
12 speaking marketing campaign that's launching across
13 the City, but the actual parent facilitator who will
14 be a Spanish-speaking facilitator is only Central
15 Brooklyn.

16 CHAIRPERSON ROSE: So, it's a centralized
17 location.

18 ASHE MCGOVERN: Yes.

19 CHAIRPERSON ROSE: So young people and
20 families in the outer boroughs would have to travel
21 to this location?

22 ASHE MCGOVERN: Currently for that
23 program, although there are other programs that I
24 mentioned like with the Ackerman institute that are
25 based in Manhattan.

2 CHAIRPERSON ROSE: Are there plans to
3 expand that program, that specific program to the
4 outer boroughs?

5 ASHE MCGOVERN: Not that I know of
6 currently, but that would be great.

7 CHAIRPERSON ROSE: So, how many people
8 are served through that centralized program?

9 ASHE MCGOVERN: Yeah, so they-- I have
10 to-- I'll send you specific numbers, but
11 approximately. So, it's-- in that project there are
12 parent peer-to-peer support groups, but then there's
13 also family training. So, like, peer-to-peer family
14 training, that's not necessarily just like a weekly
15 support group, and I believe last year they served
16 around-- I want to get you the exact number, but
17 several hundred.

18 CHAIRPERSON ROSE: Do you think that it's
19 adequate that it's actually able to meet the need,
20 the need that is out there?

21 ASHE MCGOVERN: This one program or the
22 package?

23 CHAIRPERSON ROSE: Well, this particular
24 program, which is a language access program, right?

2 ASHE MCGOVERN: Yeah, it's funds to hire,
3 to specifically hire a Spanish-speaking facilitator
4 for the family support groups.

5 CHAIRPERSON ROSE: So, with your
6 affiliation with the other providers that you have,
7 all of them have lang-- have Spanish-speaking or
8 whatever language faculty, staff, to man these
9 programs?

10 ASHE MCGOVERN: So, spec-- I'm assuming
11 you're asking about the family acceptance program
12 specifically. I'm--

13 CHAIRPERSON ROSE: [interposing] I'm
14 talking about language access plan.

15 ASHE MCGOVERN: Right.

16 CHAIRPERSON ROSE: That, you know, that
17 fits into compliance with Local Law 30. Are all of
18 the projects, all of the service providers you're
19 affiliated with, are they in compliance with this,
20 with Local Law 30?

21 ASHE MCGOVERN: I would have to get back
22 to you on specifics. I can't speak to that.

23 CHAIRPERSON ROSE: Okay. And do you
24 conduct anonymous surveys so that there's some way to
25 collect the data that we're asking for?

2 ASHE MCGOVERN: So, we-- I mean, the
3 Unity Project has really been sort of a coordinated
4 effort across agencies. So, many of the agencies
5 that we work with collect data, many of the partner
6 organizations that we work with collect data. What
7 we have done is a lot of outreach to community-based
8 organizations and young people themselves to ask
9 about their experiences and really say, you know,
10 what do you want out of the Unity Project, what do
11 you want us to be funding, what do you want us to
12 prioritize? So, we don't collect data in the sort of
13 numerical traditional sense, but we have absolutely
14 gone out to communities and community members and ask
15 them what they wanted and documented those concerns.

16 CHAIRPERSON ROSE: Do you share that
17 information and data, and with whom?

18 ASHE MCGOVERN: I have not shared that
19 information with others, other than those who work
20 directly with the Unity Project. So, we have some
21 agency partners that we've talked about anecdotally,
22 but not in any formal way.

23 CHAIRPERSON ROSE: And does the Unity
24 Project coordinate with MOIA and DYCD on programing

2 for LGBTQ immigrant youth, and you know, has there
3 been measurable results from that coordination?

4 ASHE MCGOVERN: We certainly work with
5 MOIA and DYCD, and part of what we funded in May was
6 a partnership with DYCD shelter beds and also drop-in
7 center services. So we're absolutely in close
8 communication and partner regularly, yes.

9 CHAIRPERSON ROSE: MOIA, I want to ask
10 you, is-- are you satisfied with the level of
11 interagency coordination and collegiality to address
12 the needs of this population, and if you are, how
13 are-- are there any efforts to capsulize this so that
14 the City Council would know about the results, the
15 success and what the further needs are?

16 ASSISTANT COMMISSIONER SANCHEZ: Sure.
17 Am I satisfied? You know, I think there's always
18 more that we can do, and this is an issue that we--
19 you know, I've actually been working on LGBTQ issues
20 for immigrants for over a decades, and in that time
21 I've seen tremendous progress, both on the side of
22 the community and the organizations that are out
23 there doing tremendous work as well as on the part of
24 the Administration. And you know, MOIA works day to
25 day as part of our fabric with DYCD, with ACS, with

2 DSS, with the Department of Health, with the Unity
3 Project, with the Commission on Human Rights to
4 unpack these issues and think in particular about how
5 do you get to this particular community, what are the
6 effective outreach tactics, what are the partners we
7 should be working with on the outside of government
8 to make sure that we're reaching everyone, and then
9 in terms of the-- how we measure results and share
10 them with Council. So I'll speak a little bit to
11 Local Law 186 which is new, requires MOIA to submit
12 an annual report every year. We submitted our first
13 one this past March, and that report, I think-- we
14 hope does that job of encapsulating our partnerships
15 and some of the more salient results of our work. It
16 does not capture everything because our interagency
17 work is just part of the day to day operations, and
18 not everything makes it into a report, but that is, I
19 think, a very solid starting point for this year, and
20 there will be more in years to come.

21 CHAIRPERSON ROSE: Do you have a
22 formulized mechanism to collect that data from all of
23 your partner agencies?

24 ASSISTANT COMMISSIONER SANCHEZ: Which
25 data?

2 CHAIRPERSON ROSE: The data regarding
3 LGBT immigrant youth.

4 ASSISTANT COMMISSIONER SANCHEZ: We-- it
5 has been a challenge, absolutely, and I think earlier
6 in this hearing we spoke about the demographic data
7 bills, which I know that Mayor's Office of Operations
8 in partnership with all of the impacted agencies and
9 my office has been working hard to implement, and I
10 think that will make a difference to the extent that
11 it's possible, and that the demographic information
12 that's collected through that survey is voluntary.
13 Much of it will only apply to new applicants, and I
14 think it has tremendous potential particularly
15 through the DOE, in that all students will receive
16 it, but I do think that will start to provide us with
17 a better picture of this population and all of the
18 ways that the City is actually touching these
19 communities through, you know, just I think dozens of
20 programs, but that is difficult to kind of surface
21 through the data at the time.

