



**Testimony of
Kevin Jones
AARP New York**

**New York City Council
Committee on General Welfare**

Preliminary Budget Hearing

March 17, 2021

**Remote Hearing
New York, New York**

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AARP Testimony - City Council Committee on General Welfare - FY22 Preliminary Budget Hearing

Subject: Human Resources Administration, Department for Social Services FY22 Budget

Good morning Chair Levin and members of the City Council Committee on General Welfare. My name is Kevin Jones and I am the Associate State Director of Advocacy for AARP New York, representing the 750,000 members of the 50+ community in New York City. Thank you for providing me with the opportunity to testify at today's FY22 preliminary budget hearing in order to outline our organization's priorities for the programs and services administered and managed by the Human Resources Administration.

Over the course of the past decade, New York City's population of older adults has become one of the fastest growing demographics in New York City. According to the Center for an Urban Future, there are 1.7 million residents in New York City above the age of 60 – among that group, 141,000 residents are above the age of 85, over 136,000 individuals are homebound, and nearly one in five are living below the federal poverty line. As aging residents continue to make up a greater share of the City's total population in the coming years, the City will need to pay more attention to the needs and livelihoods of this group.

As all of us at this hearing already know, the COVID-19 pandemic has had a disproportionate impact on the health and wellbeing of New York City's aging community and has created new and unprecedented challenges for the livelihoods of 50+ New Yorkers. Throughout the pandemic, AARP has heard countless stories from older adults who have struggled to access meals and groceries, healthcare and caregiving services, broadband, and other programming opportunities to reduce social isolation and help them through this crisis.

As New York begins to enter into the recovery phase of the pandemic in the months ahead, the City will be required to address a number of looming challenges, especially

in the areas of housing stability and rental arrears, employment opportunities, and access to vital social services.

AARP New York calls on the City to make the following investments into critical social services and programs that will protect the wellbeing of older adults, as well as ensure that 50+ New Yorkers can age with dignity in their communities across New York City.

First, AARP New York encourages the City to expand funding for HRA-administered programs that protect the wellbeing of vulnerable older adults, specifically through the Community Guardianship Program, Adult Protective Services, and the Home Care Services Program. As the demand for these critical services has increased over the course of the pandemic, the City needs to ensure that senior providers are properly supported and have the staffing levels needed to meet the increase in demand for services, as well as guarantee that more aging residents can receive these services and continue living in their communities safely after the pandemic concludes.

Second, we recommend that the City increase funding for the 'Right to Counsel' program in order to protect 50+ New Yorkers from the threat of evictions and displacement. As the status and timeline of New York's eviction moratorium remains unclear, the City needs to ensure that all New Yorkers who have fallen behind on their rent as a result of the pandemic have access to a lawyer in the event that they are brought to Housing Court in the coming months. Given that Right to Counsel has been proven to be an effective tool in addressing New York City's eviction crisis, the City should continue to invest more resources into the program in order to keep New Yorkers in their homes and prevent a massive wave of evictions in the year ahead.

Third, we urge the City to maintain full funding for the construction of new units of supportive housing. Although the City's funding allocated for the creation of new units of supportive housing has been threatened by budget cuts throughout this pandemic, we believe that it is imperative for the City to continue investing in all supportive and

affordable housing initiatives in order to meet the housing needs of 50+ New Yorkers amid the City's recovery from COVID-19.

Last, we call on the City to maintain full funding for all of the HRA-administered housing voucher and rental assistance programs in the FY22 budget since these programs continue to serve as critical tools in helping New Yorkers to secure permanent housing and prevent further displacement from their communities, which will remain especially pertinent in the City's process of recovering from the pandemic.

Thank you for providing me with the opportunity to testify on behalf of AARP today – I am happy to take any questions.



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**Council of Family and Child Caring Agencies
Testimony Submitted by Kathleen Brady-Stepien
Joint City Council Hearing
Committee on General Welfare
Oversight Hearing on the Preliminary Budget for Fiscal Year 2022,
Capital Commitment Plan for Fiscal Years 2021-2025 and
The Fiscal 2021 Preliminary Mayor's Management Report
March 17, 2021**

Good morning, Chairperson Levin, I am Kathleen Brady-Stepien and I am the President and CEO of the Council of Family and Child Caring Agencies (COFCCA). Our member agencies include over fifty not-for-profit organizations providing foster care, adoption, family preservation, and juvenile justice services in New York City and over 100 agencies providing the same services Statewide. On behalf of our member agencies, their thousands of employees, and mostly on behalf of the tens of thousands of children and families that our agencies serve, we thank you for the opportunity to testify before you today.

Our providers' essential workers have gone out into the field each day to support New York City's children, youth, and families in our prevention services, foster care, and juvenile justice programs. We are deeply concerned about the impact of COVID-19 on our families and communities, which have been some of the hardest-hit throughout the pandemic. A 2020 United Hospital Fund report illustrates the impact and the ongoing need for investment, and especially primary prevention and prevention services to keep communities supported and children safely with their families.

- During the period of March-July 2020:
 - 4,200 children in NYS experienced the loss of a parent/caregiver (57% of the caregiver/parent deaths were in the NYC area in Bronx, Brooklyn, & Queens). Black and Hispanic children were impacted much more significantly as they experienced parental/caregiver loss at twice the rate of Asian or white children.
 - 325,000 children have newly been placed into or near poverty-level conditions as a result of COVID's impact on the economy.ⁱ

Given the amplified needs our providers see in the midst of the pandemic, we ask for the following:

1. Prevention services: We must ensure that our commitment remains—at minimum—level to prevention services, supports to keep children safely together with their families. A recent survey we conducted jointly with the Citizens Committee for Children



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shows that prevention workers and front line staff reported greater need in a variety of areas for families, including:

- 81% increased need for internet access, including devices
- 80% increased need for food
- 77% increased need associated with children’s education and/or daycare
- 77% increased need for household items, including disinfectants and hand sanitizer
- 72% increased need for mental health counseling for adults and/or children

Those cited above only represent the top five needs communicated via the survey; we will be happy to share more information with the Council members on this survey as it shows the experiences of families and essential workers throughout the pandemic.

We are actively engaged in an effort to advocate for full preservation of the open-ended funding stream, providing 62% reimbursement to all counties currently for the costs of their prevention, protection, and other child welfare services, that has been a mainstay of the state budget since 2002 (child welfare financing). The Governor’s Executive Budget proposed a 5% cut to this funding stream this year.

New York State will implement the federal Family First Prevention Services Act in September 2021. The overall goals of this legislation are to invest additional investments into prevention services, keeping children safely in their homes, hence reducing the need for residential foster care placements and foster care placements more generally.

- Prevention: **at minimum, we must commit level funding to prevention services, to ensure a full continuum of prevention services for families in New York City, especially as we prepare for federal Family First Act implementation.**
2. **Primary prevention:** We seek to bolster the availability of primary prevention, services and supports available to all families in a given area categorically, without the intervention of the child welfare system. A fantastic example of the availability of primary prevention is the Family Enrichment Centers, or FECs. We applaud ACS for the partnership in building up these FECs, and we are proud of our providers, Children’s Village (Bridge Builders), Graham Windham, and Good Shepherd Services for their work alongside families in their communities, to build up supportive places for communities to build together and thrive together. These FECs are a place for families to connect, and to share resources and activities together. Ultimately, they are a measure to reduce families’ interaction with the child welfare system by building community supports from within. A recent evaluation study conducted in March 2020 of the FECs has found that families report the FEC assisting them with housing, educational assistance (for themselves or for their child/children), financial management, and assistance with



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finding jobs/careers.ⁱⁱ Providing these essential supports for communities has only become more important given the pandemic.

- Family Enrichment Centers (FECs): **We strongly support the Administration for Children’s Services support of three Family Enrichment Centers and we ask the city Council’s support to expand availability of FECs.**
3. **Supporting Essential Workers:** The child welfare heroes that make up the contract agency program staff have been essential workers that continue to go above and beyond during the pandemic. Prevention program workers went to families in homes and homeless shelters to get them food and supplies. Foster care workers learned new skills on the fly as they provided children’s parents and foster parents with technology to keep in contact with each other, schools, and court. Child care workers continued to come in and be there for youth in foster care group homes and residential sites despite transportation hassles and fears of COVID-19. They did this despite our data that shows contract agencies are not funded well enough to match the salaries the City offers its own staff doing similar work. While bringing back the COLA for city-contracted human services workers will not fully fill the gap, a 3% COLA will help those who have gone above and beyond the call of duty to meet the needs of families in crisis.
 - Workforce: **We join with the voices of the Human Services Council and ask the City Council to renew the COLA for human services workers in the FY22 budget at a rate of at least 3%.**
 4. **Fully restore Indirect Cost Rate Funding:** The City imposed retroactive cuts to Indirect Cost Rate (ICR) funding of 40% in FY20 and has also just communicated a 70% cut for FY21 with less than four months left of the fiscal year. Our providers are on the front lines of the city’s response to COVID-19, and will continue to be a critical component of assisting the city in building back from the pandemic. For providers that have already been taking on extraordinary costs associated with their extra needs throughout the pandemic, including but not limited to Personal Protective Equipment (PPE), enhanced cleaning and technology costs, providing increased pay to our front line staff, these reductions represent untenable additional fiscal strain.
 - Indirect Cost Rate Funding: **We strongly support the Human Services Council’s call for full restoration of the Indirect Cost Rate, and we ask the city Council to stand with us in full support of the need to fund our programs fully for these costs (\$171 million is needed to fully honor the Indirect Cost Rate (ICR) Funding Initiative for FY20, FY21, and FY22).**
 5. **Fair Futures:** As you know, the Fair Futures program offers life coaches and tutors to foster youth from middle school to age 26, in all 26 New York City-contracted foster care agencies. The program gives the youth practical and emotional support through stable relationships with adults who follow the youth throughout their time in and after foster



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care. Fair Futures participants have shown increased rates of high school graduation, among other positive findings. Each year, however, the youth and the programs must come to the City and Mayor to ask for the funds to continue the program. Baseline funding for a proactive program that keeps the City from incurring other costs for negative youth outcomes is a matter of practicality.

- Fair Futures: **We ask the Mayor and City Council to make Fair Futures a permanent fixture in the NYC Budget and baseline \$20M for this important program.**
6. **Other Workforce Challenges:** We continue to have challenges in hiring and retaining qualified and credentialed staff in our programs. Later this year, the professional licensure exemption is due to end June 24, 2021, as a result of Chapter 57 of the Laws of 2018, passed through the state budget in 2018. This will mean that our professionals working in the social work, mental health, and psychology professions will need to be appropriately licensed in order to be working in our settings. We offer the following observations in hopes that the Council will support these important service access initiatives:
- **Telehealth and telecare:** we have learned throughout COVID-19 that telehealth and telecare has been an added support for our families, and ask for the Council's support in seeing this continue beyond the pandemic to add to our continuum of supports afforded to families.
 - **Professional licensure exemption extension:** we ask for the Council's support in our efforts at the state level to extend the professional licensure exemption, which would end as of June 2021. We are engaged in an effort at the state level to extend this licensure exemption, especially given the enhanced mental health needs we have seen under COVID-19.
 - **Article 163 mental health professionals/diagnosis:** We ask for the Council's support in extending diagnosis privileges to the Article 163 professionals (Licensed Mental Health Counselors, LMFTs, LCATs, Psychoanalysts). Diagnosis privileges are not currently within scope of practice for these article 163 professionals, and would truly assist in building up our workforce if they could have this included within their scope.
 - COFCCA Supports NYS legislative bill S5301 (Brouk)/A6008 (Bronson) which would address this critical issue.ⁱⁱⁱ

Thank you to the Council members for allowing me to testify before you today. I am happy to answer any questions that you have. We truly appreciate your partnership and support for our children, families, and providers.

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ⁱ <https://uhfnyc.org/publications/publication/covid-19-ripple-effect-impact-covid-19-children-new-york-state/>

ⁱⁱ <https://www1.nyc.gov/assets/acs/pdf/about/2020/FECEvaluationReport.pdf>

ⁱⁱⁱ <https://www.nysenate.gov/legislation/bills/2021/a6008>



TESTIMONY

New York City Council Committee on General Welfare

Fiscal Year 2022 Preliminary Budget Hearing

Wednesday, March 17th, 2021

Submitted by:

MJ Okma

Policy and Campaign Strategist

Human Services Council of New York

Introduction:

Good afternoon Chair Levin and members of the New York City Council Committee on General Welfare. My name is MJ Okma, and I am the Policy and Campaign Strategist at the Human Services Council (HSC), a membership organization representing over 170 human services providers in New York City. HSC serves our membership as a coordinating body, advocate, and intermediary between the human services sector and government. We take on this work so that our members can focus on running their organizations and providing critical direct support to New Yorkers. These are the nonprofits that support our City's children, seniors, those experiencing homelessness, people with disabilities, individuals who are incarcerated or otherwise involved in the justice system, immigrants, and individuals coping with substance abuse and other mental health and behavioral challenges.

Over the past year as New York City weathered the COVID-19 crisis, mistakes were made while the City government had to make life and death decisions about what to prioritize in a compounding public health crisis and budget deficit. The Fiscal Year 2022 budget is a time to take that all into account in order to reassess and rethink what and who our City values.

The reality is New York City's human services sector has seen a net loss of over 44,000 thousand jobs since this time last year.ⁱ Frontline city-contracted human services workers, who are majority women of color were abandoned by the Cityⁱⁱ. They were not provided personal protective equipment (PPE). They were not given a cost-of-living adjudgment in the FY21 budget while severing on the frontlines. They were not afforded job protection while New York City and New York State disproportionately cut funding for human services in a time of rapidly increased need.

The City cannot call human services workers essential while refusing to pay them fairly for their labor or fight for their government-contracted jobs to be preserved. The City cannot praise the work of human services nonprofits while balancing the budget on their back and retroactively clawing back indirect funding.

This year as the COVID-19 pandemic tore through every corner of New York, City-contracted human services workers were thrown onto the frontlines of a global health crisis—ensuring high-risk populations such as seniors and disabled New Yorkers had access to food and mental health

support, providing childcare for the families of first responders, running drop-in centers and shelters for homeless New Yorkers, supporting our City's youth struggling to keep up with their education without resources to learn remotely, ensuring New Yorkers have access to the skills, training and education needed to economically respond and recover from this pandemic, and more. It is time to step up for them show that their labor is valued not by empty words but by ensuring that they no longer get paid poverty wages under city contracts.

City agencies are not getting a deal by chronically underfunding and retroactively cutting human services contracts to balance the budget; it is further harming the low wage workers the City relies on to keep these programs running while pushing community-rooted nonprofits into failure during a time of increased need.

In order to address this crisis, the FY22 budget must include the following:

- **The restoration of the COLA on the personnel services line of all human services contracts at a rate of at least 3%.**
- **Comprehensive emergency pay for human services workers retroactive to March 23, 2020, when non-essential workers in New York were ordered to stay home.**
- **\$171 million to fully honor the Indirect Cost Rate (ICR) Funding Initiative for FY20, FY21, and FY22.**
 - o **\$91 million in total for FY22**, including the \$34 million already baselined for ICR funding.
 - o **\$57 million for FY21** to fill in the gap between the \$34 million that was budgeted in the FY21 Adopted Budget and the \$91 million needed to fully honor ICR funding in FY21 contracts.
 - o **\$23 million for FY20** to fill in the gap between the \$34 million left for ICR funding in the FY20 budget after cuts in April 2020 and the estimated cost to fully honor ICR funding in FY20 contacts.

These urgent investments are needed while workers, advocates, providers, and elected officials continue to work together on more comprehensive solutions to ensure that human services workers finally earn fair pay for their essential labor.

None of these essential investments should come as a surprise to Mayor de Blasio and the Mayor's Office of Management & Budget. Last June, leaders from across the human services sector who were asked to participate in Mayor's Nonprofit and Social Services Recovery Taskforce came up with a list of core recommendations to support essential workers in the sector and protect community services which are included in my testimony below. None of their recommendations were ever implemented.

Further, the New York City Council championed the ICR Funding Initiative in FY20 and over 20 council members demanded the restoration of the program after providers faced a cut of up to 40% in FY20. Since then, providers were told in March 2021 of a compounding cut of up to 70% for their FY21 budgets, and the FY22 preliminary budget continues to massively underfund the program which will only result in another compounding cut if not addressed. This program which was created to address the fiscal crisis facing New York City human services sector has since been slashed in its first year of implementation (FY20) and was underfunding in FY21, throwing providers on the frontlines of COVID-19 into fiscal chaos.

These cuts do not impact all New Yorkers' equally but rather disproportionately impact communities that have already been hardest hit by COVID-19 due to structural racism, ableism, and income inequality, with Black, Latino/a, and Asian New Yorkers suffering the greatest harm.

The FY22 budget is a chance to address these devastating mistakes.

State of the Human Services Workforce:

Workers in New York City's nonprofit human services sector make less than half compared to those outside of the sector with similar credentials and experience. While the human services sector can leverage private and philanthropic dollars and funding from the City, State, and federal government to create dynamic programs at a bargain, the pay for these services needs to be sustainable. **When elected officials refuse to listen to providers and drastically undervalue the services they are contracted to provide, it is the human services workforce, which is 82% women and 80% people of color, who are disproportionately impactedⁱⁱⁱ. New York City underfunds the direct service costs in human services contracts by at least 20% pre-COVID-19 and that gap is growing, creating the desperate need for funding for human services to be restored and bolstered.^{iv}**

The City is not getting a deal by chronically underfunding homeless shelters, foster care agencies, food pantries, and senior centers; it is directly harming the low wage workers who keep these programs running. Eighteen percent of New York City human services providers were insolvent before New York City even saw its first case of COVID-19 and 80% of the largest human services organizations have budgets that are 90% or more dependent on government funding.^v When these contracts drastically underfund programs, set rock bottom rates per services unit, and require high mandated targets, the City is dependent on low-wage workers to fill in these gaps.

The average human services worker makes only \$32,700 in New York City, **far below what the 2019 New York City Self-Sufficiency Standard found to be required to meet the basic needs and expenses of living.^{vi} The median cost for rent in New York City has gone up over 20% since 2010^{vii} yet in that same period the average pay for human services workers has increased less than any other low-pay industry in the City including retail, restaurants, and personal/laundry services.^{viii} Pay is so low that over 60% of the human services workforce qualified for some form of public assistance themselves.^{ix}**

The human services workforce has been toiling under City-contracted poverty wages long before the devastating effects of COVID-19. Then, instead of being met with tangible support, over 44,000 human services jobs were lost due to cuts at the City and State level.

At the beginning of the pandemic, the City committed to provide emergency pay for some residential workers.^x The initiative covered wages for certain personnel at residential settings from March 1 - June 3 and was only communicated through personal communications from the City on a contract-by-contract basis under DHS, ACS, HRA, and DOHMH rather than uniform guidance. This program also only covered frontline workers at residential programs and outlined extremely specific qualifications personnel needed to meet to qualify, which left out many essential onsite jobs

including maintenance, cooks, drivers, and security. The City also would not allow providers to make the funding retroactive, meaning providers had to provide emergency pay prior to approval. This meant if providers were denied, which was quite common due to the confusion surrounding this program, they would have to pay these salary expenses out of pocket despite already providing services under grossly underfunded city contracts. The lessons learned from this program are that emergency pay must be compressive, fully funded, and covering all city-contracted human services workers who were unable to do their jobs remotely retroactive to the beginning of New York's stay at home order.

Since the onset of the COVID-19 pandemic, low-wage contracted human services workers have put their lives and their families at risk to provide crucial services to communities in crisis. The city was also unable to provide PPE and cleaning supplies early in the pandemic, placing workers and their families in even greater danger. The FY22 budget is an opportunity to reverse course, starting with bringing back the COLA for city-contracted human services workers at a rate of at least 3% and providing comprehensive emergency pay.

Renewing the COLA on the personnel services line of all human services contracts at a rate of 3% would cost an estimated \$48 million for FY22.

New York City's Failed Indirect Manual Rollout:

Cuts to the Indirect Cost Rate (ICR) Funding Initiative created fiscal chaos for a sector providing critical safety net support for New Yorkers in both FY20 and FY21. These damaging cuts went to the heart of nonprofit human services and spread throughout their entire operation.^{xi}

When the ICR Funding Initiative was implemented for the first time in FY20 after the Mayor and City Council committed to addressing the chronic underfunding of indirect costs in City contracts. This initiative was then retroactively slashed in its first year of implementation after providers were originally told by the City that their contracts would be held harmless during the COVID-19 crisis. Many providers only agreed to contracts in FY20 with the promise that they would be paid for their certified indirect rates.

The impact of the April FY20 cut to the Indirect Cost Rate Initiative was not communicated with providers until a month after the close of the fiscal year, so there was no opportunity to engage with the Administration or the Council leadership on the impact of this cut. When providers and advocates in the sector did ask, we were told it was just a "rightsizing" of the program, only to be told in August 2020 that indirect funding for FY20 would be cut up to 40%, despite the fact the fiscal year was over, and the money had already been spent.

This delay also allowed the City to repeat the same underfunding of the ICR initiative in the Adopted FY21 budget, and it was only then that we were informed this would be a real cut retroactively in FY20. The result of that dangerous decision to allowing the ICR initiative to be underfunded in the FY21 budget was just announced. **On March 10th, 2021 the Office of Management & Budget and Mayor's Office of Contract services told the Nonprofit Resiliency Committee (NRC) the City is planning on cutting providers indirect funding up to 70% on**

current contacts. This is unacceptable and displays a complete lack of regard for nonprofit human services organizations, programs, and essential workforce.

These compounding retroactive cuts will only continue to compound into next fiscal year unless the FY22 reverse courses and includes the necessary funding for the City to pay their contracts, as committed.

New York City must include \$171 million in the FY22 budget to honor their commitment to fund city-contracted human services providers their true indirect rate on all City contracts.

- **\$91 million in total for FY22**, including the \$34 million already baselined for ICR funding.
- **\$57 million for FY21** to fill in the gap between the \$34 million that was budgeted in the FY21 Adopted Budget and the \$91 million needed to fully honor ICR funding in FY21 contracts.
- **\$23 million for FY20** to fill in the gap between the \$34 million left for ICR funding in the FY20 budget after cuts in April 2020 and the estimated cost to fully honor ICR funding in FY20 contacts.

Timeline of Cuts to the Indirect Cost Rate (ICR) Funding Initiative:

- **February 2019:** The *Health and Human Services Cost Policies and Procedures Manual* was released through the Nonprofit Resiliency Committee (NRC).^{xii} This manual standardizes indirect rate definitions across human services contracts and creates a standard approach for providers to calculate an individualized rate. At the time the manual was published, the City did not increase funding to address the gaps this manual displays in human services contracts or allow for any reductions in services to account for these glaring gaps in funding. The NRC members were asked to “trust” that this was a good faith process and that providers would not be disadvantaged with this manual.
- **March 2019:** Human Services providers strongly advocated for the City to back its implementation of the manual with additional dollars so that providers can apply their real indirect rates as part of New York City’s FY20 budget.
- **April 2019:** The New York City Council called for an investment of \$106 million to fund the *Health and Human Services Cost Policies and Procedures Manual* in their FY20 Preliminary Budget Response.^{xiii} This cost estimation of \$106 million came from an estimation that the manual would increase the indirect rate to an average of 12 percent, up from ten percent.

Mayor Bill de Blasio did not add this funding into the Executive Budget, so providers continued to fight for the manual to be funded as the Mayor and City Council began their final budget negotiations.

- **June 2019:** The Mayor and City Council committed to funding an adjustment to the Indirect Cost Rate (ICR) Funding in the FY20 Budget. No money was set aside for this initiative as

part of the FY20 Adopted Budget with the intent that money would be allocated during an upcoming FY20 budget adjustment and providers would get their true indirect rate retroactive to the beginning of FY20 (June 2019).

- **July 2019:** The Office of Management and Budget (OMB) and Mayor's Office of Contract Services (MOCS) from a City Implementation Team (CIT) to design the implementation and roll-out of the ICR Funding Initiative that was established in the FY20 budget.^{xiv}
- **October 2019:** City-contracted human services providers were briefed on the City's implementation plan and the timeframes for rolling out ICR Funding Initiative.^{xv} As part of the process, providers were once again told that they would receive their true indirect rate on all City contracts, retroactive to June 2019 and through FY23 if they submitted all their paperwork based on the deadlines in the CIT's implementation plan.
- **November 2019:** The de Blasio Administration added a total of \$54 million in baselined funding to the budgets of 12 city agencies for the ICR Funding Initiative.^{xvi} This was around half of the \$106 million the City Council estimated it would cost in their FY20 Preliminary Budget Response back in April.
- **December 2019:** Mayor Bill de Blasio and Speaker Corey Johnson officially announced that the City has launched the ICR Funding Initiative.^{xvii}
- **April 2020:** ICR funding for FY20 was reduced from \$54 million to \$34 million, which was characterized at the time as a "rightsizing" of the funding needed to fulfill FY 2020 contract submissions.^{xviii} Providers were assured that their FY20 indirect rates would not be impacted because of this cut, despite the City's ICR funding level now being only 32% of \$106 million the City Council estimated it would cost in their FY20 Preliminary Budget Response.
- **June 2020:** The FY21 Adopted Budget included the reduced ICR funding level of \$34 million for FY21, once again under the guise of a "rightsizing."^{xix}
- **August 2020:** City-contracted human services providers were told that the cuts in April were a reduction, not a rightsizing, and that their indirect funding for FY20 would be cut up to 40%, despite the fact the fiscal year was over, and the money had already been spent.^{xx}

Providers were given no information about what this means for their FY21 contracts, despite ICR funding being underfunded at the same level (\$34 million) in the FY21 Adopted Budget.

Led by Contract Chair Kallos, over 20 council members wrote to the Mayor calling for ICR funding for FY20 to be fully restored.^{xxi} Comptroller Stringer and all five borough presidents also called on the Mayor to reverse this damaging retroactive cut.^{xxii}

- **November 2020:** The City announced that RFPs will continue to use the manual but have a 10% "placeholder" for indirect, so providers can only include 10% indirect in the RFP and

are then supposed to negotiate later. Under the ICR Funding Initiative, all new RFPs should cover the provider's cost manual rates and no justification was given about this new policy. This effectively reverts the contracting system back to February 2019 when the *Health and Human Services Cost Policies and Procedures Manual* was released with no increased funding to address the gaps this manual displays in human services contracts or allow for any reductions in services to account for these glaring gaps in funding.

The FY21 November Plan increased the current year budget by \$3.8 billion or 4.3%, it did not reverse the damaging cuts to human services including cuts to the Indirect Cost Rate (ICR) Funding Initiative.^{xxiii}

On the day before Thanksgiving, 30 human services organizations testified about the impact of the cuts to ICR funding during the York City Council Committee on Contracts Oversight hearing Reviewing the City's Indirect Cost Rate Funding Initiative During the COVID-19 Pandemic.^{xxiv}

- **January 2021:** Restoration of ICR funding was not included in the FY22 Preliminary Budget.
- **March 2021:** MOCS told the NRC and city-contracted human services providers that there would be a staggering retroactive cut to ICR funding of up to 70% for FY21.

June 2020 Recommendations from the Mayor's Nonprofit and Social Services Recovery Taskforce:

These recommendations were sent to Mayor Bill de Blasio on June 5, 2020 by the following organizations, who were represented in the Nonprofit Social Services Taskforce: Ali Forney Center, Asian American Federation, Bedford Stuyvesant Restoration Corporation, Black Veterans for Social Justice, Bowery Residents' Committee (BRC), BronxWorks, CASES, Casita Maria, Catholic Charities Brooklyn & Queens, Center for Hearing and Communication, Children of Promise, Children's Village/Harlem Dowling, Chinese-American Planning Council, Citymeals on Wheels, Coalition for Hispanic Family Services, Girls for Gender Equity, Good Shepherd Services, Henry Street Settlement, Hispanic Federation, Independence Care System, LGBT Community Center, Los Sures/ Southside United, MinKwon Center for Community Action, NAACP, Northside Center for Child Development, Older Adults Technology Services (OATS), Project Hospitality, RiseBoro Community Partnership, SCO Family of Services/Center for Family Life in Sunset Park Safe Horizon, Services for the UnderServed, Sheltering Arms, Urban Pathways, Urban Resource Institute (URI) and WomanKind.

None of the following core recommendations made it into the Mayor's own Recovery Agenda or have been fully implemented since the taskforce stopped meeting in June 2020. Note these recommendations were drafted before the announced retroactive cut to the ICR Funding in August 2020. At the time these recommendations were sent to Mayor de Blasio, the Mayor's Office of Contract Services was still telling providers that they indirect rates were not at risk and would be paid in full, which is why that priority is not reflected in these recommendations.

1) Support Essential Workers:

- Commit to paying frontline human services workers emergency pay retroactive to March 23, 2020, when non-essential workers in New York were ordered to stay home. The City's

emergency pay plan for residential workers needs to be quickly approved and paid out and essential workers not covered by that program must also receive pay for their work on the frontlines.

- Pay human services workers fairly. City-contracted human services workers are some of the lowest compensated workers in our City's economy. The small COLA that they receive on City contracts is set to expire at the end of FY20 and we must not allow this benefit to be stripped away from these essential workers.
- Work to achieve comprehensive pay parity for human services workers as part of New York COVID-19 recovery to ensure these workers finally earn fair pay for their labor under City contracts.

2) Protect Community Services:

- Ensure the survival of small community-based and person of color led organizations by providing access to the resources they need in order to stay open and serve our communities, and structure human services procurements going forward to be inclusive of small, person of color led institutions.
- Immediately retract the summer program cuts that leave no safe place for our kids: SYEP, Beacon, SONYC, and Compass. Young people of Color fall behind every summer – we anticipate that this will be vastly exacerbated by the inequity of remote learning. The child welfare and juvenile justice systems should not be the outcome for poor Black and Brown children, but we fear that lack of programming and the current civic unrest will make that inevitable. We are leaving our children and youth with no productive activities for the summer, which will lead to devastating consequences.
- Fund programs that address the inequities that have been exposed by COVID-19 pandemic.
- Bring community partners to the table to discuss budget cuts so that essential services are preserved, and necessary cuts are made in ways to minimize the impact on communities and human services providers.
- Pull the Home Delivered Meals RFP, which is already underfunded based on pre-COVID- 19 demands, and work with food-based providers to design a home delivered meals system that utilizes the sector's expertise, infrastructure, and current needs of the community.
- Embrace changes made during COVID-19 that benefit communities, like the expanded use of technology to better serve clients.
- Support providers now with continuing emergency funds to address COVID needs and during reopening with a plan for redesign of program space. Funds are needed to ensure important community spaces can adhere to social distancing requirements, are deep cleaned, and have necessary sanitation supplies.

3) Amend the Procurement Process:

- Back FY21 contracts with robust cash advances that are sent out immediately in July.
- Stop the recoupment of advances and change the policy so that advances are recouped at the end of the contract, not at the end of each year.
- Provide no cost extensions on contracts and allow providers to carry over accruals.
- Pay invoices immediately upon receipt and verify documentation at audit.

Conclusion:

The New York City Council saw the crisis facing the human services sector and fought for the ICR Funding Initiative and the human services workforce in FY20. Since then, there has been a net loss of 44,000 human services jobs, the COLA for human services workers was not renewed while they were on the frontlines of COVID-19, and the ICR Funding Initiative as dismantled and retroactive cut before it was ever implemented. These cut to ICR slashed City-contracted human services providers indirect funding up to 40% in FY20 and up to a staggering 70% in FY21. The crisis facing the human services sector now is much larger while demands of services continue to rise.

The FY22 budget must include the following:

- The restoration of the COLA on the personnel services line of all human services contracts at a rate of at least 3%.
- Comprehensive emergency pay for human services workers retroactive to March 23, 2020 when non-essential workers in New York were ordered to stay home.
- \$171 million to fully honor the Indirect Cost Rate (ICR) Funding Initiative for FY20, FY21, and FY22.
 - o \$91 million in total for FY22, including the \$34 million already baselined for ICR funding.
 - o \$57 million for FY21 to fill in the gap between the \$34 million that was budgeted in the FY21 Adopted Budget and the \$91 million needed to fully honor ICR funding in FY21 contracts.
 - o \$23 million for FY20 to fill in the gap between the \$34 million left for ICR funding in the FY20 budget after cuts in April 2020 and the estimated cost to fully honor ICR funding in FY20 contacts.

The time to act is now. New York City's COVID-19 continued response and recovery is at great risk.

Thank you for providing me with this opportunity to testify. We greatly value our partnership with you and the City Council and know you stand with us in our call to address this compounding crisis.

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ⁱ Center for New York City Affairs at The New School COVID-19 Economic Update (October 2020) available at <http://www.centernyc.org/reports-briefs/2020/10/1/cnycas-covid-19-economic-update>

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- ii Undervalued and Underpaid: How New York State Shortchanges Nonprofit Human Services Providers and their Workers, Restore Opportunity Now (March 2017) available at <https://humanservicescouncil.org/wp-content/uploads/Initiatives/RestoreOpportunityNow/RONreport.pdf>
- iii Id.
- iv “Underfunded government payment rates are the primary driver of financial distress. Government contracts dominate provider budgets but pay only about 80 cents or less of each dollar of true program delivery costs, leaving budget holes that private funders cannot, or should not, fill.” New York Nonprofits in the Aftermath of FECS: A Call to Action (February 2016) available at <https://humanservicescouncil.org/wp-content/uploads/Initiatives/HSCCommission/HSCCommissionReport.pdf>
- v “New York City nonprofits are fragile: 10% are insolvent (18% in health and human services); as many as 40% have virtually no cash reserves (i.e., margin for error); and over 40% have lost money over the last three years. We believe that less than 30% are financially strong. Yet many trustees do not understand the financial condition of their organization or how it compares to its peers.” Risk Management for Nonprofits, SeaChange (March 2016) available at <http://seachangecap.org/wp-content/uploads/2016/03/SeaChange-Oliver-Wyman-Risk-Report.pdf>
- vi “Average annual wages in the New York City social assistance sector were \$32,733 in 2018, making the sector the second-lowest-paid of all industries in the city after restaurants (\$31, 527).” The Road to and from Salary Parity in New York City: Nonprofits and Collective Bargaining in Early Childhood Education (January 2020) available at https://static1.squarespace.com/static/53ee4f0be4b015b9c3690d84/t/5e222c2ab457e7527ddc6450/1579297836053/SalaryParity_Parrott_Jan2020_Jan17.pdf
- vii Rents Rise at Fastest Rates Since 2016, Street Easy (2019) <https://streeteasy.com/blog/august-2019-market-reports/>
- viii The Road to and from Salary Parity in New York City: Nonprofits and Collective Bargaining in Early Childhood Education (January 2020) available at https://static1.squarespace.com/static/53ee4f0be4b015b9c3690d84/t/5e222c2ab457e7527ddc6450/1579297836053/SalaryParity_Parrott_Jan2020_Jan17.pdf
- ix “The low pay and paucity of fringe benefits translate into high and costly turnover for nonprofit organizations, providing public services under government contracts. Pay is so low that 60 percent of those working in the sector were utilizing or had a family member utilizing some form of public assistance benefit such as Medicaid or food stamps.” Undervalued & Underpaid: How New York State Shortchanges Nonprofit Human Services Providers and their Workers, Restore Opportunity Now (March 2017) available at <https://humanservicescouncil.org/wp-content/uploads/Initiatives/RestoreOpportunityNow/RONreport.pdf>
- x New York City Hall Commits to Reimburse Struggling Nonprofits for Frontline Costs NBC New York (April 2020) <https://www.nbcnewyork.com/news/local/new-york-city-hall-commits-to-reimburse-struggling-nonprofits-for-frontline-costs/2360030/>
- xi City-contracted human services providers gave testimony about the impact of ICR cuts during the New York City Council Committee on Contracts Oversight hearing Reviewing the City’s Indirect Cost Rate Funding Initiative During the COVID-19 Pandemic on November 25, 2020. Video of that hearing is available at <https://legistar.council.nyc.gov/MeetingDetail.aspx?ID=813445&GUID=1ABF948F-F20F-442E-9CE1-2CAFB66CF7AB>
- xii Copy of the Health and Human Services Cost Policies and Procedures Manual is available at <https://www1.nyc.gov/assets/nonprofits/downloads/pdf/NYC%20HHS%20Cost%20Policies%20and%20Procedures%20Manual.pdf>
- xiii “In order to sustain the current system of contracting out so many of our social services and to ensure pay parity for the human services workforce, the Council urges the Administration to add \$106 million to increase human services providers’ indirect cost rates.” NYCC FY20 Preliminary Budget Response available at https://council.nyc.gov/budget/wp-content/uploads/sites/54/2019/04/Fiscal-2020-Preliminary-Budget-Response_FINAL.pdf
- xiv The Indirect Implementation webpage is available at <https://www1.nyc.gov/site/nonprofits/funded-providers/indirect-implementation.page>
- xv Archived e-mail communication about this briefing, along with a recording of the briefing is available at Archived e-mail communication about this briefing, along with a recording of the briefing is available at <https://www1.nyc.gov/assets/nonprofits/downloads/pdf/Indirect%20Rate%20Initiative%20Follow-Up%2010.18.19.PNG>

^{xvi} New York City's November Financial Plan Update for Fiscal Year 2020 (FY20) is available at <https://www1.nyc.gov/office-of-the-mayor/news/566-19/mayor-de-blasio-releases-november-financial-plan-for-fiscal-year-2020>

^{xvii} Press Release on the Launch of the Indirect Funding Initiative is available at <https://www1.nyc.gov/office-of-the-mayor/news/602-19/mayor-de-blasio-speaker-johnson-city-council-the-launch-the-indirect-funding>

^{xviii} Facing Unprecedented Crisis, Mayor de Blasio Unveils Budget Plan that Protects New Yorkers by Prioritizing Health, Safety, Shelter and Access to Food (April 2020) available at <https://www1.nyc.gov/office-of-the-mayor/news/259-20/facing-unprecedented-crisis-mayor-de-blasio-budget-plan-protects-new-yorkers-by>

^{xix} New York City's November 2020 Financial Plan, Fiscal Years 2021 – 2024 is available at <https://www1.nyc.gov/site/omb/publications/finplan11-20.page>

^{xx} "City is funding 60% of the FY20 value of your amendment(s), but not less than a 10% ICR value and provided that your organization receives an Accepted ICR, pursuant to FY21 timeline and guidance." Indirect Rate Initiative Update from The City Implementation Team (August 2020) available at https://www1.nyc.gov/assets/nonprofits/downloads/pdf/Aug11_Indirect_Rate_Initiative_Update.pdf

^{xxi} "We urge the Administration to honor our shared commitment to the sector and ensure that human services agencies have the necessary resources to serve New Yorkers." CM Kallos Letter Demanding Restoration of Funding for Indirect Costs to Non-Profits available at <https://benkallos.com/press-release/letter-demanding-restoration-funding-indirect-costs-non-profits>

^{xxii} "Investing in the human sector is more critical than ever as our residents weather the storm created by COVID-19. I urge you to ensure that the terms of the City's indirect cost rate initiative are honored and fully funded." Comptroller Stringer Calls for Full Funding of Indirect Cost Rate Initiative So Non-Profits Can Continue to Deliver Critical Services (August 2020) available at <https://comptroller.nyc.gov/newsroom/comptroller-stringer-calls-for-full-funding-of-indirect-cost-rate-initiative-so-non-profits-can-continue-to-deliver-critical-services/>

^{xxiii} Mayor de Blasio Provides Economic Update and Releases November Financial Plan (November 2020) available at <https://www1.nyc.gov/office-of-the-mayor/news/801-20/mayor-de-blasio-provides-economic-and-releases-november-financial-plan>

^{xxiv} Video of the New York City Council Committee on Contracts Oversight hearing Reviewing the City's Indirect Cost Rate Funding Initiative During the COVID-19 Pandemic on November 25, 2020 is available at <https://legistar.council.nyc.gov/MeetingDetail.aspx?ID=813445&GUID=1ABF948F-F20F-442E-9CE1-2CAFBD6CF7AB>



**David A. Hansell, Commissioner
Testimony to the New York City Council
Committees on General Welfare
March 17, 2021**

“New York City Council Fiscal Year 2022 Preliminary Budget Hearing”

Good afternoon Chair Levin, and members of the Committee on General Welfare. I am David Hansell, Commissioner of the New York City Administration for Children's Services (ACS). With me today are Michael Moiseyev, Deputy Commissioner for Finance; William Fletcher, Deputy Commissioner for Child Protection; Dr. Jacqueline Martin, Deputy Commissioner for Prevention Services; and Julie Farber, Deputy Commissioner for Family Permanency Services; as well as ACS's soon-to-be First Deputy Commissioner, Winette Saunders. After a 54 year career in child welfare, including seven in his current tenure at ACS, Eric Brettschneider is retiring. We will all miss Eric's wisdom, insights, and support, but I am delighted that Winette will become ACS's First Deputy Commissioner on April 6th.

We are grateful for this opportunity to testify before the Committee to reflect on how ACS has adapted over the past year to unprecedented challenges. Today, I will explain how ACS has continuously met the needs of children and families, and how we are building on the lessons learned from the pandemic and from our national racial and social justice reckoning, in order to transform and improve our work.

ACS has Maintained Comprehensive, Agency-Wide Response Measures Throughout the Pandemic

I am incredibly proud of the staff at ACS and our partner agencies who are true first responders, carrying out the essential work of strengthening and supporting families—all while facing the uncertainty and fear that have been a constant part of managing the pandemic response. From the moment this crisis hit, ACS implemented

targeted public health measures based on guidance from federal, state and City health agencies and our own Chief Medical Officer. We have provided tens of thousands of pieces of personal protective equipment (PPE) to ACS frontline staff, our contracted provider agency staff, and to children and families. We have also disseminated critical safety information to families; provided regularly updated guidance to our staff and providers; equipped our staff and provider agencies with technology to work remotely when possible; and ensured that essential child welfare staff and foster parents are eligible for emergency child care.

As soon as vaccines became available to New Yorkers, ACS successfully advocated for vaccine eligibility for our essential, direct service staff at ACS and our contracted provider agencies. ACS is currently operating a designated vaccine POD, for eligible ACS staff and their eligible family members. And, now that youth ages 16 and older (either living in congregate settings or with comorbidities or underlying conditions) are eligible to be vaccinated, ACS and our provider agencies are obtaining the necessary consents and vaccine appointments for those youth. We are continuing to advocate to the State for all foster parents to become eligible for the vaccine.

I will now give a brief overview of the impact of COVID-19 on ACS's core programs; provide updates on how ACS is addressing equity and racial disparities, and on major developments in our core program areas; and review our current budget status.

COVID-19 Impacts on ACS Program Areas

While 2020 was a year like no other, ACS's core mission of keeping children safe and supporting families has not wavered. When we compare our 2020 data to prior years, we can see the dramatic impact of COVID-19.

Overall, as compared with CY2019, ACS conducted 24% fewer investigations in CY2020 (from 54,828 to 41,521), and the number of children who were placed into foster care also decreased by 24% (from 3,404 in CY2019 to 2,596 in CY2020). The foster care census continued to decline, to fewer than 7,700 children in December 2020.

ACS has continued to emphasize earlier, more effective and less intrusive interventions to keep children safe. Throughout the pandemic, we have prioritized our full continuum of successful prevention efforts, and we think this is where we should continue to invest as we emerge from the pandemic. Now more than ever, families need concrete resources, access to supportive services, and stronger social connections.

Early in the pandemic, we launched child safety campaigns to communicate a variety of information and resources to all New Yorkers. "Coping Through COVID" is aimed at supporting families through the pandemic, and "Teens Take on COVID," is targeted to provide resources for teens. As so many families and children have remained home for extended periods of time, our educational child safety campaigns have focused on helping parents avoid tragic accidents and create safer home environments. We also provided concrete resources to help families in need, including food, clothing, diapers, formula, pack and plays and more. In 2020, New Yorkers for

Children and ACS established the COVID-19 Emergency Response Fund to address urgent family needs arising from the pandemic.

We have intensified our efforts to make sure that families are connected with necessary supports in the least intrusive way possible. While ACS does not control the child abuse and neglect reports to the Statewide Central Register (SCR), and we are legally mandated to respond once the SCR assigns a case to ACS, we are taking bold steps to avoid unnecessary investigations. We feel strongly that ACS's CARES (Collaborative Assessment Response Engagement and Support) differential response, where we are diverting lower risk cases from the traditional investigation path, has enormous potential to provide families with support without the intrusion of an investigation. Despite the decrease in overall reports, ACS increased the number of referrals to CARES by 6% from CY2019 to CY2020. We recently expanded CARES to every borough, and we are now working to double the number of CARES units across the city.

We must continue to do everything we can to make sure that children do not linger in foster care—through regular and consistent family time between parents and children, comprehensive service planning, collaboration with attorneys for parents and children, and expediting legal proceedings as Family Court operations more fully resume. While 2,482 children left foster care in CY2020—and the vast majority of these were children returned home to their families—the foster care RFP we will release this spring will further our goal to have more children in foster care achieve reunification more quickly.

ACS continues to provide community-based services to youth and families that help minimize juvenile justice system involvement. To that end, in CY2020, ACS served more than 900 youth through our evidence-based prevention models. While ACS is not directly involved in the court process that determines when youth come to detention or how long they remain with us, we are concerned about the slowdown in case processing during the pandemic. Overall admissions to detention declined by 40% from CY2019 to CY2020, but we have seen the average length of stay increase from 25 days in 2019 to 33 days in 2020. We continue to advocate for accelerated movement of court proceedings for youth.

ACS's Core Program Areas Have Adapted to Serve NYC Children and Families While Becoming More Innovative, Collaborative, and Equitable

Our national experiences over the last year have brought the racial and social inequities in our communities into sharper focus, and highlighted the need for urgent attention to long-present disparities in child welfare and juvenile justice -- something I have prioritized since becoming ACS Commissioner.

In 2017, I created ACS's Office of Equity Strategies, which continues to drive forward our key strategies to reduce racial disproportionality and move forward as an anti-racist organization. The Office holds every ACS division accountable to achieve more equitable outcomes for the children and families that serve. I will discuss those agency-wide efforts in more detail shortly.

Primary Prevention

ACS has worked to support both the viability of and access to the child care continuum throughout the pandemic. From the beginning of the pandemic, we secured monthly state waivers to ensure continued payments to child care providers while children were absent or programs closed, and to suspend family share fees and defer recertification requirements for families. More recently, we obtained a waiver that prevents extra income that a family may receive due to COVID-19, such as hazard pay or overtime hours, from counting against the family's income eligibility.

We are maximizing our use of state and federal resources to expand access to care. Specifically, we are working to enroll more families who are eligible for federal Child Care Block Grant (CCBG) supported child care. While the City's FY2021 budget did not allocate the same funding levels for Special Child Care Funded (SCCF) vouchers as in the prior year due to fiscal challenges, ACS has been able to move many families to federally-supported vouchers to maintain their child care.

Last year, we also coordinated with the Department of Education (DOE) on a plan to restructure and lower fees, for our lowest-income families, including non-working families with no income. This resulted in lowering fees for families across the board. While parent fees are currently waived on an emergency basis during COVID-19, we know this will be important to families as a long-term measure, as our communities and economy recover. As of July 2020, ACS was also able to restore post-transitional child care, which allows eligible low-income families to continue care once other public assistance benefits have ended. We are currently working with our partners at DOE and

DSS to streamline the application and eligibility determination process to expand access to child care for families experiencing homelessness.

ACS also worked closely with the DOE to ensure that the children of our essential workforce within ACS and provider agencies, as well as foster parents, were eligible for the DOE's Regional Enrichment Centers when schools were fully remote. These same families are now eligible for Learning Bridges.

As families experienced the prolonged social isolation and other challenges from COVID-19, we took steps to promote community connections and to make sure that families knew where to turn for resources. ACS recently announced the results of our re-procurement of the three Family Enrichment Centers (FECs), and all three existing providers were selected: Good Shepherd in East New York, Graham Windham in Hunts Point/Longwood, and Children's Village/Bridgebuilders in Highbridge. The FECs overlap with three of the 11 ACS-funded Community Partnerships, which are community-based planning groups that emphasize connection to local services. With this strong community infrastructure in place, we have continued to empower families by offering support and concrete resources. For example, the FECs and Community Partnerships have provided food to families in need; have offered technology and other assistance to support remote learning; and are maintaining a strong online social presence with virtual offerings. All of this keeps families connected during a challenging time, and supports child safety and well-being at home.

Child Protection

The overreporting of Black and Latinx families to the SCR is an area of great concern to us, because it introduces significant racial disproportionality at the front door of our child protective system.¹ The SCR is a lifeline for children at risk, but all New Yorkers have a collective duty to make sure child protective interventions are sought and used only when there is true concern for the safety of a child.

The majority of SCR reports come from mandated reporters, such as educators and health professionals. Since the start of the pandemic, ACS has collaborated with DOE to develop guidance that makes clear that if a family is struggling with technology or other COVID-19 related challenges unrelated to child safety, schools should work with the family to provide the assistance necessary to facilitate the child's attendance, without calling the SCR.

Similarly, ACS has been working very closely with DOHMH and Health + Hospitals (H+H) so that hospital and other medical staff understand the impact SCR reporting has on families, and clarifying that reports should be made only when there is a concern about a child's safety. ACS and our sister agencies have been reiterating to health professionals that if a parent or child tests positive for a substance when the child is born, hospital staff should not call the SCR solely based on a positive test, and that

¹ According to ACS data, in calendar year (CY) 2019, 41.4% of SCR reports involved children in families who identified as Black/African American, even though these children make up about 23% of the NYC child population, and 45.4% of reports involved children in families who identified as Latinx/Hispanic, even though these children comprise 36.4% of the NYC child population. On the other hand, while 26.5% of NYC children are White and 14.1% of NYC children are Asian/Pacific Islander, these families make up 8% and 5.3% respectively of reports to the SCR that the State accepted and assigned to ACS for investigation.

medical professionals can and should make service referrals without contacting the SCR.

We are continuing to advocate for additional reforms that we believe are necessary to reduce unnecessary investigative involvement with families. This includes a proposal that our own CPS have called for: requiring implicit bias training for mandated reporters like teachers, doctors and social workers. This training is already in place for all ACS staff, and we are currently pursuing state legislation to help make sure all mandated reporters are trained to reflect on and guard against implicit biases.

Prevention Services

At the height of the pandemic, we completed our first re-procurement of prevention services in over a decade, with 119 new contracts in place by July 1, 2020. I would like to thank everyone who worked tirelessly to make this happen. Prevention services belong to all NYC families who may need support, so we are dedicated to establishing universal family access to every service model we provide, when they need them, and wherever they live.

We have also infused more parent feedback into the prevention service array and services themselves. The service offerings were designed with input from parents, and providers are expected to work collaboratively with families to set goals and develop service plans, so that services reflect what families want and need. The new system also explicitly addresses racial equity by requiring providers to incorporate efforts to address racial disparity in their organization and service provision, including through racial equity committees that include all levels of staff representation.

Foster Care

Through the procurement of new foster care contracts that will begin with the release of the RFP this spring, ACS will scale best practices and proven strategies to improve safety, permanency and well-being outcomes for New York City children and families. ACS and our foster care provider agencies have continually adapted to support children and families through the COVID-19 pandemic, while developing new partnerships and innovative approaches.

For example, due to significant limitations in access to the Family Courts during the pandemic, we took steps, outside of the normal court process, to move toward more family reunifications from foster care. We launched proactive reviews of the cases of more than 3,350 children in foster care who have a goal of reunification, to determine if these cases could move forward to increased visiting with birth families, pre-disposition release, trial discharge or final discharge. In cases that could move forward, ACS's Division of Family Court Legal Services (FCLS) attorneys worked with the parent's and children's attorneys to secure court approval as needed,

In Fall 2020, we launched a new parent advocate pilot called "Parents Supporting Parents," to improve reunification and race equity outcomes. The parent advocates will be on staff at Graham Windham and Rising Ground as central members of case planning teams, where they will receive training, coaching and professional development from Rise, in collaboration with their foster care agencies, to fully empower the parent advocates to leverage their lived experience as credible messengers when working with families and the agencies. This initiative builds on our work to incorporate

parent advocates into decision making processes across the child welfare system. The new foster care parent advocates will be crucial allies to help dismantle bias, strengthen parents' self-advocacy and voice within the foster care process, and help foster care agencies shift their organizational culture to more authentic parent engagement approaches. The pilot is supported with funds from major national and local foundations, and the lessons learned from this pilot will lay the groundwork for full implementation through the forthcoming RFP, with a parent advocate assigned to every parent with a goal of reunification.

As the Council and Chair Levin have championed, ACS has provided funding to implement Fair Futures, which includes coaches; tutors; and education, employment and housing specialists, among other supports. Through Fair Futures, our goal is to help youth prepare for major transitions, including the transitions between middle school and high school, as well as the transition from high school to college, vocational training, and/or a fulfilling career. Through Fair Futures, we support young people in the achievement of key milestones that put them on a path to success, while we continue to work aggressively towards permanency.

Youth and Family Justice

As we testified last month, ACS and our partners in juvenile justice are fully committed to strengthening NYC's ability to work with at-risk and justice involved youth in ways that are trauma-informed and youth-centered. NYC's juvenile justice system safely serves youth in the community whenever possible, and with appropriate structure and supports in place.

ACS oversees services and programs for youth at every stage of the juvenile justice continuum including community-based services; secure and non-secure detention services; and Close to Home programs. We are preparing to procure new Close to Home contracts, starting with a concept paper to be issued this fall, and we look forward to input from the Council and other stakeholders and partners in this work.

Budget

ACS's Fiscal Year (FY) 2022 budget is \$2.65 billion, including \$851.8 million in City Tax Levy funding. Given the City's fiscal concerns, ACS's January savings plan is \$36.3 million City Tax Levy (CTL) for FY2021, and we have an additional \$9 million in savings for FY2022. Reflecting ACS and New York City's commitment to the critical ACS functions that keep children safe and support families, there are no program cuts to ACS in the FY2022 Preliminary Budget.

ACS met our FY2021 January savings plan amount without significant program reductions, although some reductions will require modifications to program operations. Our adjustments were achieved through Overtime savings; the citywide hiring and attrition plan, which will be implemented to minimize impact on frontline staff; and the use of prior year revenue.

While we are tremendously heartened by enactment of the federal American Rescue Plan, ACS remains concerned about proposed State cuts that hurt the most vulnerable children and youth in New York City. Over the past few years ACS has seen the state consistently pull back its support of the children, youth and families ACS

serves in the child welfare and juvenile justice system. On top of this previous disinvestment, the proposed State budget would lead to an additional annualized cut of over \$38 million to ACS, at a time when children and families are already struggling.

The State is proposing cuts that would effectively shift costs to the City for ACS's portfolio of services. The budget proposes to cut the reimbursement rate for the child welfare services funding stream that supports our prevention work from 62% to 59%, and to cut the rates for adoption subsidies and detention. There is also a proposal to cut the Foster Care Block Grant by \$11.2 million statewide, which would be a \$5.7 million annualized cut to NYC.

Conclusion

The last year has shown us that New York City is resilient, creative, and able to adapt to ever-changing conditions, while maintaining and enhancing our standing as a national progressive leader. At ACS, we adhere to those same values. We thank the Council for this opportunity to testify, and we are happy to take your questions.



Testimony Submitted by:

Chef Gregory Silverman, Executive Director
West Side Campaign Against Hunger (WSCAH)
Testimony at General Welfare Preliminary Budget Hearing
March 17 2021

My name is Chef Gregory Silverman, and I am the CEO of the West Side Campaign Against Hunger (WSCAH). Thank you for inviting WSCAH to testify at this General Welfare Preliminary Budget Hearing

I am here today, representing the West Side Campaign Against Hunger (WSCAH) and our **community** of almost 50,000 New Yorkers who come to us from across NYC to gain access to healthy food and supportive services. Founded in 1979, WSCAH launched the country's first supermarket-style, multi-service food pantry. Today it is one of the largest emergency food providers in New York City. WSCAH alleviates hunger by ensuring that all New Yorkers have access with **dignity** to a **choice** of healthy food and supportive services.

In the words of the City Council Speaker Johnson, "**Access to adequate nutritious food is a human right...**" WSCAH shares this conviction, and providing access to the best possible food is at the heart of our mission. In the last year, we provided 25,000 households over 2.5 million pounds of food, over 50% of which was fresh fruits and vegetables.. Our customers deeply appreciate the high percentage of fresh, healthy produce, which helps us battle not only short-term food insecurity but support the long-term health and well-being of families in need.

ADVOCATING FOR CHOICE IN EFAP

Over the last two years, WSCAH and several other large emergency food providers in NYC created a collective purchasing initiative to help get better, healthier products at better prices for our communities. WSCAH worked with consultants Karen Karp and Partners, alongside Project Hospitality, New York Common Pantry, Met Council, Holy Apostles Soup Kitchen, and St. John's Bread and Life. The initiative also was also supported by Robinhood, Sea Change Capital, NY Community Trust, and NY Health Foundation. Together, we advocate on behalf of our customers for better food for themselves, their families and their communities.,

The collective purchasing initiative was created in part because programs such as the Emergency Food Assistance Program (EFAP) are not providing the necessary choice of fresh and healthy products agencies and communities want or need. At WSCAH, we survey our customers, they demand healthy food, fresh food, local food, organic food, all the same foods that any New Yorker wants and needs. Our job as members of the emergency feeding

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DIGNITY. COMMUNITY. CHOICE.



community is to provide our customers access with dignity to a choice of healthy food and supportive services.

EFAP has been touted as a huge win in NYC with its 22 million dollar baseline budget. But let us be clear that the 50% fresh, healthy, nutritious produce we distribute at WSCAH does not come from EFAP. **EFAP distributes 22 million dollars of processed foods to New Yorkers in need.** EFAP provides no options for fresh products nor any incentive to purchase New York State products. This is a tragedy for the health and dignity of our NYC community!

It is well past time to align EFAP (RFP, City Charter, budget, etc.) with food-insecure New Yorkers' real needs. We advocate for a reinvigorated and reimagined EFAP, operating on similar lines to HPNAP (The New York State Hunger Prevention and Nutrition Assistance Program), providing a greater choice of products and incentive for more local purchasing. By incorporating choice with a commitment to nutritional health and incentivizing investment in New York State producers, EFAP will improve our customers' health and the economic well-being of our city and region.

Serving New Yorkers well is also about more than just providing food. EFAP should also consider allocating additional funding to support innovation in the emergency food provider network to ensure that providers can serve the community in the most dignified and customer-centric manner possible. It's time to demand better help. Our community deserves it!

INNOVATION VIA PFRED And GETFOOD

NYC has demonstrated its ability to create powerful new models for food distribution. PFRED and GetFood placed customers' needs front and center. Although these programs have faced issues, such as a lack of fresh, healthy, culturally appropriate food via GetFood, and the sluggish bureaucracies of PFRED that have increased hurdles and time of engagement for organizations, there are many successes that must be embedded into the models of how we distribute food to community members in need now and into the future. PFRED has brought in a choice of healthy, fresh food where EFAP has only focused on processed shelf stable foods. GETFOOD individually brought food directly to customers' homes where traditional food distribution has forced community members in need to go to the product.

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THE FUTURE

In our increasingly customer-centric world, solutions must move toward and not away from the customer and the community. EMergency feeding solutions such as EFAP, PPRED, GETFOOD must focus on bringing healthy food options direct to people. PFRED and GETFOOD have successfully tested new approaches. Our hope at WSCAH is that these programs can continue to grow and evolve in conjunction with a choice-centric EFAP. We envision a purpose-built citywide, open data model allowing collaboration across the anti-hunger community and giving all organizations ability to deliver the choice of healthy, culturally appropriate foods that are needed.

We thank you, NYC Council. Together, as a community, we will ensure that all New Yorkers have access with **dignity** to healthy food and supportive services.

Thank you,

Gregory Silverman
Executive Director & CEO, West Side Campaign Against Hunger

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Testimony of Arab-American Family Support Center Before the New York City Council Committee on General Welfare

Wednesday, March 17, 2021

I want to begin by thanking the Committee on Immigration and the entire New York City Council for inviting community-based organizations to comment on budget proposals for Fiscal Year 2022. My name is Zahra Ali, Development and Communications Manager at the Arab-American Family Support Center (AAFSC). I am honored to testify today on behalf of immigrant and refugee families throughout New York City.

At the Arab-American Family Support Center, we have dedicated ourselves to creating a support system for immigrants and refugees for over 25 years. We promote well-being, prevent violence, and prepare families to learn, work, and succeed. Our organization serves all who are in need, but with over 26 years of experience, we have gained cultural and linguistic competency serving New York's growing AMEMSA (Arab, Middle Eastern, Muslim, and South Asian) communities. As a culturally and linguistically competent, trauma-informed organization, AAFSC has expanded to offer services throughout the five boroughs and our team speaks 27 languages because community members continue to tell us they need supportive services in Arabic, Bangla, Hindi, Urdu, Nepali, and more.

As an essential provider, AAFSC has offered uninterrupted service throughout the COVID-19 crisis. We expanded our outreach across programs and launched new initiatives to meet the heightened need for mental health services, support for survivors of domestic violence, academic enrichment for youth, emergency financial assistance, and access to health insurance and food safety. For all in-person programming, AAFSC provides staff with personal protective equipment. As able, we pivoted many of our programs to a confidential, HIPAA-compliant platform. AAFSC is also providing information and resources about the COVID-19 vaccine as it rolls out and helping community members schedule appointments throughout the city. As of March 17, we have helped 60 vulnerable New Yorkers secure COVID-19 vaccine appointments.

AAFSC is proud to be contracted by the NYC Administration of Children's Services (ACS). One of our longest standing programs, Preventive Services, is supported through ACS and ensures the safety of children in homes where there have been allegations of child abuse or neglect. We strengthen families with individual and family counseling, crisis intervention, problem resolution related to cross-cultural conflict or misunderstanding, and referrals for benefits. We help parents understand rules about education and discipline within the United States, which they may be unfamiliar with. We urge you to expand funding for ACS and other welfare agencies that are integral to the well-being of the families we serve so that we can continue to build healthy families, protect children, and extend our reach to even more marginalized families across New York City. By supporting us, you are helping build a New York City that families, including children, can truly live and thrive in.

Thank you for your attention. As always, the Arab-American Family Support Center stands ready to work with you in ensuring the most vulnerable among us thrive.



Michelle Villagomez
NYC Legislative Senior Director

American Society for the Prevention of Cruelty to
Animals

*Hearing before the New York City Council's Committee on General
Welfare*

*New York City Council Budget and Oversight Hearings on The Preliminary
Budget for Fiscal Year 2022, The Preliminary Capital Commitment Plan for
Fiscal Years 2021-2025 and The Fiscal 2021 Preliminary Mayor's
Management Report*

Department of Homeless Services

March 17, 2021

Good afternoon. I am Michelle Villagomez, New York City Senior Legislative Director for the American Society for the Prevention of Cruelty to Animals (ASPCA). I would like to thank the Committee on General Welfare and Chairman Levin for hosting this oversight and budget hearing for the Department of Homeless Services (DHS).

The ASPCA is here today to urge DHS to develop a plan to accommodate pets of homeless individuals and families with the objective of providing pet-friendly shelters, and report information on the placement or disposition of pets that belong to people who enter homeless shelters. The City must better understand and acknowledge the scope of the problem created by a lack of pet-friendly sheltering options and must finally devise and implement a practical plan to help homeless pet owners by passing Introductions 1483 and 1484.

The prohibition of animals in city shelters, drop-in centers, and transitional housing programs presents a major barrier for those who would accept placement in a shelter if they could keep their pets. City shelters accept service and emotional support animals, but homeless people with pets still face an agonizing choice: give them away or remain on the streets together. The Department must work harder to reduce barriers to shelter for individuals experiencing street homelessness. Co-sheltering - the sheltering of people and animals together at the same emergency or temporary housing facility - is a critical solution to bringing humans experiencing homelessness and their companion animals inside together, thereby reducing the overall number of street homeless that do not access existing services.

Pet owners who seek shelter services face the daunting and difficult dilemma of either finding temporary pet care solutions, surrendering their pets to an animal shelter, or forgoing shelter services altogether. While there are some not-for-profit organizations that will foster the pets of homeless owners, there are nowhere near enough to meet the demand for such services, and for many people already in crisis, the prospect of parting

with a pet only compounds the trauma of homelessness (and the issues that bring about homelessness).

There are models across the country for successfully co-sheltering humans with their animals. Here in NYC, we can point to the successful PALS (People and Animals Living Safely) program created by The Urban Resource Institute (URI), a domestic violence shelter and service provider. The Institute discovered that nearly half of its clients were staying in abusive relationships to prevent harm to their pets. URI now has animal-friendly accommodations at six facilities, which have allowed more than 100 families to escape domestic violence. We urge the Department to look to them as they develop their own models for inclusive housing.

We urge the City to show the same compassion and create a path for the homeless to seek refuge in shelters with their pets, and pass laws and policies that expand affordable pet friendly housing options.

Thank you for the opportunity to advocate for DHS to embrace pet-friendly sheltering.

TESTIMONY BY BILL BACCAGLINI, PRESIDENT, THE NEW YORK FOUNDLING,
ON THE IMPORTANCE OF PREVENTIVE SERVICES
March 17, 2021

I am testifying today as President and CEO of The New York Foundling, one of the oldest and largest organizations in New York serving children and families. But 20 years ago, I was looking at these issues from a different perspective, as Director of Planning and Policy Development for the State Office of Children and Family Services.

What we were seeing back then was a system that had been in place for years, that was not producing the results we all wanted. There were too many children in foster care, too many adolescents caught up in the juvenile justice system, too many families torn apart, too many communities suffering. What we were not seeing was an emphasis on children's long-term well-being and success, which requires a more comprehensive approach, including educational support, or on the improved outcomes we could achieve if we provided the support necessary to strengthen families and keep them together.

We believed that if we changed our approach and pushed resources into preventive services, we would have a better shot at moving the needle and getting better results for children and families. I am proud to say that I was the lead architect and led the development of a new funding formula, ultimately approved by the Legislature, through which the State would match local spending, at 65 cents on the dollar, for preventive services. Our intent and hope was that this enhanced State share would incentivize localities to spend more on preventive – and it worked. Preventive funding soon increased dramatically, particularly in New York City.

That change, still in place today, marked the beginning of a major shift toward preventive services. Now, looking back, even those of us who pushed for it and believed in it could never have foreseen how effective it would be.

If we had predicted that the number of children in foster care in the City of New York could be reduced by more than 80%, people would have shaken their heads and called us unrealistic. But that is exactly what has happened, with the foster care population having dropped from a high of 50,000 in the 1990s to as low as 7,000 now. And it's been done by strengthening families, strengthening communities, keeping kids in their homes, and getting them the support they need to succeed.

Through a comprehensive, community and home-based system of preventive services, led by the Administration for Children's Services (ACS) and implemented by nonprofit agencies, families in New York City are eligible for a range of services, including housing support, job training, medical care, therapeutic and treatment services, and educational support, and mentoring for their children. These programs include safeguards to protect the privacy of the families seeking assistance.

The overwhelming success of ACS's primary preventive services is something New York City should be proud of, particularly the Family Enrichment Centers and community partnerships that are located throughout the five boroughs and are helping to protect children and keep families together. And it couldn't be coming at a better time – these centers will prove even more vital as entire communities cope with the aftermath of the COVID pandemic and the emotional and mental health challenges it

presents. These challenges are going to be with us for years, as the effects continue to be felt by children and families who have already experienced trauma in their lives: stress, isolation, lost jobs for many parents, lost time in school for many kids – and of course, the loss of so many lives. Family Enrichment Centers are a crucial, close-to-home resource that we can't afford to lose.

I strongly believe the reduction in spending on preventive services that is currently being proposed in Albany is a serious mistake. These cuts, on top of the cut made a few years ago to 62 cents on the dollar, will place more children and their families at risk. There are thousands of children and families who will undoubtedly go unserved because of a lack of funding. The cuts are also short-sighted from a budgetary perspective – investing in preventive services will allow us to avoid many millions of dollars in spending in the future on more costly services for children and families who fall through the cracks. I implore this committee to lead the way in restoring whatever funding the State budget removes.

I know there has been criticism, based on cases where families have felt that caseworkers or others involved in the process were unfair to them, or insensitive to their situation, or insufficiently protective of their right to privacy. No system is ever without flaws, but in my years of experience, I have worked with many case workers and child welfare professionals, and I have found them to be dedicated professionals who work very hard to do the right thing. Mistakes may be made, we must acknowledge them and always strive to improve, but we must also recognize the tremendous good work being done for countless children and families through the diligence and commitment of the highly skilled professionals in this field.

Tens of thousands of children who a generation ago would have been taken from their homes and placed in foster care, possibly for extended periods of time, are now staying in their homes with their families. Tens of thousands of families have benefitted from evidence-based therapies that made them stronger, more self-sufficient, and better able to take care of their children.

Countless children have gotten an education and avoided becoming engaged with the justice system or additional social services. More than 70% of families successfully complete prevention services and these families are five times less likely to have another “substantiated” investigation (one in which there is evidence of child abuse or neglect) within six months.

Also, 94% of families surveyed said they were happy with the services they received; 71% said they would recommend them to a friend or family member; and 86% said preventive services helped them reach their parenting goals.

Could we do better? Always. But ACS is already working hard – as are the nonprofit agencies working in the field – to rid the child welfare system of the unconscious prejudices that may lead to overreporting of families of color.

ACS now requires agencies to address racial disparities in their organizations, ensures that services are equitably distributed and accessible in neighborhoods throughout the City, and incorporates more parental choice into the development of service plans – ensuring that privacy is protected and services reflect what families want and need. And it is working to do more, including implicit bias training for mandated reporters.

We must remember that our primary mission is to keep children safe, and to place their well-being front and center. ACS and its nonprofit partners take that mission very seriously and the preventive services

they are spearheading have proven successful. I urge the Council to support ACS in its important work, support preventive services that are achieving outstanding results, and support funding that, in turn, will bring additional State funding, and enable us to reach more families that need our help.

Along the same lines, I would be remiss if I concluded without mentioning another program, Fair Futures, which is one of the most exciting, game-changing programs I have ever seen. It has the potential to change the trajectory of children's lives, using a very simple, but very effective method: providing a coach/tutor to every child in foster care, beginning in middle school.

The 60 entities that are part of the Fair Futures coalition represent some of the leading organizations and experts in this field. We have all come together on this program because we have already seen how successful it can be. Fair Futures is already proving, with private funding, how the presence of one person in a child's life – one stable relationship – whether you call it coach or a mentor or a tutor – can mean the difference between success or failure for that child.

We have accepted for far too long that it is okay, even normal, for youth in foster care to drop out of high school, rarely go to college, and enter adulthood without any of the social supports most of us take for granted. We have accepted for too long that poor outcomes are a result of their individual capacity rather than systemic shortcomings.

We know this is untrue. And we now have a program that is improving promotion rates, graduation rates, college enrollment rates, and college success. We now have a program that is enabling more kids to succeed academically and get on the path to leading a full, productive, and rewarding life.

Fair Futures has proven itself. Now, we need to expand it to reach more children. And we can only do that with government funding.

I urge the Council, even as it looks at restoring funding for preventive services, to give careful consideration to funding Fair Futures at a level that allows us to expand it to every child in foster care in New York City.

Thank you very much for placing this focus on two aspects of our child welfare system that are crucially important.

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Courtney Bryan. Director

**Center for Court Innovation
New York City Council
Committee on General Welfare Preliminary Budget Hearing
March 17, 2021**

Good morning Chair Levin and esteemed Councilmembers. Since its inception, the Center for Court Innovation has maintained a vision to reduce unnecessary and harmful involvement in the justice system wherever possible and to build public safety through sustainable solutions. The Center’s longstanding partnership with Council has helped bring this vision to life through evidence-based and racially just programming that spans the justice continuum. Among the issues we focus on in the justice system, the welfare and humanity of our clients is a top priority – whether they are parents involved in family court child neglect and separation proceedings, those we provide with offramps from the criminal justice system, or individuals we are assisting as they reenter their communities.

The child welfare system can be a point of entry to services and supports that strengthens families and mitigates the systemic involvement of multiple generations of individuals largely of color. Instead, it too often makes unrealistic demands on strained parents, relies on interventions of questionable efficacy, and then punishes parents for non-compliance or negative reactions to demands and ongoing scrutiny. The Center for Court Innovation is committed to working in partnership with systems to create transformative change, reduce intergenerational cycles of trauma and system involvement, and respond to racism and its impacts. The Center proudly models a strength-based approach to parents, assuring that families are connected to high quality and evidence-backed interventions, and works tenaciously to ensure that services are actually received and that parents find them to be meaningful and helpful.

Strong Starts Court Initiative

The Center for Court Innovation’s Strong Starts Court Initiative (“Strong Starts”) is a project that serves children, from birth age to three years old, who are subjects of child protection cases in the NYC Family Courts, and their parents and families. Strong Starts is an important program that lessens these disparities and harmful cycles. With more than 90% of the population we serve identifying as persons of color, Strong Starts is uniquely positioned as a witness to, and advocate against the racial disparities in the child welfare system, as well as addressing the structural inequities that frequently lead to family court involvement.

Strong Starts serves a population which present multi-system involvements that result in an individual becoming quickly entangled with the child welfare system. According to data we collected in 2019, among our participants, these involvements vary, and often cooccur. This includes previously being the minor subject in a prior child welfare case (48%), to criminal justice involvement (39%), to housing insecurity (65%), to untreated mental health (63%), etc. In certain instances, such as substance abuse resulting in arrest, one government actor's actions and enforcement policies can trigger the case for removal from a family. Research shows Black parents are two times more likely to have their parental rights terminated than white parents.¹ The Center recognizes racial disparities are not isolated to the child welfare system; this is only one of many systems in which people of color are disproportionately represented. The effects of this disproportionate representation are often amplified by a lack of coordinated support for involved individuals.

Strong Starts responds to the unique needs of children during their most receptive and formative stage of development. This ensures these children are not further harmed by systems-imposed adversities such as separation from parents or other disruptions of a child's attachments to important people in their lives. The program's model addresses intergenerational system involvement through a consistent, collaborative, and clinical approach. This is accomplished by:

- clinically evaluating the complex problems faced by parents who become involved in the child welfare system;
- recommending clinical and family support services that are targeted to specific problems that brought the family to the attention of the system;
- integrating modern, evidence-based interventions that strengthen parenting and repair parent-child relational problems that result from exposure to trauma, systemic oppression, parental mental health and substance use disorders, and family violence, in order to avoid any recurrence of maltreatment.

Perhaps most importantly, Strong Starts convenes monthly conferences between parents, attorneys, case workers and clinical service providers so that parents have a voice in determining and deciding what their family needs in order to recover from the crises in which they find themselves. This contrasts with the current standard in typical proceedings of inconsistent durations of adjournments between convenings of all parties. Critically, Strong Starts clinicians help families' court teams understand inter-generational histories of trauma and systemic oppression that are characteristic in these families, and the pain and despair that often underlies uncooperative or otherwise confusing parental responses to child welfare system practitioners and demands.

Strong Starts focuses on children during their first three years so that their development can maintain, or be quickly restored to, a healthy trajectory, and to prevent the multiple problems that compound over time when addressed too late. When we invest strongly in infants and very young children and support the attachment relationships that promote growth and change in both children and parents, we bring protection to that child, to their siblings, and even to the children who will ultimately be born to the child we are currently serving. There is a return on investment at this stage of development that is very unique in the lifespan. With over 10,000 infants and toddlers currently on the dockets of the NYC Family Courts, this is a responsibility,

and an opportunity, that needs to be taken seriously. Strong Starts is a systems-change and community engagement approach that rallies the resources of a range of high-quality community-based services and coordinates the involvement of multiple city agencies including the Early Intervention Program, the Department of Health and Mental Hygiene, the Department of Corrections, and the Department of Homeless Services, in both case-based and systems-wide considerations. Strong Starts brings ongoing training and consultation to judges, attorneys and case workers in topics related to early development, infant mental health, and effective interventions for infants and families. Preliminary findings of an ongoing program evaluation indicate that Strong Starts has educated child welfare and court personnel about the importance of children's early relationships to their healthy development that can then be applied to all cases.

It is also important to note that Strong Starts has continued to serve families, many of whom have been disproportionately impacted by the pandemic, in the context of a very disrupted court system. Strong Starts Coordinators have remained in close contact with families and maintained interdisciplinary and cross-systems conferences with, and for, families via virtual conference technologies. This ensures that families remain connected to their services and are able to engage with them. They have brought COVID-19 related relief to families via clinical support and through the provision of, or arrangement for, families' concrete needs such as shelter and housing, food, diapers, and more. Reports to judges by Strong Starts staff have resulted in the scheduling of court conferences that may not have otherwise transpired, which have moved cases along to resolution, and have resulted in the return of children and family reunification in a significant number of cases.

In closing, Strong Starts recognizes that parents have a unique commitment to their children, and that break-downs in the provision of safe and nurturing parenting often reflect the effects of a parents' own childhood adversities, intergenerational trauma, and structural inequalities. Strong Starts understands that much of this is reparable with intensive and focused effort. Strong Starts works to maintain child and family stability and to create a system in which parents can reach out when they need help without fear of punishment. Strong Starts is a means to increased access and equity for families, and a way to mitigate racial disparities in the child welfare system.

The Welfare of New Yorkers and the Points of Agreement

In addition to supporting Strong Starts, we also ask Council to continue to support the **Points of the Agreement (POA) to responsibly close Rikers**. Pre-arraignment diversion, alternative to incarceration programs, community justice centers that reduce the need for far away court visits, and restorative justice diversions for crimes are all critical aspects of realizing a city with a lessened need for the Rikers jail complex. Closing Rikers and implementing these programs improves the welfare of all New Yorkers. With the populations we serve facing ongoing police violence and a public health crisis that disproportionately impacts Black and brown communities, realizing this vision is now more important than ever.²

To that end, we ask that Council renew four key initiatives, given their intersection with the POA, the wellbeing of New Yorkers, and their value while operating throughout the COVID-

19 pandemic and beyond: (1) Project Reset: New York City's first foray into early diversion prior to the criminal court process, with Council funding the program in the Bronx; (2) Brooklyn Felony Alternatives to Incarceration Court (ATI): An evidence-based pilot program for people otherwise facing jail or prison time; (3) Driver Accountability Program: A proportionate response achieving accountability in Vehicle and Traffic Law cases; and (4) Center's Innovative Criminal Justice Programs: Core funding for a range of community-based justice initiatives across New York City.

The Center for Court Innovation thanks City Council for its longstanding partnership and stands ready to continue implementing its programming toward the goal of improving the welfare of all New Yorkers, improving public safety by addressing racial disparities and histories of trauma and structural inequities, strengthening families, and reducing intergenerational cycles of system involvement. We welcome any questions Council may have.

Notes

¹Roberts, D. & Sangoi, L. (2018). Black Families Matter: How the Child Welfare System Punishes Poor Families of Color. The Appeal. Available at: <https://theappeal.org/black-families-matter-how-the-child-welfare-system-punishes-poor-families-of-color-33ad20e2882e/>

²COVID Tracking Project at The Atlantic and the Boston University Center for Antiracist Research. (2021). The COVID Racial Data Tracker. Available at: <https://covidtracking.com/race>.



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Courtney Bryan, Director

March 5, 2021

Dear Esteemed Councilmembers,

From a global pandemic to the continued violence against Black and Brown people, 2020 was a hard year for many. And, as the City still grapples with COVID, this time continues to be one of unthinkable loss and uncertainty. Despite these challenges, the Center continues to serve tens of thousands of New Yorkers in all five boroughs, providing critical programs and services to those most in need. Much of this work has been and continues to be funded by Council. To that end, I want to take this moment to thank Council for its steadfast support of our work, and request renewed support as we look ahead to FY22.

With Council's support through the innovative criminal justice programs initiative, the Center for Court Innovation has continued to operate community-based programs to serve the most vulnerable New Yorkers, while also reducing reliance on police. The vast majority of those served are youth, immigrants, low-income, LGBTQ, and people of color. Last year, funding through this initiative was reduced. We hope Council will restore this core funding to its pre-pandemic level. By doing so, we can make a greater impact in meeting the many needs your constituents.

Through Council-funded programs like the Brooklyn Felony Alternatives to Incarceration Court, Driver Accountability Program, and Bronx Project Reset, we continue to keep hundreds of people out of jail and provide them with off-ramps through meaningful supports and services. We also ask that Council renews funding for these programs in FY22 so that this important work continues unabated.

I cannot close without thanking you again for Council's enduring partnership. We have done an enormous amount with you over the years, including creating a credible plan for closing Rikers Island, implementing the Cure Violence model in multiple neighborhoods, and creating new mechanisms to divert low-level cases out of the criminal justice system. In this time of great uncertainty, renewing funding for our programs will ensure our efforts to make New York City stronger, fairer, and safer for all, are realized.

If you have questions, you can reach me at 718.496.9363 or bryanc@courtinnovation.org. I look forward to speaking with you in the near future.

Sincerely,

A handwritten signature in black ink that reads "Courtney Bryan". The signature is fluid and cursive, with a large, stylized initial "C" and "B".

Courtney Bryan
Executive Director



**Preliminary budget hearing General Welfare
March 17, 2021**

**Testimony submitted by: Rachel Sherrow
Associate Executive Director
Citymeals on Wheels
355 Lexington Avenue, NYC 10017
(347) 242 7716
Rachel@citymeals.org**

My name is Rachel Sherrow and I am the Associate Executive Director at Citymeals on Wheels. I would like to begin by thanking the Council, and Chair Levin, for advocating on behalf of those who are hungry and in need, especially now. Citymeals was able to deliver nearly 3 million meals in FY 20, to over 20,000 homebound elderly receiving meals on wheels, and 25,000 formerly congregate and newly homebound citywide due to COVID-19, an increase in our distribution of food of 25%, thanks to the City Council and the generosity of thousands of New Yorkers.