22 CHAIRPERSON ROSE: And does MOIA actually
23 conduct an anonymized survey, and could the survey
24 gather information that would inform programming for
25 the specific population?

2 ASSISTANT COMMISSIONER SANCHEZ: MOIA
3 does not, but we are not required to under the law.
4 It is the-- it is a whole host of other social
5 service agencies primarily that are required to do
6 so. I can provide that--

7 CHAIRPERSON ROSE: [interposing] So you
8 just compile information from the other agencies for
9 the report that you produced?

10 ASSISTANT COMMISSIONER SANCHEZ: Yes.

11 CHAIRPERSON ROSE: There's a report,
12 right?

13 ASSISTANT COMMISSIONER SANCHEZ: Yes,
14 there is a report.

15 CHAIRPERSON ROSE: There was supposed to
16 be a report.

17 ASSISTANT COMMISSIONER SANCHEZ: There's
18 a MOIA annual report--

19 CHAIRPERSON ROSE: [interposing] Okay.

20 ASSISTANT COMMISSIONER SANCHEZ: on
21 immigrant issues. We compile information from
22 agencies and we provide information on our
23 partnerships, on programs, initiatives, how we
24 respond to ad-hock issues.

2 CHAIRPERSON ROSE: Specifically, there is
3 data specifically collected for LGBT immigrant youth.

4 ASSISTANT COMMISSIONER SANCHEZ: There is
5 some, but it does not cover every single program or
6 service at this time.

7 CHAIRPERSON ROSE: So, who should we be
8 looking to try to provide this data, this data?

9 ASSISTANT COMMISSIONER SANCHEZ: So,
10 again, we did get into this earlier in the hearing,
11 and the Mayor's Office of Operations is overseeing
12 the implementation of these demographic data bills,
13 our laws now, and so I think we'd be happy to follow
14 up with more information about the implementation
15 schedule.

16 CHAIRPERSON ROSE: Okay. And has the
17 MOIA taskforce discussed the needs in service gaps
18 facing LGBTQ immigrant youth?

19 ASSISTANT COMMISSIONER SANCHEZ: Sure.
20 So, the taskforce was formerly formed by Local Law
21 185 late last year, and we recently met in August
22 with 23 agencies from across the Administration who
23 either were mandated to attend the task-- to be a
24 part of the taskforce or that we determined were
25 critical in addressing the needs of immigrant New

2 Yorkers in the City. So there's about-- I think it's
3 11 mandated agencies that are a part of the
4 taskforce, and then 12 additional ones that have been
5 added, such as the Commission--

6 CHAIRPERSON ROSE: Specifically with
7 DYCD?

8 ASSISTANT COMMISSIONER SANCHEZ: Yes.
9 DYCD is a part of the taskforce. So, our first
10 meeting was inaugural. It happened in August. We
11 covered a breadth of issues, as you can imagine,
12 under-- in this current political federal climate.
13 There are just a huge amount of issues that we're
14 grappling with as a city from agency to agency and as
15 MOIA, of course, and so we did not discuss LGBTQ
16 issues at the first meeting in August, but we do plan
17 to discuss this issue and are in the process of
18 currently mapping out our focus and priority issues,
19 and so we do imagine doing so.

20 CHAIRPERSON ROSE: And who is the DYCD
21 representative on the taskforce?

22 ASSISTANT COMMISSIONER SANCHEZ: At the
23 first meeting, the person who attended from DYCD was
24 a, I think, Deputy Commissioner Sandy Gutierrez.

25 ASSISTANT COMMISSIONER SCOTT: Correct.

2 CHAIRPERSON ROSE: So, and you are going
3 to meet? It's not that you've met already
4 specifically with DYCD. You're planning to meet to
5 discuss this specifically.

6 ASSISTANT COMMISSIONER SANCHEZ: We are
7 happy to do so. We talked to DYCD about a number of
8 issues facing immigrant youth regularly, and we'll be
9 doing so separately as well as through the taskforce.

10 CHAIRPERSON ROSE: And in your 2018
11 annual report, the SIJS applications mentioned,
12 appeared to have been entirely filed through
13 ActionNYC programming. Has MOIA considered deploying
14 ActionNYC at DYCD events and programs?

15 ASSISTANT COMMISSIONER SANCHEZ:
16 ActionNYC in schools primarily operates at school
17 locations, over 30 across the City that have been
18 identified as having a high immigrant population
19 based on a language proxy, since we don't actually
20 collect immigration status at the DOE. So, the focus
21 really has been the schools. Could we explore
22 partnering with DYCD? Absolutely, at local and
23 community events.

24 CHAIRPERSON ROSE: And if the Committee,
25 if the Committee's understanding that ActionNYC no

2 longer focuses on one type of relief, but rather
3 conducts comprehensive immigrant screenings, do you
4 find that this has impacted the number of youth, the
5 number of eligible youth for immigration relief, you
6 know, that are reached?

7 ASSISTANT COMMISSIONER SANCHEZ: Sure.

8 So, I can-- at this time I can only speak to the SIJ
9 portion of that, and if I look at the numbers over
10 the last two calendar years, at least, the numbers
11 have actually gone up of the number of SIJ cases that
12 we've been doing out of ActionNYC, and then there are
13 all of the other city-funded legal services programs
14 that also conduct that work. So, I don't have
15 specifics on immigrant youth for the entire city, but
16 I do know that within ActionNYC the number of SIJ
17 cases has increased over the last year.

18 CHAIRPERSON ROSE: It's the Committee's
19 understanding that, you know, DYCD no longer
20 provides, you know, this specific programming for
21 DACA recipients and DACA-eligible youth, and so it
22 was transferred. Can you tell us why?