I would like to reflect on the anniversary of the pandemic and describe what Citymeals did; we were prepared and ready. We delivered our first emergency meals on March 5, 2020, at least a week before the city shut down, because we were concerned something might happen which could necessitate having food on hand for our most vulnerable older adults already unable to shop and cook for themselves. This is what we do and what we want to be

able to continue to do, now and in the future regardless of the emergency or crisis. We knew hunger for our recipients was an issue before the pandemic, during and will continue after we emerge from the crisis.

I would also like to emphasize the fact that Citymeals along with our partners and advocates, have consistently lobbied for the support of aging services, which are continually underfunded and under-supported. Despite the growing population of older adults, *and* especially while we are in the midst of a pandemic while money has been found for other services, aging funding has been held stagnant or worse. In addition, this pandemic has disproportionately affected our population, both in regards to their health and by being forced to isolate for an undefined amount of time.

Citymeals on Wheels was founded forty years ago to fill the gap in city services, helping to provide weekend and holiday meals. More recently, Citymeals has been the emergency responder for older adults beginning with 9/11, and proven over and over again throughout the years and especially during Superstorm Sandy, when we delivered hundreds of thousands of meals, working twenty-four hours a day to package and deliver meals to those throughout the city to those unable to leave their homes or cook due to power outages and fear. Once again, during the current crisis, we have again illustrated how resilient, focused, and productive we know we

are, by securing, packaging, and delivering nearly 900,000 emergency meals IN ADDITION TO OUR REGULAR WEEKEND AND HOLIDAY MEALS, to those older adults in need of food.

While the Department for the Aging funds the meals that homebound elderly receive Mondays through Fridays, Citymeals on Wheels funds the same network of providers to deliver weekend, holiday and emergency meals. On the days the city does not provide a meal, Citymeals steps in to prevent our aging neighbors from being without food or human company. Most people I know, eat seven days a week. Without Citymeals, our most vulnerable older adults, would not have food on the days the city shuts down. In fact, Citymeals, as an added benefit generates revenue for New York City through the federal government's cash in lieu of commodities program which reimburses DFTA approximately 67 cents for every meal funded by Citymeals. All of this money goes toward the city-funded weekday meals program, bringing in over \$1.4 million last fiscal year and an additional 180,000 home delivered meals for those who need it.

Studies have shown that access to food and better nutrition, is an effective way to cut medical costs and improve overall health, especially for older adults, thus making meals on wheels an incredibly vital program and Citymeals essential to the continuation of meals for those unable to shop or cook for themselves.

The daily Home Delivered Meals program throughout the city, along with support from Citymeals, remained seamless even when the city shut down services throughout because of COVID-19. As a sector, aging providers have always known how critical our services are, but not more so than in the current environment when meals on wheels staff are essential workers, making sure their recipients don't go without food and a friendly face, risking their own lives to maintain a lifeline for our elderly neighbors. The check-in can be almost as important as the nutritious meals. The social isolation which was an issue before the pandemic, has nearly devastated this population. Unable to socialize or even see family, or risk a trip to the doctor, afraid of infecting those in the most vulnerable group, has been very difficult and added another layer of stress for older adults already coping with health issues, income insecurity and hunger.

As we know, our population is needy and hungry throughout the year, many normally live on the edge. Home delivered meals is essential in ensuring at least one nutritious meal a day is available to consume. Now, there is a growing need for supplemental food as well, since accessing additional supplies has become an almost daunting if impossible task. Reliance on home delivered meals has only increased since the pandemic and has reassured many new recipients that they are not forgotten and will have food.

Pre-COVID, most of our home delivered meal recipients were unable to walk to pantries, or wait in line and carry the bags home, and as we know, 40% of our meal recipients are unable to leave their homes due to physical restrictions, and many do not have support to help them.

We also know that older adults are the fastest growing demographic, and 1 in 7 older New Yorkers lives in poverty. Living longer, and on fixed incomes means more struggle over access to food for this vulnerable group under NORMAL circumstances.

Home delivered meals are integral to their survival and part of the larger safety net that has been under-funded and under- invested in over the years. Ensuring that our meal recipients have food throughout the week is what the partnership between Citymeals and the meals on wheels provider network does. Without Citymeals, tens of thousands of (currently over 20,000) homebound older adults would no longer receive meals on weekends, holidays or in times of emergency. And now when the meals on wheels rolls have increased by over 20%, it is imperative for those in need to receive extra, supplemental food in addition to their daily meals because accessing other means of nutrition is less possible now for most of them.

Therefore, we are requesting \$500,000 for emergency supplemental meals for FY 22 to ensure older homebound adults have enough food on hand in case of a disruption in service. We are looking out to at least another year or so of the pandemic's isolation continuing for our population, especially as we slowly get these vulnerable folks vaccinated, mostly in their home due to their inability to leave. The pandemic has only highlighted the need for supplemental food for our recipients. This will not go away once we stop wearing masks. We would also like to support the \$25 million in reauthorized emergency meals funding, of which Citymeals gratefully received \$2 million, in order to continue the work we do with a population not served by any other emergency feeding groups.

Mary S. says: "I enjoy the meals because I don't have anyone to fix my food. My meal deliverer is Terry. He's a senior himself. Terry has been dropping meals on the doorknob since the start of Covid-19. He treats me like family. But he treats everyone that way. He's a people person."

Mary P also agrees: "I really appreciate the meals at this time. And more than one is coming to my door at a time."

Fred tells us: "If I didn't have Meals on Wheels, I don't know how I'd survive. Thank god for Meals on Wheels. What a godsend it is." He also explains how eager he is to talk to someone and how lonely he feels.

Citymeals as a not-for-profit will continue to raise private dollars in order to meet the needs of our partners in the years to come. However, we also need the support of our partners in city government to help us reach all of our recipients consistently and without a disruption in service. This kind of partnership is even more

crucial in times of uncertainty or when facing potential crises like the COVID-19. Citymeals, through our Bronx warehouse, has the capacity to pre-supply both meals on wheels clients and senior center members with shelf stable food in the event of an emergency closure of centers or a suspension of meal delivery service. We keep 100,000 meals on hand and can package more quickly, if necessary, to assist those we normally serve and those who are older and in temporary need.

Citymeals on Wheels together with the Department for the Aging, and The New York City Council, are determined to keep older adults living safely in their own communities and at least 20,000 elderly New Yorkers who receive meals on wheels, fed 365 days a year plus some extra. We hope you, our partners in city government, will help us to continue to advocate on behalf of those who are often forgotten and marginalized and support solvency for senior services and emergency meals funding for Citymeals on Wheels.

As we move through our incredible 40th year, we thank you for consistently working with us and I hope we can count on your support once again this year.



**Testimony of Lorraine Y. Collins
Senior Director for Public Policy and External Affairs
Enterprise Community Partners, Inc.**

**To the New York City Council
General Welfare Committee**

**Hearing on the FY 2022 Executive Budget
March 17, 2021**

My name is Lorraine Collins, and I am the Senior Director for Public Policy and External Affairs for the New York office of Enterprise Community Partners, a national affordable housing non-profit whose mission is to make home and community places of pride, power and belonging, and platforms for resilience and upward mobility for all. We invest capital to create and preserve quality affordable homes, reinvest revenues to develop programmatic solutions, and scale these solutions through policy change. Since our New York office opened in 1987, we have committed more than \$3.9 billion in equity, loans and grants to affordable housing and community to create or preserve over 73,000 affordable homes across New York State, and we currently lead groundbreaking programs focused on anti-displacement, eviction prevention, and community land trusts, among other things.

On behalf of Enterprise, I'd like to thank Speaker Johnson, Chair Levin and the New York City Council for the opportunity to testify on the City's FY 2022 executive budget, and for its leadership in the face of this continuing public health and economic crisis. In these challenging times, we urge the city to support critical programs that are keeping New Yorkers in stable housing, provide support for nonprofits who are going above and beyond to keep New Yorkers stably housed, and ensure that affordable housing is prioritized in our city's road to recovery.

Enterprise co-convenes the Family Homelessness Coalition with partners New Destiny Housing and Citizens' Committee for Children, and our steering committee comprises a diverse group of affordable housing owners, advocates, and shelter and service providers working to end family homelessness across the city. The Covid-19 pandemic has profoundly exacerbated poverty, unemployment and rent-burden, all of which are risk factors associated with homelessness. There are over 43,000 people living in family shelters, including over 22,000 children. ¹ **Our coalition urges city leaders to focus on eliminating family homelessness by employing a multi-pronged**

¹ <https://www.coalitionforthehomeless.org/wp-content/uploads/2021/03/NYCHomeless-ShelterPopulation-Worksheet-1983-Present-1.pdf>

approach that includes strengthening prevention and housing stability measures, ensuring that shelters are safe with on-site services that promote child and family wellbeing, and expanding the supply of permanent housing, including supportive housing, available to extremely-low income and homeless families.

One key way city leaders can prevent homelessness is by preventing evictions. New York City faces a pending eviction crisis, with over 228,000 renters in New York City alone defending eviction proceedings and thousands more behind on rent.² The brunt of this crisis is being felt disproportionately by communities of color, who have experienced more Covid-19 related job losses and are much more likely to have fallen behind on rent payments than white New Yorkers. The inability of struggling tenants to afford their rent in turn impacts landlords, who are themselves reeling from the pandemic's economic fallout, and our affordable and rent stabilized housing stock. While eviction moratoria have been critical to keeping renters in their homes during the pandemic, they do not address rent arrears and are not a permanent solution.

In response, a coalition of property owners, nonprofits and service providers came together to launch Project Parachute, a philanthropic fund managed by Enterprise to keep vulnerable and underserved New Yorkers stay in stable housing, funding community-based service providers to bolster their eviction prevention services, including direct financial assistance to address arrears. Project Parachute funds are being deployed to expand the capacity of community-based providers of the Homebase program, a City funded homelessness and eviction prevention program overseen by the Human Resources Administration, which has seen a surge in demand because of the pandemic. While Project Parachute is providing much needed assistance, it is not nearly enough to meet the need, particularly as Homebase providers anticipate another surge as moratoria expire. **In this critical time we urge you to strategically invest in city-wide eviction prevention services by ensuring that HomeBase providers operating in hard-hit neighborhoods where arrears are highest are equipped to handle this anticipated surge.**

As part of the Project Parachute initiative, we convened the New York City Eviction Prevention Roundtable, a diverse group of property owners, tenant advocates, and service providers who sought to develop upstream policy solutions to prevent evictions. The roundtable created a set of recommendations, outlined in our report *Preventing Eviction for New Yorkers Amid Covid-19*, to expand eligibility for and streamline existing assistance programs, align them more closely with the cost of housing, and address growing economic need.

² <https://furmancenter.org/thestoop/entry/data-update-eviction-filings-in-new-york-city-as-some-renter-protections-ex>



One key recommendation of both our roundtable and the Family Homelessness Coalition is to raise the rent level of the CityFHEPS voucher, which is currently far too low given the cost of housing. **New York City can make this change right now by passing Intro. 146, a bill with strong council support that would raise the CityFHEPS rent limit to Fair Market Rent.** CityFHEPS is a critical tool to help families in shelter find permanent, stable housing. However, there are currently no neighborhoods in New York City where the median asking rent is affordable with a CityFHEPS voucher, and families with the voucher struggle to find housing as a result. An analysis by WIN (Women in Need) found that this reform would allow thousands of families to exit the shelter system faster, saving money long term by reducing shelter stays.

Thank you for the opportunity to testify at an unprecedented time in our city's history and for your continued leadership prioritizing the housing needs of vulnerable New Yorkers. We look forward to working with you this year to ensure a robust and equitable recovery.

NEW YORK COVID-19 FOOD COALITION

FY2022 Budget Requests

**Testimony Submitted by
Gabrielle Blavatsky, Co-founder and Policy Director of Equity Advocates
Before the NYC Council Committee on General Welfare**

**Preliminary Budget Hearing
March 17th, 2022**

My name is Gabrielle Blavatsky and I am the Co-Founder and Policy Director of Equity Advocates. Thank you to Chairperson Stephen Levin as well as the members of the NYC Council Committee on General Welfare for holding today's hearing and the opportunity to submit this testimony.

Equity Advocates builds the capacity of nonprofit organizations to address the underlying causes of food inequity through policy and systems change. We partner with New York-based organizations working to alleviate hunger and poverty, providing them with the tools they need to be more civically engaged—including policy education, advocacy training and coalition building services.

New York City emerged as the first American epicenter of the COVID-19 pandemic and is still reeling from the twin economic and public health crises caused by the pandemic. In response, last March Equity Advocates organized the New York COVID-19 Food Coalition: a diverse multi-sector group of over 40 food system stakeholders from across New York City. Our Coalition is advocating for resources to ensure that the local food system and supply chain remains intact, that all families are able to access the food and support they need, and that front line community embedded organizations can respond effectively to the crisis

Since the pandemic shut down the City last March, millions of people have slipped into poverty and hunger due to job losses, school and senior center closures. During the peak of the pandemic, New York City's unemployment rate skyrocketed to more than 20 percent. According to Hunger Free America, it's estimated that between 1.6 to 2.2 million people are food insecure in New York- a significant increase from pre-COVID rates. As organizations embedded in community food access and emergency hunger relief work, we have seen demand for emergency food and social services increase significantly over the last year as a result.

The 21 undersigned members of the [NY COVID-19 Food Coalition](#) stand in full support of the NYC Budget Justice movement's calls for a reduction in the NYPD's FY22 Budget allocations and the re-prioritization of that funding towards human and social services

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NEW YORK COVID-19 FOOD COALITION

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organizations serving low income communities of color. We respectfully request your support for the inclusion of the following recommendations in the final FY22 New York City Budget. These investments will help advance equity, addressing some of the existing systemic inequalities exacerbated by COVID, and ensure that New Yorkers are well fed and supported as we start the slow process of rebuilding from these crises:

NYC EXECUTIVE BUDGET FUNDING RECOMMENDATIONS

Emergency Feeding and Benefits Access

- **Maintain baseline funding for Emergency Food Assistance Program (EFAP) in FY22 at \$20.2 Million, allow additional flexibilities with program operation.** Emergency food providers receiving EFAP funding should be allowed to use program funds to cover their increased administrative, rental and operational costs that have emerged since the start of the pandemic. In addition, we ask that the RFP for EFAP be adjusted to allow more opportunity and incentive for the purchase of fresh food and that pantries have choice in what they buy as they do with the New York State Hunger Prevention Nutrition Assistance Program and New York City's Pandemic-Food Reserve Emergency Distribution Program.
- **\$16.6M to Fully fund DFTA's Home Delivered Meals program for older adults.** Reimbursement rates for this program are currently 20% below the national average cost of a meal for urban areas. Agencies administering the program are struggling to stay afloat, especially with new meal choice requirements under the new RFP that were not funded. The City must bring funding in line with the true cost of a meal, which is close to the national average rate of \$11.78 per meal (currently \$9.58 per meal). An investment of \$15.3 million is required to meet this request.
- **Allocate additional funds within Human Resource Administration towards nutrition benefit program enrollment and outreach.** Food insecurity has nearly doubled in NYC since the start of the pandemic. To meet this need, we look to HRA to allocate additional funds within their budget towards promoting and enrolling New Yorkers in social safety net programs, re-opening field offices closed during the pandemic, adding additional One Stop Shop locations, expanding emergency food distribution efforts, adding additional staff to the hotline to enroll people in programs as well as additional money for promoting Health Bucks and Get the Good Stuff Program at DOHMH.
- **GetFoodNYC.** The Mayor's Preliminary Budget request includes a new infusion of \$52M for the Get Food NYC program in FY22. Yet, little to no information has been made available to advocates or City Council on the details and impacts of the Get Food program to date. Although we are supportive of additional funding for emergency food response, we call on City Council to hold an oversight hearing on

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NEW YORK COVID-19 FOOD COALITION

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the program and/or the Mayor's Office of Food Policy to publish a report within the next three months that includes data on:

- 1) Where was the greatest need for food during COVID-19 ? Where have 311 requests and Get Food Portal requests for food been coming from by zip code/neighborhood (while ensuring that this aggregated data protects participants' privacy) ?
- 2) Where did the city provide food through the Get Food Program and other emergency COVID food relief efforts by neighborhood/zip code (while ensuring that this aggregated data protects participants' privacy)? What gaps were identified from these deliveries/services?
- 3) What were the quality and types of the food delivered through the various emergency COVID relief food programs including the Get Food Program and DOE grab and go meals by zip code/neighborhood? How many were vegetarian, Kosher and Halal? (we have heard that there was significant variation between neighborhoods)
- 4) We understand that emergency meals and Grab and Go meals must meet City Food Standards, and that school meals must also meet federal standards. Can the City provide sample menus or specific details about the contents of the meals? How did these menus change over time? What was the rate of compliance with City Food Standards for the GetFoodNYC program?
- 5) Did the existing grab and go meal sites at schools set up around the City meet their community's needs? What were the participation levels at each site?
- 6) What orgs/businesses have received contracts to do food deliveries through GetFood Portal, including the number of MWBEs and CBOs? How many vendors were brought on to provide culturally relevant meals like Kosher and Hallal?
- 7) Why did the administration choose to only allow TLC drivers to deliver meals through the OEM's Temporary Meals for Homebound New Yorker's Program despite interest, public testimony, and expertise in the CBO community to do this work?
- 8) How much money did the City reimburse vendors per meal? Can the City provide a breakdown of how vendors use reimbursement to cover food, labor, and transportation costs? (We've heard there was significant variation in how much of the \$10 was spent on food vs transportation for example).
- 9) How did the Administration collect feedback from both vendors and community members that received meals through the Get Food Program and

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integrate that information into the programs operation moving forward to improve service delivery?

10) What are the administration's plans for addressing the issues at HRA and SNAP and WIC participants inability to get through on phone lines and the drop off in program re-enroll that has been happening recently? Why wont HRA be re-opening their community based office locations?

- **Additional \$25 Million Reinvestment in Emergency Food Relief in NYC.** Last spring, the City distributed \$25 million to emergency food providers to help address the hunger crisis exacerbated by COVID. As we recover from this pandemic, we would like to see the City re-allocated these funds and reinvest this money to meet current food needs. However, Emergency Food providers need to be at the table to discuss how this program is administered this time around to make sure it is usable for Emergency Food Providers, that a wider range of orgs can receive the funding, and that data on the outcomes from the program are collected and reported. We urge the City Council to Include review of this program in an COVID emergency food response oversight hearing that also includes a review of the Get Food program.

School Food

- **\$3.5 million for additional school food managers in The Office of Food and Nutrition Services (OFNS).** OFNS has been working tirelessly to make sure that students have the food they so desperately need during COVID-19 school closures, and to ensure that these meals are high quality and culturally competent. In order to do so, an additional 60 school food managers should be employed to plan and review appealing menus, educate students on the importance of eating healthfully, train new personnel, and increase participation in the school meals program. Funding for these additional 60 managers would enable OFNS to better achieve these goals, helping to ensure that children are well-fed and ready to learn. To support these managers a culinary institute should be reinstated.

Community Food Sovereignty

- **Fully Restore \$32.6M Funding for NYC Composting program.** We were pleased to see that the NYC Council restored \$2.9 Million in the FY21 budget for community composting. However, if NYC is to meet its climate goals and zero waste goals and take the burden off of CBOs that have stepped in to fill this gap, NYC it must reinstate and fully fund the curbside composting program. (\$21.1 M for Organics Curbside Collection, \$3.5M for Community Composting Program, \$8 Million for Greenthumb program. All cut from FY21 budgets).

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- **Allocate \$1 Million to establish a new Food Justice Grant Program housed within the Mayor's Office of Food Policy (MOFP) that supports community-led projects to grow food justice.** In their recently released 10 Year Food Policy Plan, the MOFP calls for the establishment of a Food Justice Fund. We would like to see this initiative launched and modeled on USDA's Community Food Project and Philadelphia's Food Justice Initiative, and designed to support many different types of community-driven solutions to create a more just food system that empowers communities to grow, sell, and eat healthy food. The purpose of the Initiative is to improve healthy food access by investing in community-based projects designed and led by the people most impacted by race, social, health, and environmental injustices. We urge the City to fund this program at \$1 Million and offer grants of at least \$200,000 to each agency under this program for both planning and implementation projects serving high need areas identified by Racial Equity Task Force. We also ask that the Mayor's Office of Food Policy establish an advisory board of practitioners to establish grant criteria ,review grant RFPs and select awardees. Types of projects funded under this pilot should include:
 - The establishment of worker owned food cooperatives or funding for CBOs to support the creation of and provide technical assistance to consumer and worker-owned food businesses.
 - Community kitchen programs for CBOs to connect community based food businesses, chefs and caterers to affordable kitchen space to provide regular and emergency meal services offer culinary job training and programs like Red Rabbit and Hot Bread Kitchen.
 - Community based training and workforce development opportunities to support regional rural and urban agriculture enterprises, especially for youth and BIPOC farmers, such Green City Force and Farm School NYC to create a pipeline of urban farming and food systems career opportunities.
 - SNAP /Program benefits outreach and community organizing

NYC COUNCIL BUDGET INITIATIVE FUNDING RECOMMENDATIONS

It is imperative that discretionary funding through individual Council Members, Caucuses and Delegations is fully funded. City Council Discretionary Funding often represents a significant portion of small community based nonprofits' budgets, many of which are led by, serve and are embedded in communities of color. The work that our nonprofits and community-based organizations (CBOs) are doing to feed and support communities most heavily impacted by COVID-19 are more essential than ever as more and more New Yorkers turn to them during the recovery. We urge the City Council to fund the following initiatives:

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NEW YORK COVID-19 FOOD COALITION

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- **Increase funding for Access to Healthy Food and Nutritional Education**, which included a pilot program at the City University of New York to increase food access for food insecure college students. This program was funded at \$2.259 Million in FY21.
- **Maintain \$5.659 million for food pantries (DYCD)**
- **Restore \$3.609 million for Worker Cooperative and Business Development Initiative at SBS.** (\$3.067 million restored in FY21)
- **Ensure \$725,000 for the Food Access and Benefits Initiative (HRA) is restored in FY22 Budget.**
- **Provide \$250,000 in continued funding for FoodEd Resource Hub** based within the Tisch Food Center.
- **Restore \$1 Million cut from Speakers initiative to address City Wide need in FY21**, need in FY21, some of which goes towards community driven food initiatives and CBOs nutrition education in DOE schools.

Thank you for your time and consideration.

Sincerely,

Bedford Stuyvesant Restoration
Corporation
Bronx Impact Food Access Collective
Bushwick Food Cooperative
Citizens' Committee for Children
City Harvest
CityMeals on Wheels
CUNY Urban Food Policy Center
Edible Schoolyard NYC
Equity Advocates
Food Bank For New York City
Laurie M Tisch Center for Food,
Education & Policy
LiveOn NY
New Settlement
Riseboro Community Partnership
Swipe Out Hunger
Teens for Food Justice
The POINT Community Development
Corporation

UJA Federation of NY
United Neighborhood Houses
United Way of New York City
Universe City NYC
Urban Outreach Center
Wellness in the Schools

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Gateway Housing

Ted Houghton
Gateway Housing
Testimony to the New York City Council
General Welfare Committee
March 17th, 2021

Good afternoon Chair Levin and members of the NYC Council General Welfare Committee. My name is Ted Houghton and I am the President of Gateway Housing.

I have been working to end homelessness in various positions in government and the nonprofit sector for thirty years now. While there are many important budgetary issues before you today, I will confine my comments to the importance of passing and funding Intro 146 to increase payment rates for CityFHEPS rent subsidies.

The pandemic has put us on the verge of an eviction tsunami that may be unlike anything we've ever seen before. But it has also presented us with a unique opportunity. Thanks to your leadership, and the efforts of the many people and organizations at this hearing, we may finally have the political will and the resources to do something big, at the same moment that we know exactly what needs to be done.

There are 8.4 million people in New York City. They all have to live somewhere. We are choosing to force more than 85,000 of them to live in emergency shelter – often for years at a time.

This is inappropriate and inhumane. Particularly because so many of these vulnerable New Yorkers are children, seniors and disabled people who have no way to counter the market forces that have driven them into homelessness.

We need to do better.

As much as we have improved the quality of shelter and the effectiveness of transitional programs, the pandemic has shown in stark relief that there is no substitute for the stability of affordable permanent housing. The detrimental effects of homelessness on people's health, education, employment and other outcomes have been measured in great detail, as have the benefits of living in permanent housing.

We have acted on this knowledge by building affordable housing and creating locally-funded rent subsidies, but the fact is, for decades we have not invested enough resources to house *all* the vulnerable New Yorkers who need assistance. It's long past time that we ask: why not? We have been told again and again:

- That we cannot afford to provide adequate rent subsidies to all the low-income families and individuals at risk of homelessness, because there's too many in need;
- That providing rent subsidies to help families get out of shelter will cause them to enter shelter in order to get a subsidy;
- That increasing CityFHEPS rates will reduce on-own move-outs and use of lower-paying state-funded vouchers;
- That it is somehow more fiscally responsible to instead spend billions of dollars a year on emergency shelter, even though we know the long term damage homelessness causes to children's development and individuals' health and safety.

The very existence of Intro 146 is a sign that we may finally have the political will to make the investment that is needed to shift from a shelter-based homeless response to a housing first approach to homelessness.

It is extraordinarily difficult for homeless families and individuals holding CityFHEPS vouchers to find rental apartments. Part of the problem is that there are very few housing vacancies at the low end of New York City's housing market. But another reason is that the CityFHEPS payment standard is just too low for the market.

Even in a very tight rental market, an increase in the CityFHEPS rate and extension of the time of eligibility will have a number of benefits:

- Homeless families and individuals will move out of shelter more quickly;
- Households at immediate risk of homelessness are more likely to remain in their homes for the foreseeable future;
- The incomes of buildings housing low-income households will increase, which will provide resources to improve housing conditions and help struggling mom-and-pop landlords;
- The supply of vacant apartments will likely increase, as landlords respond to the market incentive of higher payments by bringing more apartments back on line.

Increasing payment rates of CityFHEPS will require an additional budget allocation. But it will also result in reduced spending on shelter, as families and individuals move out of shelter more quickly, making shelter stays more brief, and helping families at risk of homelessness avoid shelter altogether.

Recently, the Department of Social Services introduced a new contract financing tool that allows nonprofits to develop and own affordable permanent housing for formerly homeless New Yorkers. This new innovation uses CityFHEPS resources to not only rent permanent apartments, but to finance the development of new apartments. This could rapidly increase production of affordable permanent housing for families and individuals.

But because the funding available for each contract is tied to CityFHEPS subsidy rates, this amount is often not enough to convert many distressed properties that would otherwise become available with a higher CityFHEPS payment standard.

The history of social services and income supports is characterized by attempts to ration assistance and a focus on preventing poor, vulnerable people from somehow taking advantage of the system. We should move away from these emphases, and just provide people the help they need. The documented positive benefits of stable, affordable permanent housing on families' and individuals' health outcomes, educational attainment, employment and family stability is likely to repay this investment. Even if it didn't, the benefits to homeless and at-risk New Yorkers justify passing Intro 146 to improve the CityFHEPS program.



Testimony: Amy Barasch, Executive Director

Hearing: City Council Budget Hearing

Host: Committee on General Welfare

Date: March 17, 2021

Summary: For 28 years, Her Justice has stood with women living in poverty in New York City. This past year – a year unlike any other – disproportionately impacted women like our clients and shuttered some of the vital remedies that are typically offered through the courts. Below we will outline how our unique pro bono first model allowed us to pivot our own operations in the wake of the COVID-19 pandemic. We will also describe how the health, economic and social crises hit our clients particularly hard, and while we remained open for our clients, relief through the courts remained only partially available. We nimbly adjusted to these changes - providing more information to clients who were confused and fearful; providing more training to volunteers and focusing on our policy work to use this moment to build back better. In 2020, Her Justice provided a range of legal help to more than 6,900 women and their children in our practice areas of family, matrimonial and immigration law, which are described below. We are deeply grateful for the City Council's continued support for the work that we do. We look forward to partnering once again to ensure that our civil justice systems work for all New Yorkers and advance economic justice for women living in poverty.

Through our pro bono first model, Her Justice pairs thousands of well-trained and resourced, pro bono attorneys with women who have urgent legal needs. This approach has enabled us to assist tens of thousands of women over the years, far more than we could have reached relying exclusively on direct service. When we do this, we begin to break down systemic barriers that are built into our civil justice system, barriers that reinforce and exacerbate gender, racial and economic imbalances.

A full 100% of our clients are women living in poverty, 90% are women of color and 80% are survivors of domestic violence. Our clients live in all five boroughs of the City. More than 60% of our clients are foreign-born, almost half need interpreters in court, and most are mothers. We serve women living in poverty because, even in the best of times, the cards are stacked against them. The past year has not been the best of times. Our clients, and women like them, are reeling from the disproportionate impact the multiple crises have had on them and their families. **We know that women, particularly women of color, have been uniquely burdened by the economic impact of COVID-19, and the fallout is expected to last.** The United Nations predicts that millions of women and girls around the world will be pushed into poverty as a result of COVID-19. And amidst all this uncertainty and strain, the legal needs of our clients remained as urgent as ever.



Women living in poverty, particularly Black and Brown women, are forced to rely on a civil justice system that has been historically and systematically under-resourced. Centuries of discrimination and systemic barriers have resulted in the need for women to spend immeasurable hours, days and years moving through the Family Courts to access basic freedoms – personal autonomy, financial independence, and safety from abuse. While the system was designed to be accessible without a lawyer, those who are unrepresented often come up short, unable to navigate an increasingly complex system on their own. From our years of experience representing women in the civil justice system, we know that the burden too often falls on women like our clients.

Our legal services are essential services and every Her Justice client has an urgent legal need. Whether it's Mary,* who recently lost her job due to COVID-19, while her husband, who remains employed, has stopped paying the child support he owes; or Grace,* who needs a divorce in order to avoid responsibility for the increasing debt her husband is racking up in her name; or Natalia* a survivor of human trafficking seeking the right to work so that she can support herself and her children free from abuse – **Her Justice stands with women when they need it the most.**

When the COVID-19 pandemic began, we quickly and smoothly pivoted to providing services remotely. Our live legal helpline was brought into our homes. Virtual court appearances occurred in blazers and sweatpants. We problem-solved with clients who did not always have access to technology, in an increasingly tech-dependent legal system, and opened safe and secure spaces in our office from which clients could appear remotely. We revamped our volunteer training programs and our community outreach efforts, and we were able to reach more people than ever before. We built coalitions and advocated for important reform at the policy level, including keeping ICE out of the courts so that our foreign-born clients could seek the justice they deserve without the fear of unwarranted arrest.

Due to the pandemic, the civil courts have experienced closures and partial re-openings, creating confusion and uncertainty for litigants. For example, family courts are currently closed to all new child support proceedings. While litigants can file petitions, next steps remain very unclear. The courts are not calendaring court appearances, and litigants are not receiving docket numbers, referees, or assignments to magistrates. Matters filed before the pandemic are proceeding on an ad hoc basis, completely dependent on the type of case, the magistrate, and the presence of lawyers. For survivors of domestic, this uncertainty allows abusive partners who owe child support to withhold payments without immediate accountability through the courts. As the courts, themselves, navigate this new and virtual terrain, litigants experience extreme delays and constant roadblocks. Her Justice continues to provide women with information about the legal remedies available to them and advise and strategize with clients to help them weigh their options and decide the course that is right for them and their children. We continue to mentor our pro bono attorneys virtually and send regular communications about updates to court closures and other relevant legal information.



While there is still much uncertainty, it is likely that women living in poverty will feel the economic strain of the pandemic for years to come. At Her Justice, we are here for the long-haul. Not to simply return to business as usual, but to partner with peer organizations, government officials and the courts to build back better. **With support from the City Council, Her Justice will continue to provide the legal services and advocacy needed to close the gap in access to justice for women living in poverty in our city.**

Meeting the Needs of Survivors of Domestic Violence

Many of our clients must engage with the New York City Family Courts to get legal relief that is critical to their safety and well-being; for example, orders of protection, financial support from partners, or visitation schedules. At the start of the pandemic the New York Family Courts reduced access to certain types of matters that it deemed “essential,” including applications for temporary orders of protection and motions for urgent issues that arise in pending cases. Outside New York City, the Family Courts have resumed operations on a largely virtual basis. Meanwhile the New York City Family Courts have expanded operations more slowly and are still closed to several types of proceedings, including new child support petitions and new nonemergency custody/visitation petitions. While we understand the challenges facing the courts, an inability to file new family and matrimonial matters, does mean that certain critical court relief is unavailable to domestic violence victims.

Like all those living in poverty, victims of domestic violence find themselves in an even more precarious economic situation at this time. Her Justice runs a consumer debt advocacy program to enhance the services we offer our clients. For victims of domestic violence, we provide safety planning around issues stemming from financial abuse – the control by one partner of the other’s access to economic resources. We advise clients on how to obtain, review, and request security freezes on credit reports; how to report fraudulent activity to the FTC and other appropriate agencies and to write dispute letters to the reporting agencies, and advocacy letters to creditors; and to remove abusers as authorized users on accounts. As a complement to our work with individual clients, Her Justice has advocated for protections against enforcement of money judgments and debt collection in this fragile financial time.

Family and Matrimonial Practice Area

Although current access to the courts is limited, it is essential that we continue to provide critical information and advice to clients about choices available to them, and to prepare their legal cases for the time when the courts reopen fully. Support from the Council, in particular through the SAVE and DoVE initiatives, allows us to deliver services that are especially needed at this time.

Child support. In normal times, child support is critical for custodial mothers, especially those living in poverty. Many single mothers rely on child support to secure the basic necessities for their families.



The vast majority of victims of partner violence suffer from economic abuse, making safe and fair child support awards essential to survivors' ability to seek safety and maintain independence. Thus, the child support system plays a critical role in determining economic justice for single mothers and children living in poverty.

In 2017, we set out on a two-year court watching project in which 89 volunteers observed 797 child support case appearances in the New York City Family Courts to get a better understanding of what happens when parents do not have lawyers, and how the system ensures fair processes and outcomes for all. That project culminates in our recently released original Policy Report: [*Towards Justice for Parents in Child Support Courts.*](#)

We look forward to working with the courts as they resume full operations after the COVID-19 pandemic and believe that the findings from this project provide critical information for improving the child support system in New York City. Her Justice is proud to elevate the experiences of our clients through this report and we will continue to provide both direct services for child support matters and advocacy to better the system our clients navigate.

Divorce. Going through a formal legal process in divorce is especially important for women who are typically the lesser-earning spouse. Unfortunately, the barriers to and risks from divorce increase exponentially for women who are victims of domestic violence. We know that City Council has been attuned to the particular benefits of a fair divorce process for victims of domestic violence, and the particular challenges as well. The New York Supreme Courts have resumed divorce proceedings on a largely virtual basis, which poses a challenge for litigants with limited access to technology, especially those who are proceeding pro se. Our clients continue to need legal assistance around divorce issues. These cases represent two-thirds of our practice, and we continue to meet the need for information and advice about these issues through our legal helpline each week. For the 445 clients we have with ongoing matrimonial cases, Her Justice lawyers and the pro bono attorneys that provide representation continue to stabilize the cases and work with clients to prepare for litigation – including organizing financial documentation related to marital assets and debt – and assist them with the challenge of making their case in a virtual world.

Immigration Practice Area

Our immigrant clients – all of whom are survivors of gender-based violence – are met with particular challenges during this time. Many of our immigrant clients work in homes - as home health aides and caregivers – and were unable to continue their work when the pandemic began. Our clients faced acute financial strain due to unemployment and lack of relief from federal stimulus benefits.

Barriers to needed legal relief. In the fiscal year 2020, with support from the Speaker's Initiative, Her Justice enrolled a total of 380 immigration clients, of which 300 received pro se assistance and 80



received full representation and trained 1,124 attorneys through 25 legal trainings. We continue to provide information, advice and full representation to clients seeking immigration relief through referrals to our program each week. For the 888 clients we have with ongoing immigration matters, Her Justice lawyers and the pro bono attorneys that provide representation continue to stabilize the cases and work with clients to prepare applications. However, the pandemic continues to impact the lives of our staff and clients -- especially those with children because regular school and childcare routines have been disrupted. Clients juggling work and childcare often have trouble devoting time and attention to their legal matters, even if those legal matters are critical to their well-being. The technology gap (lack of access to computer and internet) makes it difficult for clients to provide needed documentation and information to their attorneys. The preparation of an immigration application, which used to take one to three hours of in-person meeting time with a client in the office, now takes twice as much time when done remotely. And while we have seen an increase in cases processed under the new federal administration, the backlog of overdue cases still burdens the system. Her Justice continues to advocate for reform to the immigration system so that the greatest number of immigrant women can obtain and preserve the best possible status, through a process that prioritizes their safety and dignity. We have been active in collaborating towards for policy changes that prioritize and recognize the needs of survivors of gender-based violence.

Passing the Protect Our Courts Act. During the last several years, we have dedicated significant time and effort to advocating against undue and unfair immigration enforcement actions, including preventing Immigration and Customs Enforcement (ICE) from making arrests in the courts, which have had a chilling effect on our clients' willingness to seek help. This year, we were thrilled to witness the passing of the Protect Our Courts Act (POCA), which marks significant progress towards the decriminalization of our immigrant communities. At Her Justice, we've advocated strongly for the passing of this law because we know it is an essential component to making justice accessible to all. **Support from the Council would enable us to strengthen our services for immigrant women living in New York City who are more vulnerable now more than ever.**

Policy Reform and Systems Change

It has become increasingly clear that **advocating for policy reform in the civil justice system must be a key component of any effort to lift women and their children out of poverty.** As a trusted, long-standing organization, with deep ties to the community, Her Justice seeks to elevate the issue of civil justice reform and advance economic justice for women and their children.

Since our founding, we have been engaged in policy work, alone and in partnership with peer organizations and coalitions. In 2019, recognizing the need to take a more coordinated and strategic approach to our policy work, Her Justice invested in a policy strategic planning process resulting in the launch of a [Comprehensive Policy Platform](#) in January 2020. **The principle of our policy work is that it is informed by the lived experience of our clients – women living in poverty, whose livelihood and well-being are often determined by the civil justice system.** That civil justice system is often



invisible to those outside of it, which makes a focus on elevating the reforms to this area that much more essential. While these reform efforts are based on the experiences of our clients, we believe they would result in a better system for everyone.

As New Yorkers, we are committed to lifting our community up. When women are lifted, their children and communities rise with them. **We thank the Council for their support for the essential legal services that we provide to women living in poverty in New York City.** We know we can count on you to appreciate the importance of our services in removing barriers to gender equity and access to justice.

Respectfully,

Amy Barasch, Esq.
Executive Director, Her Justice
abarasch@herjustice.org

**Name changed to protect client privacy.*



HOMELESS SERVICES UNITED

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Homeless Services United's Written Testimony on NYC FY22 Preliminary Budget submitted to the NYC Council General Welfare Committee on March 17th, 2021

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

As the City reached a grim milestone of one year since the first victim of COVID-19 passed away, New Yorkers are hopeful that the worst of the pandemic is behind us. To the administration's credit, pandemic related investments they made in homeless services have helped keep many of our clients safer, including bringing many people in off the streets. To this end, we are hopeful the Council will institutionalize pandemic-related expansions to homeless services to preserve gains made such as expanding capacity of stabilization beds for street homeless individuals. At this critical juncture when the City is poised to recover, the Council has the opportunity to lay groundwork to best prepare the City for the challenging months ahead. Recognizing the extremely tough financial situation that the City is facing, we are very grateful to the Council for its leadership and commitment to maintaining level funding for homeless and eviction prevention services in the Department of Social Services budget.

In addition to the proposed funding commitments in the FY22 preliminary budget for which we are extremely grateful, HSU has the following recommendations to ensure that the City is best positioned to assisting the need of struggling New Yorkers as we strive to return to a post-pandemic society.

Restore and Protect the Fiscal Health of City Contracted Non-Profit Providers

To maintain viability of the City's entire non-profit sector which is relied on for a myriad of human services, including eviction prevention, emergency shelter, public benefits assistance, **the FY22 budget must invest an additional \$171 Million to honor the City's prior funding commitment for Indirect Cost Rates (ICR) for non-profit City contracts, retroactive to FY20.**

In April 2020, the City instituted a retroactive cut to nonprofits' FY20 Indirect Cost Rates to only 60% their approved rates. Non-profits across the sector are in serious fiscal jeopardy as these lowered rates do not reflect the actual cost of operating essential social service programs which New Yorkers rely on every day.

On March 10th 2021, the City informed nonprofits that they will further slash indirect reimbursements to a dismal 30% of provider's approved contract rates for the current year and FY22 meaning that providers could see their indirect rates drop 70% with less than 4 months left in the fiscal year with no promise for restoration next year.

The City's forcing of nonprofits to absorb 70% of the cost of overhead fees with zero advanced notice seriously jeopardizes the financial stability of every City-contracted non-profit, and completely devalues the work of our sector. As Chair Levin is well aware, DHS contracted non-profit providers are particularly unable to absorb this cut, as the City has continually failed to pay invoices on time for



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homeless shelter contracts, with several organizations owed over \$10 million each and some even considering terminating their contracts at the end of the fiscal year. HSU thanks Commissioner Banks for his commitment to work with providers to address payment delays. With regards to the Commissioner's testimony that the majority of invoices are aged less than 60 days, ***invoice policy calls for payment to be made within 7 days***, and we look forward to working collaboratively with the Department to fix this. **We urge the Council to continue to stand with non-profit providers and recommit sufficient funding into the FY22 budget that accurately reflects the true cost to operate their programs.**

Breakdown of the \$171 million needed to fully fund the ICR Funding Initiative for FY20, FY21, and FY22:

- \$91 million in total for FY22, including the \$34 million already baselined for ICR funding.
- \$57 million for FY21 to fill in the gap between the \$34 million that was budgeted in the FY21 Adopted Budget and the \$91 million needed to fully honor ICR funding in FY21 contracts.
- \$23 million for FY20 to fill in the gap between the \$34 million left for ICR funding in the FY20 budget after cuts in April 2020 and the estimated cost to fully honor ICR funding in FY20 contacts.
- We further call upon the Council to hold the administration accountable to its obligations to nonprofits and demand that contracts and amendments are registered promptly and invoices are paid in full and on time.

Bolster Capacity of Eviction Prevention Providers

As the City finally begins to recover from the pandemic, and housing courts resume seeing cases, eviction prevention providers will be essential to ensuring that as many tenants as possible remain stably housed. Since the beginning of the pandemic, thousands of New Yorkers have fallen behind on their rent, and some **HomeBase providers already report operating at max capacity**. While help is on the way with the State soon to roll out its new Federally funded rental arrears program, **we urge the Council to commit additional funding to expand capacity at HomeBase offices serving zip codes with the highest eviction rates in preparation for the end of the eviction moratorium tentatively scheduled to expire on May 1st**. HomeBase also provides a critical service assisting clients in applying for public benefits, which is especially critical for households who do not know how or are unable to access the new ACCESS HRA online application to apply for benefits. Without capacity to serve additional clients, tenants in particularly hard-hit areas like parts of the Bronx will have to wait longer for a HomeBase appointment in the coming months.

Tenants living in the community looking to relocate with a CityFHEPS or FHEPS To Move shopping letter are unable to find an apartment on their own, and could benefit from housing search support services. A rental assistance voucher is only effective if tenants are able to use it, and finding an apartment within current voucher rent levels is challenging even for experienced housing specialists. While HomeBase does provide rehousing assistance, these cases are very time-intensive, and tenants could benefit from additional access to similar services in the community.



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Strengthen Eviction Prevention Resources

We're heartened by news the State legislature is seeking to raise State FHEPS rent levels in both one-house bills, and HSU is grateful to Chair Levin and co-sponsors of Int. 146, and we urge the entire Council to pass this important piece of legislation this budget cycle, to raise CityFHEPS to "Section 8" rent levels. With the incoming Federal assistance to the City, there may be an opportunity to creatively shift Federal funds to backfill the cost of existing programs in order to free up less restrictive local and State funding to cover the cost of this bill. Households living in apartments over the current maximum rent levels are also unable to make rent due to the pandemic, and if CityFHEPS rent levels do not increase to better reflect the actual cost of housing in New York City, we will see a new wave of families entering the homeless shelter system.

The COVID-19 pandemic has affected the lives of many New Yorkers, as households who previously earned middle class incomes are now unable to pay their rent. **In order to prevent record numbers of evictions and homelessness, the City and State must broaden eligibility requirements to quickly provide arrears payments and ongoing rental assistance to assist as many households as possible.**

In response to Legal Aid Society's lawsuit, OTDA recently granted HRA a temporary waiver requiring an active housing court proceeding to qualify for FHEPS A in community. In order for families who qualify under this waiver to access the rental assistance voucher in a timely manner, given the waiver is tentatively only until May 1st, 2021, **HSU recommends HRA commit sufficient funding to hire additional FHEPS Centralized Determination Unit (FCDU) staff (currently only a dozen people) and Homeless Diversion Unit (HDU) staff to complete and process FHEPS applications, as well as permanently embedding FHEPS specialists in HRA Centers to assist any in-person applications.**

With the State's new program to distribute Federal assistance for rental arrears to begin shortly, non-profit providers are eager to hear how they can support the City in its efforts to enroll eligible households. While HRA has expressed interest in using Federal funds for advertising campaigns for the programs, **HSU recommends that sufficient Federal funding be reserved for community-based organizations to provide application assistance for households to ensure everyone that qualifies for the new State rental arrears program can apply.**

Thank you Chair Levin and members of the General Welfare Committee for your leadership and forethought for the housing needs of all New Yorkers. Through making key investments in the homeless services and eviction prevention safety net, New York City can better position itself to counteract the effects of a potential rise in the number of evictions in the coming months, keeping New Yorkers safe in their homes as the City continues to recover. Thank you for the opportunity to testify.

Thank you for the opportunity to testify. Should you have any questions, feel free to reach out via email at elee@hsunited.org or phone at (646) 515-8053.



Jenny Coffey, LMSW

Director, Community Engagement

Animal Haven

New York City Council's Committee on General Welfare: Hearing on NYC Council Budget and Oversight Hearing on the Preliminary Budget for Fiscal Year 2022

March 17, 2021

My name is Jenny Coffey and I am the Director of Community Engagement at Animal Haven, an independent animal welfare organization in Lower Manhattan. Thank you to the Committee on General Welfare and Chairman Levin for the opportunity to submit testimony as you consider a preliminary budget for Fiscal Year 2022 specifically for the Department of Homeless Services.

While our animal shelter focuses on helping homeless dogs and cats find new homes, we are equally passionate about helping pet owners at risk of losing their animals because of emergencies including eviction. Last February, I testified in favor of bills 1483 and 1484, two pieces of legislation aimed at starting to recognize, document, and assist homeless pet owners. That day, I was inspired and excited because a pathway was considered to lift barriers experienced by marginalized pet owners. Since then, both bills have not yet moved forward. During this very difficult year, at-risk pet owners continue to face homelessness and their unique needs continue to go unmet. I urge the City Council to include funding and support in the 2022 budget to ensure New York City pet owners access to services and emergency shelter.

Animal Haven has a small safety-net program to assist pet owners in need. Last year, more than fifty homeless pet owners reached out for help. While this does not recognize the larger need in the City, it does showcase that some individuals and families experiencing homelessness were so desperate that they reached out to an animal welfare organization for assistance. While some of these people simply did not want to lose an animal because of their crisis, most viewed their pet as support animals and essential for their families' wellbeing. This includes families with young children suffering from learning and psychiatric disabilities and families with children recovering from life-threatening conditions.

These cases can be especially difficult in New York City. Sometimes, DHS provides a flyer to families with animals so they can apply for Reasonable Accommodation. The handout also includes information on local animal shelters including Animal Haven but the burden of proving a case is always on these families with little guidance. Upon making the request for Reasonable Accommodation, individuals and families have to submit specific documentation from licensed providers showcasing a disability and the need for an animal, an up-to-date Rabies Certificate, and, if the animal is a dog, proof of purchasing a current NYC dog license. Compiling these documents can take time and can be expensive. DHS also requires these animals be held offsite (for at least ten business days but often much more) until a determination is made – adding to the cost and challenge of navigating this bureaucratic nightmare. For families with members experiencing disabilities, this process adds to the trauma of being homeless. While Animal Haven provides assistance and advocacy, our limited budget only goes so far.

In truth, I've only shared half the story. This year, we have also tried to assist single women placed in homeless shelters after they were discharged from Urban Resource Institute's (URI) emergency domestic violence shelters offering co-sheltering. URI's program has served as a lifeline ensuring victims of domestic violence don't have to choose between their own safety or their animals – they can bring their pets with them. Sadly, when they complete six months at URI, they enter into DHS programs to secure permanent housing. Even if these women are approved for Reasonable Accommodation, the congregate spaces don't allow for the animals. We learned of one situation where one woman returned her animal to her abuser as an alternative to losing the animal altogether.

I will close by saying what I said last year: there is a roadmap in New York City where innovation and creativity are taking place. Urban Resource Institute's co-sheltering program provides a best practice model that should be considered to better serve homeless pet owners needing shelter. The model should be expanded and this work can be further supported by the City's Animal Planning Task Force (via Emergency Management). The Task Force has worked to ensure co-sheltering during Superstorm Sandy and other emergencies in NYC. It is uniquely made up of professionals from human services and animal welfare who can train and prepare the DHS staff on meeting the needs of pet owners and their animals. In addition to a co-shelter model, it is critical that DHS either restructure their process for individuals and families seeking Reasonable Accommodation for Service and Support Animals so they can keep their animals with them through the process or provide added support and financial resources to offset the high costs of holding animals off-site.

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Testimony of
Jimmy Meagher, Policy Director
Safe Horizon

On the Fiscal Year 2022 Preliminary Budget

Committee on General Welfare
Hon. Stephen T. Levin, Chair

New York City Council

3.17.2021

Good afternoon, and thank you for the opportunity to testify before you today regarding the general welfare portions of the Fiscal Year 2022 Preliminary Budget. My name is Jimmy Meagher, and I am Policy Director at Safe Horizon, the nation's largest non-profit victims services organization. Safe Horizon offers a client-centered, trauma-informed response to 250,000 New Yorkers each year who have experienced violence or abuse. And we are using an antiracist lens to guide our work with clients, with each other, and in developing the public positions we hold.

Whether we are called on to provide expert testimony at an oversight hearing or to assist a constituent in crisis and in need of emergency services, we are proud to partner with the City Council in a collective effort to make our city safer for all. We look forward to helping you and your staff learn how best to support survivors and connect them to the resources available in your borough and community.

Over many years, the City Council has been a key supporter of our programs helping adult, adolescent, and child victims of violence and abuse. City Council funding fills in gaps where no other financial support exists and allows us to draw down critical dollars from other sources. Moreover, this funding demonstrates the value that you and your colleagues place in helping survivors of all ages access desperately-needed shelter, support services, legal assistance, and counseling.

My testimony today will provide an update to the Committee on General Welfare on two key Initiatives that are funded by the City Council and contracted through the Human Resources Administration (HRA). These Initiatives, the **Supportive Alternatives to Violent Encounters (SAVE) Initiative** and **Immigrant Opportunities Initiative (IOI)**, provide critical funding to Safe Horizon and to our community partners across the antiviolence field to provide trauma-informed responses to survivors of violence and abuse, their families, and their communities. I will also discuss the overwhelming need for meaningful housing assistance to survivors and Safe Horizon's support for Int. 146.

Supportive Alternatives to Violent Encounters (SAVE)

Safe Horizon's Domestic Violence Law Project (DVLP) utilizes funding through the **Supportive Alternatives to Violent Encounters (SAVE) Initiative** to provide direct legal services to indigent victims of domestic violence in Family, Supreme, and Integrated DV Courts throughout the city. Our dedicated legal staff assist with orders of protection, child support, custody, visitation, and divorce proceedings. We also operate a legal helpline that provides information, referrals, and assistance to domestic violence survivors.

Due to the ongoing pandemic, court operations throughout NYC have been severely affected. While New York City remained on PAUSE, our Domestic Violence Law Project continued to serve low-income survivors of domestic violence by conducting civil legal screening remotely to clients of the Family Justice Centers and our domestic violence shelters. We continued to operate our legal helpline and speak to survivors on a daily basis. And we continued to offer legal consultations to survivors and helped draft petitions for orders of protection.

Even though the family courts continue to operate on an emergency basis, hearing only emergency matters, our dedicated DVLP attorneys continue to assist the family courts in filing emergency petitions and motions on behalf of survivors. In the months and years ahead, as our City recovers from COVID-19, our legal services, and the services provided by our legal partners across NYC, will be critical for the many, many survivors who are waiting for the courts to return to normal. **We are seeking a restoration of \$275,000 to Safe Horizon so our Domestic Violence Law Project can continue to serve survivors with the legal services they require to find safety and healing.**

Immigrant Opportunities Initiative (IOI)

Safe Horizon's Immigration Law Project (ILP) utilizes funding through the City Council's **Immigrant Opportunities Initiative (IOI)** to provide expert legal advice and representation to undocumented victims of crime, violence, abuse, trafficking, and torture. ILP staff help guide their clients through complex immigration proceedings and assist them with applications for U-Visas, T-Visas, VAWA self-petitions, asylum, adjustment of status and citizenship, as well as in removal defense. Over the last four years, as a result of the prior administration's immigration policies, Safe Horizon's ILP has seen an increase of survivors seeking our immediate assistance. In addition, the current global pandemic caused by the coronavirus and its variants have exacerbated already tenuous circumstances for survivors, making them even more desperate and in need of legal support and services.

During this pandemic, the federal government kept Immigration Courts open. When New York remained on PAUSE, our ILP staff served as essential, front-line workers in the fight to protect immigrant victims and their families. Our dedicated team conducted telephonic intakes and client meetings remotely; filed applications for renewals of work permits, DACA, and U-Visas; appeared in Immigration Court for asylum hearings (and won!); filed motions, appeals, and served process on the U.S. government in federal litigation; responded to Requests for Evidence on "green card" applications; and responded to clients' inquiries regarding available benefits, such as unemployment and eligibility under the CARES Act.

Our work did not end during this pandemic; rather our community of advocates worked as hard as ever for the immigrant survivors turning to our programs for help and safety. This work will be critical in the months and years ahead. **To help ensure that our Immigration Law Project has the capacity to respond to pressing legal cases for immigrant and undocumented survivors, we are asking the City Council to restore \$20,000 to Safe Horizon through IOI in FY22.**

Int. 146

Lastly, Safe Horizon joins the calls of housing advocates across NYC in urging the City Council to pass Int. 146 as soon as possible. Thanks to the federal COVID Relief package, NYC should be receiving \$6 billion. Clients across all of our programs need safe, affordable, stable housing. So many victims and survivors of all forms of violence call our Hotlines and turn to our programs for housing assistance everyday. And the housing options we can offer remain too few in number. Temporary emergency shelter will always serve a purpose for survivors, but our City needs to do everything it can to connect New Yorkers experiencing homelessness to permanent housing. Although it is not the only solution for our homelessness crisis, passing Int. 146 and

raising the amount of the CityFHEPS rental voucher to Fair Market Rent is one key part of any comprehensive housing plan. By increasing the voucher amount, more of our clients will be able to leave shelter and find safe, stable housing. This will also increase geographic mobility for voucher holders, allowing survivors to better navigate their safety and find the housing right for them.

Safe Horizon's mission is to provide support, prevent violence, and promote justice for victims of crime and abuse, their families, and communities. When we say "justice for victims" we mean so much more than just criminal justice. Rather, we cannot promote justice for victims and survivors without also demanding housing justice and economic justice. Our clients, which include runaway and homeless youth (RHY), survivors of domestic and intimate partner violence, immigrant and undocumented survivors, trafficking survivors, and so many others, need safe, stable, affordable housing to find justice and healing. As we advocate for an increase in the amount of CityFHEPS vouchers, we also advocate for equitable access to housing resources and subsidies for all people experiencing homelessness. The help available to you as a person experiencing homelessness should not be determined by the "door" you walked through for help - HRA domestic violence shelter, DHS homeless shelter, DYCD shelter, etc.. Currently, individuals experiencing homelessness have access to different supports depending on which provider they interact with and which system that provider is connected to for service; yet, many of their underlying needs are the same. This is especially important for our Streetwork Project clients - runaway and homeless youth - who simply do not have access to even the imperfect options DHS and HRA shelter residents are afforded.

As the City Council and the Administration sets the budget for the next fiscal year, it's imperative that our City expands, perfects, creates, and invests in programming that provides healing and support to people who have experienced harm, violence, and trauma. When we invest in the safety, healing, and well-being of individual New Yorkers, we invest in the safety, healing, and well-being of New York City as a whole.

Thank you again for the opportunity to testify today. I'm happy to answer any questions you may have.

AVP Community Member Sample Testimony --- KEEP TO 1 PAGE!!!

- Good afternoon, Committee Chair(s); my name is **Jin Kwak**, and I am an outreach worker for LGBTQ people in the sex trades for the New York City Anti-Violence Project (AVP).
- AVP empowers lesbian, gay, bisexual, transgender, queer, and HIV-affected communities and allies to end all forms of violence through organizing, education, counseling, and advocacy.
- Yesterday, at the public safety hearing, my colleagues spoke about how resources must be diverted from policing to support services for sex workers. Today, I am advocating for resources to continue to go to the important work that AVP does with LGBTQ people in the sex trades.
- LGBTQ people, especially trans, gender-nonconforming, and non-binary people, disproportionately participate in the sex trades by choice, circumstance, and coercion. LGBTQ youth in New York City enter the sex trades at 7-8 times the rate of their cisgender and heterosexual peers. Nearly 40% of Black trans respondents in a national survey said they have participated in the sex trades.
- Many LGBTQ sex workers are also survivors of violence. Poverty, criminalization, and stigma make LGBTQ people in the sex trades extremely vulnerable to violence.
- Since the COVID-19 pandemic, many LGBTQ people in the sex trades have lost work and have seen an increase of violence against them in person and on the streets during this pandemic.
- AVP supports survivors of violence with services that attend to emotional, legal, and social needs as they heal from violence and develop strategies to move forward.
- As an outreach worker at AVP, I have deep roots in this community and work with LGBTQ sex workers in connecting them to services and resources. This work is important because this community is hyper criminalized and already lacks resources.
- People in the sex trades need resources such as legal services, housing services, medical services, childcare services, and other support and resources. We at AVP strive to offer free social services to LGBTQ sex workers, which includes legal services, counseling services, and connects to other resources.
- We know the city is in a challenging financial position. But we strongly urge the City Council to restore this funding to at Fiscal Year 2020 levels. Thank you.

March 17, 2021

Testimony before the Committee on General Welfare

My name is Raun Rasmussen and I am the Executive Director of Legal Services NYC. Our staff of 600 advocates and support staff fights poverty and seeks racial, social and economic justice for low-income New Yorkers by providing free civil legal services to more than 110,000 New Yorkers every year. Our services help your constituents, our neighbors and fellow New Yorkers, to meet the most basic needs for shelter, safety, income security, and access to high-quality education and health care. Thank you for this opportunity to testify in support of our partnership with the City Council to secure justice for low-income New Yorkers.

This pandemic has stripped New York City families and children of their jobs, their incomes, their education, their health, and in all too many cases, their lives: more than 795,000 cases, 25,000 deaths, and an unemployment rate that skyrocketed to 20% last summer. Before the pandemic, nearly 1.7M New Yorkers had incomes under the federal poverty level—a mere \$26,000 for a family of four. That reality is now much worse, for those families, and for so many more who've been impoverished by recent unemployment.

Most tragically, this crisis has highlighted the compounding impacts that systemic racism and endemic poverty have on the communities we serve: financial impacts, health impacts, and

education impacts have all fallen disproportionately, and devastatingly, on communities of color. To add insult to injury, many of our clients have been unable to access or use technologies that would enable them to apply for public benefits or access their remote-learning classes. Many cannot afford Internet or a computer and, at best, rely on a phone with limited minutes and bad connectivity.

Since mid-March when we closed the doors to our 16 offices throughout the City, our staff have worked tirelessly to help our clients get and keep the benefits and services they desperately need to meet their most basic needs: food; health care; cash assistance; safety; and shelter that is safe and affordable.

Our staff are educating thousands of New Yorkers about unemployment benefits and how to apply for them. We're helping kids with special needs get the educational services they need so they don't fall further behind. Our immigration advocates are making sure our clients don't get deported or lose their rights to legal status. Our housing and foreclosure advocates are fighting illegal evictions and predatory lending scams. And our family law advocates are helping survivors of domestic violence who can't find privacy from their batterer to make the calls needed to find safety. Think about that for a minute.

Your funding for Legal Services for Low Income New Yorkers, for our Veterans Justice Project, and we hope, for our new Access to Education Project, is critical to our ability to continue to provide these services.

That is why it is so critical for the Council to increase funding for the broad range of services that we can provide through the Legal Services for Low Income New Yorkers program. In FY21, with the pandemic raging, the impact on the state and local economy potentially

devastating, and no end in sight, we fully understood the need to cut back on our funding, as you had to do for so many others. But with significant federal funding soon to arrive, we ask that you reverse that cut and restore funding for the Legal Services for Low Income New Yorkers program to the FY 2020 level of \$5.3 million.

We also ask that you restore funding for Legal Services NYC's Veterans Justice Project to \$150,000, a return to FY 2020 levels. Our city-wide Veterans Justice Project has provided civil legal services to thousands of veterans, service members and their families since we began the Project in November 2011.

Finally, one of the most devastating impacts of the pandemic, because it is potentially life-altering in the long term, is the way New York City's children's educations have been adversely affected. We are working hard to address these issues, and we ask that you provide \$500,000 to support our Access to Education Project, which will deliver legal services designed to help children catch up and keep up with their educations so that they are not further hurt by this pandemic, which has left so many of them struggling. These services will help kids with special needs and disabilities, will provide language access advocacy for English language learner students and their limited English proficient parents, and will work with the schools to implement restorative healing programs so that children who have been traumatized by sexual harassment or violence in the schools can be responded to with measures that are supportive and not punitive.

For more than two decades the City Council has provided a lifeline to low income New Yorkers by funding civil legal services that help people get and keep the benefits and services they need to live life with a modicum of decency. We have always worked in partnership with

the Council to help those with the greatest needs in this great City. We look forward to our continued work together, in this moment of greatest challenge.

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LEGAL SERVICES FOR THE WORKING POOR

City Fiscal Year 2022

City Council Preliminary Budget Hearing

PRESENTED BEFORE:

THE NEW YORK CITY COUNCIL
COMMITTEE ON GENERAL WELFARE

March 17, 2021

Introduction

Good afternoon. And thank you Chair Levin and the Committee for taking the time to hear our testimony. My name is Leslie Thrope and I am the Executive Director of Housing Conservation Coordinators, one of the five members of the Legal Services for the Working Poor (LSWP) Coalition that includes CAMBA Legal Services, Mobilization for Justice, NMIC, and TakeRoot Justice. The Coalition was created 17 years ago with support from the City Council to address the civil legal needs of working poor and other low-income New Yorkers whose income is slightly higher than the poorest New Yorkers, thus rendering them ineligible for free civil legal services yet they often are one missed paycheck away from facing eviction or other dire consequences.

LSWP's services are critical in allowing working New Yorkers to maintain financial independence and preserving economic stability in communities across New York City. In Fiscal Year 2020, the LSWP initiative was funded at \$3,205,000 from the City Council, with each of the five Coalition members receiving \$455,000. In Fiscal Year 2021, these funds were reduced due to the COVID19 fiscal crisis by approximately 15% with each Coalition provider receiving \$384,700.

Services and Population We Serve

Working poor New Yorkers who often barely make ends meet can face catastrophic consequences as a result of a civil legal problem, such as not being paid for their work or not being paid overtime; identity theft; the freezing of a bank account as a result of a collection lawsuit they did not even know about; or being denied public benefits to which they are entitled. The consequence of these problems can lead to other problems, including increased risk of eviction or foreclosure. These working New Yorkers can end up spiraling downward to join the ranks of the poor if they do not have access to lawyers to assist them. Our legal services organizations represent these New Yorkers in all five boroughs in housing, consumer, foreclosure, immigration, benefits, and employment matters in state, appellate, and federal courts, and various administrative agencies.

Consequences of COVID-19 on the Working Poor

As a result of the COVID-19 crisis working poor New Yorkers have and will continue to disproportionately face legal problems in unprecedented numbers. Even before the COVID-19 crisis, tens of thousands of New Yorkers were hanging on by a thread to their homes, their families, their well-being, and their dignity. As the crisis has laid bare, neighborhoods of color and immigrant communities across the City have been especially hit hard by health and economic

disparities. The crisis has resulted in unprecedented problems related to unemployment insurance, as well as workplace safety concerns, issues with CARES Act stimulus payments, price gouging, and scams, and has caused many New Yorkers to incur unexpected debt, which will mean an increase in debt collection litigation, and for some, bankruptcy. Those working poor who are adversely affected will need members of our Coalition to advise them, help them navigate various complex legal processes, and fight their legal battles by representing them in the cases against them, and by advocating for them in the multiple systems that impact them.

Case Examples

Let me provide you with a few examples of the clients we serve with this critical funding

M, a Black man from Queens in his 60s, lost his job as a barber because of the COVID-19 crisis.

He applied for, and after a delay, was approved for unemployment insurance. M opened a checking account to deposit the funds, including several thousands of dollars of backpay. The bank subsequently closed the account without notice to M, and refused to explain why. M contacted the New York State Department of Labor and the bank on his own, but could not resolve the matter. An attorney from Mobilization for Justice filed administrative complaints and advocated on M's behalf until the bank ultimately agreed to release the account and M obtained access to his previously restrained desperately needed funds.

A, 35, who is African, is a single working mother from the Bronx. She signed up with a debt settlement company to help her with her overwhelming credit card debt. The debt settlement company ultimately settled one of her debts with a creditor, but with the fee the debt settlement paid to itself from A's funds, the total amount she paid was more than the amount of the debt. Meanwhile,

another creditor sued A in court, and the debt settlement company claimed to have settled the debt, but did not send the creditor the full payment. An MFJ attorney helped get the lawsuit discontinued and successfully negotiated the return of A's money from the debt settlement company.

Client C.J. is a 47-year old Nepali man who works and resides in the Elmhurst section of Queens. He arrived in the United States in 2016 through the Mexican border seeking asylum from a dangerous political climate in India. He was detained by ICE for six months in a detention center. During his time there, he was given a phone number by other detainees to call for bond assistance. He contacted the company called Libre by Nexus, which paid a \$15,000 bond to ICE for C.J.'s release. As a condition of his release, he had to wear a Nexus sponsored GPS bracelet and pay a non-refundable \$4,500 fee as a result of Nexus paying off the bond. C.J. was told that he had to pay \$420 per month to Nexus as a fee for the GPS bracelet, and to continue to wear the GPS bracelet, until he paid off the \$15,000 bond Nexus paid to ICE. C.J. diligently paid Nexus each month and in May 2017, he paid off his debt in full and Nexus removed the GPS bracelet.

C.J.'s asylum application was approved in October of 2018 which signaled for ICE to return Nexus' bond money and subsequently for Nexus to return the \$15,000 to C.J., money that he would use to continue to build his life in NYC with his new status. Nexus asked C.J. to sign a Refund Authorization Form, which he promptly did and returned to Nexus. Nexus said it would take 90-120 days for the refund to be processed, but C.J. never received the money. C.J. has contacted Nexus periodically by phone since 2018 to obtain his owed funds and has been consistently dodged or given lackluster excuses as to why his money had not yet been returned to him.

In November 2020, after 2 years of waiting for the return of his money, C.J. reached out to TakeRoot Justice to help for assistance. TakeRoot's Consumer Team filed complaints with the Consumer Financial Protection Bureau (CFPB) and the Attorney General's Office to get C.J.'s \$15,000 returned to him.

With the support of the Legal Services for the Working Poor funding, CAMBA Legal Services is assisting Mr. R and his wife resolve an old consumer judgement and keep their home of many years. Mr. R is a 59-year old working poor consumer who lives in the Flatbush neighborhood of Brooklyn with his wife. They live in a Co-op they purchased decades ago. Prior to COVID, Mr. R had worked as a driver and ran a small printing business. In 2009, Mr. R was sued by a debt buyer seeking to collect a debt he allegedly owed to Citibank. Mr. R never received the lawsuit because prior to its filing he had moved to Nigeria to take care of some sick family members. Mr. R found out about the lawsuit when he came back to the U.S. years later and received a notice to renew the default judgment against him. Upon discovering the action Mr. R moved pro se to vacate the judgment based on the fact that he was living in Nigeria at the time. At the same time, the debt buyer was aggressively trying to collect from Mr. R. The debt buyer repeatedly sent Mr. R a 34 page information subpoena, with over 40 questions many with multiple subparts. When Mr. R failed to answer, the debt buyer moved to have Mr. R jailed until he responded. Due to lost income in part related to COVID, Mr. R also ended up in foreclosure. He could likely preserve his home, but this judgment was keeping him from being able to do so. Mr. R came to CAMBA who agreed to help him appeal the motion to have him jailed and work with him to resolve his consumer issue. He has also been connected to CAMBA Legal Services foreclosure program to help him keep his home.

Lastly, in September 2020, in the midst of the COVID19 pandemic, Mr. S., a 56 year old man, sought assistance from Housing Conservation Coordinators to return to the apartment he was illegally locked out of just 2 days after the death of his terminally ill mother. Mr. S. had been living in the apartment with his mother and was her primary caretaker. Upon the lockout, Mr. S filed a pro-se order to show cause, and after sleeping in his car for two days while trying to plan his mother's funeral, he was convinced to enter an agreement surrendering his rights to the apartment in exchange for letting him back in to the apartment only to retrieve belongings and a dress to bury his mother in. HCC filed a motion to vacate the stipulation and judgment and successfully negotiated a settlement vacating the stipulation and returning Mr. S to the posture he was in before the illegal lock out. The apartment is not only his home, but is also a LIHTC/421-a building and is the only affordable option he has.

These are our clients, and these are the life-threatening problems they face. But for our legal services, the working poor community would be detrimentally impacted, and the cascading effect of not being able to support working poor families at this time will quickly lead to greater homelessness, poorer health outcomes, job loss and overall instability.

Conclusion

This Council's funding for Legal Services for the Working Poor is the only funding that specifically targets the civil legal needs of working people to ensure continued self-sufficiency for families struggling to survive in New York City. If we are not able to meet the legal service needs of the many people who seek our help, particularly those affected by the COVID-19 crisis, the

human consequences will be dire: immigrant families will leave their homes because their landlords threaten to report them to ICE; children whose families have been wrongly denied unemployment benefits, public assistance, or SNAP/food stamps will go hungry; families whose homes could be saved through aggressive foreclosure or eviction defense will become homeless; people with disabilities will be denied the disability benefits they need to live with dignity; and workers who have been cheated of wages by unscrupulous employers will go unpaid.

For the above reasons, it is vitally important that the City Council continue to support this flexible funding stream that allows legal service organizations to provide a diverse array of civil legal services to working poor New Yorkers. We urge the Council to restore funding for civil legal service initiatives overall and for the Legal Services for the Working Poor allocation in particular. We ask that the Council restore the funding for the Legal Services for the Working Poor initiative at \$3,205,000 in FY 22. The positive benefits of civil legal services funding for the city's budget and its economy make it the right choice for economic, social, and humanitarian reasons.

Thank you for the opportunity to testify today.



**BROOKLYN
DEFENDER
SERVICES**



New York City Council

General Welfare Committee Hearing

March 17, 2021

Testimony of the Article 10 family defense organizations:

**Bronx Defenders, Brooklyn Defenders Service, Center for Family Representation, and
Neighborhood Defender Service of Harlem**

This testimony is submitted jointly by the Bronx Defenders (BxD), Brooklyn Defender Services (BDS), Center for Family Representation (CFR) and the Neighborhood Defender Service of Harlem (NDS). Our offices are the primary providers of mandated legal representation to indigent parents in Article 10 cases filed in family court in each of our boroughs (collectively the “family defense providers”). Together, we have created a model of interdisciplinary representation for parents charged with abuse or neglect and at risk of losing their children to the foster system. Our model connects clients with attorneys, social workers, and parent advocates to provide comprehensive representation and advocacy both in and out of court.

The COVID-19 crisis threw ACS, the foster system, and the family court (the ‘Family Regulation system) into disarray. The harrowing cascade of physical and mental health consequences, economic devastation, and social disruption have fallen disproportionately on the families we serve: low-income communities and Black and Brown people. These conditions have exacerbated the harm of family separation for parents and children, created conditions ripe for family regulation involvement, and slowed the progress on existing cases. It has also made the filing of termination of parental rights petitions -- an attempt to dissolve a family -- more likely because cases are pending longer and families are less able to fulfill the service plan requirements required to regain custody of their children. The family defense providers have met this challenge and have continued to provide effective representation to parents during this crisis in and out of court. As we outline in detail below, it is clear that our clients and their families will face more hardship for the foreseeable future, with serious emotional and legal consequences, as a result of the many interruptions in services, limitations on in-person contact, and restricted access to due process in family court that has continued for more than a year.

The primary goal of our representation is to ameliorate the underlying issues that drive families into the Family Regulation system, and to reduce the harmful consequences of system involvement, including criminal charges, housing and income loss, education issues and immigration status. Collectively we represent over 12,000 respondent parents in Article 10 cases each year. Since New York City first contracted with institutional providers to represent parents, we have represented over 40,000 parents in Family Court, touching the lives of more than 80,000 children, the vast majority of whom are Black and Brown and live in the most marginalized low-income communities in New York City. With our model of representation in place, the foster care census has been reduced by almost 50% in New York City from over 17,000 children in 2007 when we formed to just under 8,000 today.

Since fiscal year (“FY”) 2020, we have also provided two critical additional services to parents, made possible only with City Council funding of the Right to Family Advocacy Initiative: we represent parents during an ACS investigation, with the primary goal of preventing family separation and court filings, and in administrative proceedings to help parents clear or modify their State Central Register (SCR) records that result after ACS investigations to thousands of people each year, thereby expanding their employment opportunities.

The City Council plays an important role in monitoring the Administration for Children’s Services and in ensuring that the families affected by ACS have legal assistance that is adequately funded to achieve positive outcomes for family reunification. Our testimony today addresses the importance of increased funding of the City Council’s Right to Family Advocacy Initiative, and restoring our Article 10 funding to FY21 levels in FY22. Specifically,

- **We are asking the City Council to fully fund the *Right to Family Advocacy Initiative* at the level requested in FY 21 which provides representation to parents during ACS investigations, avoids unnecessary family separation and case filings, and provides representation in SCR hearings; and**
- **We are asking the City to maintain FY22 funding for the family defense providers at the FY 21 level. The current FY 22 contracts are baselined at an amount that represents an \$8.7 million decrease across the providers (more than 30% of our budgets) and must be restored.**

I. We ask that the *Right to Family Advocacy Initiative* be fully funded at the level requested in FY 21.

Thanks to the support of Speaker Corey Johnson and Councilperson Stephen Levin, the City Council allocated \$1.5 million in FY 20 for the four family defense providers (\$325,000 for each organization) to provide representation to low-income parents during ACS investigations, as well as at Office of Children and Family Services (OCFS) hearings that are necessary to amend an indicated case from the State Central Register for Child Maltreatment (“SCR hearings”). This undertaking, called the *Right to Family Advocacy Initiative*, provides desperately needed due

process, legal representation, and advocacy services to low-income individuals and families involved in the Family Regulation system. Our Article 10 contracts with MOCJ do not fund us to provide this critical representation before a court case is filed and without these advocacy services, the low-income Black and Brown parents disproportionately targeted by the Family Regulation system would not have access to counsel before an Article 10 petition is filed. With the funding provided by the City Council in FY 20, the family defense providers collectively represented over 1,160 parents during child welfare investigations and in SCR hearings.

Last February, just before COVID-19 swept through the City and New York came to a stand-still, the Article 10 providers jointly applied to renew the *Right to Family Advocacy Initiative* for fiscal year 2021 at 3 million. The funding request for FY 21 reflected an increase from the prior year of one million to maintain the program and to meet the rising need for the services. This year's funding request is at that same level of FY 21. Because the City needed to address multiple challenges and shortfalls in revenue in FY 21, as the pandemic raged, funding for the initiative was understandably reduced in the current fiscal year to \$216,666 per provider. Even with reduced funding, we have served, collectively, 1,140 parents in the first several months of FY 21, providing nearly all our services virtually, including community outreach. The need for the advocacy funded by this initiative continues and has become even more essential during the pandemic. We expect the demand to increase as our clients come from the communities most in need and most impacted by the compounding physical and financial hardships of the pandemic. Therefore, we are asking for 3 million (\$750,000 per provider) so that we can continue to provide these vital services in FY 22.

A. Low-income parents do not have access to counsel during ACS investigations, resulting in unnecessary traumatic and harmful family separations and case filings.

Currently, parents with family regulation involvement who cannot afford to hire counsel are not provided assigned attorneys until ACS files an abuse or neglect case against them in Family Court. Before a case is filed in court, however, crucial decisions are made that have grave consequences for how cases proceed, including whether the family will be diverted to prevention programs and services; whether a case will be filed in court; and, most significantly, whether children will be separated from their parents. Without access to counsel during this critically important investigative stage of an Article 10 case, parents are forced to meet with ACS, make critical decisions, and navigate the city's intervention into their family's life on their own. When parents are required to proceed under these circumstances—without knowing their rights or how the investigative and Family Court process works—the result is that too many children are unnecessarily separated from their parents, many unnecessary cases are filed, and invaluable court time is taken away from important hearings and other critical matters impacting families' lives. For all of these reasons, the Commission on Parental Legal Representation established in 2018 by Chief Judge Janet DiFiore recommended that parents be granted access to counsel

during these investigations.^[11] In addition, the standards of practice for parents' attorneys adopted by the American Bar Association in 2006 recommend that attorneys actively represent parents during an investigation.^[12] Because representation at the investigative phase of a case is an effective and much needed bulwark against a multitude of avoidable harms to families occurring within the Family Regulation system, it is crucial that the City fund this type of advocacy.

B. Low-income parents do not have access to counsel in SCR hearings and are unjustifiably categorically denied employment opportunities.

Parents are also not given access to counsel in SCR hearings that are necessary to amend an indicated case from the State Central Register for child maltreatment (the "SCR"). New York parents who are listed on the SCR are routinely denied employment based on unproven allegations of child abuse and neglect. New York state has one of the most restrictive SCRs in the country and SCR records remain accessible to employers and others for years, restricting parents' ability to work and support their families. The majority of parents listed on the SCR never have cases filed against them in court and never have the allegations against them reviewed by a judge to determine whether they are supported by evidence and actually warrant drastically limiting a person's employability. In these cases where there is no court filing, parents are never assigned an attorney to inform them of their right to challenge their listing on the SCR which could bar them from employment. Last year New York law was changed and there will be some modifications that could benefit parents, but the law does not go into effect until January of 2022 and there is a new type of rehabilitation hearing that parents will have the opportunity to apply for. It is critical that the City provide low-income parents with access to attorneys to represent them in these hearings and remove unjustifiable and unreasonable barriers to their employment. This is even more urgent as the unemployment rate in New York City remains high. People who challenge their inclusion in the SCR and have their names cleared can get jobs that serve society and financially support their families once they are cleared.

C. The *Right to Family Advocacy Initiative* avoids unnecessary family separation and court filings.

Through the *Right to Family Advocacy Initiative*, low-income parents in New York City have access to attorneys and social work assistance when they are faced with an ACS investigation or have been denied employment due to having an indicated case on the SCR. Teams of attorneys, social workers, paralegals, and parent advocates are available to advise parents about their rights, their choices, and the consequences of decisions during an ACS investigation. As a result, parents are more meaningfully engaged in the process and ACS is better informed about a family's circumstances. We are able to assist parents in providing helpful information to ACS, identifying their strengths and resources, accessing services and material assistance, and

addressing the issues that brought their children to the attention of ACS in the first instance. Our advocates attend conferences at ACS, schools, and medical providers with our clients. This support often results in resolving cases without ACS having to file a petition court.

Throughout the pandemic, each of the providers continued to represent parents during investigations and in SCR proceedings. We continued to conduct intake by phone, text, WhatsApp and video, and adapted our procedures to obtain e-signatures on releases and other documents needed to assist parents. We appeared by video or phone at SCR administrative hearings and ACS conferences to provide advocacy and to prevent court filings. Many critical services like day care and counseling were abruptly discontinued during the pandemic and our social work staff helped connect parents to virtual replacement services, and supported them in addressing essential needs, like locating food pantries and PPE. We also assisted clients in applying for public benefits, navigating the challenges of remote schooling, and by providing crisis intervention and support in myriad ways.

Through early advocacy and identification of appropriate services and resources, we avoid unnecessary and traumatic family separations and often keep family court cases from ever being filed against the families we assisted. This essential work has resulted in tremendous fiscal savings for the City, preserving valuable court resources and time for cases that require court intervention.

D. The pandemic has already resulted in an increased demand for our assistance and we expect that demand to grow as the City re-opens.

It is well understood that the novel coronavirus has disproportionately impacted Black and Brown low-income New Yorkers. In 2019, the vast majority of the families prosecuted by ACS were from this same demographic and from low-income communities. Accordingly, the Covid-19 crisis and the cascade of physical and mental health consequences, economic devastation, and social disruption have fallen disproportionately on the families we serve. In addition, parents who benefited from the eviction moratorium but who lost part-time work during the pandemic will now face housing insecurity and homelessness. These are the very conditions that give rise to increased reports to the SCR, lead to ACS involvement and result in unnecessary family separations and court filings that would be avoided if parents had access to counsel and social work advocacy during the investigation. Parents who had critical services interrupted and may be struggling as a result are also more likely to find themselves investigated by ACS. In addition, we expect the ‘reopening’ of schools, daycares, and other services to lead to an increase in reports to the SCR and ACS investigations. Parents will need representation and assistance navigating ACS investigations, under circumstances where they are already strained by the impact of the pandemic.