23 JORDAN DRESSLER: Chair, I can respond to
24 that. Jordan Dressler, Civil Justice Coordinator
25 Office of Civil Justice. The legal services programs

2 that previously were housed at DYCD as well as other
3 civil legal services programs that lived in other
4 agencies were consolidated in, I believe, 2016 and
5 came to the Human Resources Administration roughly
6 coinciding with the time that the City Council
7 created and the Mayor enacted the law to create the
8 Office of Civil Justice, which is the office that I
9 head. So, at this point, all civil legal services
10 programs in the City are at OCJ, which is at the
11 Human Resources Administration, where we contract
12 for, monitor and oversee legal services programs
13 including the Immigration Legal Services programs.
14 Just to follow up on what the Deputy Commissioner
15 just said, in terms of cases involving immigrant
16 youth, last year, last fiscal year, across
17 Administration-funded city legal services programs
18 for immigrants, that being ActionNYC, the IOI
19 program, as well as CSBG, Community Service Block
20 Grant funded legal services. Roughly 2,200 cases
21 involved immigrant youth 21 or younger. Within that
22 group there were specific cases involving number of
23 SIJ cases as well as DACA, and those cases along
24 number roughly 1,700 for the year.

2 CHAIRPERSON ROSE: And that information
3 was ascertained through DACA's statistics.

4 JORDAN DRESSLER: That's ascertained
5 directly through the legal services providers who are
6 reporting anonymized, not identified information
7 about the cases that they handle to my office as well
8 as to MOIA and the case of ActionNYC on a regular
9 basis, and they were made part of our OCJ annual
10 report which was released this spring.

11 CHAIRPERSON ROSE: And does DYCD prepare,
12 also have a prepared plan for language access under
13 Local Law 30?

14 KATHLEEN ALMANZAR: Yes, DYCD has a plan.
15 We-- most of our intake forms for participants have
16 been translated into the 11 languages. We also-- the
17 only direct service that DYCD actually has at this
18 moment is the Youth Connect line where we have the--
19 we use the language line contract where we have over
20 180 different languages available when people call in
21 for information.

22 CHAIRPERSON ROSE: Then if so, why wasn't
23 it included in the Local Law 30 report?

24 KATHLEEN ALMANZAR: I'm not sure. I'm
25 not sure.

2 CHAIRPERSON ROSE: Yeah, it wasn't until
3 included.

4 KATHLEEN ALMANZAR: So, like I said, the
5 only direct service that DYCD has is the language--
6 the information line that we have, so we don't
7 provide direct services. So therefore, we are not
8 really included in that, but we do follow. So, we do
9 provide our providers with, you know, intake forms
10 that have been translated. So, that's a form that
11 the participants need to fill out in order to
12 register for DYCD programs. So, we-- since our--
13 like I said, our programs are not direct services.
14 We-- it's the providers that provide the direct
15 services.

16 CHAIRPERSON ROSE: So, you're saying that
17 you're exempt from Local Law 30?

18 KATHLEEN ALMANZAR: For Local Law 30, the
19 one aspect that was required, the one direct service
20 that we have--

21 CHAIRPERSON ROSE: [interposing] The
22 language access.

23 KATHLEEN ALMANZAR: Yes, that is the-- we
24 use that through the line. We were in compliance

2 when we were audited by the Comptroller's Office. I
3 mean, if that's helpful.

4 CHAIRPERSON ROSE: You were compliant
5 where if you weren't a part of this report?

6 KATHLEEN ALMANZAR: The on-- like I-- So,
7 the only service that we provide directly, that we
8 come directly in contact with someone from the public
9 is through our youth connect line. So therefor, with
10 that we provide the services. If someone needs to
11 speak to someone in a different language, we provide
12 that.

13 ASSISTANT COMMISSIONER SANCHEZ:

14 [interposing] I can touch on--

15 CHAIRPERSON ROSE: [interposing] So, what
16 you're saying, you don't have to report that out? Is
17 that what you're saying?

18 ASSISTANT COMMISSIONER SANCHEZ:

19 Essentially. So, the Local Law, the scope of Local
20 Law 30 is agencies that provide direct services to
21 the public. So, brick and mortar within let's say a
22 DYCD office, directly interacting with the public,
23 and since they do not do that for the most part
24 outside of that one telephone hotline, is my
25 understanding. Youth Connect, they followed the law,

2 and I think have done a tremendous job doing so, but
3 there was not information that required-- that
4 elevated it to the point of including it in the
5 overall city's Local Law 30 report. However, I think
6 I get where you're coming from, which is what about
7 the providers that are funded by DYCD, and I think
8 the progress on Local Law 30 has been fantastic in
9 terms of all the city agencies that had to gear up
10 very quickly to add a number of languages to hundreds
11 and hundreds and hundreds of forms, but it's been a
12 work in progress, and my sense is that phase two will
13 really need to-- phase two of implementation will
14 really need to focus on providers, and that's a
15 conversation that my office together with the Mayor's
16 Office of Operations will be having with all of the
17 impacted agencies, including DYCD, but way beyond
18 given the number of providers that the city contracts
19 with.

20 CHAIRPERSON ROSE: Okay, so this is
21 something that you would consider and will be a part
22 of the discussion going forward.

23 ASSISTANT COMMISSIONER SANCHEZ: Yes,
24 absolutely.

2 KATHLEEN ALMANZAR: What we currently
3 also do is in all of our RFPs we make sure that we
4 include language that when the providers are
5 responding to an RFP that they have to demonstrate
6 how they're going to be culturally linguistically,
7 you know, competent in how they're going to meet the
8 needs of the target population that they describe in
9 their proposals. So, you know, a lot of times our
10 CBOs already have the language capacity at their
11 offices, and we've also seen that our providers have
12 changed staffing patterns to meet the changing needs
13 of their neighborhoods also.

14 CHAIRPERSON ROSE: And how will are we
15 addressing this in our TILs and our runaway homeless
16 youth programs? How are we addressing this?