In addition to the work we have done, in partnership with other community based providers, to hold “Know Your Rights” presentations in our client’s communities and online, in the past year we have also created a Know Your Rights website for parents. The website is designed to provide critical information about ACS investigations and about how to contact us, in English and Spanish. We anticipate that both our community outreach efforts, and the visibility and accessibility that the website provides will result in heightened demand for our services when it is launched in the near future.

Providing parents with legal assistance and social support in order to prevent unnecessary family separation and family court filings should be an urgent goal for the City. Children, who have already suffered interrupted connections with friends and families as a result of the pandemic, should not be further harmed by unnecessary separation from their parents. In addition to preventing unnecessary family separation, early defense is especially critical because the family court, which is already dealing with a backlog of cases, is likely to be further overwhelmed if an increase in investigations leads to more court cases. Funding early defense will ensure that cases that do not need to be filed in court are properly diverted to preventive services. Finally, everyone who suffered economic loss during the pandemic will be looking to re-establish employment and financial security; for parents burdened with an SCR record as a result of ACS involvement, their need to preserve and expand employment will be no less critical. And given that the majority of parents impacted by ACS are Black and Brown, SCR advocacy is an important measure towards addressing the racial economic disparity that is an embedded consequence of ACS involvement.

Even before the pandemic, we could not meet the need of every parent facing an investigation or needing advocacy with the SCR. Therefore we are asking that the Council provide us with adequate funding to meet this demand that increases economic mobility for parents, saves the City money in reduced foster care and court filings, eases the burden on the city’s Family Courts and prevents the short and long term harmful consequences of family separation.

II. Family defense provider FY 22 revenue must be maintained at at least FY 21 levels.

Despite more than a decade of excellent interdisciplinary representation that is saving the City substantial monies in foster care costs, the Mayor’s budget has a dramatic DECREASE in funding for the family defense providers in FY 22. This is not related to COVID-19 and the most recent budget concerns that are affecting the City, but actually reflects a funding pattern that has occurred for the past four years. A decision was made to baseline our contracts at \$8.7 million

less than we were allocated in FY 16 and in each year since then we have had to work hard and wait a long time to have our budget restored to necessary levels. It is imperative that the City Council require that the Mayor restore our FY 22 funding to FY 21 levels in the budget that is passed on June 30.

Our effectiveness in reducing the length of foster care is well documented. The largest study of parental representation in family court ever conducted found that holistic, interdisciplinary institutional representation in New York City significantly reduces the time children spend in foster care.^[5] This study compared length of foster care stays for the children of BxD, BDS, and CFR's clients with the children of parents who were assigned solo attorneys pursuant to Article 18-b of the County Law, Indigent Defense Legal Panel Plan. The study found that representation by multidisciplinary providers reduced children's time in foster care by nearly 4 months during the 48 months following filing of the petition, through earlier reunification outcomes translating to up to nearly \$40 million in annual savings in foster care expenditures for New York City. According to the study, these outcomes were achieved without any difference in safety to children between the two groups.

A. History of the Article 10 contracts and funding

The current contract term for the four family defense providers is FY 14-FY 20, but MOCJ has extended the contracts for a seventh year, and will extend the contract again for an 8th. The base revenue in the Article 10 contracts for FY 22 is currently set at FY 16 levels even though each year since then, MOCJ has provided each of the Article 10 providers increased revenue for FY 17, FY 18, FY 19, FY 20, and FY 21 through the contract amendment process. MOCJ has not given us assurances that it can do the same for FY 22.

Although we are requesting that the family defense providers receive the same funding as last year, even FY 20 and FY 19 revenue levels were insufficient to meet the total cost of the practice and we expect it will be insufficient for FY 21. The revenue has not kept pace with increased costs in salary, rent and health insurance. As well, over time, the backlog created in the courts has made it more likely that every Article 10 client would face supplemental proceedings—when it takes longer to resolve a case, there is a greater likelihood that additional matters will be filed against a client—and under the current structure of our contracts, our revenue corresponds to pending *client* load, rather than pending case load. The result is an extreme shortfall in our budgets because the City has not increased our funding sufficiently to meet the increase in our pending client loads after 2016, the number of cases per client, the growing complexity of our caseload which includes many cases that are more than five years old, and the expanded need for critical casework outside of court by our social workers and parent advocates.

We would be on solid ground if we argued that we needed an increase in our budgets due solely to the enormous needs our clients face right now. They are the poorest people in the City who face the most obstacles during the best of times. During the pandemic, which is affecting our client communities at a much higher rate than other neighborhoods in the City, we are often the only resource they have to help them access basic necessities like food, PPE, and a safe place to sleep. The increasing need of our client base in light of Covid-19 and the related City shut down and the impact of that need on their families and Article 10 cases justifies our funding request at the full level requested in the prior fiscal year. We are mindful of the competing budget priorities facing the city in this challenging moment and are requesting only that our budget be restored.

B. Active, pending client loads remain high and are expected to increase in FY 22, as ACS files more cases and a backlog of unaddressed matters increases; this makes immediate restoration of our revenue critical so that we can maintain sufficient staff to handle our current clients and new clients as well as address the needs of the families we work with during the continued pandemic.

Initial case filings in the early stages of COVID-19 were lower, as ACS and court actors all adjusted to the physical shut down of the court and offices, but filings have increased and are back up in many months in some boroughs to pre-pandemic levels. Although intake is inconsistent, the vast majority of cases are family separation cases, which require the same intensive, up front work we had to do prior to the pandemic. Our offices are essentially doing the same number of preliminary hearings to reunify families. At the same time, however, our ability to secure important due process protections for parents remains dramatically limited, even though the family court has gradually expanded its virtual capacity. This is particularly true for those hearings that result in children leaving foster care, which is the most likely predictor of expeditious case resolution. Hundreds of cases have been adjourned several months in the future despite our efforts to see progress on our cases. The court has not had sufficient capacity to hold fact finding hearings which results in a much higher percentage of our cases being at the pre fact finding stage. Very significantly, many clients' matters have no future adjourn date at all. To cite just one data point, 62% of CFR's clients' matters have no next scheduled court date and CFR is now closing cases at half the rate it was prior to the pandemic. This means that even if the family court can reopen or create more virtual capacity, there is already a significant backlog of cases the court must address and that backlog will increase. These limitations and delays only make it more likely that complicated supplemental proceedings like TPRs and custody petitions will be filed. The work required to reduce the backlog will be time consuming, complicated and staggering. It is essential that we are fully staffed and prepared for that eventuality.

C. MOCJ needs to at least restore our FY 22 revenue to FY 21 levels because active, pending client load (not annual intake) drives our costs and is a more accurate measure of our workload.

Our workload can not be assessed based on the number of new clients we are assigned (intake). Many of our clients have more than one case and the longer they have a case pending in family court, the more likely they will have more cases filed. Every supplemental matter adds time and workload to the representation. The longer cases pend, the more likely it is that supplemental petitions are filed against our clients. While intake may fluctuate, *it is the pending client load that determines how many attorneys, social work staff and other supports we need to run our practices and serve clients well.* Cases that resolve quickly are the exception. In most cases we work with clients for a long time—on average, more than two years. It is therefore common for us to be litigating two or more matters that involve different discovery, legal standards, and court proceedings for a client simultaneously, sometimes before different jurists. There are no statutory requirements for cases to go to trial within a set time frame, yet when children are in foster care for 15 out of 22 months, federal law requires, with few exceptions, that a petition to terminate parental rights (TPR) be filed. A petition to terminate parental rights, if successful, has been called the ‘civil death penalty,’ because it wholesale dissolves the legal relationship—and usually any connection at all—between a parent and child. In cases involving domestic violence, substance use, incarceration, mental illness, children with complex needs, or difficulty obtaining safe and permanent housing, 22 months is a very short time to address the myriad barriers to family reunification, and that is why our interdisciplinary teams are so critical to the representation of parents in child protection proceedings. Supplemental matters, like custody and termination cases, often involve new parties, different attorneys, new motion practice, and new needs for investigation and retaining forensic experts. That is why the current measure of our contracts, new annual intake, is not an adequate measure of our workload. Our work is defined by our current pending caseload and should be measured by that standard.

Our pending client loads, while flattening somewhat, are much higher than they were in FY 16 as a result. Higher pending client numbers means we need more attorneys and administrative staff to handle these cases, as well as more social workers and parent advocates to help parents negotiate service plans, attend meetings and conferences with caseworkers, support and expand visitation, and fulfill the requirements of the service plans required by ACS. To provide quality representation, move cases toward permanency, and ensure children do not languish needlessly in the foster system, our staffing must ensure that each attorney is handling a manageable pending client load. We believe that the target for pending clients should be set at 50, and that has been recognized by the Commission on Legal Representation as the appropriate standard.^[10] In order to meet that pending client target, we would not only need to have the \$8.7 million restored, but we would need to add additional funds.

D. COVID-19 and its harrowing impact on low-income NY families makes it likely that we will see increased ACS filings and court cases filed in FY 22.

The social and economic instability caused by COVID-19 is precisely the type of circumstance that gives rise to the vast majority of calls to the SCR, ACS investigations, case filings, and forced family separations through the foster system. Much of our work to come will be a continuation of our efforts to ensure that families are supported and children are not unnecessarily and traumatically separated from their parents due to poverty or instability. It will, however, be significant and require more resources than ever before in the wake of the catastrophic COVID-19 pandemic.

New York City's family defense providers have met the challenge of an extremely limited Family Court through continued high quality representation of parents during this crisis. We have represented parents in new cases filed in the virtual court, including litigating emergency hearings to prevent foster care placement; worked to conference and resolve as many pending cases as possible; and advocated in agency conferences with ACS and foster care agencies and with Family Court Legal Services regarding visitation, access to services and reunification of families. We created a digital flyer with our contact information translated into several languages that ACS agreed to provide to parents when it summoned them to virtual court. Our social work staff connected parents to virtual services when in-person services were abruptly discontinued, preventing interruption in services that could lead to children entering the foster system or delay their return home. And social work staff continued to advocate at the full array of foster agency and ACS conferences by phone and video, even in person.

ACS and foster agencies have unilaterally and summarily restricted the ability of families to visit in-person, despite court orders from before the pandemic and despite ACS's own guidelines to evaluate each case individually to assess whether in-person visitation can continue safely. Families were left to maintain their bond, even with infants and very young children, virtually over telephone and video chat. For many parents, this has meant that their access to their children has become dependent upon their access to the requisite technology and WiFi. Our attorneys and social workers have had to renegotiate the terms of almost every case where children are separated from their families because of foster agencies' and foster caretakers' inability or refusal to continue in-person visits and their insistence on limiting the amount of contact parents have with their children. In the face of this massive and systemic distancing of families that have already been separated, the court's capacity to hear applications by parents to enforce their rights to spend time in-person with their children or to reunite families with children in foster care has been greatly reduced and remains limited. As a result, our staff have shifted focus to helping our clients navigate these newly-erected obstacles to remaining connected with their children by negotiating creative solutions with ACS and foster agencies.

Despite these efforts, our clients' access to the court remains drastically curtailed and many cases have been adjourned to a date in the far future. Some have no adjourn date at all. This means that we can not close cases as frequently as we did in the past. To cite one data point, in the last two quarters of 2020, CFR's average intake was 187 cases and average cases closed was 106, meaning **there was a net increase in pending cases of 81 per quarter**. The change in case closing rates was also significant. Now, CFR is closing on average 106 cases per quarter, compared to 224 cases in the same time period of 2019. An increasing backlog, and an inability to close our cases, means that our pending caseload will increase.

At the same time, we believe that ACS will increase the number of cases it files over the next several months as the court reopens. As the vaccine is rolled out, and school and other children's programs open, allegations of maltreatment that often lead to court filings are also likely to increase. This, combined with a backlog, will make it even more important for family defenders to have the revenue needed to staff at prior fiscal year levels.

There is no quantitative or qualitative metric that can capture the cascading impact this pandemic is going to have on New York City's families with ACS involvement. All of these changes have amplified the intensity of separation between parents and children in foster care and, by default, increased the length of stay for every single child in foster care. We fear that once we return to some level of normalcy, there will be an absolute flood of Termination of Parental Rights ("TPR") proceedings as well, meaning that many of our clients will face permanent and irrevocable termination of their families because of the obstacles created by the pandemic. Our continued ability to work around these obstacles and implement creative solutions is more critical than ever.

We are happy to answer any questions you may have and you can reach us at the contact information provided below. We greatly appreciate this opportunity to provide you with information on the critical importance of maintaining our funding to ensure that parents faced with the loss of their children are provided high quality mandated legal representation and on the importance of continuing and enhancing the Right to Family Advocacy Initiative.

Bronx Defenders, Emma Ketteringham

emmak@bronxdefenders.org

Brooklyn Defender Services, Lauren Shapiro

lshapiro@bds.org

Center for Family Representation, Michele Cortese

mcortese@cfrny.org

Neighborhood Defender Service of Harlem, Zainab Akbar

zakbar@nds.org

[1] New York has long recognized a parent's right to counsel in child protection proceedings. In a pioneering 1972 decision, *Matter of Ella B.*, 30 N.Y.2d 352, the New York Court of Appeals recognized the equal protection and due process right to indigent parents to assigned counsel in child neglect and abuse cases. Three years later, sections 261, 262, and 1120 of the Family Court Act codified a broad parental right to counsel. Additionally, numerous provisions throughout Article 10 of the Family Court Act address implementation of the parental right to counsel in child welfare proceedings.

[2] See Commission on Parental Legal Representation, Interim Report to Chief Judge DiFiore (February 2019), pps. 27-28. See also Martin Guggenheim & Susan Jacobs, *A New National Movement in Parent Representation*, 47 CLEARINGHOUSE REV. 44, 45 (2013), available at <http://www.cfrny.org/wp-content/uploads/2013/07/A-New-National-Movement-in-Parent-Representation-Clearinghouse-Review.pdf>.

[3] *Interim Report to Chief Judge DiFiore*, pg. 26.

[4] Center for New York City Affairs, The New School, *Watching the Numbers: A Six-Year Statistical Survey Monitoring New York City's Child Welfare System* (November 2016), available at https://static1.squarespace.com/static/53ee4f0be4b015b9c3690d84/t/5849a22f725e254385d753eb/1481220657883/FINAL_Watching+the+Numbers_2016.pdf.

[5] See study at <https://www.sciencedirect.com/science/article/pii/S019074091930088X>; see also *Providing Parents Multidisciplinary Legal Representation Significantly Reduces Children's Time in Foster Care*, by Martin Guggenheim & Susan Jacobs, June 4, 2019.

[6] See, e.g., *Matter of Jamie J.*, 30 N.Y.3d 275, 280 n.1 (2017).

[7] See Center on the Developing Child at Harvard University, *Toxic Stress Derails Healthy Brain Development*, at <https://www.youtube.com/watch?v=rVwFkcOZHJw&feature=youtu.be>.

[8] See, e.g., Jayesh M. Rathod, *The Transformative Potential of Attorney Bilingualism*, 46 U. Michigan J. Law Reform 863-920 (2013).

^[9] Data are from the New York State Unified Court System, comparing 1,140 at the end of 2016 (see the second row, penultimate column of the chart available here: <http://www.nycourts.gov/publications/pdfs/Family-Court-statistics2016.pdf>) with 1,584 at the end of 2017 (see the second row, penultimate column of the chart available here: <http://www.nycourts.gov/publications/pdfs/Family-Court-statistics2017.pdf>).

^[10] Commission on Parental Legal Representation, Interim Report to Chief Judge DiFiore, February 2019. *See also* Indigent Legal Services, Standards for Determining Financial Eligibility for Assigned Counsel February 16, 2021, pg 31 (“*counsel shall also be provided for parents in child welfare proceedings during a child protective agency investigation and sufficiently in advance of their first court appearance..*”); written testimony of American Bar Association, Government Affairs Office, *e.g.* ABA, Indicators of Success for Parental Representation, at ii-iii (describing results of evaluation of a Texas pilot project setting a cap of 50 clients and finding that after six months, “the model had already improved the quality of representation for parents,” and resulted in reduced continuances and delays). *See also* ILS Model Upstate Parental Representation Office Request for Proposals (“Given the unique complexities involved in state intervention cases, caseload limits are essential to permit attorneys to comply with their ethical responsibilities. This RFP therefore contemplates an office average of no more than 50 clients per attorney at any given time.”), available at <https://www.ils.ny.gov/files/Parent%20Representation/RFP-Upstate%20Model%20Parental%20Representation%20Office%20Grant%20032017.pdf>.

^[11] Commission on Parental Legal Representation, Interim Report to Chief Judge DiFiore, February 2019.

^[12] *See* American Bar Association, Standards of Practice for Attorneys Representing Parents in Abuse and Neglect Cases 10 (2006), available at https://www.americanbar.org/content/dam/aba/administrative/child_law/aba-parent-rep-stds.pdf

^[13] Total clients represented includes all clients for whom Early Defense & SCR advocacy began between July 1, 2019 - April 30, 2019 and is now concluded. It does not include cases that began during this time period, but which are still pending.

^[14] Villarosa, Linda (April 29, 2020) “A Terrible Price: The Deadly Racial Disparities of Covid-19 in America”; New York Times; Mays, Jeffrey C. Andy Newman. (2020 April 8). “Virus is Twice as Deadly for Black and Latino People Than Whites in N.Y.C” New York Times. <https://www.nytimes.com/2020/04/08/nyregion/coronavirus-race-deaths.html>

^[15] Grench, Eileen. (2020 April 28). “Parents Expecting Ipads Deliveries Got Knock on Door from Child Welfare Workers”. The City. https://thecity.nyc/2020/04/some-parents-awaiting-ipads-got-visit-from-child-welfare.html?utm_campaign=mailchimp&utm_source=daily&utm_medium=newsletter

March 17, 2021

Testimony for the Committee on General Welfare

Marcyn Campbell on behalf of Covenant House New York

Good day members of the New York City Council, my name is Marcyn Campbell. Thank you for the opportunity to testify today. I will be sharing my story with you in the hopes of emphasizing just how important Covenant House is as a youth shelter. I was a member of the Covenant House youth shelter located in Midtown Manhattan by Times Square for about a month and a half, from approximately November 29th to mid-January.

I honestly can't emphasize enough how much that program helped me. Before that point in my life, I wouldn't have predicted that I would be living in a homeless shelter. I grew up in a relatively privileged background. I had attended great schools, was an honor student and eventually I got accepted into one of my top schools with an academic scholarship, Manhattan College. Despite my academic accomplishments however, my personal life was full of issues. In particular, there were constant conflicts with my mother, who I lived with at the time, over my gender presentation and sexuality. Sometime in mid-November of 2020, this has reached a boiling point that resulted in my being kicked out of the house. I spent the week with a friend, but eventually made the trip up to New York City to be closer to the college I would be attending, and where a friend of mine had recommended Covenant House.

Covenant House was truly a blessing for me. I was at one of the lowest points in my life and in a situation I never saw myself being in. Despite this, I was welcomed into the program with open arms. The staff there at all levels are so dedicated to the youth and their success, and it made me feel so inspired to witness that. The medical services provided by the institution were also amazing. I was able to receive access to necessary medications in a timely manner. I was also able to meet amazing new people, not just on my floor, but as a result of all the interactive services Covenant House provides, from the music studio to the art room. Covenant House wasn't just a place to stay for a month and a half, it was a truly extraordinary service that provided me with resources and skills that I'm still utilizing till today.

In fact, due to Covenant House I was able to gain an internship with an advocacy lawyer and mentor Jayne Bigelsen, which is why I even have the opportunity to speak here today. That's why I'm calling for the city to provide additional funding towards homeless youth services, such as those at Covenant House. Even though Covenant House is doing a lot right, there's still so much that additional funding would help with. The money would be put towards workforce development programming which at Covenant House is called CovWorks. As someone who was part of the Covenant House Fast Track program, I was able to access scholarship opportunities that proved especially valuable to me. I have friends from Covenant House that benefited greatly from workplace development opportunities as well. The funding would also go towards mental health services which are especially invaluable to homeless youth as they overcome the trauma that experiencing homelessness can cause. I benefited from Covenant House's mental health services during my time there, so I can't emphasize enough about just how important these services are. There are tens of thousands of homeless youths living in shelters across the city, and as the most vulnerable population, shouldn't the city be doing more to ensure their protection? Through services like Covenant House, homeless youth are able to rise up out of their

current situations and into a safe space with people that are fighting constantly for their success, and that in turn leads to them becoming self-assured high achieving members of society. If it wasn't for Covenant House, I don't know if I would be in college and living on campus right now. That's why I'm calling for the City Council to further fund homeless youth services like Covenant House. If this city really wants to serve its most marginalized and underrepresented communities, this is where to start.



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Testimony of New Destiny Housing NYC Council Committee on General Welfare

March 17, 2021

Thank you for the opportunity to testify today at this Preliminary Budget Hearing for Fiscal Year 2022 on behalf of New Destiny Housing, a 27-year-old nonprofit committed to ending the cycle of domestic violence and homelessness by connecting families to safe, permanent housing and services. My name is Gabriela Sandoval Requena, and I am the Senior Policy Analyst of New Destiny Housing.

Homelessness and Domestic Violence

Domestic violence continues to be the number one driver of family homeless in New York City, with nearly 19,000 survivors and their children entering shelter each year due to abuse.¹ This accounts for shelter entries in both Human Resources Administration (HRA) domestic violence (DV) and Department of Homeless Services (DHS) shelter systems. With over 2,500 emergency beds and more than 330 Tier II units, HRA manages the largest DV shelter system in the country.² Additionally, thousands of survivors seek temporary housing directly through the DHS system. City data indicates that 41 percent of families entering DHS shelters cited domestic violence as the cause of their homelessness.³

The global COVID-19 pandemic has only exacerbated the predicament of survivors. Stay-at-home orders forced survivors to make the impossible choice between shelter or remaining with their abusers. In New York City, the domestic violence resource website, NYC Hope, saw a 110% increase in traffic when COVID-19 first took hold.⁴

Attaining Affordable Permanent Housing

Survivors and their children struggle to attain affordable permanent housing once they enter the system. For every 1 survivor that exits HRA DV shelter into permanent housing with a rental subsidy, 16 survivors leave DV shelters for DHS shelter. The Department of Social Services' 2020 Annual Report on Exits from NYC Domestic Violence Shelters reveals that 37 percent of the 2,727 households who exited the domestic violence shelters were transferred into the DHS system.⁵ That is 1,007 households that left shelter for shelter. This figure includes households that reached the State-set 90-day limit and were streamlined to DHS, as well as clients who were administratively discharged and eventually went to DHS on their own.

This is compared to only 64 households that moved into permanent housing with a voucher or rent subsidy, 3 to supportive housing, and 14 other households to public housing in 2020. Without

¹ NYC Comptroller, Housing Survivors: How New York City Can Increase Housing Stability for Survivors of Domestic Violence, 2019, page 11.

² NYC Department of Social Services, 2020 Annual Report on Exits from NYC Domestic Violence Shelters, page 2.

³ NYC Comptroller, Housing Survivors: How New York City Can Increase Housing Stability for Survivors of Domestic Violence, 2019, page 11.

⁴ Safe Horizon, Visits to New York City's Domestic Violence Website Surged Amid Coronavirus Pandemic, <https://www.safehorizon.org/safe-horizon-in-the-news/nyc-domestic-violence-website-visits-coronavirus-pandemic/>

⁵ NYC Department of Social Services, 2020 Annual Report on Exits from NYC Domestic Violence Shelters, page 3.

appropriate resources to attain permanent and affordable housing, survivors and their children are very likely to continue struggling with homelessness and abuse upon leaving DV shelters.

We urge the City to take much needed steps to expand equitable access to housing and address this perpetuating cycle for domestic violence survivors and their children. New Destiny strongly recommends: pass and fund Intro 146-B immediately; allow HRA shelter residents equal access to HPD homeless set-aside units; increase accountability in the HRA domestic violence shelter system by requiring it to maintain a daily census, like DHS does; and to leverage federal funding to develop a \$10 million Innovation Fund to support best practices that mitigate or avoid the trauma of homelessness.

Level the Playing Field for Homeless Families looking for Housing with a Local Rental Subsidy

Currently, most homeless families, including domestic violence survivors, need a rental subsidy to afford housing in New York. The City created a local rental subsidy, CityFHEPS, to help meet this need but, by including a severe income limitation, a time limit, and a static rent amount that is 29% less than what the competing Section 8 voucher offers, few families are able to use it. The majority of City Council Members have co-sponsored Intro 146-B, which would eliminate these deficiencies with CityFHEPS and set the rent in accordance with Section 8 rates. Housing a family for one year in DHS shelter costs the City approximately \$73,000,⁶ whereas housing a family at Section 8 rates costs only \$26,604.⁷ If raising the subsidy rate reduces the time it takes for families to leave shelter by even a few weeks, the program will pay for itself in shelter savings. New Destiny encourages the City Council to pass Intro 146-B immediately.

Open the Door to HPD Homeless Set-Aside Units

NYC Department of Housing Preservation and Development (HPD) creates a critical pipeline from shelter to permanent housing for homeless New Yorkers by requiring most developers who receive their funding to set aside at least 15% of their units for homeless households. While this program creates over 2,000 homeless set-aside units annually,⁸ none of them are made available to homeless families living in the HRA DV shelters. Currently, the administration only allows individuals and families in the Department of Homeless Services (DHS) shelter system to access these units. New Destiny urges the City to allow survivors in HRA shelters equal access to this housing, which would incur the City no additional funding.

Bring Sunlight & Accountability to the Domestic Violence Homeless System

While the DHS shelter system is required to maintain a daily census, the number of people living in HRA DV shelters is only reported once a year. This lack of ongoing available data hides from view some of the City's most vulnerable people, including homeless domestic violence survivors, individuals living on the street, homeless youth, homeless individuals living with HIV/AIDS and those in HPD's shelter system. This results in budget and policy decisions focused on those that are in the public view, with less attention and accountability for those that are not. New Destiny urges the City to include all homeless New Yorkers in its daily homeless census, which would not cost the City additional funding.

⁶ NYC Preliminary Mayor's Management Report, January 2021, page 169.

⁷ New Section 8 rate amount is \$2,217 per month, <https://www1.nyc.gov/assets/nycha/downloads/pdf/Section-8-HCV-VPS-NYC-Gov-Version-2021.pdf>

⁸ NYC Dept. of Housing Preservation and Development, The Housing Plan, <https://www1.nyc.gov/site/hpd/about/the-housing-plan.page>. Units include both homeless set-aside and supportive housing units.

Create \$10M Innovation Fund

While survivors become housing unstable because of domestic violence, there is no single solution for regaining that stability. Communities across the country have been developing agile approaches to housing survivors of domestic violence and preventing their homelessness. This includes Rapid Rehousing, Flexible Funding, Housing Navigators, and Transition in Place programs. New Destiny encourages the City to use federal funding to develop a \$10M Innovation Fund to support emerging best practices that mitigate or avoid the trauma of homelessness for survivors and their children.

For more information on our policy priorities to address homelessness caused by domestic violence in New York City, please refer to our 2021 Policy Platform [available on our website](#).

I also urge you to support the priorities of the [Family Homelessness Coalition](#), a broad-based coalition of shelter and housing providers, advocates, and other nonprofits helping homeless families in New York City.

Thank you for the opportunity to submit testimony today. I welcome any questions.

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NEW YORK

Testimony for the New York City Council Committee on General Welfare on the Preliminary Budget for Fiscal Year 2022

March 17, 2021

Submitted by No Kid Hungry New York

INTRODUCTION

Good morning Chair Levin and members of the Committee on General Welfare of the New York City Council. My name is Rachel Sabella and I am the Director of No Kid Hungry New York. Thank you for the opportunity to testify at today's hearing on the preliminary budget for Fiscal Year 2022.

First, we thank the City Council for your continued commitment to protect New Yorkers from food insecurity. The City Council has long been a leader in addressing food insecurity, from supporting Breakfast in the Classroom to the expansion of universal school meals to leading the charge for increased, baselined funding for food pantries and soup kitchens to ensuring addressing food insecurity remained a top priority throughout the pandemic. Now more than ever, we are grateful to count you as our partner in the fight against food insecurity.

No Kid Hungry New York is a campaign of Share Our Strength, a national anti-hunger organization dedicated to ending hunger and poverty. Using proven, practical strategies, our No Kid Hungry campaign builds public-private partnerships with the goal of ensuring children have access to the healthy food they need, every day. In response to the coronavirus pandemic, No Kid Hungry has provided emergency grants across all 50 states, the District of Columbia and Puerto Rico to help school districts, food banks and other community organizations feed kids during this crisis. In addition to our grant-making, we have advocated for policies to address the unique barriers and unprecedented level of need brought on by this crisis – including national child nutrition waivers that offer flexibility to meal providers, expanded Supplemental Nutrition Assistance Program (SNAP) and Pandemic EBT – while offering strategic assistance to hundreds of local organizations. No Kid Hungry also launched a text line – “NYC FOOD” or “NYC COMIDA” to 877877 - to help families locate meals and worked closely with the Department of Education to customize the service to reflect their specific offerings. Since 2011, our No Kid Hungry New York campaign has helped connect millions of children across the state with school breakfast and summer meals.

IMPACT OF COVID-19 ON HUNGER AND POVERTY IN NEW YORK CITY

The coronavirus pandemic has affected all parts of our lives as New Yorkers. As of December 2020, the city's unemployment rate was 11%, an increase of over 250% since December 2019.¹ For many of our city's children and families, the pandemic and its economic consequences has had a disastrous impact on food security. Prior to the pandemic, 1 in 5 children were food insecure. **Now, recent estimates show that 1 in 3 children in New York City may have faced food insecurity over the last year.**²

Here's what food insecurity looks like: In some families, the pantry is completely empty. In others, mom or dad skips dinner a few nights a week so the kids can have something to eat in the evening. Many families are making impossible decisions between paying their ConEd bill or buying groceries. All of these scenarios have a profound effect on kids and families.

When kids don't get the consistent nutrition they need each day and throughout the year, it's harder for them to grow up healthy, happy, and strong. Consistent access to nutrition is linked to cognitive and physical development, test scores and long-term health and education outcomes. With the economic impacts of the coronavirus reverberating across the city, an entire generation is at stake. The New York City Council must work with Mayor de Blasio to take decisive action to ensure that children have adequate nutrition whether at school or at home.

As we continue to learn more about the far-reaching effects of the COVID-19 pandemic, it is clear that a decade of progress in improving child food security has likely been eliminated in a single year. Despite these challenging circumstances, there are numerous measures that the FY22 New York City budget can take to improve food access and food security for children and families across the city. By providing needed support to existing nutrition programs and by investing in outreach and awareness to connect families with federal nutrition programs, New York City can help to alleviate the impact of food insecurity for New Yorkers in every part of the city.

RECOMMENDATIONS FOR FISCAL YEAR 2022 NEW YORK CITY BUDGET

Increase Awareness, Outreach and Enrollment for Nutrition Programs. With record unemployment numbers in New York City and across the country, safety net programs are more important than ever. Federal programs like the Supplemental Nutrition Assistance Program (SNAP), Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) and the Pandemic Electronic Benefits Transfer (P-EBT) exist to help families get back on their feet during hard times. However, these programs only work when people can access them. Current discussions and budgets show a cut to marketing and awareness budgets when the reverse is true – New York City should be investing increased funds into outreach and awareness programs.

With many New Yorkers qualifying for benefits for the first time and fear still associated with participation in some programs due to immigration status, there is a clear need for outreach efforts, in different languages, to inform communities about these programs and help eligible families enroll in them. Community based organizations in all 5 boroughs are engaged in this work and additional support would help them deepen engagement and help even more New Yorkers use these programs to help put

¹ <https://labor.ny.gov/stats/laus.asp>

² <https://www.feedingamericaaction.org/the-impact-of-coronavirus-on-food-insecurity/>

food on the table. Recent actions by the federal government have temporarily increased SNAP benefits by 15% until September of 2021 which is even more reason for eligible New Yorkers to enroll in these programs now.

Safety net programs are important tools to help families in New York City weather this crisis, and investing in robust outreach and enrollment campaigns, including interagency outreach campaigns, will help families keep their children healthy and fed.

Strengthen the Emergency Food Network. New York City must continue to add funding and support for the emergency food network in New York City. Food pantries and soup kitchens are the last line of defense against hunger for many families. The emergency food system is facing a double whammy of increased need and fewer providers to meet this need as many agencies were forced to close their doors due to the pandemic. Further, many organizations who were not directly involved in anti-hunger programs before were compelled to create new programs to address food insecurity for clients because the need is so high. It is clear that the hunger crisis is far from over. Funding for EFAP (Emergency Food Assistance Program), the Food Pantries Initiative and new funding streams created at the start of the pandemic to support food pantries and soup kitchens should continue and be expanded.

In 2016, the New York City Council created first in the nation food and hygiene pantries in New York City public schools. The pantries provide food, cleaning products and personal supplies for the school community. With food insecurity on the rise, especially among children, investing in new school pantries would help families put food on the table.

We urge the City Council to prioritize support for food purchasing for food pantries and soup kitchens as well as financial support to increase staffing, storage and other operational support in the FY22 New York City budget.

CONCLUSION

New York City is facing a time of unprecedented challenges and devastating loss. Despite these devastating circumstances, city agencies, and nonprofit organizations are taking the necessary steps to feed children and families across the city. In order to rebuild stronger and help struggling New Yorkers, it is essential that we ALL come together to help the City rise again. As you continue deliberations on the FY22 New York City budget, we urge the New York City Council to continue to prioritize funding to programs that ensure no New Yorker faces hunger. No Kid Hungry New York stands at the ready to work with the New York City Council and our fellow New Yorkers to ensure all children and families have access to the food they need to thrive.

For more information, contact Rachel Sabella at rsabella@strength.org



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**Testimony of Arielle Wisbaum, Health Justice Program,
On behalf of New York Lawyers for the Public Interest to the
New York City Council’s Committee on General Welfare
March 17, 2021 FY22 Preliminary Budget Hearing**

Good afternoon, during this unprecedented public health crisis, I urge the Council today to support renewed funding for the Immigrant Health Initiative, which has saved lives and improved health across the City. My name is Arielle Wisbaum, and I am an Equal Justice Works Fellow in the Health Justice Program at New York Lawyers for the Public Interest, where we work to ensure that undocumented immigrants have access to healthcare.

At NYLPI, I help provide holistic advocacy for transgender, gender-nonconforming, intersex (TGNCI) and/or HIV+ immigrant New Yorkers to gain immigration status and access to healthcare—including gender-affirming procedures—through direct legal services.

I. NYLPI’s Work as Part of the Immigrant Health Initiative: UndocuCare

NYLPI is privileged to be part of the **City Council’s Immigrant Health Initiative**, and we thank you for that support. At a time when access to medical care and information is crucial and misinformation can endanger our communities, this support has allowed us to expand our work educating immigrant New Yorkers with serious health conditions, their healthcare providers, and legal service providers about how to access healthcare and how to stay safe. We have responded directly to community needs for medical/legal information and, partnering with the New York Immigration Coalition, created and staffed a facebook live educational panel with doctors and lawyers to answer questions on how to prevent the spread of the novel coronavirus and the implications of the public charge rule. In the wake of the COVID-19 case surge this past fall in Sunset Park, Brooklyn, NYLPI, in coalition with the Academy of Medical & Public Health Services (AMPHS) and others, hosted virtual Town Hall events to hear directly from the community. This offered individuals an opportunity to hear updates on local school reopening and testing efforts directly from representatives from the Department of Education and Test and Trace Corp, and gave the local community a public forum to engage directly with city officials on issues of great concern. Most recently, NYLPI co-hosted an important conversation hosted by the NYC Department of Health that provided information and answered questions regarding the COVID-19 vaccine. NYLPI actively participates in the City’s Emergency Partner Engagement Council addressing the COVID-19 crisis and its impact on our community partners.

Your support has also led to increased enrollment by eligible immigrants in state-funded Medicaid. The improved access to Medicaid has had life-changing and often life-saving effects on the lives of our clients. In October of 2020, we expanded our reach and launched UndocuCare TGNCI+, a project that aims to break down two major barriers to accessing health care: lack of immigration status and risk of detention. Following NYLPI's holistic approach to accessing health care through immigration advocacy, UndocuCare TGNCI+ provides direct legal services to transgender, gender-nonconforming, intersex (TGNCI) and undocumented individuals living with HIV by filing for viable immigration relief.

Through City Council funding, we are able to provide comprehensive screenings and legal representation to individuals, particularly those who are in health emergencies, including holistic support during these challenging times by providing our clients information on financial assistance, food banks, and housing relief to meet their intersecting needs. Our individual cases are complex, given that we deal with clients in health emergencies who are stuck between two complicated bureaucratic systems: immigration and health care. We have developed a nuanced practice taking the cases no one else can.

For example, our client *BA* was diagnosed with heart failure shortly after he entered the United States. He was sixteen years old at the time. He was denied a heart transplant in part because of his undocumented status. Our team met with him in the hospital after he was operated on and given a left ventricle assist device to ensure that his heart continued pumping. While advocating for his heart transplant, we ensured that he was represented in immigration court and before the asylum office and advocated fiercely for an expedited process. After we pressed his case, *BA* was granted asylum in March 2020 and was reunited with his mother after being separated from her for the past 12 years. We are proud to share that last month he received a heart transplant and is recovering well.

II. Improving Healthcare for NYC Residents in Detention Through the Immigrant Health Initiative

The Immigrant Health Initiative funding also supports NYLPI's work seeking to improve access to healthcare in immigration detention facilities. Despite the dire health risks posed by the spread of COVID-19, Immigration and Customs Enforcement officials continue to arrest and confine people in immigration detention facilities and jails. For NYC residents held in detention, NYLPI provides crucial and urgent advocacy to improve health care and advocate for release.

We have built and continue to expand our volunteer Medical Providers Network, now with over 200 medical professionals, available to perform reviews and consultations for people in detention in support of advocacy efforts. Through our work, we have connected the overwhelming majority of people who requested assistance in obtaining better care to a medical provider with experience relevant to their needs. In light of the COVID-19 health crisis, we have received increased numbers of requests for advocacy addressing people's vulnerabilities to exposure and illness while detained in already crowded facilities. The Council's support means we can move

quickly to activate our network and to respond. During the pandemic, NYLPI's Medical Providers Network has worked on more than 40 COVID-19 specific referrals for medical advocacy letters, in addition to our ongoing range of work, and 22 people have been released from area detention facilities and jails.

We work with City Council-funded New York Immigrant Family Unity Project attorneys to help secure the release of their clients from immigration detention, in large part because our medical evaluations help an adjudicator understand that the denial of adequate care is unacceptable.

III. Conclusion

Thank you to Chairperson Stephen Levin and the Committee members for giving us the opportunity to present testimony today and for this tremendous assistance, and we **ask that the funding continue in FY 2022** for both NYLPI and our partners. We look forward to continuing our work to improve immigrant New Yorkers' access to health care.

**Arielle Wisbaum, Health Justice Program
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NYLPI has fought for more than 40 years to protect civil rights and achieve lived equality for communities in need. Led by community priorities, we pursue health, immigrant, disability, and environmental justice. NYLPI combines the power of law, organizing, and the private bar to make lasting change where it's needed most.

NYLPI's Health Justice Program brings a racial equity and immigrant justice focus to health care advocacy, including ongoing work addressing the human rights crisis in immigration detention and advocating for healthcare for all New Yorkers.

Testimony
New York City Council General Welfare Committee
March 17, 2021
Clerical Administrative Employees Local 1549
By Ralph Palladino, 2nd Vice President

Last year's city budget covering this year was supposed to reflect a shifting of funding for the police to social services for the community. Yet the Human Resource Administration (HRA) and Agency for Children's Services (ACS) had to cut its budget and staffing this year just as nearly all other agencies. How could this be? Does this mean that not enough funding was cut from the NYPD? Or perhaps it is the usual style of reducing costs by just cutting across the board regardless of effects it has on the neediest of our population?

**Need for Eligibility Specialists (ES)-Human Resources
Administration (HRA)
Stop replacing Civil Service employees with higher paid Non-
Competitive employees performing the same duties in ACS and
HRA**

Every year the NY Daily News runs articles exposing the atrocious way needy clients are being treated when trying to obtain assistance at HRA. For well over a decade, we have testified as have advocates and clients about the mishandling of services for the poor in HRA, especially in SNAP, Medicaid Recertifications and HASA.

How does HRA management deal with the problem? They blame the employees. They use all sorts of ways to mistreat and bully workers. They downsize and subvert Civil Service positions like Eligibility Specialists (ES) and Clerical Associates (CA) with higher paid non-competitive jobs, wasting tax dollars.

They close centers and force clients to use social media that too many of them do not know how to use, and phone lines that are highly problematic to use. This over automation is exactly what former Indiana Governor Pence did when his mission was to destroy the SNAP program in his state. Fortunately, Indiana has reversed that issue. It is too bad New York City has not.

The city had to redeploy Social Workers, Caseworkers, DCAS and Metro Plus employees to perform ES in SNAP during the Spring and early Summer last year due to the demands of the Pandemic. These are all higher paid employees than ES title employees. There are still some employees of other titles doing this.

In HASA the workload has always been over the contractually agreed to quotas. This was the case before and during the Pandemic. Workers must rush to finish their assigned duties to help clients. But this also could lead to mistakes.

What HRA has done aided abetted by DCAS apparently is that when an Eligibility Specialist comes off a list, they offer them a non-competitive title position instead. We always

advise those on a list to never turn down a job since you might never get the chance to be called off the list again. So, the downsizing of the ES title is not surprising, but it is counterproductive for maintaining quality servicing of needy clients.

Two years ago, the city council passed legislation that mandated the hiring of social workers to assist clients who were waiting long for servicing at the centers. This was laudable and it should be done. But the city council leadership did not prioritize our request for the hiring of Eligibility Specialists. The ES shortage was in fact the main contributor for wait times. The analogy for this is in healthcare where you hire more surgeons to help sick people instead of primary care doctors to keep people healthy.

In Agency for Children's Services (ACS) the workload for cases handled by Clerical Associates is often double what it should be. Again, this could also lead to mistakes. The staffing levels now are less than half of what they were in 2009.

The economic effects of the crisis will be affecting the economy, wages, and jobs for several years. The economy is not expected to grow in a short period of time. The need to fortify the staffing levels of agencies like HRA will be important.

This city prides itself on being able to help the poor and needy. That is the rhetoric. In fact, the practice is to disregard the needs of a workforce that has low morale and a clientele whose needs are disrespected in practice.

By the Numbers

HRA management says it had to cut staffing. They targeted civil service positions while showing an increase in higher paid non-competitive titles, some of whom replace the civil servants.

The HRA has reduced the number of Eligibility Specialists by 340 positions the last four years alone. They have reduced 29 positions the past six months. They have reduced the Clerical Associate title who do back up work by 245 positions the past four years alone. They have reduced 20 positions the past six months. The budget passed last July 1 called for a reduction of ES title by 8% and the Clerical Associate title by 24%. But the budget shows an increase of the non-competitive titles by 20%!

The Mayor's Annual Management Report states that the timeliness in rate for SNAP application completions dropped almost 12% in 2020 from 2019. The Error Rate was not reported at all! The national average was 6%. What are they hiding??

Client Problems

The problems that clients face have been much the same since the last administration downsized the agency and began closing centers to save money on rent. It was about priorities on where to spend tax dollars and who to service. This is continuing today.

Clients are coming into center more now than before. There has been a recent uptick in them doing so.

Clients are waiting on long lines when entering centers. SNAP applicants came in and were moved to other agency areas like Medicaid areas because of the volume. They are waiting endlessly long on phone lines. They wait along with ES's too long private contractor and low wage employee phone lines, and have trouble completing their applications online. 50% of those who use phone lines and computers still come into the centers as a necessity. This was the case before the pandemic. Calls are being dropped when on phone lines and clients rarely get return calls back when leaving messages. When ESs call clients at home children very often answer

instead of the parent leading to confusion. There are language problems and the need for an interpreter to come on the call means longer waits. There are a lot of issues with people's cases being closed after their recertification period, even though they submit their paperwork. This is also verified by the Urban Justice Center.

Virtually all the problems with servicing reported in the NY Daily News article last August still exist. The HRA management has not committed to reopening any closed centers it closed due to the COVID crisis. They have not learned that centralizing and automating services just does not work for SNAP, HASA or Medicaid enrollees. They should be expanding services and decentralizing more.

30-40% of city residents who are eligible for SNAP do not apply. Wonder why? We think it is due to over automation, and lack of more convenient access to facilities. Elderly people are a far greater number of people on SNAP (48%) than the national average (36%). It is more difficult for elderly people, especially non-English first language person, to navigate social media and phones. Needy clients feel they are stigmatized because of the way they are treated, and the way services are provided. The system is not client friendly and looks like it is designed to discourage people from applying for the services that their tax dollars paid for.

Proper language services are critical- Use the Civil Service Interpreter Title

It is also critically important to have bilingual interpreters who can assist clients whose English is limited. They also can interpret documents. There certainly needs to be interpreters located in the waiting areas. Having people who look like our clients and speak their language is being "client-friendly."

Interpreters should be on duty for face-to-face interpreting of clients. The use of private contracted phone lines is not adequate. This leads to longer waits for clients waiting for service. I refer you to the NY State Report on Social Services (chaired by then Senator Avella) that summarized the importance and need for interpreters.

The NY Immigrant Coalition has documented the importance of face-to-face interpretation. The interpretation is carried out more accurately and in a timely manner when done this way. It is also more secure to have employees doing this and not private, unseen vendors.

There have been some problems at times with use of telephone line personnel in creating unnecessary friction. Too often, important pieces of information are not translated and misunderstanding erupting to verbal arguments ensue because of this.

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What our member says about Private Temporary low waged Phone Lines usage:

Statement from ES KC:

I work in TIPS phone line. The clients must call us to apply. We do the applications and then pass the work along to other ES's so they can determine eligibility.

We have and currently use hardware that is often problematic, leading to increased wait times for clients to get serviced. Database loading from other sources such as Social Security, etc. takes too long.

Translations are often problematic. HRA uses a private outside contractor. They become conference calls. There are increased wait times in these cases. Translators are not trained ESs, and translation is lost increasing wait time. Questions' meaning is lost in translation. Other callers meanwhile are waiting online waiting to be serviced.

Because of time restraints from supervisors, we are forced to look at the information and but cannot always review it.

Documents sent by clients take too long since databases take long to load. Clients must wait and then, at times, be told to send additional or better completed documents. Sometimes documents cannot be read online.

Oppose or Amend State Legislative Action- Senate S-3223 Assembly A-5414

Local 1549 opposes the state legislation passed by both houses of the legislature in its current form. It allows districts to make decisions how clients access their benefits. We believe it should allow the clients to do so. Given HRA's record of shuttering offices and overuses computerization and phone lines and how it adversely has affected access for the clients. We also believe that if districts around the state do see a need to primarily use phone lines that we do understand this given the long distances that need to be traveled by those clients. We therefore would also support a carve out for New York City. The city travel distances are not nearly as greater in the city than up state. Public transportation is better in the city than upstate. The distances needed to travel in the city did increase since the Bloomberg administration began closing centers and this administration has done the same.

Clients are deciding to come back to centers. Most have indicated

Such a bill goes into the realm of collective bargaining in that it changes job descriptions. These changes must not be legislated alone. It must go through the collective bargaining process. If the bill is passed it faces possible litigation by unions and clients.

Summary- Our Ask

The hiring of 400 Eligibility Specialists and 100 Clerical Associates in HRA. The recently passed federal Stimulus Package shows funding for administrative purposes for SNAP. We call on the city and city council to increase the hiring of Eligibility Specialists.

The hiring of 100 Clerical Associate civil service title employees in ACS.

Join us in demanding that HRA and DCAS cease their attack on the Civil Service System and to cease the waste of tax dollars by stopping the replacement of civil service clerical titles by higher paid Non-Competitive ones who perform the same work duties.

The hiring and use of the Interpreter Title in HRA and ACS.

The City Council should not support **Senate S-3223 Assembly A-5414** in its current form.

**Planned Parenthood of Greater New York FY2022 Expense Request Testimony
NYC Council Committee on General Welfare Preliminary Budget Hearing**

March 17th, 2021

Good afternoon. My name is Maryam Mohammed-Miller and I am the Manager of Government Relations at Planned Parenthood of Greater New York (PPGNY). Thank you to Council Member Levin, Chair of the General Welfare Committee, for convening this hearing. We also thank Speaker Corey Johnson and to the entire City Council for your continued support and the opportunity to testify on our FY22 expense budget requests.

PPGNY has proudly provided the full range of sexual and reproductive health care services and quality education programs to all New Yorkers for over 100 years. Last year, despite the pandemic, our New York City health centers conducted over 70,000 patient visits and enrolled 5,600 people in health insurance programs, providing care to all regardless of immigration status, identity or ability to pay for services. Our education programs also engaged over 6,500 people in 2020 -- including 118 young people. Project Street Beat (PSB), through their offices and mobile health center, conducted over 1,300 additional encounters.

We saw that many of the patients and communities we serve, many of whom are people of color, were hardest hit by the COVID-19 virus and the ripple effects it had on the city's economy and social service system. Communities that were already marginalized have proven to be disproportionately impacted by this disease. To help combat the impacts of COVID-19 on our communities, we transformed our care delivery model at our health centers and PSB to help ensure individuals could safely access our services while adhering to government guidelines to decrease the spread of the virus. Also, we continued to provide critical education programming virtually and conduct community outreach to ensure communities obtained the sexual and reproductive health information they need. As an organization, PPGNY also faced several challenges that presented financial hardship due to decreased revenue from service fees, and a 15% cut in council discretionary funding in the FY21 budget.

During this time, Planned Parenthood continues to face attacks from the federal government and conservative state governments that used the pandemic as a tool to restrict sexual and reproductive health care access around the country. Also, the changed landscape of the Supreme Court presents a real threat to Roe v. Wade and reproductive freedom throughout the country. We are also still dealing with the devastating impact of the domestic gag rule on Title X recipients, forcing Planned Parenthood to withdraw from that program.

Despite these attacks, we remain committed to providing quality health care services and educational programs to our communities, no matter what. Our outreach programs are crucial in ensuring that patients have access to health care services and information whenever, wherever, and however they are needed. Today, we again turn to the generosity of the City Council to help us to continue to provide affordable health care for all New Yorkers.

Supporting Young People and Growing Access to Healthcare

We recognize the challenges the COVID-19 pandemic has presented to all New Yorkers, but especially young people. They have been forced to quickly adapt to changes in the educational system almost daily, have not been able to engage with their peers regularly, and are restricted from accessing vital services and programming that support them academically, socially, and personally. Young people in the foster care system have been especially impacted, experiencing delays in accessing resources and engaging with their case workers, home placements, and adoption court proceedings.¹ We recognize the needs of this population and have worked to ensure they have access to sexual and reproductive healthcare information and services so they can make informed health decisions.

This year, we are requesting funding to expand our ability to train staff at Administration for Children’s Services (ACS) contracted agencies to better integrate sexual and reproductive health (SRH) supportive services for youth in the foster care system. Professionals within the ACS system are often a trusted resource for information for young people in the system; equipping them with sexual and reproductive health knowledge and skills can ensure youth receive accurate information and connections to health care, helping curb rates of HIV, STIs, unintended pregnancy, domestic violence, sexual abuse and other traumas. With a data-driven focus on health disparities, PPGNY initiatives prioritize increasing equity in SRH information and services to groups such as youth in foster care and youth in the juvenile justice system. We have developed long-standing partnerships with community-based foster care organizations, including Graham Windham and the Jewish Board, and the New York City Administration for Children’s Services (ACS) to address barriers and facilitate information and services through innovative programming.

Through this proposed initiative, PPGNY will build on our existing organizational capacity building model, developed and piloted successfully in 2017 and 2018 with two large New York City foster care agencies. Additionally, as part of our partnership with ACS, we are also creating and implementing a training for foster parents to help them build affirming spaces for the LGBTQAI+ youth in their care.

PPGNY also respectfully requests an enhanced funding amount of \$750,000 from the Reproductive and Sexual Health Initiative. This funding supports the clinical healthcare services offered at our five New York City health centers and our Youth Health Promoters program. We offer care to our most vulnerable patients who qualify for low or no cost services because they are uninsured, low income, have an undocumented immigration status or are otherwise unable to use their insurance due to confidentiality or safety concerns. Enhanced funding will also support our clinical staff with Electronic Medical Records (EMR) telehealth care training that will allow our patients to continue to receive quality healthcare during the pandemic and beyond, given the consistent demand for care through the telehealth modality.

This funding also supports our Youth Health Promoters (YHP) program. The YHPs are highly trained peer educators who engage other young people and conduct interactive workshops to educate youth about teens’ rights and access to sexual and reproductive health care to overcome barriers and stigma that teens may experience in accessing care. The YHPs also engaged with their peers through a series of virtual events and robust social media engagement that promoted healthcare access in fun and interactive ways. In 2020, the Youth Health Promoters reached 118 youth in “Sexual & Reproductive Health Rights & Access” workshops.

We also seek enhanced funding from \$225,000 to \$500,000 from the Dedicated Contraceptive Fund Initiative to provide long-acting reversible contraceptive (LARC) devices free of charge to patients who

¹ <https://www.nytimes.com/2021/01/08/parenting/foster-care-coronavirus.html>

choose LARC and are uninsured, ineligible for public insurance coverage, facing financial hardship, or unable to use their health insurance due to confidentiality concerns.

We provide no-cost LARC insertions and removal at our health centers as well as on our Project Street Beat (PSB) mobile health center whose client base is individuals who use drugs, work on the street or are unstably housed. The PSB mobile health center addresses these risk factors by bringing free reproductive health care--including LARC devices, navigation and referral services-- to hard-to-reach communities.

PPGNY has extensive experience providing comprehensive contraception options counseling and administration, which includes LARCs, thanks to support from public and private sources. However, we recently faced a \$500,000 decrease in private contributions for New York City LARC services, which will impact our ability to sustain our volume of patients on a sliding scale.

We also request funding from the Trans Equity Programs Initiative in the amount of \$250,000 to help empower the trans and gender non-conforming populations to lead healthy lives by expanding access to sexual and reproductive health services and gender affirming care at our health centers. We offer trans/nonbinary care in all five of our New York City health centers. In 2020, we provided care for over 500 individuals. Additionally, we recruited two Ambassadors from the transgender and gender non-conforming community who are working to build relationships with partner organizations, raise awareness of our culturally competent care, and link individuals to expert services at PPGNY.

The cost of medications associated with this care can also be burdensome, even for those who are insured. We will use these funds to expand the sliding scale funding that helps offset the costs of gender hormone medications at all of our New York City facilities, and expand access into our mobile health centers.

Ending the Epidemic Through Project Street Beat

PPGNY knows how critical it is to provide support for all high-risk communities, so that no one group is left behind in efforts to end the HIV epidemic. PSB targets a hard to reach population of individuals that exhibit multiple behaviors that heighten their risk for STI and HIV infection including unstable housing, histories of trauma, and unaddressed mental health issues. Using a culturally competent, street-based approach, Project Street Beat staff travel in minivans and a mobile health center to street locations and select community-based partners to connect residents to care.

To continue and grow the work at PSB, we are requesting **350,000 from the End the Epidemic initiative, \$150,000 from the Speaker's Initiative, and \$50,000 from the HIV/AIDS Faith-Based Initiative.** For over 30 years, Planned Parenthood of Greater New York's (PPGNY) Project Street Beat (PSB) mobile health center has provided targeted outreach and services to communities most in need through our mobile health center and our PSB offices in the Bronx and Brooklyn. PSB currently provides services in the Bronx, Brooklyn, and Northern Manhattan and Queens.

The program serves clients who are at high risk for HIV and sexually transmitted infections (STIs) and those living with multiple chronic conditions, including individuals who are homeless/unstably housed, active substance users, and/or exchange sex for food, drugs, or shelter. PSB staff offer reproductive health care, HIV/STI testing, syringe distribution and disposal, opioid overdose prevention training, HIV prevention and harm reduction counseling, case management, and wraparound support services.

In 2020, PSB provided over 1,300 clinical visits, including PrEP/PEP, STI testing and treatment, birth control, pap smears, and routine gynecologic care as well conducted HIV tests. Additionally, as a registered ESAP site, PSB distributes Narcan kits and syringe packs. Funding support from the City Council will allow PSB to continue to increase access to these vital services.

Additionally, **we request \$100,000 from the Hepatitis Prevention Initiative to expand PSB's ability to combat the spread of viral hepatitis** among people who use drugs and others who are at high risk for acquiring hepatitis. This funding would be used to increase Hepatitis C screening in our health centers. And for our HIV prevention specialists to provide hepatitis counseling and rapid Hepatitis C screening on the mobile health center, Project Street Beat offices and our health centers; increase screening and intervention for people who use drugs by training Project Street Beat staff to implement an evidence based screening, intervention and referral tool; offer linkage to HAV/HBV vaccinations; and offer fentanyl strips as part of opioid overdose training. **We also ask for \$100,000 from the Immigrant Health Initiative** to grow culturally competent access to high quality medical services for patients in our health centers as well as our Project Street Beat (PSB) mobile health center.

Ensuring Access to Vital Sexual and Reproductive Health Education

Intimate partner violence is an issue plaguing too many young people in our city and we must ensure that they have information and resources to help make health decisions about their bodies and their relationships. To support our work in combating domestic violence, **PPGNY requests \$75,000 from the Domestic Violence and Empowerment (DOVE) Initiative** in order to increase our work with survivors of domestic violence to connect them to the sexual and reproductive health care and services. PPGNY does this work in collaboration with community organizations serving these individuals. Funding will allow us to further train staff and build additional partnerships with domestic violence agencies through the presentation of workshops and other channels of engagement best suited to reaching the communities they serve. Further developing our long-standing clinical and education work with survivors of intimate partner violence and our internal competencies will enable us to amplify our role as part of a comprehensive coordinated community response to violence and reduce the risk of poor sexual and reproductive health outcomes.

We are also requesting \$100,000 from the LGBT Senior Services in Every Borough Initiative to expand our Sexual Education for Adults (SEA) program and increase access to sexual and reproductive health resources for LGBTQ seniors. PPGNY will use these funds to expand programming beyond our existing community partners and ensure that all LGBTQ seniors in NYC have access to reliable, medically accurate sexuality education and can lead healthy and informed lives. PPGNY's SEA program uses an evidence-based, sexuality education curriculum to explore topics such as sexually transmitted infections; communication, consent and healthy relationships; and sexual health and wellness with queer identifying adults in senior centers, community based organizations and shelters.

Growing Healthcare Access for Immigrant Communities

Lastly, PPGNY seeks \$100,000 from the Access Health Initiative to support our Promotores de Salud (PdS) program throughout New York City. PdS seeks to expand access to sexual and reproductive health care and information for immigrant New Yorkers facing cultural and socioeconomic problems. In 2020, PPGNY engaged over 1,800 people in the community and virtually through this comprehensive

community health promotion model. Promotores are native Spanish-speaking peer advocates and educators who integrate sexual and reproductive health information about health topics and the health care system into their community's culture, language, and value system, thus reducing many of the obstacles that Latinx individuals face in obtaining services.

Funding will also allow PPGNY to expand the PdS program to conduct targeted outreach to transgender and gender nonconfirming individuals (TGNC) of color using the same community health promotion model. TGNC individuals of color are disproportionately impacted by socioeconomic barriers and often experience discrimination and stigma when navigating the healthcare system. PPGNY has already recruited two Ambassadors from the transgender and gender non-conforming community who are working to build relationships with partner organizations, raise awareness of our culturally competent care, and link individuals to expert services at PPGNY. We aim to build ways to connect this community to care in a comprehensive and culturally relevant way.

Conclusion

We thank the City Council for continuously working to ensure all New Yorkers have access to the healthcare they depend on. The COVID-19 pandemic revealed, however, inequities in our public health system that often leaves those most in need falling through the cracks. As the city begins to recover, there is an opportunity to strengthen our health system to ensure it is more equitable to the most vulnerable populations and organizations serving these communities are supported. We look forward to working with the Council on growing healthcare for all New Yorkers.

Thank you.



**Testimony of Steven Banks, Commissioner
Department of Social Services**

**Before the New York City Council, Committee on General Welfare
NYC Department of Social Services Fiscal Year 2022 Preliminary Budget Hearing
March 17, 2021**

Good morning. I would like to thank the City Council’s General Welfare Committee and Chair Stephen Levin for giving us the opportunity to testify today about the Department of Social Services’ Fiscal Year 2022 Preliminary Budget and our ongoing benefits and services for low-income New Yorkers, particularly during these challenging times.

My name is Steven Banks and I am the Commissioner of the New York City Department of Social Services (DSS). In this capacity, I oversee the Human Resources Administration (HRA) and the Department of Homeless Services (DHS). Joining me today are DSS First Deputy Commissioner Molly Murphy, HRA Administrator Gary Jenkins, DHS Administrator Joslyn Carter, DSS Chief Program Planning and Financial Management Officer Ellen Levine, and DSS Chief of Staff Scott French.

At the outset, we must acknowledge that COVID-19 has profoundly impacted all of us — including our staff, our clients, and our not-for-profit service providers. And over this last year, we have lost family members, colleagues, clients, friends, and neighbors. Let’s take a moment to remember all those who we have lost.

Now turning to the January Plan, even in these hard financial times, the FY22 Preliminary Budget reflects our commitment to continuing to remove barriers, increasing access to benefits and services, eliminating punitive policies, and improving the services available to New Yorkers in need. As has been the case in years past, this budget aims to address the structural barriers facing our clients by improving access to our services and benefits. Moreover, as we will describe in this testimony today, our reforms and initiatives are taking hold, despite long-standing challenges such as decades-long underinvestment in affordable housing, deepening income inequality and persistent structural racism, all of which have been brought into stark relief during this past year as the COVID-19 pandemic changed our lives in countless ways. Many of our reforms and initiatives implemented over the past seven years provided a strong foundation for us to serve New Yorkers throughout the pandemic. Moreover, the federal and State waivers that we have obtained during the pandemic have allowed us to enhance the benefits access system that we’ve been building – one that decreases burdens placed on clients seeking assistance under federal and State law through onerous and unnecessary in-person application and interview appointments and documentation requirements, and paternalistic engagement obligations. With the waivers we

requested and received, this past year has afforded us an opportunity to administer benefits programs with much of the bureaucratic relief we've sought for years and clearly demonstrates the necessity for reforms at the federal and State levels to enable us to continue to make progress for our clients.

We understand that we are in a markedly different budget environment as a result of the economic impact of the pandemic, and in this testimony we will discuss the steps we have taken to address and overcome the challenges brought on by the pandemic. The FY22 Preliminary Budget supports our continued commitment to improve the lives of New Yorkers in need through quality programming and services.

The FY22 HRA/DSS Preliminary Budget is \$10.09 billion, consisting of \$7.84 billion in City funds. The FY22 DHS Preliminary Budget is \$2.05 billion, consisting of \$1.25 billion in City funds. The HRA headcount for FY22 includes 10,120 City-funded positions and another 3,472 non-City positions. The DHS headcount for FY22 includes 2,101 City-funded positions and another 40-grant-funded positions.

As you are aware, COVID-19 has had a significant impact on our citywide budget. All City agencies have been tasked with finding savings to address the budget gap resulting from COVID. This has involved making difficult decisions to achieve the necessary savings. Some of the DSS savings include:

- **One-time savings (January Plan)**
 - \$53.9M in prior year revenue and \$13M in unanticipated fringe benefit reimbursement in FY21 only provide City savings.
 - \$100M in federal pandemic related increased Medicaid reimbursement produces one-time City savings.
 - \$8M savings in FY21 only due to the COVID-19 eviction moratorium and a related lower level of case processing in the Access to Counsel program.
 - \$20.6M in savings in FY21 only in the Job Training Participant programs due to COVID-19 related program suspensions and reductions in activity.
 - \$11.7M re-estimate in FY22 of the phase-in schedule for Supportive Housing Units due to COVID-19.
 - \$1.2M in FY21 due to underspending in office supplies from remote work during COVID-19.
 - \$3.7M in vacancy savings and 723 positions in FY21 due to the citywide hiring freeze.

- **One-time and Baseline Savings (November Plan)**
 - \$2.3M in FY21 and \$3.1M in FY22 and the outyears (152 positions) in savings from vacancy reductions.

While the pandemic has presented a challenging fiscal environment, we believe the programs and reforms being supported in the Preliminary Budget build on the reforms and progress we have

made over the last seven years and continue the efforts we've made to make benefits more accessible and reduce bureaucratic barriers.

State and Federal Landscape

The FY22 Preliminary Budget has been proposed within the context of equally challenging State and national fiscal environments.

At the State level, we continue to track potential cuts impacting our programs, which we understand are subject to the allocation of the just appropriated federal aid to states and localities. That said, it is important to note that for many years, the State has cut resources for our programs.

To address this ongoing State disinvestment, we are advocating for several key initiatives in this year's State budget, including increasing the rent levels for State rental assistance to the HUD-set Fair Market Rent (FMR) level, which was included in the Senate and Assembly One-House budget proposals. For years, the State has refused to use this standard for setting rent subsidies for the State FHEPS program, and if the City did so on its own for our supplemental City FHEPS program, among other consequences, it would lead to landlords favoring City voucher holders over State voucher holders, resulting in a substantial cost shift to the City by incentivizing landlords to rent to only City FHEPS voucher holders. For these reasons, we are advocating for a State budget initiative to increase the rent levels for State FHEPS vouchers to the HUD-set FMR rent level through the proposed Home Stability Support program. If enacted, this State FHEPS initiative can help prevent and alleviate homelessness throughout New York State through the provision of State and federal reimbursement for rental assistance, even as we have reduced the DHS shelter census here in our City through significant local investments.

Additionally, we are working with the State Legislature to enact legislation (S.3223-A/A.5414) that would permanently allow interviews for Cash Assistance to be conducted over the telephone at the client's option. We currently have only a temporary COVID waiver permitting such telephone interviews — this legislation would provide Cash Assistance clients with the same option for access to benefits without having to go to an HRA office that Supplemental Nutrition Assistance Program (SNAP)/food stamps clients have had for several years through continuing pre-pandemic federal and State waivers. So far during the pandemic with our temporary Cash Assistance telephone interview waiver, over 162,000 interviews have been successfully conducted by telephone – highlighting the demand for benefits and our capacity to administer this program. Both the Senate and the Assembly have passed this legislation and we are asking that the legislation be incorporated in the enacted budget this month to expedite implementation.

In addition, we have called on the State to support shelter services and outreach by restoring the State's traditional 50/50 cost split for single adult shelters in New York City, outreach workers, safe havens, stabilization beds, and the cost of homeless services for the overnight MTA shutdown initiative. Despite the fact that a Consent Decree enforcing the State Constitution obligates both the State and the City to provide shelter to single adults experiencing homelessness, the State has steadily reduced its support for single adult shelters in New York City from 50/50 to a mere nine percent, and in the current Executive Budget there is further cut. Additionally, the State provides zero dollars to support the 600 homeless outreach workers and more than 3,000 safe haven and

stabilization beds that the City has funded that have enabled nearly 4,000 people to come off the streets and subways and remain off since 2016. Simply put, the State must return to paying its fair share for these life-saving services.

On the federal level, we thank President Biden, Vice-President Harris, Majority Leader Schumer and the entire New York Congressional delegation for the enactment of the rescue stimulus package, which, unlike prior pandemic rescue efforts, includes critical one-time funding for states and localities and prioritizes resources for vulnerable populations.

And at the federal and State levels, we are continuing to work with State OTDA on the implementation of the federal stimulus rent relief program to address the significant amount of rent arrears that has built up during the pandemic. The implementation of the rent relief program is particularly critical given that the State's current eviction moratorium is set to expire on May 1st of this year. We also appreciate OTDA's recent approval of our June 2020 waiver request to allow DSS to provide State FHEPS rent supplements to applicants who have received rent demands, rather than require them to be sued in eviction proceedings.

Responding to COVID-19

One year into this unprecedented crisis, the COVID-19 pandemic continues to impact all facets of our work, but we remain committed to delivering high-quality services to our clients and their families. And I would like to take this moment to acknowledge all of our staff who have worked through the pandemic especially all of our client-facing staff — as well as our not-for-profit partners. Our aggressive and multipronged response to the pandemic was made possible due to the strong programmatic foundation DSS has built over these last seven years, and which we believe will continue to support our clients in the coming months and years as we recover together.

Changing How Clients Access HRA Benefits

As we have previously reported and testified to, it is our longstanding vision to transition from using only Face-to-Face interviews as part of the Cash Assistance application requirement, to allow for such interviews to take place by telephone at the client's choice — just as we are permitted to offer SNAP/Food Stamps clients pursuant to federal and State waivers that we received several years ago. Prior to COVID, New Yorkers could only apply for Cash Assistance (CA) in-person at one of HRA's Job Centers. Giving Cash Assistance clients the same option to apply by telephone without having to come to an office as SNAP/Food Stamps clients have had for several years is subject to State approval. In an effort to improve the client experience for Cash Assistance clients, pre-pandemic we had taken initial steps for this transformation in the hope that we would eventually receive approval from our State oversight agency, OTDA. These initial steps towards implementation proved invaluable in order to protect the health and safety of clients and staff and expand access to benefits for clients in need of assistance during this public health emergency.

At the outset of the pandemic, DSS-HRA was finally granted a State waiver that we had been seeking for many years, and in less than one week's time in March we immediately stood up a system for New Yorkers to apply for Cash Assistance online and conduct their interview by phone,

following the successful and effective blueprint we developed in pioneering remote/mobile access to SNAP/Food Stamps via ACCESS HRA. This waiver permitted clients to conduct all business online and by telephone in order to reduce foot traffic in our centers to protect the health and safety of clients and staff. **Since receiving the waiver during the pandemic, 85% of Cash Assistance applications have been submitted online with about 162,000 interviews conducted by telephone.** In that time, we have seen the number of Cash Assistance applications nearly double.

After the stay-at-home order took effect in mid-March, during the height of the pandemic last spring, and as the economic impact of the pandemic became evident, HRA saw record increases in applications for benefits, including Cash Assistance and SNAP/Food Stamps. For example, during the beginning of the pandemic in NYC when uncertainty was most prevalent, COVID cases were on the rise, and stay-at-home orders were implemented—and with Cash Assistance now made available via online ACCESS HRA for the first time—HRA saw record applications for Cash Assistance in March and April 2020. In May through September, applications returned to lower-than-average levels before climbing back up beginning in October. 2020 saw the highest number of December applications in over a decade.

- In March 2020, the Agency received approximately 12,740 more CA applications than March 2019, a nearly 53% increase.
- In April 2020, the Agency received approximately 7,980 more CA applications than April 2019, a more than 31% increase.
- **Overall, between February 2020 and November 2020, there was an approximately 53,000-person (+20%) increase and a more than 30,000-case (+16.8%) increase in the CA caseload.**

In addition to the telephone interview waiver, DSS-HRA advocated for and was granted waivers by the State to temporarily suspend many of the ongoing engagement requirements that are mandated under federal and State law in order to remain enrolled and to demonstrate continued eligibility for federal and State benefits; the waivers included suspending requirements like employment program engagement and/or eligibility rules such as substance use services procedures, which, in the past, and under previous Administrations, would have led to case closings in the normal course.

We have also seen historic increases in the demand for SNAP/Food Stamps. **From the start of COVID (March 2020) through June, the period in which DSS-HRA experienced the greatest surge in SNAP applications, the Agency received 121,364 more SNAP applications than in the same period in 2019, a 113% increase.** From July through December, SNAP application volume returned to just higher than normal levels, with the Agency receiving 30,880 more SNAP applications than in the same period last year, an 18% increase. **Taken together, from March through December, the Agency received 152,244 more SNAP applications overall than in the same period during the prior year, a 55% increase.** Between February 2020 and December 2020, there was a 164,699-person increase (11.1%) in the SNAP caseload. Pre-pandemic, in February 2020, 76% of SNAP applications were submitted electronically outside of DSS-HRA centers; with the onset of the pandemic, this percentage increased significantly to approximately 98% in May and June and remained in the 90s (94.2%) since then through December 2020.

In addition to telephone and online access to benefits, we obtained federal and State waivers to permit HRA staff to take applications over the telephone for clients with challenges using technology. We also kept a limited number of Centers open across the city for clients who prefer in-person assistance, even though it is not necessary to go to one of our offices to get help as a result of the waivers. At the same time, we built a completely new system so that substantial numbers of our staff can serve clients from their own homes to help prevent the spread of the virus. And at the height of the pandemic, we redeployed 1,300 staff from back office functions to help manage the historic increase in need for Cash Assistance and SNAP/food stamps.

DSS is continuing to seek to renew and extend the waivers that we have obtained during the pandemic as the public health emergency continues. For your awareness, a status report on the various waivers we have requested from the State are included as an appendix to this testimony.

In FY20, HRA's Emergency Food Assistance Program (EFAP) distributed 14,972,681 pounds of food. And from March 2020 through December 2020, EFAP distributed 15,484,656 pounds. Since the pandemic began in March 2020, EFAP has funded 55 new programs, and since July 2020, EFAP has focused on funding programs in the Racial Inclusion and Equity Taskforce neighborhoods. To that end, EFAP has funded 10 new programs in those zip codes, additionally EFAP is actively funding 7 CUNY food pantries and exploring additional partnerships with non-traditional emergency food providers.

Eviction Prevention and Tenant Support

HRA's Office of Civil Justice (OCJ) has implemented the right-to-counsel law citywide, in partnership with legal service providers who have stepped up to represent New Yorkers in all Zip codes – free of charge – facing an eviction in Housing Court during the COVID-19 public health emergency. Since the pandemic's outset, OCJ and legal service providers have worked with the New York Housing Court to modify approaches to the universal right-to-counsel program, and through these efforts ensured that all tenants facing eviction in court had access to free legal representation during the pandemic.

Due to the work of our staff, legal service partners, the Right to Counsel Coalition and the City Council, New York City has become the national leader in providing legal protections to tenants experiencing housing instability. Our leadership in this field was cemented by the implementation of New York City's landmark right-to-counsel law. With this law of 2017, New York City became the first city in the nation to enact a law ensuring that all tenants facing eviction in housing court, or in NYCHA administrative termination of tenancy proceedings, have access to free legal services.

The investments we have made since OCJ's inception are already showing a positive impact: since the Office's founding in 2014 and through today, nearly 450,000 New Yorkers facing eviction and other housing-related legal challenges have received City-funded free legal assistance. The positive impacts of these efforts have been clear: residential evictions by city marshals fell by 41% between 2013 and 2019, while evictions across the nation were on the rise, and the percentage of tenants facing eviction in court with the protection of legal representation was 38% in 2019, up from just 1% in 2013. It is worth noting that in the vast majority of cases, when tenants are

supported by lawyers in eviction proceedings, we see positive outcomes: in resolved cases in FY20, 86% of households represented in Housing Court and NYCHA tenancy proceedings by OCJ-funded tenant lawyers were able to stay in their homes.

When the pandemic began, the work of OCJ and its partners changed overnight, and, fortunately, given the solid foundation created since the program start, we were able to quickly and aggressively shift direction to support tenants at risk of displacement. OCJ coordinated among legal service providers, the courts and other government partners to ensure legal providers and their clients had access to timely and accurate information on legal developments and court operations amidst a fast-changing landscape for tenants facing eviction.

To respond to the crisis, we transformed the approach through which tenants in need could seek legal assistance. By working with our partners, we quickly established a housing legal hotline to provide access to live phone-based legal advice to tenants. To this day, these services are available via 311 and the Mayor's Public Engagement Unit through the City's Tenant Helpline, and through the Housing Court Answers' hotline. Legal advice services are free and are available to all New York City residential renters, regardless of ZIP code or immigration status or income with an OCJ waiver.

At the start of the pandemic, the New York City Housing Court was closed for all new and pending matters, including eviction proceedings, except for "essential" proceedings such as actions to restore legal possession for tenants who were illegally evicted, and proceedings to compel landlords to make emergency repairs. To support tenants with their legal needs, OCJ and the Housing Court quickly set up a case referral process to connect all unrepresented tenants who file emergency cases in court with free legal representation. Since then, unrepresented tenants who file an action to be restored to possession after being illegally locked out by their landlord, or who file an HP action for emergency repairs, are referred to OCJ by the Court for free legal representation.

As the Housing Court expanded operations, OCJ's legal providers were ready and available to protect tenants in need. In particular, the Court scheduled thousands of eviction proceedings that were pending resolution prior to the pandemic for status and settlement conferences, and only allowed cases where all parties had legal counsel to be scheduled for a court conference. As a result, OCJ's legal services providers have participated in thousands of court conferences representing tenants in pre-pandemic eviction cases. Our initiative has been citywide and universal, as all tenants facing eviction have been eligible, regardless of ZIP code, immigration status or whether the tenant may have previously declined or been found ineligible for legal representation under the right-to-counsel program, and regardless of household income with a waiver by OCJ.

Help for New Yorkers Experiencing Homelessness During the Pandemic

For the last year since the public health emergency began, DHS responded to this unprecedented crisis with unprecedented action. Since the pandemic's outset, we have closely followed the science and advice from health experts to protect the lives of our staff and clients, both sheltered and unsheltered. The data shows that these decisive strategies worked, saving countless lives and stopping the spread of the virus. We continue to navigate this unprecedented public health crisis

together, and the DHS use of emergency commercial hotels has helped us protect the lives of New Yorkers experiencing homelessness, ensuring that clients have the same protections from the pandemic as New Yorkers fortunate enough to socially distance at home.

As the crisis began, DHS quickly launched a multi-agency response to protect the lives and safety of New Yorkers experiencing homelessness. Among several actions, these efforts included: developing and circulating guidance and protocols in close coordination with the Department of Health and Mental Hygiene and Health + Hospitals to ensure access to health care; opening hundreds of isolation units at hotels; and strategically transferring single adults out of congregate shelters.

DHS implemented a comprehensive program to relocate clients in congregate shelters who tested positive or experienced symptoms to isolation beds in commercial hotels. These efforts began in mid-March 2020, and at the height of need there were more than 700 isolation beds across several locations to protect clients' health. Next, in an eight-week period, we reduced the density of the congregate shelters by relocating 10,000 people to commercial hotels.

Beginning in early March 2020, the agency also rolled out a street homeless screening process to hundreds of street outreach workers to engage New Yorkers experiencing street homelessness who may have possible COVID-19 symptoms and connect them to testing and assessment at Health + Hospitals sites. Using a system similar to our extreme weather outreach, DHS HOME-STAT teams continue their 24/7/365 outreach, and as of March 9 have had over 109,000 interactions with unsheltered clients regarding COVID-19 and their health needs. And when the MTA implemented the overnight systemwide shutdown, we implemented a new end-of-the-line program, including direct shelter placements from subway stations and platforms, that has enabled more than 750 people to come inside from the subways and remain in our shelter programs. We opened more than 1,200 specialized new beds in 2020 alone dedicated to serving New Yorkers who have lived unsheltered, including Safe Haven beds and stabilization beds, which we have established in commercial hotel settings, with hundreds more opening in the coming months and years.

Among the many steps DHS has taken to protect the safety of our staff and clients, we put in place systemwide testing, tracing, and treating to reduce exposure to the virus. We are proactively and systematically offering testing to all our adult system clients, shelter by shelter, to continue our progress and drive down exposure. These resources are free and accessible directly at our shelters. The positivity rate is now lower than the city overall.

With the expansion of State eligibility criteria and subject to vaccine supply availability, we opened a DHS vaccination site for eligible clients and shelter staff to supplement the overall City and State vaccination sites that are available to them. With the availability of the Johnson & Johnson shot, we have now added a mobile component to our testing initiative to bring the vaccine to where are eligible clients are. So far, we have administered nearly 8,000 vaccine doses to clients and staff.

Reforming Homeless Policies and Services

As we have reported before, as a result of our multi-pronged approach to addressing homelessness, after nearly four decades of an ever-increasing DHS shelter census, we broke the trajectory of growth in the shelter census. The programs, reforms, and investments we are implementing are headed in the right direction, holding the DHS census essentially flat year-over-year in 2017, 2018, 2019, and now reducing the census on a sustained basis. Today, the DHS census stands at less than 52,000, down for a high of 61,415. Without the agency’s initiatives, projections indicate there would be 71,000 people in shelter today instead of the current number of less than the 52,000.

While we know we have much work to do, a recent report¹ by the NYC Independent Budget Office (IBO) credited our efforts in reducing the DHS census:

“Over the past 12 months, the city has seen a decrease in families residing in shelters, largely attributed by the de Blasio Administration to the ramp up in spending on rental assistance, which allows families to move out of shelter and into their own apartments.”

This report also notes that “over the past 12 months, the number of families with children in shelter has decreased by 17 percent while adult families have decreased by 18 percent, continuing a downward trend in the family census that was underway before the pandemic.”²

Likewise, a March 4 report by City Limits concludes that over the last seven years “the number of children in the New York City homeless shelter system has fallen by 25 percent.”³ The funding in this Preliminary Budget will help us sustain and expand on these achievements by supporting the four pillars of the 2017 Turning the Tide plan. So far, the results of this plan include:

- **Prevention first — driving evictions down** by 41% pre-pandemic through our first-in-the-nation right-to-counsel program and payment of rent arrears, while evictions were up all across the country;
- **Provide Permanent housing — helping more than 160,000 New Yorkers secure permanent housing** through the DSS rental assistance and rehousing programs we rebuilt from scratch that enable families and individuals to move out of shelter or avoid homelessness altogether by remaining in their homes;
- **Provide decent shelter — transforming a haphazard shelter system decades in the making** by shrinking the NYC DHS shelter footprint/reducing the total number of shelter locations citywide, and already phasing out more than 200 substandard shelter sites, including 75% of the sites in the 21-year-old Giuliani-era cluster program, and siting 88 borough-based shelters as close as possible to the anchors of life like schools, jobs, health care, houses of worship, and family support networks – with 44 already operating; and

¹ <https://ibo.nyc.ny.us/iboreports/homeless-services-sees-shift-in-shelter-populations-and-influx-of-fema-funding-fopb-february-2021.pdf>

² Ibid

³ <https://citylimits.org/2021/03/04/in-confronting-family-homelessness-candidates-asked-to-think-beyond-housing/>

- **Address street homelessness — assisting more than 4,000 of our unsheltered neighbors to transition off the streets** and subways in transitional programs and housing since HOME-STAT began in 2016.