17 ASSISTANT COMMISSIONER SCOTT: One of the
18 key components of contracting is that there is a case
19 management, you know, component to services that are
20 being delivered. So, youth that are in these
21 programs, whether it's the drop-ins, whether it's our
22 crisis services which are our short term residential
23 programs or our transitional independent living
24 facilities which are the longer term residential
25 programs, they must have key staff, case management

2 staff who are able to address these issues or make
3 the necessary referrals for youth that come into
4 their care for any legal services. And as was
5 mentioned in the testimony earlier, some of our
6 programs have some legal services within, embedded
7 within the overall organizations, and if they do not,
8 then they refer out to those organizations that they
9 can receive necessary assistance.

10 CHAIRPERSON ROSE: Okay, thank you.

11 Council Member, do you have any questions? Thank
12 you. So, then I know Chair Menchaca wanted to have
13 one more bite at you guys, but we're going to have to
14 move on. If any of you can stay, please do so. I
15 know you're looking forward to more questioning, but
16 with that, I want to thank you and we'll call the
17 next panel. Jamie-- Jamie Powlovich from Coalition
18 for Homeless Youth, Theresa Moser from Legal Aid
19 Society, Laura Berger from Brooklyn Defender
20 Services, Jeffrey Calhoun from Covenant House, and
21 Princess Masilngan [sp?]. Let me try that again,
22 Masilingan [sp?]. Please come forward. Okay, you
23 can begin.

24 JAMIE POWLOVICH: Good morning. My name
25 is Jamie Powlovich and I'm the Executive Director of

2 the Coalition for Homeless Youth, also known as the
3 Empire State Coalition of Youth and Family Services.

4 The Coalition for Homeless Youth has advocated for
5 the needs of runaway and homeless youth across New
6 York State for 40 years. I would like to thank Chair
7 Rose and Chair Menchaca and the members of the Youth
8 Services and Immigration Committees for holding

9 today's hearing. I would also like to thank Council
10 Member Dromm and Ayala for introducing the

11 legislation being discussed today. We applaud

12 Council for their efforts to ensure the immigration
13 needs of runaway and homeless youth are being

14 supported during a time when our federal

15 administration has displayed a bigoted stance towards
16 immigrant and LGBTQ populations, including youth.

17 With new immigration directives that jeopardize their
18 safety and are a violation of their human rights. My

19 written testimony, I go into an overview of the

20 runaway and homeless youth population in New York

21 City, but I'm going to skip that part for the sake of

22 time, and jump right into our comments regarding

23 Intro 480. The Coalition for Homeless Youth supports

24 Intro. 480, which would require DYCD to create and

25 implement a comprehensive plan to provide services to

2 runaway and homeless youth who are eligible for
3 Special Immigration Juvenile Status. However, based
4 on feedback from our members and the experiences of
5 homeless youth themselves, we would like to highlight
6 some challenges that exist and recommendations the
7 Coalition has regarding ensuring youth experiencing
8 homelessness get the immigration supports they need.
9 They are as follow: First, comprehensive immigration
10 screening. Undocumented runaway and homeless youth
11 who seek services from DYCD-funded programs each have
12 their own unique story, which may or may not include
13 experiences that could qualify them for several
14 different immigration supports. This bill focuses
15 heavily on referring youth for support with Special
16 Immigration Juvenile Status applications. However,
17 not all homeless youth qualify for SIJ for a variety
18 of reasons which are outlined below, and many
19 providers have reported seeing more success in
20 pursuing T and U visas for runaway and homeless youth,
21 which are available to trafficking victims and
22 victims of other crimes. Therefore, the Coalition
23 recommends that runaway and homeless youth in DYCD-
24 funded programs who identify as needing support with
25 their immigration status should be referred for a

2 comprehensive immigration screening with someone who
3 is qualified to conduct such an assessment to be sure
4 that they are exploring all appropriate avenues. In
5 addition, once an appropriate resource has been
6 identified, the process, including all requirements
7 and potential timelines, should be explained to the
8 youth so that they can make the final determination
9 about whether or not to proceed and/or prepare
10 themselves for any part of the process that could be
11 triggering, such as having to contact estranged
12 family members or having to talk about traumatic
13 experiences in detail. Number two, specifically
14 regarding the SIJ applications: As stated above,
15 this bill focuses heavily on referring youth for
16 support with Special Immigration Juvenile Status
17 applications, which we assume is because it was
18 written to mirror Local Law VI of 2010 which requires
19 ACS to provide increased immigration-related supports
20 related to SIJ for children with child welfare
21 involvement. However, it does not take into account
22 that unlike youth in ACS care runaway and homeless
23 youth receiving services in DYCD-funded programs are
24 doing so voluntarily, and DYCD does not have custody
25 of youth in their programs. Our members report that

2 a major barrier to runaway and homeless youth being
3 able to complete the SIJ application process is that
4 they're unable to identify an adult to act as their
5 legal guardian, which is a requirement of the
6 application. Secondly, if a runaway and homeless
7 youth is able to identify a guardian that is willing
8 to sign off on the application, notification must be
9 made to their current legal guardian before the new
10 individuals can take over the role, which Skye spoke
11 to earlier. Youth report that this notification
12 poses two issues. first, a majority of runaway and
13 homeless youth that have left home we kicked out due
14 to abuse or neglect, and the thought of having to
15 reengage with those individuals, especially for the
16 purpose of notifying them that they are pursuing a
17 new guardian, can be extremely triggering and
18 traumatic. And two, many youth who are in need of
19 immigration services do not have guardians who reside
20 in the United States. Therefore, to successfully
21 complete the notification, the paperwork must be sent
22 internationally, which can cause delays in the
23 process. We recognize that the real solutions to
24 these issues are outside of the control of City
25 Council, but what we do recommend is that there be a

2 clear expectation that service providers support you
3 through this process and provide therapeutic supports
4 to address issues that may arise when reconnecting
5 with guardians which could be triggering or cause new
6 trauma. Third, regarding funding, which other folks
7 have spoken to as well. Although the Coalition fully
8 supports meeting the needs of runaway and homeless
9 youth in need of immigration supports, we feel that
10 it is important to note that there are very few legal
11 resources that exist that have experience in working
12 with the runaway and homeless youth population, and
13 therefore are sensitive to their unique needs and
14 situations. Currently, there are only two runaway
15 and homeless youth agencies that have legal services
16 onsite, both of which have very limited capacity to
17 process applications at the rate needed. Similarly,
18 there are only a few additional legal supports that
19 RHY agencies can refer to that have this unique
20 experience, and they too are often at capacity and
21 have long wait lists. Given the current political
22 climate, we recommend that funding for legal
23 immigration services be increased as soon as possible
24 through programs such as the Human Resources
25 Administration Immigrant Opportunities Initiative.