For your information, we have included in an appendix a full list of our DHS and HRA reforms.

In closing, while much work remains, the programs, policies and reforms that our agency has advanced over the last seven years have increased access to and enhanced our provision of benefits and services for clients. COVID-19 has presented critical challenges for our city, but our foundation of reforms has helped us respond to the unprecedented needs that our clients continue to face. We have appreciated the Council's support in meeting these challenges.

Thank you for the opportunity to testify on our essential work, and we look forward to our continuing partnership with the Council. We welcome any questions you may have.

NYC HRA COVID-19 Waiver Requests And Statuses

| | State Agency | Program Area | Description of Request | Status |
|----|---------------------|---------------------|--|--|
| 1 | OTDA | CA | Allow CA telephone application interviews | Approved |
| 2 | OTDA | CA | Allow CA telephone recertification interviews | Approved |
| 3 | OTDA | CA | Remove or defer the requirement for employment and eligibility in person appointments and assignments | Approved |
| 4 | OTDA | CA | Extend CA recertification periods | Approved |
| 5 | OTDA | CA | Provide flexibility to not take negative action for clients who fail to return the six-month mailer | Approved |
| 6 | OTDA | CA | Suspend State requirement for local district to provide clients with a photo on their CBIC Card if vendor not operational or clients cannot travel to site | Approved |
| 7 | OTDA | CA | Waive the signature requirement for applications in situations on which a client is receiving assistance on the phone from DSS or CBOs | Partial Approval: Did not receive approval for CBOs |
| 8 | OTDA | CA | Reconsider request to suspend the requirements of ISP, including distribution of invoices | Approved |
| 9 | OTDA | CA/SNAP | Suspend the SNAP ABAWD work rules and delay implementation of new ABAWD rule | Approved |
| 10 | OTDA | CA/SNAP | Emergency Supplement of SNAP Benefits for Current Recipients up to the maximum allotment for the household size | Approved |
| 11 | OTDA | SNAP | Waive the signature requirement for applications in situations on which a client is receiving assistance on the phone from DSS or CBOs | Partial Approval: Did not receive approval for CBOs |

| | State Agency | Program Area | Description of Request | Status |
|----|---------------------|---------------------|---|--|
| 12 | OTDA | SNAP | Adjustment to certain SNAP Interview Requirements | Approved |
| 13 | OTDA | SNAP | Extend SNAP recertification periods | Approved |
| 14 | OTDA | SNAP | Remove or defer the requirement for employment and eligibility in person appointments and assignments | Approved |
| 15 | OTDA | SNAP | Provide flexibility to not take negative action for clients who fail to return the periodic report | Approved |
| 16 | OTDA | SNAP | Suspend the SNAP ABAWD work rules and delay implementation of new ABAWD rule | Approved |
| 17 | OTDA | SNAP | Emergency Supplement of SNAP Benefits for Current Recipients up to the maximum allotment for the household size | Approved |
| 18 | OTDA | OPA | Suspend mandatory CA/SNAP and Medicaid data matches | Partial Approval: Some matches have resumed |
| 19 | OTDA | OPA | Extend SNAP claim establishment period | Partial Approval |
| 20 | OTDA | OPA | Suspend FEDS and EVR investigations | Approved |
| 21 | OTDA | Fair Hearings | Suspend fair hearings where ATC has been granted | Partially Approved: Non-aid cases are |

| | | | | being prioritized |
|----|--------------|---------------|---|----------------------------------|
| | State Agency | Program Area | Description of Request | Status |
| 22 | OTDA | Fair Hearings | Agency fair hearing reps and clients to participate remotely by telephone | Approved |
| 23 | OTDA | Child Support | Suspend all credit reporting after P.A.U.S.E. was put into effect and for the duration of the COVID-19 crisis pursuant to SSL § 111-c(2)(h). | Partially Approved |
| 24 | OCFS | APS | Extend timeframes for initial eligibility, visits, ongoing assessments. | Approved |
| 25 | OCFS | APS | Extension of eligibility determination from 60 days to 90 days- 18 NYCRR § 457.2(b)(4)(i) | Approved |
| 26 | OCFS | APS | Waiving Face to Face contact required under 18 NYCRR § 457.5(b) | Approved |
| 27 | OCFS | APS | Permit client contact by telephone rather than in person, but continue to make home visits when necessary to ensure safety of client | Approved |
| 28 | OCFS | ODV | Allow DV survivors to remain in DV shelters for up to 180 days rather than the current 90 days without a request for an extension | Approved |
| 29 | OCFS | ODV | Permit reimbursement beyond 180 days for DV survivors who are self-isolating or quarantined in a DV shelter until such clients are no longer a public health risk | Approved on a Case by Case basis |
| 30 | OCFS | ODV | Allow placement and reimbursement for single adults placed in larger than what a single would normally be eligible for | Approved on a Case by Case basis |
| 31 | OCFS | ODV | A waiver of the reimbursement for a sponsoring agency staff person to visit the safe dwelling on a weekly basis and to permit telephone contact | Approved |

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|----|---------------------|---------------------|---|---|
| 32 | OCFS | ODV | Allow expedited approval of new DV shelter capacity, including hotel space | Approved on a Case by Case basis |
| | State Agency | Program Area | Description of Request | Status |
| 33 | SDOH | Home Care | Waive required nurse visit, social work assessment visit for all service assessments, including immediate needs applications, regular applications and renewals | Approved |
| 34 | SDOH | Home Care | Allow case workers and nurses to conduct telephone interview assessments in lieu of home visits for renewals | Approved |
| 35 | SDOH | Home Care | Extend required time frames for Licensed Home Care Services nurse Home Visits, Homecare Worker Annual Medical Exams and all trainings | Approved |
| 36 | SDOH | Home Care | Extend required time frames for all Personal Care and Managed Long Term Care service authorizations and required CDPAP six-month nurse visits | Partial Approval |
| 37 | SDOH | Medicaid | Extend coverage of all Medicaid authorization periods, including for Stenson and Rosenberg clients | Approved |
| 38 | SDOH | Medicaid | Waive eligibility documentation requirements and allow attestation. Applicants who receive Medicaid without all required documents would only receive coverage for 6 months | Partial Approval (except non-citizens will be placed on an advanced renewal schedule after PHE) |
| 39 | SDOH | Medicaid | Allow approval of full Medicaid coverage for community surplus cases by not requiring clients to pay-in or incur/submit bills | Approved |

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|----|---------------------|---------------------|---|----------------------------------|
| 40 | SDOH | Medicaid | Suspend or delay mandatory Medicaid data matches | Approved |
| 41 | SDOH | CA | Suspend Child/Teen Health Program (C/THP) oral script that workers are required to read to our clients when processing an application/recertification. | Approved |
| | State Agency | Program Area | Description of Request | Status |
| 42 | OTDA | Child Support | Consider noncustodial parents for services supported by federal funds appropriated for employment and training under Title VIII of the CARES Act (H.R. 748), the Workforce Innovation and Opportunity Act Section 170(a)(1)(B), or any subsequent appropriation to assist them in re-connecting to work and paying their court-ordered child support obligations to support their children. | Pending follow up with OTDA |
| 43 | OTDA | SNAP | Permit flexibility in establishing or disposing of new SNAP overpayment claims | Pending |
| 44 | OTDA | CA | Suspend special grant repayment time periods and recovery of overpayment | Pending |
| 45 | OTDA | CA | Request to allow the Agency to reduce recoupment to 5% for cases that meet certain criteria | Pending |
| 46 | OCFS | APS | Extension of timeframe to commence investigation for 24-hour cases (emergency cases) to 48 hours | Pending – Executive Order needed |
| 47 | SDOH | Medicaid | Waive recovery of overpayments for coverage that may have been incorrectly paid during the emergency | Pending |
| 48 | OTDA | CA/SNAP | Waive the requirement to verify school attendance | Denied |

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|----|---------------------|---------------------|---|---------------|
| 49 | OTDA | CA/SNAP | Waive income and resource requirements for CA and SNAP people who cannot work/ work reduced hours due to quarantine requirements | Denied |
| 50 | OTDA | CA/SNAP | Suspend time period required for repayment agreements associated with any special grants | Denied |
| | State Agency | Program Area | Description of Request | Status |
| 51 | OTDA | CA/SNAP | Suspend conducting Federal Quality Control reviews and remove the emergency time period from any future reviews | Denied |
| 52 | OTDA | CA/SNAP | Waiver to extend the period that a household is given to sell real property from six months to twelve months | Denied |
| 53 | OTDA | CA/SNAP | Waive the limits on the amount of money that can be exempt for a bona fide funeral agreement | Denied |
| 54 | OTDA | CA/SNAP | Waive the requirement to verify the presence of all household members | Denied |
| 55 | OTDA | CA/SNAP | Waive the requirement to verify application for unemployment benefits at application for households that contain individuals who recently lost employment, and to provide for systemic check at recertification | Denied |
| 56 | OTDA | CA/SNAP | Allow DSS to grant good cause for individuals who are in sanction status for CA/SNAP for failure to comply with a work requirement, or are in sanction status for a voluntary quit situation, and would be deemed unable to reengage due to the COVID-19 pandemic, without the need for an individual determination to be made. Alternatively, DSS requests that OTDA temporarily waive the provisions in such regulations to permit the district to grant good cause without the need for an additional determination. | Denied |

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|----|---------------------|---------------------|---|---------------|
| 57 | OTDA | SNAP | DSS asks that the State make a request to the Federal Government for waivers of federal law so that (a) New York City recipients of SNAP may purchase hot food with their benefits and (b) more SNAP vendors be allowed to participate as a "retail food store" so long as the COVID disaster declaration is in effect and (c) the SNAP student eligibility criteria be waived | Denied |
| | State Agency | Program Area | Description of Request | Status |
| 58 | OTDA | Child Support | Suspend administrative child support enforcement actions for non-custodial parents | Denied |
| 59 | OTDA | Child Support | Temporarily modify both the state and federal Tax Offset Program (TOP) defenses for the 2020 TOP certification under 18 NYCRR 346.9(b)(1) to include a defense that the arrears were due to job loss as a result of the COVID-19 crisis. | Denied |
| 60 | OTDA | Child Support | Halt the certification of all Department of Motor Vehicle license suspensions that would otherwise occur after P.A.U.S.E was placed into effect on March 22nd; and grant DSS greater authority to remove individuals currently in the license suspension process pursuant to the latitude in 18 NYCRR §346.12(a)(1) | Denied |
| 61 | OTDA | Child Support | Halt the Property Executions (PEX) of bank accounts that would otherwise occur after P.A.U.S.E was placed into effect; or in the alternative, grant DSS greater authority to remove the levy on individuals with frozen bank accounts pursuant to 18 NYCRR §346.11(b) by temporarily changing the threshold for past due support that triggers the PEX process from two months to six months. Alternatively, temporarily suspend CPLR 5205(d)(3) and CPLR 5222 (k) which allow DSS to seize a bank account of any size. | Denied |
| 62 | OTDA | Child Support | Request issuance of an Executive Order directing that once the Family Court begins to accept child support petitions for filing, for any modification petitions filed in the 2020 calendar year, support magistrates are required to review whether the NCP had the ability to pay during the COVID-19 crisis, and, if the support magistrate determines that they did not, to vacate any arrears that accrued during the crisis, pursuant to the authority in FCA §451(1) | Denied |

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|----|---------------------|---------------------|---|-----------------------------|
| 63 | OTDA | Child Support | Reverse the distribution order selected in the state plan and effectuated in 18 NYCRR 347.13(d) for any tax refund offset stemming from the CARES Act to allow the Custodial Parent of a former assistance case to be paid prior to DSS being reimbursed. This waiver would allow the CARES tax refund offset to be paid directly to the family, providing additional cash support to children during the crisis. | Denied |
| | State Agency | Program Area | Description of Request | Status |
| 64 | OTDA | Child Support | Allow, for current assistance cases, a one- time pass-through bonus to the custodial parent for any tax refund offset stemming from the CARES Act and waiver of the required reimbursement to the federal government for 100% pass through by granting a one-time reprieve from section 42 USC §657 (a)(6)(B)(ii). Because the bonus is temporarily exempt from being countable for PA benefits, the client and the family would get additional support when it is most needed. | Denied |
| 65 | OTDA | CA | Raise dollar amount of accrued rent arrears issued to FHEPS households | Denied |
| 66 | OTDA | Child Support | Lift and suspend child support sanctions | Denied |
| 67 | OCFS | APS | Extension of timeframes for the initial supervisory consultation from 24 hours to 48 hours for clients who have refused access during the home visit and may need an OGA -NY SSL § 473-c. | Denied |
| 68 | OCFS | ODV | Approve emergency DV shelter per diem adjustments on an emergency basis to account for the facility underutilization due to quarantine, isolation and other factors during the COVID emergency | Denied – Follow up required |
| 69 | SDOH | Medicaid | Waive timeframes for eligibility determinations on applications as well Immediate Needs Personal Care Services. | Denied |
| 70 | SDOH | Home Care | Allow approval of temporary increased services as needed for at risk clients that will be reimbursed by Medicaid without the required nurse assessment review and documents/ doctor's orders | Denied |
| 71 | SDOH | Home Care | Extend time frames for processing new Personal Care Service applications for Nursing Home patients seeking return to the Community | Denied |

| | | | | |
|----|------|----|---|--------|
| 72 | OTDA | CA | Waiver of the State FHEPS eligibility requirement that an eviction proceeding has been commenced in court | Denied |
| 73 | OTDA | CA | Waiver of the 45-day wait period for Safety Net Cash Assistance applications | Denied |
| 74 | OTDA | CA | Waiver of the Cash Assistance eligibility interview | Denied |

2020 HRA Reform Highlights

Improve Access to Benefits and Services:

Short-Term Achievements:

- From its onset and throughout the COVID-19 pandemic, HRA has advocated for and received significant temporary waivers of State and federal requirements to provide clients greater access to benefits and services by:
 - permitting online submissions of Cash Assistance (CA) applications via Access HRA from anywhere
 - launching a CA telephone interview option for clients to conduct their CA application or recertification eligibility interview by phone without having to leave their home
 - eliminating the SNAP interview requirement for SNAP applicants and recipients who have verified all mandated eligibility criteria through documentation
 - permitting telephonic signatures on applications so that HRA staff can take CA and SNAP applications over the phone for clients who lack internet access or internet-ready devices or have challenges using technology
 - suspending CA work requirements and in-person appointments for the safety of staff and clients
 - eliminating negative case actions if clients do not submit their 6-month CA mailer and SNAP periodic reports
 - extending the certification periods of SNAP and CA cases coming due to temporarily eliminate the need for clients to submit recertifications and potentially lose benefits if not completed timely
 - allowing verbal authorization from clients to disclose confidential health information over the telephone
 - extending the 180-day limit on domestic violence emergency shelter stays
 - permitting certain Adult Protective Services (APS) client home visits to occur via alternative means of communication such as, facetime, skype, or video conferencing.
 - extending Medicaid renewals for one year without full eligibility review

Long-Term Achievements:

- Successfully advocated for the State to end the eligibility finger-imaging requirement for Cash Assistance (CA) applicants/recipients
- Worked with the State to remove the photo requirement on NYS Common Benefit Identification Cards (CBIC), and implemented a referral process from Job and SNAP Centers to IDNYC so that our clients can continue to have photo IDs if needed
- Implemented a citywide process to offer clients temporary “Vault” Electronic Benefit Transfer (EBT) cards which can be used to redeem SNAP and Cash Assistance benefits until they receive their permanent CBIC from the State through the mail
- Revised the “You Must Submit Documents for Your SNAP Case!” (FIA-1146) notice to help clients better understand what documentation must be submitted to complete the SNAP application
- Obtained State approval for a revised New York State (NYS) Client Notification System (CNS) Expedited-SNAP Servicing notice, so clients are reminded that additional documentation is needed to establish eligibility for ongoing SNAP benefits
- Expanded the Internet Quorum (IQ) inquiry/complaint tracking system, which allows HRA to better handle client complaints and issues and offer faster turnaround
- Expanded the SNAP Interactive Voice Response System (IVRS) process to permit SNAP households with participants aged 55 and older or with disabilities without earned income to recertify through IVRS
- Implemented an easier security voucher redemption process for landlords of deceased CA clients whose tenancy was in effect on the date of death
- Implemented more self-service Kiosks at the Rider, Jamaica and Crotona Job Centers, which reduce initial waits to get into the center waiting area
- Conducting waiting room sweeps to find people that can utilize some of our self-service options (Scanners, PC Banks, etc.) and similarly deploying staff to canvass lines, if any, at centers to assist and educate clients on such tools
- Expanded the number of On-Demand agents to 350-400 daily and created a rotation for them to have one day out of every ten conducting other non-telephone business for better employee retention and morale
- Enhanced service delivery (clinical assessment, vocational services, wellness planning and federal disability advocacy) for WeCARE clients through full implementation of the new Self-Sufficiency, Employment, Assessment and Management System (SEAMS)
- Launched the electronic Fair Fares application process which expanded access to all NYC residents who believe they qualify to apply and submit documents for review by the Electronic Application processing unit.
- Integrated Access-A-Ride for eligible paratransit users into the Access HRA/Fair Fares system

- Through the Restaurant Revitalization Program, received 62,000 donated free meals for individuals facing food insecurity
- Simplified the Emergency Food Assistance Program's (EFAP) eligibility criteria and application
- Expanded eligible items for funding through the EFAP Administrative Reimbursement Grant
- Increased the Burial Allowance from \$900 to \$1700 and increased the required cap on funeral cost to qualify for the program from \$1700 to \$3400

COVID-19 Reforms and Operational Changes:

- Implemented an agency-wide remote services model, allowing the vast majority of HRA staff to work and serve clients safely from home
- Mobilized, trained and implemented remote work for FIA and redeployed DSS staff to work from home handling Cash Assistance and SNAP-only applications
- Implemented a drop box for clients to submit their completed CA or SNAP-only applications at the 7 open HRA Centers citywide
- Incorporated over a thousand DSS/HRA staff from other program areas to assist Cash Assistance and SNAP Operations to handle the surge in additional applications due to the COVID-19 pandemic and local shutdown
- Began accepting Burial Services applications via email and fax
- Implemented voluntary & virtual appointment processes for all aspects of WeCARE
- Implemented a new outreach process to Home Visits Needed/Homebound (HVN/HB) clients to ensure well-being and food security during the pandemic
- Implemented virtual field visits for SROs/Master Leased and Senior program move-ins
- Developed strategies with contracted providers (Master Leased, SROs and Seniors) aimed at reducing COVID-19 cases in their buildings and collaborated with DOHMH and H+H on response plans and COVID testing for vulnerable tenants
- Waived all in-person engagements for survivors of domestic violence and set up call-in numbers for assessment and crisis counseling
- Distributed Personal Protective Equipment (PPE) to staff working in open HRA centers and enforced social distancing measures to promote a safe environment for staff and clients
- Maintained 6 open HASA Centers (at least one in each borough) to continue providing emergency services (including emergency housing) to clients during the pandemic; safety initiatives included the installation of document drop boxes for use by clients and sneeze guards in the client service areas
- Developed a new model for delivery of HASA case management services which included a weekly wellness check protocol to monitor client well-being during the pandemic

Reduce Homelessness:

- Implemented a Streamlined Rent Arrears Process in which Job Centers handle all Emergency Assistance / One Shot Deal (EA/OSD) rent arrears requests for amounts less than \$7,200 and less than 6-months of arrears without the need for referral to the Rental Assistance Unit (RAU)
- Developed a Homelessness Prevention Administration (HPA) approval process for Congregate Care residents who have excessive rent arrears
- Established a case assignment system to provide right to counsel (RTC) legal services to all tenants at risk of eviction in Housing Court
- Created an auto-renewal process for CityFHEPS rental subsidy recipients
- Added 141 new units of HASA supportive housing for persons with a history of mental illness and/or substance use as well as homelessness

Modernizing Services and Processes:

- Added PC banks and Kiosks at the Rider, Jamaica and Crotona Centers.
- Successfully sought a State waiver for and implemented an online Cash Assistance application process using ACCESS HRA (AHRA) at 14 participating CBOs
- Implemented the ACCESS HRA online application for Single Issue (SI) grant applications to obtain various supplemental and Emergency Assistance subsidies
- Added the SNAP Case Change Reporting form to ACCESS HRA to allow online submission of case changes
- Permitted clients to submit the CA Periodic Mailer form electronically through Access HRA and the HRA Mobile Document Upload apps
- Continued system enhancements to better service clients, including ACCESS HRA and other system upgrades to better process applicant information and ensure accurate and timely processing
- Rolled out SNAP Telephone Interview Processing Services (TIPS) On-Demand satellite units to five in-person SNAP Centers to ensure that telephone interview services would be available at various locations in case a site goes down
- Implemented On-Demand "Processing Pods" in SNAP TIPS On-Demand Centers, allowing On-Demand staff to vary their work and understand the processing part by spending every fifth workday processing SNAP applications, increasing work satisfaction and decreasing processing errors
- Fully implemented the Coordinated Assessment and Placement System (CAPS) to increase efficiencies for referrals and placements into supportive housing
- Fully implemented the clinician portal, Electronic Medical Record (EMR), for Visiting Psychiatric Services (VPS) to prevent evictions and address urgent clinical needs
- Enhanced the Fair Fares Web application to allow for clients to report cards lost, stolen, or lost in the machine via web; upgrades also included opting-out options, auditing and administrative reviews, and enhanced reporting tools

Additional Accomplishments:

- Standardized training curricula for Office of Support Services (OSS) New Hires, and trained current OSS staff on unit procedures and Cash Assistance and SNAP program eligibility
- Revised Cash Assistance Periodic Mailer Form M-327H to simplify CA interim reporting requirements and remind participants to sign the form (pending OTDA sign-off)
- Completed specifications to migrate additional Office of Central Processing (OCP) tasks, including Landlord Security Voucher redemption, Utility Grant payments, and Child Support Payments into POS
- Implemented an Income Clearance Program (ICP) module in the POS to assist staff in processing actions and to better monitor unit workload
- Established a quarterly convening between HRA/DSS and the Columbia University Center for Justice to help streamline access to benefits and services for formerly incarcerated clients
- Published a new procedure outlining the actions to be taken by management, staff, HRA Police, and Contracted Security Guards in responding to Center incidents, while ensuring all clients are treated with courtesy, compassion, and respect
- Developed an anti-bias and trauma-informed training program
- Retrained and provided enhanced training for the HRA Office of Police Operations (HRA OPO)
- Completed the roll-out the Body Worn Camera (BWC) initiative for HRA PD staff
- Launched the Restaurant Revitalization Program (RRP) to support restaurants across the city by offering \$2.01m million worth of wage-reimbursement funding to cover up to \$30,000 of labor costs per business; a total of 68 restaurants were funded, selected based on their location in the hardest hit communities and whether they were a women or minority-owned business
- Launched the Work Progress Program's (WPP) Workplace, an online service that serves as a platform for WPP providers to share resources and employment/training/educational opportunities and discuss best practices
- Launched a new child support debt reduction program which allows noncustodial parents (NCPs) to reduce up to \$10,000 in child support arrears assigned to the New York City Department of Social Services (DSS) by completing a state-certified substance use treatment program
- Launched the lift sanctions initiative for custodial parents on Cash Assistance, which allows custodial parents to inform the Office of Child Support Services (OCSS) of their intent to comply with child support requirements in the future; once sanctions have been lifted, the client's full cash and medical benefits are restored
- Revised the child support summons package by adding information to the package aimed at clarifying expectations and softening the tone of the court summons
- Expanded ACCESS HRA to allow HASA clients to report address and income changes.

Client-Centered Reform

As we reorganize services to improve and streamline how we connect our clients to benefits/resources, it is important to note the channel shifts we are seeing in how New Yorkers are now accessing their benefits via the ACCESS HRA platform:

- Pre-pandemic, citywide SNAP in-center foot traffic had declined by more than 50% since 2014, largely driven by the increased use of ACCESS HRA.
- The percentage of SNAP applications submitted online increased from 23% in 2013 to 88% in 2019.
 - 80% of those applications are submitted out-of-center, with the remainder submitted online at DSS-HRA kiosks and PC banks within HRA centers.
 - Meaning approximately 70% of all SNAP applications are submitted online and out-of-center.
 - The percentage of SNAP applications submitted online increased in 2020/ In February 2020, 76% of SNAP applications were submitted electronically outside of DSS-HRA centers, with this figure increasing significantly to approximately 98% in May and June, remaining in the 90s (94.2%) since then/through December 2020.

Taken together, these client-centered reforms have helped reduce wait times and eliminated or reduced the need to come into a Center. Digital service delivery and modernization of the Agency's processes improves the experience for our clients as it is more efficient and frees staff to focus on cases that require more in-person contact.

DSS is seeking to make permanent a COVID-related waiver allowing telephone interviews for the application for and recertification of Cash Assistance as well as for DV and substance use screenings and assessments. The current waiver expires on March 31, 2021. Making the current waiver permanent through language in the State budget will prevent a gap in coverage if the waiver is not extended while legislation is being considered. We are grateful for the partnership of Senators Persaud and Krueger and Assemblymember Rosenthal for introducing S3223-A/A5414 which allows persons applying for or receiving public assistance the option to be interviewed by phone.

Prior to COVID, New Yorkers could only apply for Cash Assistance (CA) in-person at one of HRA's Job Centers unlike SNAP clients who since 2015 have been able to apply by telephone without having to come to an office. The change we are seeking is subject to State approval and absent that approval we are seeking legislative solutions in order to align our service delivery model.

To reiterate what we outlined at the beginning of this report, at the outset of the pandemic, DSS-HRA was granted a State waiver so that New Yorkers could apply for CA online and conduct their interview by phone. Throughout the pandemic, we've had to request waiver extensions multiple times in order to protect the health and safety of staff and clients and align the CA program with the client- and dignity-centered remote/mobile service delivery that we've had for SNAP clients since 2015. **Since receiving the waiver, 85% of Cash Assistance applications have been submitted online with about 162,000 interviews**

conducted by telephone. And as we've noted, in that time, we have seen the number of Cash Assistance applications nearly double.

During the initial weeks of the pandemic with increased uncertainty, COVID cases on the rise, and stay-at-home orders newly implemented, we made Cash Assistance available via online ACCESS HRA for the first time. We saw record applications for Cash Assistance in March and April 2020 and during the time period of May through September, applications returned to lower-than-average levels before climbing back up beginning in October.

2020 saw the highest December applications in over a decade.

- In March 2020, the Agency received approximately 12,740 more CA applications than March 2019, a nearly 53% increase.
- In April 2020, the Agency received approximately 7,980 more CA applications than April 2019, a more than 31% increase.

Between February 2020 and December 2020, there was an approximately 48,500-person (+14.8%) increase and a more than 27,000-case (+15.1%) increase in the CA caseload.

In addition to the telephone interview waiver, which made benefits more accessible, DSS-HRA requested and received waivers from the State to temporarily suspend many of the ongoing engagement requirements, required for continued eligibility for federal and State benefits. Waivers allowed us to suspend requirements such as employment program engagement and/or substance use services rules. Under prior Administrations, failure to engage in such requirements would have led to case closings in the normal course. With these factors taken into consideration, as CA cases have been closed at historically low rates due to the waivers, and the historic application increases, there has been a steady increase in the CA caseload since the beginning of the pandemic.

No Wrong Door – Modernizing HRA's Offices and Locations

The agency's long-term goals include ensuring HRA is in the communities of the greatest need by right-sizing our current client-facing locations and relocating into areas of highest need. In executing this strategy, we are implementing new service delivery models to better meet client needs. Further, as we move away from a specific program-focused (each program operates separately) service-delivery approach to a more client-centric, "no wrong door" approach we are increasing opportunities to co-locate with other agencies and community-based organizations (CBOs) to leverage community-based outreach and resources. And finally, we are continuing to maximize use of technology wherever possible.

2020 DHS Reform Highlights

Procedure Development

- Interim Reasonable Accommodations (RA) Process (Butler): DHS provides RAs to clients consistent with applicable laws except where doing so would fundamentally alter the nature of DHS services. DHS will not discriminate or retaliate against any client for requesting an RA, nor will DHS make an adverse determination regarding shelter eligibility or benefits as a result of a disability when the failure to comply relates to a disability requiring an accommodation that has not been provided.
- Selected Infectious Diseases Investigation and Outbreak Prevention: this policy outlines the roles and interactions between DHS facilities, Outreach teams, DHS Office of the Medical Director, and the Department of Health and Mental Hygiene in the event of an individual case or potential outbreak.
- Service Coordination with No Violence Again (NoVA) staff for PATH and AFIC: the purpose of this procedure is to delineate the requisite actions that DHS staff at Prevention Assistance and Temporary Housing (PATH) and Adult Family Intake Center (AFIC) sites must take when individuals possibly experiencing domestic violence present at these locations.
- Medication Storage and Self-Administration: this procedure establishes a uniform practice for offering optional medication storage and monitoring to clients as they self-administer their medication. This procedure does not apply to medical clinics that may operate within a DHS facility.
- Single Adult Bed Management: the purpose of this procedure is to clarify and establish consistency regarding the management of bed assignments and vacancies in the Single Adult shelter system.
- DHS' Guide to Improving Services for LGBTQI Clients - Frequently Asked Questions: DHS created this guide to share information about homelessness in the LGBTQI community and to highlight resources that staff should use to better support LGBTQI clients.
- DHS released a Transgender, Non-binary, and Intersex Clients policy applying to all providers and staff that includes: guidance for appropriate service delivery; background on terminology and purpose; an introduction of gender pronouns and chosen name to Agency procedures; and a script for modeling respectful introductions to clients.
- DHS added a field in CARES for preferred/chosen name, a name that clients may use that is different than their legal name. CARES nightly rosters print preferred

name over legal name, which prevents clients from being “outed” as transgender during roster checks.

- To ensure clear and consistent standards of social service delivery across the agency, the divisions of adult services, family services and street homeless solutions are developing models of practice, which include:
 - What must be done: All service delivery actions from entry to exit, including case management efforts, operational actions with client interaction and adherence to regulations, policies and procedures.
 - How to do it well: Descriptions of how to complete each action with quality, a person-centered approach, a trauma-informed lens, transparency and accountability.
 - What is to be measured: Standardizing how and what we measure by ensuring anything currently measured is noted in the model and all standards in the model are measured, and updating the twice annual Monitoring Instruments to reflect these measures.
- Developed the HOME system, which functions as a rehousing wrap-around to CARES, providing the following functionality:
 - Subsidy eligibility and letter generation.
 - Apartment stock and viewings through the Public Engagement Unit.
 - Transportation requests for viewings and shelter move outs.
 - Veteran rehousing (including non-DHS clients).
 - As of August 2020, DHS program staff use HOME to submit CityFHEPS packages and HPD's Homeless Housing Applications.

Training & Development

- Transgender, Gender Non-Binary, Intersex (TGNBI) Procedure Training: this provides a learning experience designed to help staff understand the experiences, needs, and concerns of TGNBI clients seeking or receiving services at a DHS facility.
- DHS Language Access: this provides information to staff and providers about language access requirements and policies for serving clients who speak languages other than English. Staff learn tools for providing services to our diverse client base. Training covers interpretation services, CARES and manual forms, and translation services.
- DHS has partnered with CUNY's School of Professional Studies to develop a series of trainings that provide a system-wide framework for engaging and supporting our clients. The 10 introductory-level trainings provide guidance on skills such as using a trauma-informed approach, understanding mental illness, and being culturally sensitive. The courses are: Using a Trauma-Informed Approach; Motivational Interviewing; Cultural Sensitivity; Mental Illness and Substance Use; Understanding Violence; Crisis Intervention; Suicide Assessment and Prevention; Self-Care; Key Activities; 5 Steps to Home.

Initiatives

- Influenza vaccination: DHS made the flu vaccine available to all congregate shelters last fall/winter, including all single adult and adult family shelters, all Safe

Havens and Drop-in-Centers, Stabilization Beds facilities and selected Families with Children shelters with shared bathrooms. The medical providers who offered COVID testing administered the flu vaccines.

- Overdose Prevention: DHS continues to focus on opioid overdose prevention and in particular, reduction of deaths due to overdoses, by making naloxone available at all its facilities at all times. In CY2020, DHS trained over 2,100 clients and 3,000 staff to administer naloxone, distributed 14,352 naloxone kits, and administered naloxone 730 times, reversing over 90% of overdoses.

COVID-19 Response Reforms

- Conducted shelter de-densification at all our Single Adult Shelters.
- Hold monthly COVID testing at all our Single Adults and Adult Family Sites.
- Conduct daily COVID testing at all our Single Adult Intake locations.
- Opened our own DHS Vaccination POD to service all our congregate shelters, clients and staff.



Thank you to the General Welfare Committee for inviting testimony. My name is Alexandra Rizio and I am a Managing Attorney at the Safe Passage Project, a non-profit legal services organization that provides free representation to immigrant children facing deportation. We serve children who live in the five boroughs of New York City and in the two counties of Long Island. The support of the City of New York has been instrumental in our work.

No immigrant, not even a child, is appointed a lawyer in immigration court. If a child cannot afford to hire a lawyer, they will be forced to defend themselves alone, against a trained government prosecutor and a judge, with deportation back to dangerous conditions as the likely outcome. Safe Passage Project helps correct this injustice by providing free attorneys to kids. Beyond legal services, our social work team addresses the broader needs of clients, such as school enrollment, homelessness, access to health care, psychological services, and public benefits.

As I mentioned, the City Council has been a stalwart support that allows us to fight on behalf of young immigrants: you fund our work through the Unaccompanied Minors Initiative and the IOI grant stream. Without your unwavering support, which we've had since 2014, we would not be able to serve the over 1,200 clients that Safe Passage serves. In fact, the City Council's support for the ICARE collaborative is groundbreaking on a national level, and has shown that local initiatives that support universal representation for immigrants –essentially filling a gap where the federal government refuses to act – is not only possible, but successful. Thank you.

The COVID-19 pandemic has laid bare and heightened many of the inequalities in our system. Undocumented immigrants may work in essential jobs, but most lack job security, are less likely to have health insurance, and can be hesitant to seek emergency medical treatment. To compound these problems, undocumented immigrants have been deliberately excluded from most economic recovery programs. At the same time, our immigration work didn't stop. Filings still had to be made on time. Kids were still being entered into removal proceedings and they needed lawyers.

Since the first cases of COVID-19 were reported in New York City, our social work team worked to connect young people with essential resources including food, housing, and medical help. In response to the urgent needs of our clients, Safe Passage Project launched an emergency response cash assistance program in April 2020. Over the course of 2020, we distributed \$40,000 in assistance to 130 households. Our social work team made more than 500 referrals to an array



of resources, including connecting clients to mental health, medical health, health insurance, food assistance, and shelters. We are proud to have connected so many families with badly needed resources, but we know that many clients continue to struggle with food and housing insecurity. We likewise continued the struggle on the immigration front: we have conducted legal intake screenings for 285 clients since April 2020, and filed hundreds of applications and motions with immigration services and with various courts. The deportation machine never stopped, so our team works tirelessly to ensure that our clients are protected.

Funding for organizations like ours is never guaranteed, but the need for our services is greater than ever. The ICARE Collaborative was very successful in ensuring that New York's child immigrants are represented in court, but the Robin Hood portion of the funding from this public-private partnership is coming to a close. We recognize that these are very uncertain times, particularly from a budgeting perspective, but I ask that the City Council continue to elevate the need for these services.

With the City Council's support, Safe Passage Project and our partners will hopefully help even more clients navigate the maze that is the immigration system, defend themselves against deportation, and access stability and essential services during this difficult period. Safe Passage Project offers our sincere thanks to the City Council for being a leader on the issues of legal representation in immigration court, especially for children, and for caring for all New Yorkers, regardless of immigration status. Thank you.



Embracing Hope *and* Building Futures *for* Generations

**Testimony Prepared for the New York City Council
Committee on General Welfare
FY22 Preliminary Budget Hearing
March 17, 2021**

Thank you, Chair Levin and members of the Committee on General Welfare, for the opportunity to submit testimony.

Sheltering Arms is one of the City's largest providers of education, youth development, and community and family well-being programs for the Bronx, Manhattan, Brooklyn, and Queens. We serve nearly 15,000 children, youth, and families each year, and employ more than 1,100 staff from across New York City.

Restore Funding for the Indirect Cost Rate (ICR) Initiative

First, New York City's FY22 budget must honor the City's commitment to cover providers' true indirect costs by including \$171 million in ICR funding. Disinvestment in the ICR Initiative is the primary risk to organizations like Sheltering Arms. It is unconscionable that NYC would commit to this initiative, require providers to go through a lengthy process to demonstrate actual costs, and then refuse to pay providers the full rate approved by the Mayor's Office of Contract Services (MOCS).

Through the ICR, Sheltering Arms was approved for an indirect rate of 13.46%, however, under the current Executive Budget, MOCS is only able to honor a rate of 10%. This reduction will result in a gap of approximately \$2M in critical indirect funding across our FY21 contracts. This funding is needed to support our core infrastructure that allows us to continue providing high quality services to our communities across NYC, things like:

- Upgrading and maintaining our payroll system to ensure staff are paid accurately and on-time.
 - The cost of processing our payroll alone is \$14,000 every two weeks.
- Ensuring that our technology across 50 sites, including 20 residential sites (and hundreds of home offices!), are effectively meeting the needs of increased reliance on internet, including video meetings and therapy sessions, remote learning, and file sharing (e.g. improving WiFi, maintaining computers and laptops, upgrading licenses for LogMeIn and VPN access).
 - The cost of transitioning our staff of 1,200 to remote work was about \$30,000 in equipment costs that was not eligible for reimbursement.
- PPE and cleaning for administrative staff and offices for staff whose work could not be completed remotely (e.g. our Facilities team continuing to make deliveries of PPE and donations to our residential and program sites; our Accounts Payable team which must continue to print paper checks to ensure our bills are paid)
 - In FY20 we spent more than \$1.2M on PPE, cleaning, and emergency supplies. While much was reimbursed, \$69,000 was not eligible for reimbursement.

We are lucky to have received CARES Act funding, however, financial uncertainty at the City and State levels mean that the financial future of our agency is also uncertain, driving our Board of Directors to remain very cautious. **With more than \$6 billion slated for NYC, which more than covers the anticipated shortfall of \$5.25 billion for FY21, there is no excuse for the City to not baseline the full \$91M that the Office of Management and Budget (OMB) has said is needed in order to fully fund the ICR for FY22, and to restore the \$80M needed to make providers whole for retroactive cuts made to the ICR for FY20 and FY21. Full funding for the ICR initiative is critical to our ability to continue providing high quality services to children, youth, and families across NYC.**

Fair Futures

Our organization is proud to be a member of Fair Futures, a coalition of over 100 non-profit organizations focused on supporting young people in and aging out of foster care. Since the inception of the COVID-19 pandemic, Fair Futures coaches and tutors have been on the forefront helping our youth in foster care secure safe housing, food, medical supplies, and assisting in the transition to virtual learning. In the midst of this crisis, they continue to provide emotional and academic support to our young people and, for many, are the only support system they have. More than ever, we ask for the City to fulfill its promise to foster youth. In order for our young people to survive this crisis and its long-term effects, **we urge the City Council to work collaboratively with the Mayor to restore funding and baseline \$20M for Fair Futures in the City's FY2021 budget.**

Pay Parity for Human Services Workforce (Close to Home & Child Welfare)

Our frontline workers have borne the brunt of chronic underfunding and disinvestment for decades even before the pandemic, with City agencies often paying their own staff significantly more than they contract providers to pay for identical positions.

In Close to Home, for example, entry-level Youth Specialists can make up to \$15,000 more annually working for the Administration for Children's Services. If they travel just a bit further to Westchester and Nassau counties right outside the City, where providers are paid per diem rates that are almost double the City rate through State-funded Raise the Age programs, they can earn even more. This led to turnover rates of 30-40% long before the COVID-19 crisis. Our workforce has been even further destabilized by the pandemic.

As the Administration for Children's Services (ACS) prepares to issue a Concept Paper and then a Request for Proposals (RFP) to rebid the entire juvenile justice system, including Close to Home, pay parity must be included. **The City must ensure that the upcoming RFP provides parity for equal positions, whether employed by City agencies or human services providers contracted with the City, to ensure the stability of critical services like Close to Home where the safety of children depends on a stable workforce.**

Thank you for this opportunity to submit testimony, and for your commitment to the children, youth, and families in NYC.