2 And number four, regarding the training requirement,
3 the Coalition for Homeless Youth is pleased that this
4 bill include requirements around training for the
5 providers to help identify and support runaway and
6 homeless youth they serve, and recommend that the
7 training be mandatory and be conducted by a qualified
8 training provider who can offer the training multiple
9 times per year to account for changes to immigration
10 laws and staff turnover. Again, thank you for the
11 opportunity to testify.

12 CHAIRPERSON ROSE: Thank you.

13 JAMIE POWLOVICH: I tried to be quick.

14 CHAIRPERSON ROSE: Very good. Yes, you
15 can start. Say your name please and your
16 organization.

17 THERESA MOSER: Good afternoon, my name
18 is Theresa Moser. I am a staff attorney in the
19 Juvenile Rights Practice of the Legal Aid Society.
20 The Legal Aid Society would like to thank Chair Rose,
21 the Youth Services Committee Chair Menchaca, the
22 Immigration Committee, Council Member Dromm and all
23 the other members of the Committee for holding this
24 hearing today and giving us the opportunity to
25 present testimony. Just for a little bit of

2 background, the Legal Aid Society presented testimony
3 back in 2009 and 2010 when the Council considered
4 Local Law XI of 2010, and we were happy to provide
5 our input then, and also to work with ACS following
6 the enactment of that law. And at the time there was
7 a real crisis among the population of children who
8 are in ACS custody and that many, many of them were
9 eligible for Special Immigration Juvenile Status, but
10 ACS was not identifying those children in time. So
11 because there is an age-out provision, or there was
12 at the time, for Special Immigration Juvenile Status,
13 many youth would age out of foster care and/or
14 eligibility for Special Immigration Juvenile Status
15 before ACS or any of the foster care agencies that
16 they work provided the necessary immigration legal
17 services. After the passage of that law, we did see
18 a radical change and we're happy to report that many
19 more young people in ACS care and come into contact
20 with ACS in other ways did receive do-- did and do
21 receive necessary immigration benefits through the
22 help of immigration legal services providers, and
23 that is really critical. Because we saw the
24 effectiveness of that plan and how it worked in the
25 past, we are heartened by the fact that the Council

2 is looking at a bill that would have-- also require
3 DYCD to come up with a similar plan. We would point
4 out, though, as others have that the runaway and
5 homeless youth population is different from the
6 population that comes into contact with the
7 Administration for Children's Services, although they
8 do have many similarities. I would echo Eve
9 Stotland's remarks earlier about what is really an
10 attack on Special Immigration Juvenile Status by the
11 current Administration and the U.S. Citizenship and
12 Immigration Services, and that because of the current
13 climate, the landscape for Special Immigration
14 Juvenile Status is becoming much more uncertain
15 really day by day. But even putting that aside, it's
16 a much more challenging proposition for a young
17 person who is involved in the runaway and homeless
18 youth system to qualify for Special Immigration
19 Juvenile Status because they don't have the same
20 connection with Family Court that many children in
21 ACS's care do, and so as other people have mentioned,
22 if you can't receive necessary findings from a Family
23 Court judge, then you're not able to apply for
24 Special Immigration Juvenile Status and you're not
25 eligible. But critically important is that there are

2 other immigration benefits that may be available to
3 runaway and homeless youth, and that is why we think
4 that the plan should not be focused so much on
5 Special Immigration Juvenile Status but really should
6 focus on all immigration benefits that young people
7 should be referred for qualified immigration legal
8 services that will be able to help young people
9 identify what benefits they may be eligible for and
10 to navigate the immigration system, which has been
11 mentioned earlier, is extremely complicated. It's
12 also important to recognize that not only is the
13 system complicated, but there are risks to making
14 oneself known to the immigration system, especially
15 in today's climate, and so that makes competent
16 immigration legal services even more important so
17 that a young person has qualified assistance in
18 evaluating not only what benefits they may be
19 eligible for, but also what the risks are going
20 forward with any immigration benefit, and figuring
21 out what the appropriate timing is for those things.
22 Because of-- oh, I just want to make one point also
23 about LGBTQ immigrant youth who are homeless, and
24 that is that-- and I should preface this by saying I
25 am not an Immigration Law expert, but based on what

2 knowledge I have of the Immigration Law, I would say
3 that while because of their experiences both as
4 members of the LGBTQ communities and also as homeless
5 young people, it may be that immigrant LGBTQ homeless
6 young people have a greater likelihood that they may
7 be eligible for certain immigration benefits. It is-
8 - I don't think it is the case that one's status as a
9 member of the LGBTQ community qualifies one for
10 asylum or any other particular immigration benefit,
11 and that this is why it so critically-- another
12 reason why it is so critically important that these
13 young people are provided with competent immigration
14 legal services providers who can help them figure out
15 based on all of their experiences as immigrant youth,
16 homeless youth, LGBTQ youth what immigration benefits
17 they may qualify for. So, to that, I also echo that
18 DYCD really should hold the responsibility of
19 ensuring that all runaway and homeless youth have
20 access immigration legal services regardless of which
21 RHY provider they may be working with throughout our
22 city. I think two providers who specialize in
23 working with runaway and homeless youth and also do
24 the immigration legal services. The Peter Cicchino
25 Youth Project of Urban Justice and The Door were both

2 mentioned, and I think that some RHY providers have
3 stronger relationships with those immigration legal
4 services providers or others than other RHY providers
5 to, and so I think that it behooves DYCD to ensure
6 that all of the providers across the system are
7 receiving appropriate training to identify young
8 people who may be in need of immigration services and
9 also to be able to make those referrals in a timely
10 way. Finally, I just wanted to mention one other
11 thing which is that the bill talks about assistance
12 with securing birth certificates.

13 CHAIRPERSON ROSE: Could you wrap up your
14 testimony.

15 THERESA MOSER: Yes.

16 CHAIRPERSON ROSE: Thank you.

17 THERESA MOSER: So, with assistance with
18 birth certificates it can be costly and time
19 consuming and I think that the RHY providers don't
20 generally have the resources to do that, so the DYCD
21 should be working with MOIA and potentially ACS which
22 may already have relationships with some of the
23 consulates to help young people from other countries
24 secure their birth certificates. Thank you.

2 CHAIRPERSON ROSE: Thank you. I don't
3 mean to be short, but we have to vacate this room by
4 one o'clock, so I want to hear from all of you
5 because you all have something important to say. So,
6 please make your remarks so that everyone can be
7 heard. Thank you.

8 LAURA BERGER: My name is Laura Berger
9 and I'm a staff attorney in the Immigration Unit at
10 Brooklyn Defender Services. Our Youth and
11 Communities Team has represented thousands of
12 Brooklynites in their applications for lawful
13 immigration status, including 220 young people's
14 applications for SIG, and we specialize in the most
15 complex cases representing young people in Brooklyn
16 who have Criminal Court involvement or whose parents
17 have ACS involvement. And I want to thank the City
18 Council Committee on Immigration and the Committee on
19 Youth Services for this opportunity to testify on
20 Intro 480-2018. In spite of the important
21 protections for immigrants passed by this Council,
22 immigrant youth without citizenship in New York City,
23 particularly immigrant youth of color, homeless, and
24 LGBTQ immigrant youth are at constant risk of ICE
25 detection partially because many activities that are

2 unavoidable for a homeless person are criminalized
3 such as being in a park after closing, sleeping on a
4 subway or public urination, and for homeless
5 undocumented young people these arrests can also put
6 them ICE's radar. Our homeless clients report
7 difficulty accessing RHY youth services. Currently,
8 there's only 28 beds for youth in Brooklyn and no
9 beds for youth who do not identify as LGBTQ. To
10 better support these youth a principle goal is the
11 City should be providing more safe shelter and
12 respite centers for RHY youth, runaway homeless
13 youth, in Brooklyn, and we support the efforts behind
14 Intro 480 to ensure that all eligible young people
15 obtain essential immigration services, but we believe
16 the bill takes the wrong approach. We have specific
17 concerns about the issue of confidentiality as
18 information is shared between RHY service providers,
19 DYCD and the Council. Additionally, monitoring and
20 reporting on case outcomes can be difficult, as five
21 years may pass before a child who's introduced to
22 their immigration lawyer until they receive permanent
23 residence through SIJ due to the long wait list for
24 children from countries. Runaway and homeless youth
25 may stay in transitional center independent living

2 programs for up to 24 months, but the average young
3 person only stays in a crisis shelter for 21 days.

4 I'd also like to echo my fellow service providers on
5 the current issues with Special Immigration Juvenile
6 Status before immigration and the need for
7 comprehensive legal screening. In our written
8 testimony we outline a number of ways we believe
9 would be better to provide essential services to LGBT
10 immigrant runaway and homeless youth in New York, and
11 we respectfully request an opportunity to engage with
12 Council staff in the future, other service providers
13 and stakeholders to make sure all young people are
14 connected to the services they need. Thank you.

15 JEFFREY COLTON: Good afternoon. I just
16 want to let you know I have my written testimony
17 right here. It's undistributed if you need a copy
18 afterward. My name is Jeffrey Colton [sp?]. I'm the
19 Senior Supervising Attorney at Covenant House in our
20 Legal Department where we serve runaway and homeless
21 youth ages 16 to 24. I'd like to thank the Committee
22 on Youth Services and the Committee on Immigration,
23 in particular, their respective Chairs, Deborah Rose
24 and Carlos Menchaca. Covenant House New York, CHNY
25 is the nation's largest nonprofit adolescent care

2 agency serving homeless runaway and trafficked youth,
3 and during this past year alone CHNY served over
4 1,900 people in our residential programs, as well as
5 through our drop-in center, and street outreach
6 efforts. On a nightly basis we provide shelter to
7 approximately 200 young people including pregnant
8 women, mothers with children, LGBTQ youth who make up
9 a disproportionate number of homeless youth,
10 immigrant youth, and trafficking youth. Our youth
11 are primarily of color, and over a third of our youth
12 have spent time in the foster care system. We
13 provide youth with food, shelter, clothing, medical
14 care, mental health and substance abuse services,
15 legal services, high school equivalency classes, and
16 other educational programs and job training programs.
17 And within the broader scope of CHNY exists our Legal
18 Services Department, and our department is different
19 from almost every other legal service provider in the
20 state, because as it was mentioned we serve the legal
21 needs of homeless youth right where they live, and
22 they're only a couple providers that do that. I
23 currently serve as the sole attorney at CHNY despite
24 having all of those clients. Not only do we serve
25 our existing clients, we serve every youth who ever

2 had any services with us-- are always welcomed to
3 come back to our Legal Services Department, and I
4 provide direct representation, advice, referrals
5 where possible if the resources are available on an
6 array of issues, including name changes especially
7 for transgender and gender non-conforming youth. And
8 I want to personally say thank you to the vote that
9 was taken a couple days ago that will allow youth to
10 keep from outing themselves allowing gender X to be
11 marked on their birth certificate. That goes hand in
12 hand with moving forward and protecting them. We
13 help with immigration, domestic violence, broken
14 adoption, identity theft, and everything a homeless
15 youth can experience. Which brings me to homeless
16 youth immigration and LGBTQ issues and SIJ. Young
17 people in our care are first asked about their
18 immigration status both by the intake specialist and
19 case managers. First, they're assured that their
20 immigration status in no way will affect the services
21 they receive at CHNY, and if they lack legal
22 immigration status and don't already have an
23 attorney, they're referred to our legal Department.
24 Now, SIJ, as everybody's pointed out, it is a
25 critical form of relief that's designed for literally

2 the vulnerable of population, children and youth, and
3 it is under attack. If a youth chooses to pursue SIJ
4 relief it can identify a guardian, our legal
5 Department, which is me, would file the necessary
6 paperwork in Family Court, submit the required USCIS
7 [sic] forms which put the youth on the road to
8 stability. As Ms. Stotland pointed out from The
9 Door, and I think she was being generous when she
10 said a case now takes twice as long. I think it
11 takes significantly much longer. you are dealing
12 with just an unbelievable array of rejections that
13 are covered everything under the sun, and I know in
14 the SIJ community we're all sharing information
15 trying to figure out what are we supposed to do. So,
16 you know, previously at CHNY and now, we're becoming
17 wary of telling youth it's okay to come out of the
18 shadows, because it's not okay anymore. And as they
19 were talking about affirmative applications, meaning
20 saying I'm a SIJ eligible person, to tell the
21 government here you are knowing what might happen is
22 devastating now. And for LGBTQ youth it's
23 particularly devastating, because many have fled
24 their home from fear and prejudice and now they're
25 here, and we say come out into the light, but it's no

2 longer safe. So, as was brought up by Ms. Moser from
3 Legal Aid, new forms of immigration relief are
4 essential to this. it's not just about SIJ anymore,
5 and it's important if they're not SIJ eligible, what
6 other forms of relief can we provide for them, and
7 that takes time, and that takes resources, and that's
8 why DYCD coming up with any kind of funding for--
9 this takes money and lawyers. I'm a practitioner. I
10 don't normally do this kind of thing. I'm a
11 frontline lawyer, and that's what's needed right now,
12 a creative, talented, hardworking committed lawyers
13 and funding to help deal with whatever-- if you
14 identify a youth, you now have to provide those
15 services for them, and we believe that, you know,
16 every RHY-- the RHY system is doing all it can for
17 now, but it has to do more, and we believe that every
18 young person, every LGBTQ youth has the right and
19 deserves to speak to a qualified lawyer, an attorney,
20 to advise them of their choices and what decisions
21 can be made. Every undocumented youth within the
22 runaway and homeless youth system deserves to have
23 that. And so because of that, along with creating a
24 strategy and plan of action, additional funding for
25 lawyers in the DYCD-funded runaway and homeless youth

2 programs by the City is crucial in addressing this
3 problem. I'm sorry for speaking so quickly.

4 CHAIRPERSON ROSE: Thank you. Thank you.

5 PRINCESS MOSULUNIN: Good afternoon. My
6 name is Princess Mosulunin [sp?] and I'm a Legal
7 Fellow at Care New York, and today my oral testimony
8 is just an excerpt of my written statement. And
9 first, thank you so much to Chairs and to Chair
10 Menchaca for calling today's hearing. SIJ is crucial
11 for immigrant children because of the Trump
12 Administration's systematic closure of pathways to
13 immigrant documentation, and Intro 480 is necessary
14 to preserve access to SIJ as the Trump era continues
15 to threaten and traumatize immigrant communities
16 across the United States. Care stands with all
17 immigrant communities, including of course, the
18 communities of immigrants who identify as LGBTQ, and
19 while the majority of Muslim Americans are not
20 immigrants, those without legal status find
21 themselves particularly targeted, from the three
22 separate Muslim bans to the ongoing attempts to
23 repeal DACA, these attacks have caused some
24 undocumented Muslim Youth to feel as if they are
25 under a unique kind of siege. Living under a

2 government that can be as Islamophobic as it is often
3 xenophobic, and that is a feeling that may become
4 very aggravated for children who struggling with
5 issues related to their LGBTQ identity. Furthermore,
6 leaks suggest that the Trump Administration will
7 expand public charge as a grounds for inadmissibility
8 and block [sic] green applicants use any means tested
9 benefits, including those to secure food and medical
10 care for their children, leaving again children of
11 immigrants seeking green cards the most vulnerable.
12 Intro 480's charge for the Department to identify
13 homeless and runaway youth who qualify for SIJ would
14 also bring it back to its original purpose. In 1990
15 SIJ was passed to provide humanitarian protection for
16 abused, neglected, or abandoned immigrant children,
17 eligible for long-term foster care in a complete
18 recognition that the immigration system as it was did
19 not have those same protections. Now, Mr. Trump's
20 recent policy reversals move SIJ away from that
21 purpose, distorting it, reducing access to SIJ. Less
22 than a month after the reversal, USCIS denied
23 applications from at least 81 formerly eligible
24 applicants in New York City alone. This process was
25 not just heartless, it was arbitrary, as shown when

2 they denied the application of a previously eligible
3 young Brooklynite while approving his younger
4 sister's virtually identical application. In light
5 of the confusion and inconsistencies that have
6 resulted from the reversal, Intro 480 will give the
7 Department the power and the responsibility to ensure
8 that the spirit behind SIJ lives on by encouraging
9 homeless and runaway youth and LGBTQ youth within
10 that community to take advantage of SIJ. We're
11 hopeful that with the passage of Intro 480, this
12 council's impact will reverberate even beyond those
13 communities inspiring young people generally not to
14 exist in fear of a system that is seemingly against
15 them, but to overcome. Thank you.

16 CHAIRPERSON ROSE: Thank you. In your
17 testimony you restated that there are only two
18 providers that's doing immigrant legal services,
19 right? Yeah, I'm sorry--

20 UNIDENTIFIED: [off mic] legal
21 representation for runaway and homeless youth. I
22 think we're the only immigration legal services
23 providers that specialize in working with runaway and
24 homeless youth. They're not, obviously, the only
25

2 immigration legal services providers in New York
3 City.

4 UNIDENTIFIED: [off mic] Our
5 understanding is that there's only two runaway
6 homeless youth providers--

7 CHAIRPERSON ROSE: [interposing] Right.

8 UNIDENTIFIED: [off mic] that are
9 contracted with DYCD that have onsite legal services.
10 So there are agencies [inaudible] representatives
11 from law firms into support, but to our knowledge
12 only-- sorry. To our knowledge, only The Door and
13 Covenant House have actual paid staff to support
14 youth on site.

15 CHAIRPERSON ROSE: And so, I believe from
16 the testimony that we heard today there's a need to
17 have more legal immigrant services on site, right?
18 And so our-- and to your point, you were talking
19 about that can only happen through additional
20 funding, or is there already a channel that's
21 available that we just haven't accessed for legal
22 services for runaway youth who are immigrant and
23 LGBT?

24 JEFFREY COLTON: I may not specifically
25 have the answer to exactly the funding for

2 independent-- for legal services within, for
3 instance, an RHY. I understand there are funds
4 available through ICARE. You can become a partner
5 that way, but as far as DYCD and this initiative, I
6 think our approach is any reporting requirement
7 should be accompanied by funding to service that very
8 reporting requirement. I'm not grant funded myself,
9 as far as I know. I'm just-- I'm the Legal Department
10 and so I just provide direct services. But
11 additional funding should accompany any kind of
12 reporting requirement or referral requirement because
13 right now, as they were all saying, everybody's
14 strapped, and I take what I can take, and I'm a
15 Family Court expert, and so normally I would do all
16 of the SIJ in Family Court. There's such a volume
17 that it has to be referred out because there are all
18 those other issues that all of our homeless youth are
19 dealing with. It's just-- it's not just the SIJ
20 issue. So a dedicated immigration attorney within
21 all of the RHY's is an unbelievable resource, and
22 that's something that should be explored.

23 CHAIRPERSON ROSE: Have you seen a rise
24 in civil immigration enforcement for this population?

2 UNIDENTIFIED: [off mic] Deportation
3 cases?

4 CHAIRPERSON ROSE: A rise in civil, you
5 know, enforcement or if not, have you seen a marked
6 increase in criminal enforcement for this population
7 that has secondary civil immigration consequences?

8 JEFFREY COLTON: I have clients who have
9 been caught up in ICE sweeps outside of what would
10 seem like just a normal criminal appearance caught up
11 in an ICE sweep and then they're in a New Jersey
12 Detention Center, and that's it.

13 UNIDENTIFIED: Yeah, we're also seeing
14 that because of recent Executive Order that went into
15 effect on September 11th, now denied affirmative
16 applications will automatically be referred to
17 removal proceedings. That's a bigger risk for our
18 clients, and it makes them more reluctant to come
19 forward with affirmative application.

20 UNIDENTIFIED: And that's in contrast to
21 the previous Administration where the majority of
22 enforcement activity was targetd for people who had
23 criminal justice involvement. Now we're talking
24 about these individuals who simply applied for a
25 benefit, and that's how they've come to the attention

2 of ICE and they end up being the subject of
3 enforcement actions by ICE.

4 CHAIRPERSON ROSE: Okay. Thank you.

5 Where are there gaps in city-funded or provided
6 services for this specific population? Where are the
7 gaps?

8 UNIDENTIFIED: I think with the funding
9 for lawyers as Jeff was saying, but I think also
10 young people need financial supports for other things
11 as well. You know, a lot of times people may have a
12 green card or may have other documentation, but they
13 just don't have the documentation anymore. I mean,
14 have the status but they don't have the documentation
15 anymore, and so it's often a burden for our runaway
16 and homeless youth providers to pay the fees, you
17 know, to replace a green card or to replace a
18 permanent resident card that can be quite costly, and
19 so I think also to expand the need for funding. The
20 lawyers, I think, are first and foremost, the most
21 important funding need, but I think then also funding
22 is needed to support young people in just obtaining
23 documentation whether it's around their immigration
24 status, or like Theresa was saying, you know, for a
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2 birth certificates or other, you know, vital
3 documents that they may need.

4 CHAIRPERSON ROSE: There's been criticism
5 from the advocates that the New York City Unity
6 Project does not provide youth with the services that
7 they truly need. Is this correct, and what are the
8 gaps within that campaign?

9 JEFFREY COLTON: I don't have any
10 information about that specifically, that issue.

11 CHAIRPERSON ROSE: No?

12 UNIDENTIFIED: I mean, I think that the
13 Unity Project is meeting a very unique need and
14 something that wasn't happening before, right? They
15 were put in place and being tasked with kind of
16 assessing and providing supports specifically to
17 LGBTQ youth across systems in New York City, and so
18 although I think that because it's new there will
19 always be room for improvement about how that is kind
20 of being implemented. I think that it's important to
21 note that everything that they've done is in
22 addition, right? Like, they're not taking away.
23 They're only adding and enhancing services that
24 didn't previously exist.

2 CHAIRPERSON ROSE: And do you think that
3 the collaboration with MOIA is sufficient? Are there
4 any recommendations that you could leave us with for
5 how MOIA could effectively interact with service
6 providers with the advocates and to deliver-- and the
7 city's agencies to deliver services to this
8 population?

9 JEFFREY COLTON: At this point, I don't--
10 MOIA funds ActionNYC, is that my understanding,
11 right? I--

12 CHAIRPERSON ROSE: [interposing] Is what?

13 JEFFREY COLTON: MOIA funds ActionNYC,
14 which I think is a very important resource, and heard
15 the gentleman speaking on the funding for it and that
16 there was no actual specific allocation, but it was a
17 general fund. It seemed nothing targeted toward
18 LGBTQ issues. One, I think the funding there needs
19 to be increased. More and more I'm forced to rely on
20 ActionNYC, which is good, but you know, the issue of
21 RHY homelessness is they're there right there. I
22 don't know where they're going to be in three weeks
23 or four weeks, because our goal is to find them
24 shelter, and as one young person looked at me, they
25 missed their appointment, I said, "What happened to

2 you?" and they said, "I'm homeless." And that was it.
3 They're legal issues are not the number one thing on
4 their mind, and so having services inside the
5 facilities, it's critical, I think, to deal with it.
6 Increased funding, I think MOIA-- the budget for
7 ActionNYC should be increased immediately because
8 that's becoming a default for a lot of us, and it's
9 working out very well, and just I think more direct
10 coordination with RHY to make sure services are in
11 place, especially with 480, to make sure that there
12 are people to answer the call when we get it. That's
13 critical.

14 CHAIRPERSON ROSE: I want to thank you
15 all for testifying today, and I want to thank Council
16 Member Menchaca and Council Member Dromm and Council
17 Member Ayala for bringing this legislation, and this
18 hearing is now closed. Thank you. This meeting is
19 now adjourned. [gavel]

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1 COMMITTEE ON YOUTH SERVICES JOINTLY WITH COMMITTEE ON IMMIGRATION 140

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date September 28, 2018