For any questions, please reach out to Mikayla Terrell, Chief of Staff, at mterrell@shelteringarmsny.org or 929-359-3859.

Testimony of Clinicians in Child Welfare (CCW) Before the New York City Council Committee on General Welfare Preliminary Budget Hearing

Submitted by Samantha Sutfin-Gray, Vice President, Performance and Quality, SCO Family of Services

March 17, 2021

My name is Samantha Sutfin-Gray and I am the Vice President, Performance and Quality, SCO Family of Services and a member of the Clinicians in Child Welfare (CCW). I have worked for SCO Family of Services for 2 years and been in the field as a clinician and researcher for 15 years. Thank you Chair Levin and the members of the Committee on General Welfare for the opportunity to testify during today's preliminary budget hearing.

Following New York Governor Andrew Cuomo's State of the State address in January, in which the Governor pledged to expand and improve access to telehealth services, the Clinicians in Child Welfare (CCW), whose members promote best practice and advocate to enhance the delivery of services in the child welfare system, released a report on why these services are so critical, especially to the communities hardest hit by the virus. Previously inaccessible to New York's Medicaid recipients, expanded telehealth services have made strides in closing New York's health equity gap – deeply benefitting the groups previously excluded from these services. The paper's findings make clear that the city and state must permanently remove harsh restrictions hamstringing access to these critical services. The paper, "[Accomplishments of Telehealth within New York's Child Welfare System: An Exploratory Survey](#)," draws from quantitative and qualitative study results from 249 participants who responded to the survey to highlight how communities have used behavioral health telehealth during the pandemic. Of those surveyed, 120 were parents or caregivers, 71 were foster parents, 51 were individuals receiving services, and seven were unknown.

Key findings include:

1. 76% of participants stated that they were able to connect to additional supports that were not accessible prior to telehealth.
2. The majority of children and families reported telehealth is helping them to meet treatment goals and develop or continue the therapeutic alliance in the comfort and safety of their own home without travel time and cost.
3. Participants identified safety, convenience, and ease of making and keeping appointments as areas improved through telehealth.
4. Most noted that they were able to maintain or grow the connection with their therapist, service provider or care coordinator and were better able to work together to accomplish their treatment goals.
5. The lack of technological infrastructure continues to be a challenge.

I am submitting the full report for the record. Thank you for the opportunity to testify.

About Clinicians in Child Welfare (CCW)

Established in 1984, Clinicians in Child Welfare (CCW) includes medical and mental health providers and administrators in voluntary childcare agencies in New York City. The goals of CCW are to share information among member agencies, promote best practice standards through workshops and conferences, and advocate for the enhanced delivery of physical, mental and behavioral health services to children and families in New York City's child welfare system. Diversity, Equity, Inclusion, and Belonging (DEIB), with a focus on access to and utilization of quality mental and behavioral health care, have always been the guiding principles for CCW.

About JCCA

JCCA's mission is to provide the highest quality child welfare and mental health services to New York's neediest and most vulnerable children and families to ensure that their safety, permanency, and well-being leads to a life of stability and promise. We are guided by the Jewish mandate of *tikkun olam*—the responsibility of every person to make the world a better place. Our highly trained, dedicated staff works in partnership with 17,000 children and families each year to build on their strengths, preserve the family when possible, and help create new families when necessary, so that all children may thrive through experiencing the benefits of a healthy family and belonging to a community of support.

About Good Shepherd Services

Good Shepherd Services goes where children, youth, and families face the greatest challenges and provides resources that build on their inherent strengths to help them thrive. Good Shepherd operates over 80 programs, which help nearly 30,000 youth and family members in struggling neighborhoods throughout New York City. All programs are united by a common goal—to create opportunities that help our participants succeed at school, at home, and in their community.

About Little Flower Children and Family Services of New York

For more than 90 years, Little Flower Children and Family Services of New York has been committed to improving the well-being of thousands of children, families, and individuals with developmental disabilities across New York City and Long Island so they can reach their full potential. Our staff of over 500 transforms caring into action by providing foster boarding home care, residential treatment care, adoption services, programs and services for individuals with developmental disabilities, and medical and mental health services so our families can overcome their challenges and see a brighter tomorrow.

About Graham Windham

Established in 1806, in full partnership with families and communities, Graham Windham strives to make a life-altering difference with children, youth and families who are overcoming some of life's most

difficult challenges and obstacles, by helping to build a strong foundation for life: a safe, loving, permanent family and the opportunity and preparation to thrive in school and in the world.

About New Alternatives for Children

NAC's mission is to provide innovative high quality services in support of birth, foster, and adoptive families caring primarily for medically complex children. NAC's mission includes children with severe physical, emotional, and behavioral challenges and developmental disabilities. NAC's services enable children to remain in or to be returned to their families whenever possible or to be adopted by loving families. Working primarily with children whose birth families live in poverty, NAC's continuum of services ensures that children's physical, social, educational, recreational, medical, and mental healthcare needs are met.

About SCO Family of Services

SCO Family of Services envisions communities throughout New York City and Long Island that support family life and personal well-being, where everyone has the opportunity to succeed. SCO Family of Services helps New Yorkers build a strong foundation for the future. We get young children off to a good start, launch youth into adulthood, stabilize and strengthen families and unlock potential for children and adults with special needs. SCO has provided vital human services throughout New York City and Long Island for 125 years.



Testimony
New York City Council
Committee on General Welfare
Fiscal Year 2022 Preliminary Budget Hearing
March 17th, 2021

Good morning Chair Levin and members of the Committee. My name is Nicole McVinua and I am the Director of Policy at Urban Pathways. Thank you for the opportunity to testify today on the need to restore the Nonprofit Indirect Cost Rate Funding Initiative and fund increases to CityFHEPS rental vouchers in the Fiscal Year 2022 budget.

Urban Pathways is a nonprofit homeless services and supportive housing provider. We assist single adults through a unique combination of street outreach, drop-in services, safe havens, extended-stay residences, and permanent supportive housing. We also offer a wide range of additional programming to meet the needs of our clients, including our Total Wellness Program and UPwards Employment Program. Last year Urban Pathways served over 3,900 New Yorkers in need.

Throughout the pandemic, our doors have never closed, and our services have never stopped. In fact, we opened an additional program with 60 emergency beds to bring New Yorkers experiencing street homelessness inside to safety. **At great risk to their own health and that of their families, our frontline staff continued to come to work to ensure the wellbeing of our clients and residents.** And like Urban Pathways, human service providers across the City have continued to provide food, childcare, and other critical in-person services throughout the last year.

While the human services sector stepped up to meet the needs of New Yorkers in crisis, unfortunately, New York City government did not step up to support us in the same way. Throughout the last calendar year, the City has allowed the COLA for human services workers to expire in the middle of the pandemic by not renewing it in the FY21 budget, failed to provide comprehensive emergency pay for low-wage City-contracted frontline workers, and created fiscal chaos for the sector by retroactively cutting the Indirect Cost Rate (ICR) Funding Initiative. This has pummeled a sector already facing a funding crisis, with contracts that only pay 85 - 87 cents for every dollar of the actual costs to run our programs as the norm long before the pandemic hit. On top of an already underfunded budget, we have experienced increased costs related to

COVID-19 for PPE, increased cleaning, and expanding Wi-Fi access for our clients that are relying on telemedicine and virtual behavioral health services.

In order to address this crisis, the FY22 budget must include the following:

- **The restoration of the COLA on the personnel services line of all human services contracts at a rate of at least 3%;**
- **Comprehensive emergency pay for human services workers retroactive to March 23, 2020, when non-essential workers in New York were ordered to stay home; and**
- **\$171 million to fully honor the Indirect Cost Rate (ICR) Funding Initiative for FY20, FY21, and FY22.**

These urgent investments are needed while workers, advocates, providers, and elected officials continue to work together on more comprehensive solutions to ensure that human services workers finally earn fair pay for their essential labor.

Human services workers have long been and continue to be extremely underpaid. In fact, 60% of New York's workforce qualified for some form of public assistance pre-pandemic.¹ On top of losing their COLA, the majority of the workforce has not received any sort of additional compensation as recognition for their essential work. As residential programs, Urban Pathways' contracts did receive emergency pay for our employees working on site through DHS and DOHMH. However, these funds were only available through June 1st. As we know the pandemic, and the risks to our staff members' health, has continued long past June and continuing emergency pay without government funds has proved unsustainable.

While the City committed to funding a full Indirect Cost Rate (ICR) on human services contracts in November 2019, following the release of the FY21 Budget we were informed that **40% of our increased ICR would not be funded for FY20**. The result for our organization was a **retroactive cut of \$387,553**. Having already planned on how that money would be used, a retroactive cut was particularly harmful; this is a cut for services already rendered that we cannot go back and un-spend. Since July, we have been waiting to find out what our ICR funding would be for FY21. Last week, (over seven months into the fiscal year), we found out that we would be receiving a **70% reduction to our increased ICR**. This is a **\$678,218 reduction** from our approved increase that we were originally told we would receive in FY20. These cuts are impacting providers across the City doing essential work.

In order for the City to honor its commitment to fund nonprofit human services providers it contracts with to provide essential services, the FY22 budget must include \$171 million: \$91 million in total for FY22, including the \$34 million already currently baselined for ICR

¹ Undervalued and Underpaid: How New York State Shortchanges Nonprofit Human Services Providers and their Workers
<https://humanservicescouncil.org/wp-content/uploads/Initiatives/RestoreOpportunityNow/RONreport.pdf>

funding, \$57 million for FY21, and \$23 million for FY20 to fill in the gaps between the cost of the City's commitment to nonprofits and the amount included in the past two budgets.

With over \$6 billion in federal relief now coming to New York City, there is simply no excuse for the FY22 budget not to include full funding for the Indirect Cost Rate, emergency pay, and COLAs to the nonprofit human services sector that has kept the City running throughout the COVID-19 pandemic.

The work our staff does is immensely challenging, and one of the most difficult tasks they face is helping our clients experiencing homelessness find independent, permanent housing. One of the tools they turn to is the CityFHEPS rental voucher. While the CityFHEPS voucher has the potential to provide meaningful access to the private market for low-income New Yorkers, it must be competitive in order to do so, and with a maximum monthly rental allowance of \$1,265 for a one-person household, it simply falls short in its efficacy. Even as apartments sit empty with the vacancy rate remaining over 5% and rents decreasing² across the City, the CityFHEPS voucher remains extremely difficult to utilize. With the HUD Fair Market Rent for New York City in FY21 at \$1,760 for a studio and \$1,801 for a one-bedroom, finding an apartment at \$1,265 is a frustrating and near impossible task for our clients experiencing homelessness.

To address homelessness, the City must take a first step in creating adequate access to the private market by raising the maximum rent on CityFHEPS vouchers to at least the Fair Market Rent value. Funding to raise these rates should be included in the FY22 Budget as a priority in the allocation of the \$6 billion in federal relief allocated to the City. As the housing crisis approaches a critical juncture with some households owing as much as one year of back-rent, it is also imperative that the City takes steps to ensure rent relief for households that run the risk of eviction.

It is impossible to ignore that our services and workers are invaluable to the health and wellbeing of the City, and that having a home has never been more critical than in a global pandemic. The FY22 budget must reflect these priorities. Thank you for the opportunity to provide testimony today. We appreciate the City Council's partnership in addressing these essential needs.

For questions or further information, please contact:

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212-736-7385, Ext: 233

² <https://www.nytimes.com/2021/01/14/realestate/new-york-city-real-estate-market.html>

**Testimony before the NY City Council
Committee on General Welfare Budget Hearing**

March 17, 2021

Damon Rowe
Director of Special Projects
The Osborne Association

Good morning. My name is Damon Rowe, and I am the Director of Special Projects at the Osborne Association. Osborne offers a wide range of programs for people affected by the incarceration system, including diversion, reentry and counseling programs in the Bronx, Brooklyn, Harlem, Newburgh, and Buffalo, as well as services at thirty-two (32) New York State prisons and six (6) New York City Jails. Over the past year, our program staff have pivoted to Covid response. Staff working on Rikers or in borough jails are staffing a reentry hotline to assist those preparing to leave or having just left DOC custody, conducting extensive outreach to people upon discharge from DOC facilities, and providing reentry services both in-person and virtually, including to those in the reentry hotels coordinated by MOCJ and the Office of Emergency Management. Staff operating out of community sites are providing virtual and as needed in-person job readiness groups, substance use treatment, and mentoring and case management services for young adults, elders and families.

My testimony focuses on 3 areas:

- 1) Our work with NYPD on child-sensitive arrest and the implementation of Local law 1349A, which resulted from the City Council's response to the horrific arrest of Jazmine Headley in an HRA office in 2018;
- 2) The Fulton Community Reentry Center opening in the Bronx in FY 22; and
- 3) New state legislation (the Close to Children Proximity Law) that will transfer certain parents closer to their minor children, prioritizing children in foster care.

Child-Sensitive Arrest

After years of advocacy including meeting with NYPD and City Hall, the horrific arrest of Jazmine Headley at a HRA office in December 2018 captured on video, led to the passage of a child-sensitive arrest law: NYC passed Local Law 1349-A on August 14, 2019. This law - which we were closely involved with Council members in crafting - was enacted on September 14, 2019, to reduce the trauma to children and families when NYPD officers arrest the parent of a minor child. Although NYPD's resistance led to deleting several critical elements from the final version including data collection and pre-arrest planning in search warrant situations, the law requires NYPD to develop written guidelines and provide critical training to Officers. Thankfully (and intentionally), it also requires NYPD to work with a community partner with expertise in child development and providing services to children and families to design and deliver training on the new protocol, and we are currently working with them as that community partner. We have the full support of NYPD Deputy Commissioner for Community Partnerships, Chauncey Parker, and are working with NYPD sergeants in his office and in the Training Bureau in our application to the Council to fund this work.

We are currently developing a series of trainings for different audiences. NYPD has chosen to begin with in-service trainings (training existing patrol, housing, and transit police officers), and

then will move to incorporate this into lessons at the Academy for new recruits. We have been asked to develop curriculum and provide training to: Training Sergeants (there are approximately 99 of them, roughly one per precinct), and newly promoted sergeants. We also plan to develop roll call / refresher training and modules on different aspects of implementing the protocol.

In April 2020, as we were all reeling from the adjustment to life with COVID, we were asked to develop a one hour virtual training for the NYPD's newly created Youth Coordinating Officers (YCOs). YCOs are charged with engaging young people and, whenever possible, connecting them with positive services and supports. We worked with Echoes of Incarceration ([Echoes website](#)) to incorporate young people's voices and experiences into this training, including their short and compelling film about emerging adults and the adolescent brain.

We have also been participating in the NYPD's "community engagement in training" initiative. This includes monthly meetings where diverse community-based organizations discuss training topics that would improve community-police relations and design and, in many cases, implement these trainings.

To support our work with NYPD, in 2020 we received \$5,000 from City Councilmember Danny Dromm who sponsored the child-sensitive arrest legislation. We had submitted a much larger funding request but Covid happened. In 2021 for FY22, we submitted a funding request for \$215,000.

Fulton

Osborne has been redeveloping the Fulton Correctional Facility, a seven story former New York State prison on Fulton Avenue in the Bronx, into a full service reentry center for individuals returning to the City from incarceration. The new Fulton Community Reentry Center, with 135 beds for men who would otherwise be experiencing homelessness, will be a model for providing transitional reentry housing. Pursuant to a first of its kind operating agreement with the NYC Department of Homeless Services, Fulton will be able to address some of the most costly challenges imposed by inequities in the legacy and the design of the incarceration system - a system that has sent more than half of the people released from prison in the City straight to homeless shelters. Rather than becoming lost in the general shelter system, the unique referral process will allow these returning citizens to be served by programs at Fulton that were designed for the challenges they face. Residents and program participants will be able to access a range of reentry services so they can rebuild their lives with the base of support necessary to be full, contributing members of our community. The job training, counseling, and reentry programs will be tailored to people who have the experience and associated trauma of institutionalization and isolation from society and loved ones.

Fulton's construction is scheduled to be completed in FY22, at which time the 20-year operating contract with the Department of Homeless Services will begin. In the interim, Osborne has requested City Council funding in FY22 to ensure that Fulton's physical infrastructure can also be a vital resource for programs operated by other local organizations as well as for individual community residents. It is important to note that no government contract pays for 100% of a program's cost, and the budgetary pressures of government agencies can be passed on to non-profits and their workers through actions like the Administration's proposal to cut to the Indirect Cost Rate. As a result, the City's human services workforce won't receive funding for a living wage while providing the essential services that the City cannot function without.

On an issue related to reentry, Osborne is in full support of Intro 146A, sponsored and led by the Chair, that increases the value of the CityFHEPS and other city housing vouchers to the federal standard of Fair Market value for those leaving our shelters. The city's affordable housing crisis has only gotten worse in recent years and we need to support those in greatest need by giving them more housing options to help stabilize their lives. It also saves money in the long run as it eases the burden on our shelter system and emergency housing.

Proximity

In December 2020, the Governor signed the Closer to Children Proximity bill into law. This bill importantly adds proximity to children as a placement criteria considered by the Department of Corrections and Community Supervision (DOCCS) after the existing criteria of security classification, medical/health needs, and program requirements have been met. While DOCCS has one year to fully implement the law, we are in conversation with them about prioritizing foster care cases. In NYC foster care cases that involve a parent who is incarcerated far away, there is now an opportunity to have the parent moved closer. While there are no visits now due to Covid, visits should return soon and removing the barrier of distance can make a huge difference in whether and how often children see their incarcerated parents. When a child is in foster care, visits with the parent have a huge influence on decisions to pursue reunification, not to mention how much children need to see their parents, and have been worried about them during Covid. We look forward to working with ACS and City Council to bring parents closer to their children and we thank ACS and many of you for supporting this law's passage.

Thank you for your time and consideration.



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**Testimony of Marion White
Founder and Senior Program Director of the Child Abuse Prevention Program
The New York Foundling**

**To the New York City Council
Preliminary Budget Hearing- General Welfare**

March 17, 2021

Good afternoon. My name is Marion White, and I am here on behalf of the Child Abuse Prevention Program of The New York Foundling. The Foundling is one of New York City’s oldest and largest nonprofit providers of human services, and our Child Abuse Prevention Program (CAPP) educates thousands of children each year about their right to personal safety.

First and foremost, I’d like to thank Chairman Levin and the committee members for their unwavering commitment to our community’s children. For the past two years, CAPP has been allocated a generous grant of \$248,000 from the Initiative to Combat Sexual Assault which has been crucial to our ability to prevent abuse from occurring and from going unreported.

The Foundling is requesting renewed funding for CAPP to address the ongoing threat of child abuse at a critical moment for our community. Changes necessitated by the pandemic have placed tremendous stress on families and strained family relationships. This places children at serious risk—just last week ten-year-old Aiden Wolfe was killed at home by an abusive family member. Increased online activity has also created a dangerous “opportunity” for internet predators. At the same time, children were cut off from teachers and other mandated reporters who are on the front lines of detecting and reporting signs of abuse to authorities.



CAPP is designed to help third and fourth grade children recognize situations that may be abusive, and assure children that they have the right to seek help from a trusted adult if they experience abuse. The program uses relatable child-sized puppets to discuss “safe,” “unsafe,” and “confusing” touches. After the Workshop, children are given the opportunity to stay and speak to a trained counselor or prevention specialist (during virtual Workshops, students are also given an activity sheet asking if they would like to speak privately with a counselor).

**Trusting in the Power and
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The impact of this work is clearly illustrated by the testimonies of the people we work with. For example, one guidance counselor shared the following story. He writes:

“one of my students was suffering from sexual abuse perpetrated by her mother's boyfriend. This student would normally not have been brought to my attention... However, thanks to your wonderful presentation... this 8 year old girl found the strength and courage to disclose the abuse to one of your presenters. The student mentioned to me later that the show inspired her to be brave, despite the threats from the perpetrator... had it not been for your program, the abuse would have continued into the summer.”

In cases like this, where a child discloses a serious case of abuse, our team of prevention specialists are trained to respond appropriately, and work hand-in-hand with schools to make reports to either the State Central Register or law enforcement as necessary.

We look forward to continuing our partnership with schools and with the City Council to prevent abuse from continuing unreported in our community as we emerge from this crisis.

I also wanted to share on behalf of our leadership that as one of New York City's largest providers of human services, The Foundling is deeply impacted by wider issues related to the sector which the Human Services Council has brought to light. Our leadership joins HSC in supporting the following budget priorities:

- The restoration of the COLA on the personnel services line of all human services contracts at a rate of at least 3%.
- Comprehensive emergency pay for human services workers retroactive to March 23, 2020 when non-essential workers in New York were ordered to stay home.
- Sufficient funding to fully honor the Indirect Cost Rate (ICR) Funding Initiative for FY20, FY21, and FY22, estimated at \$171 million.

Thank you for your time.



Testimony: UJA-Federation of New York

**New York City Council Budget and Oversight Hearings on the Preliminary Budget for
Fiscal Year 2022**

**New York City Council Committee on General Welfare
Honorable Stephen Levin, Chair**

March 17, 2021

Thank you, Chair Levin and members of the Committee on General Welfare, for holding this hearing and for the opportunity to submit testimony.

Established more than 100 years ago, UJA-Federation of New York is one of the nation's largest local philanthropies. Central to UJA's mission is to care for those in need. UJA identifies and meets the needs of New Yorkers of all backgrounds and Jews everywhere. UJA connects people to their communities and responds to crises in New York, Israel and around the world, and supports nearly 100 nonprofit organizations serving those that are most vulnerable and in need of programs and services.

Over the last year, the COVID-19 pandemic has dramatically and disproportionately impacted the lives of those living in poverty, further lifting-up the effects of systemic inequality and the real challenges New York City faces. In response to these needs, UJA's network of human services partners has been on the front lines since the pandemic hit, assisting New Yorkers of all backgrounds, throughout the five boroughs. UJA's network provides a wide range of services, including early childhood education and childcare, mental health supports, case management services, services for survivors of domestic violence, access to food, and a wide range of senior services.

In addition to the full restoration of Council Initiatives to FY20 levels (or FY21 levels if higher), UJA would like to highlight the following recommendations and requests for the New York City FY 2022 budget:

Restoring and Baselineing the Indirect Cost Rate (ICR)

In FY20, the Administration and Council made a commitment to increase funding for indirect costs (overhead and administrative costs) associated with providing contracted human services programs through the Indirect Cost Rate Initiative. As part of the Nonprofit Resiliency Committee, critical human services providers in New York City, met regularly with the Mayor's Office to establish a new ["City of New York Health and Human Services Cost Policies and Procedures Manual"](#) to guide the ICR Initiative, which launched in November 2019. The City's commitment and investment was a step in the right direction that would have greatly assisted UJA's provider network.

Human services providers were given a series of options to adjust their organization's ICRs. The majority of UJA's network decided to work with a CPA to apply the principals of the "Cost Policies and Procedures Manual" across each human service contract held by the organization. This process, by which nonprofits determined new ICRs, was costly (as much as \$5,000-\$25,000), time consuming, and had to be completed by June 30, 2020. Organizations that launched this process starting in November 2019 were promised retroactive contract enhancements for FY20 and an approved (and fully funded) new ICR applicable for the next three fiscal years.

Throughout the first half of 2020, as the City's finances were beginning to be impacted by COVID-19, providers continued the ICR exercise with no word from the Mayor's Office or City Council that cuts to the ICR were imminent.

During the last days of FY21 budget negotiations, the Mayor's Office indicated that there might be "adjustments" to the ICR. Then weeks after the FY21 budget closed, the Mayor's Office retroactively rolled back its commitment to the FY20 ICR by 40% at the start of FY21. Providers, who had gone through the time and expense of determining their new Indirect Cost Rates across their organization's human services contracts now find themselves with a significant cut for services already rendered and costs that were assumed to be covered by the City. **Across the UJA provider network alone, there is a combined FY20 loss of \$2.3 million for the ICR.** This number does not account for additional funds lost due to changes in the definition of "indirect costs". Due to the ICR Initiative and Cost Manual guidance, some expenses that were previously covered as direct costs shifted to indirect. When the City cut the ICR, these expenses that had been previously paid for were no longer funded, leaving providers with a larger retroactive deficit.

Now, more than halfway through FY21, the ICR has been further reduced for human services providers. Providers recently learned that the City is planning to only fund 30% of the FY21 value of human services amendment(s), but not less than a 10% ICR value. **This means that ICR funding for this fiscal year will see reductions of up to 70% with less than four months left in FY21.**

The ICR funds important aspects of human services provision, which are needed now more than ever to help New York City respond to and recover from COVID-19. **It is imperative that New York City support its human services network at this time of great need and not create further obstacles to critical response efforts for the most vulnerable New Yorkers. The City must restore the FY20 ICR cuts, fully fund FY21 rates and baseline the full cost of ICR funds for FY22 and the outyears—a \$171 million investment across all three fiscal years.**

Supporting Older Adults

Elie Wiesel Holocaust Survivor Initiative

UJA urges the Council to maintain its \$4 million investment in the Elie Wiesel Holocaust Survivors Initiative in FY22. In the wake of COVID-19, New York City's estimated 36,000 Holocaust survivors are among the most vulnerable to its impact.

Throughout the COVID-19 pandemic, social workers funded through the Survivor Initiative have continued to provide the specialized care that survivors require due to the trauma they experienced during the Holocaust. There are many unique struggles survivors face today: the isolation, the return of memories of hiding, rationing food, being away from family, as well as sickness and death. They are also among the most vulnerable and susceptible to COVID-19. Because of this funding, survivors are not alone.

Restoration of \$4 Million will support:

- **Case Management to access benefits and support.** Case Managers are specially trained in the psychological impact of the Holocaust
- **Mental Health Services** including home visits to help survivors work through the traumas that now manifest in sleep disturbance, anxiety, depression and inability to trust

- **Trauma Informed Care** provided by professionals who recognize and avoid possible triggers, thereby reducing the potential for re-traumatization
- **Crisis Prevention** to help stave off eviction and hunger
- **Legal Services and entitlement counseling**
- **Emergency Financial Assistance** for food, housing, prescriptions, medical and dental care
- **Socialization Programs** to reduce isolation
- **Training & Support** for Caregivers and home health aides working with survivors
- **End of Life Care** including hospice and ethical wills

New York City must continue its commitment to Holocaust survivors. It is crucial to provide specialized care and support programs for survivors to enhance their quality of life and allow them to live out their remaining years with dignity. **UJA asks that \$4 million be restored to support Holocaust survivors living in poverty.**

Senior Centers/Older Adult Centers

The senior center “model budget process” that began in 2017 remains unfulfilled. To date, only half of the \$20 million promised for this exercise has been released; the remaining \$10 million, intended to be allocated by FY21, was not included in last year’s budget, nor is it in the Mayor’s FY22 preliminary budget proposal.

Throughout the COVID-19 crisis, senior centers have played a critical role in the wellbeing of more than 30,000 older adults. Senior Center staff have worked to ensure access to food; provided regular wellness check-ins; swiftly shifted to virtual programming; and now assist older adults to navigate the City’s complex vaccine scheduling system. Now more than ever, senior centers play an important role in connecting older adults to services and community supports. The “model budget process” was meant to right-size senior center budgets; however, these funds neither supported all of New York City’s senior centers, nor did they cover the full cost of services.

In addition to the remaining \$10 million promised, UJA requests that \$5 million to right-size senior center food and kitchen staff budgets be included in FY22. These funds were delayed in the FY21 budget.

Finally, the Department for the Aging released its concept paper for the “Older Adult Center” RFP in late summer 2020. UJA, along with its partners and network of nonprofits, firmly believes that this RFP should not be released while New York City is in the midst of a global pandemic and seniors centers remain closed per the Mayor’s Emergency Executive Order No. 100. **UJA respectfully calls for the Older Adult Center RFP to be delayed until the pandemic is over, full funding is secured, and the needs of the older adult population can be fully assessed and responded to appropriately.**

\$16.6 Million for Home Delivered Meals Program (HDM)

The Home Delivered Meals Program has played a critical role in New York City’s COVID-19 response efforts. As older adults continue to remain at home, many do not have family or friends that are able to help them acquire food. While New York City launched GetFood to help address this issue, demand for the HDM program also increased. Currently, an estimated 18,000

homebound older adults receive home delivered meals across New York City; however, enrollment in the HDM program at the peak of the pandemic was 21,000. Even then, more seniors qualified and should have been enrolled in HDM instead of being directed to GetFood NYC.

Beyond simple meal provision, the HDM Program provides important supports for homebound older adults. Recipients of home delivered meals are chronically disabled due to heart disease, mobility challenges, diabetes, arthritis, or severe vision impairment and are reliant on these supports, that now, in a pandemic, serve as a critical lifeline for these older New Yorkers. Regular meal deliveries provide health and psychological benefits beyond nutrition and can act as an access point for other critical support services, which help older adults continue to live healthily and safely in their homes.

However, the New York City per meal reimbursement rate is only \$9.58, which includes food, transportation costs and staff. This is far below the national per meal rate for urban areas of \$11.78. This low rate does not reflect the actual cost of meal provision and delivery, nor does it account for the high cost of culturally competent meals, such as kosher or halal. A survey by LiveOn-NY of New York City showed that many nonprofit HDM providers organizations lose thousands of dollars every year providing home-delivered meals.

UJA requests the following investments to support the Home Delivered Meals Program:

- **\$13.6 Million for FY22 to account for increased demand and adequate per meal reimbursement rates**
- **\$3 Million for FY22 weekend and holiday meals provided by City Meals on Wheels**

Naturally Occurring Retirement Communities (NORCs)

Classic and Neighborhood NORCS are multi-age housing developments or neighborhoods, respectively, that were not originally developed for older adults, but are now home to a significant number of older people. Throughout the COVID-19 health crisis, NORCs have provided vital response services to thousands of older New Yorkers, making continued investment in this program critical. NORC staff provide wellness checks to address mental health and social isolation; assist seniors in accessing food and other supplies, coordinate services in residential buildings not developed specifically for seniors, and now, help older adults navigate New York City's complicated vaccine process. These activities were crucial prior to COVID-19 and have become even more important since.

Without the support of the City Council, many NORC programs would not be able to continue to provide critical services to so many older adults in New York City. In order to sustain and strengthen the NORC program, three key supports are needed in the FY22 City Budget:

1. **Restore \$5.4 million to the NORC City Council Initiative, including \$1.3 million to support health and nursing services.**

The FY21 final budget included \$5.4 million in City Council NORC Initiative funding to support dozens of NORCs and Neighborhood NORCs. This included \$1.3 million to fill a funding gap for health and nursing services in NORCs. The Council must restore these funds to ensure these programs can continue to provide services to NORC residents.

2. Baseline \$1 million for NORC Programs

The FY20 and FY21 budgets included \$1 million from the Administration to support certain NORC programs previously funded by the Council; however, these funds were never baselined. If this funding is not restored, the future of these NORC programs is uncertain.

3. Achieve Salary Parity for DFTA-Funded NORCs: \$1.7 million

While successfully providing healthcare, social services, and socialization opportunities to thousands of New Yorkers – and helping to defray Medicaid costs – NORC staff has been struggling with chronically low salaries, as contracts do not include cost escalators and have not allowed for meaningful raises in many years. The NORC network has seen high turnover rates for all positions, including directors and case managers. This is particularly challenging given recent increases to senior center staff salaries through the Department for the Aging (DFTA)'s FY 2018 “model budget” process. The disparity created through this exercise has yielded a scenario where senior center and NORC staff have similar responsibilities, workload, and client demands, but one staff makes significantly more than the other. On average, systemwide, senior center staff make roughly \$15,000 more than NORC staff.

Addressing Food Insecurity

Food access is a growing concern among New Yorkers. Stay-at-home orders and social distancing measures have cut off reliable pathways to food access, such as meals provided in community settings (houses of worship, senior centers) and schools. As a result of the pandemic and the ensuing economic downturn, one in four New York City residents are now food insecure. That represents about 2 million New Yorkers. As rates of food insecurity increase and New Yorkers are relying more on food pantries, these pantries are unable to fully respond to the need. According to a survey conducted by Hunger Free America, almost 37 percent of food pantry and soup kitchen respondents in the City reported having to turn people away, reduce the amount of food distributed per person or limit their hours of operation because they lacked resources. Additionally, 65 percent of respondents reported an increase in people served since the start of the pandemic.

Although UJA's nonprofit partners quickly shifted their operations to better support New York's emergency food efforts by expanding their food pantry operations; helping clients gain access to SNAP and other benefits and raising private dollars to deliver meals to homebound older adults, there is still tremendous unmet need.

UJA-Federation submits the following recommendations to ensure that the local food system and supply chain remains intact, that all families are able to access the food and support they need, and that front line community-based organizations (CBOs) can respond effectively to this crisis:

1. Invest an additional \$25 million in Emergency Food Relief

- Last spring, the City distributed \$25 million to emergency food providers to help address the hunger crisis exacerbated by COVID. As the City recovers from this pandemic, UJA urges the City to reinvest this money to meet current food needs.

In addition to reinvesting this funding, UJA urges the Council and the Administration to consider how to expand the eligible entities for receipt of this funding and ensure that data on the outcomes from the program is collected and reported.

2. Maintain baselined funding for the Emergency Food Assistance Program (EFAP) at \$20.2 million and allow additional flexibilities in terms of program operation

- UJA urges the Administration and the Council to allow EFAP providers to use EFAP funding for administrative, rental and operational costs that have increased or emerged since the start of the pandemic. In addition, UJA encourages the Administration and the Council to explore ways in which the program can be adjusted to allow more opportunity for individual pantries to make purchasing decisions as is the case with the New York State Hunger Prevention Nutrition Assistance Program and New York City's Pandemic-Food Reserve Emergency Distribution Program as well as to explore ways to incorporate incentives for the purchase of fresh food.

3. Allocate additional funds within the Human Resource Administration towards nutrition benefit program enrollment and outreach.

- Food insecurity has nearly doubled in NYC since the start of the pandemic, yet only 50 percent of New Yorkers facing severe food hardship are enrolled in the Supplemental Nutrition Assistance Program (SNAP). To meet this need, UJA urges HRA to allocate additional funds within the budget towards promoting and enrolling New Yorkers in social safety net programs, re-opening field offices closed during the pandemic, adding additional One Stop Shop locations, adding additional staff to the hotline to enroll people in programs and investing additional funding into promoting the Health Bucks and Get the Good Stuff Program at DOHMH.

4. Ensure more transparency in the GetFood NYC program

- The Mayor's Preliminary Budget includes a new infusion of \$52M for the Get Food NYC program in FY22. Yet, little to no information has been made available to advocates or the City Council on the details and impacts of the Get Food program to date. Although UJA is supportive of additional funding for emergency food response, UJA urges the City Council to hold an oversight hearing on the program and the Mayor's Office of Food Policy to publish a report within the next three months that includes data on:
 - 1) Where was the greatest need for food during COVID-19? Where have 311 requests and Get Food Portal requests for food been coming from by zip code/neighborhood?
 - 2) Where did the city provide food through the Get Food Program and other emergency COVID food relief efforts by neighborhood/zip code? What gaps were identified from these deliveries/services?

- 3) What worked well in the city's emergency food response? What did not work well?
- 4) What was the quality of the food served by zip code/neighborhood?
- 5) What organizations and businesses have received contracts to do food deliveries through the GetFood Portal, including the number of MWBEs and CBOs?
- 6) Do the existing grab and go meal sites meet the needs and the participation levels at each site?
- 7) How has the administration responded to issues brought up by members of the community with the emergency food programs set up during the pandemic?
- 8) What are the administration's plans for addressing the recent drop in SNAP re-enrollment?

Investing in Adult Literacy

Currently, there are more than 2.2 million adults in New York City without English language proficiency or a high school diploma. Many of these New Yorkers have been on the frontlines of the pandemic, performing the essential work that has been sustaining our communities – as grocery workers, delivery workers, home care workers, and parents. Others are service workers and domestic workers who have lost their jobs and incomes and have faced a harsh reality with little or no safety net. While adult literacy education is only one part of the solution, it will be essential to a fair, just, and sustainable recovery.

The need for digital literacy and health literacy; the ability for parents to independently support their children's education; and the ability to access, understand, and interpret complex information has never been more apparent. Adult literacy programs are frequently the main connection that immigrant adult learners have to the wider network of New York City's programs and services. This has become even more evident in the midst of the COVID-19 pandemic. Programs quickly and effectively pivoted to remote support for adult learners by altering group activities, providing information on the rapidly changing health situation, and transforming programming to ensure that adult learners do not get lost. Non-English speaking parents are being supported through these classes, leaving them better prepared to take on a greater role in the education of their school-aged children, a role that has become necessary in our current environment.

The benefit of keeping program staff employed is critical as the city faces economic uncertainty and extreme public health concerns as a result of COVID-19. Thank you for your efforts to ensure that adult literacy programs can continue to provide vital education and support to vulnerable New Yorkers during this pandemic. **UJA urges the Council and the Administration to work together to restore and baseline the \$12 million in annual funds that was secured in the budget every year from FY17 to FY20 and that were reduced to \$9.8 million in FY21.**

Additionally, according to a report released by the Literacy Assistance Center based on an online survey of adult literacy programs in New York City looking at the impact of COVID-19 on students and programs, the digital divide remains a serious barrier. Adult literacy program staff who responded to this survey estimated that an average of 65% of their students are facing

technology barriers to remote learning. These include obstacles related to technology access, internet connection, hardware, and/or having a safe, quiet space to study. Many students are engaging in remote learning with a smartphone as their only access point. To engage in remote learning, adult students need internet access and the appropriate hardware, digital skills development, and support with digital participation. **UJA urges the Council and the Administration to explore ways to ensure that adult literacy students have access to necessary technology and supports so that they can continue to engage with and benefit from adult literacy programming in a virtual environment.**

Lastly, as FY22 budget discussions begin, UJA urges the Council and the Administration to invest in the adult literacy pilot project that the New York City Coalition for Adult Literacy (NYCCAL) had worked with the Council to launch prior to the pandemic. An additional \$10.5M investment would quadruple city funding for approximately 25 community-based adult literacy programs. These funds would be used to enable these programs to fully invest in the 14 “Building Blocks” of a comprehensive adult literacy program identified in the LAC’s [Investing in Quality](#) report, and to ultimately demonstrate that greater investment in supports and resources for adult literacy students will lead to significantly greater social and economic benefits for students, their families, and their communities.

Supporting Youth Programs

Restore Funding for SONYC Summer Programs

Unfortunately, the FY22 Preliminary budget included no funding for Summer SONYC programs. Both the \$5.7 million that is usually baselined for SONYC summer programs as well as any funding that is in the adopted budget for additional SONYC summer slots were not included in the Preliminary budget.

Middle school students and their families have endured a challenging year, being forced to navigate remote learning for the majority of the school year while parents or guardians continued to juggle work responsibilities either in or outside their homes. Many youth struggled to benefit from remote learning and often relied on their parents or guardians to provide them additional academic support. Those who were enrolled in SONYC afterschool programs received support from staff to help them with homework and school assignments. These programs allowed youth to remain engaged in their schoolwork. Summer SONYC programs will provide additional educational opportunities that will help youth build on what they have learned throughout the year. SONYC afterschool and summer programs combined combat potential learning loss youth may be susceptible to. Without SONYC summer programs, many youth will not have the opportunity to engage in academic enrichment programs putting them at a disadvantage when they start school in the fall of 2021.

Summer SONYC programs also provide relief for parents and guardians who want to ensure their children are safe and engaged in positive activities while they are out of school. The families that UJA’s network of nonprofits serve will most likely not be able to afford other child care options making summer SONYC programs a necessity for many to work outside their homes.

Summer SONYC program providers must know as soon as possible if they will be funded to oversee programs this summer. Families also require adequate notice so they can know what

child care options are available to them this summer and plan accordingly. Funding must be restored in the Executive Budget, allowing providers months to plan for the summer. Operating these programs during a pandemic is extremely challenging and providers need sufficient time to hire and train staff as well as develop COVID safe protocols and activities. DYCD must also release summer programming guidance. This guidance must include information on how programs can oversee remote and in-person options for participants, taking into consideration some participants may still feel more comfortable attending only virtual programming. Without sufficient guidance from the agency that is funding their program, it is difficult for providers to develop curriculum and hire staff. During a pandemic, it is essential for providers to receive directions on how to safely oversee programs and what services will be funded as they deliver these programs. Because of this and the positive impact summer SONYC programs have on youth, **UJA is urging the restoration of \$25.7 million in the FY22 Executive Budget for summer SONYC programming for 43,500 middle school students.**

Improving Comprehensive Background Checks

Since September 2019, the New York State Office of Children and Family Services (OCFS) has required new extensive background checks for staff and volunteers in youth and early childhood education programs. The background checks are required by rules in the Federal Child Care and Community Development Block Grant that was reauthorized and revised in 2014. As the local regulator, the background check process is managed in New York City by the Department of Health and Mental Hygiene (DOHMH). Throughout the pandemic, DOHMH has continued to struggle to complete the background checks in a timely manner causing delays in the hiring process for staff members in afterschool, early childhood education programs and Learning Labs. When providers send inquiries about the status of pending background checks to the DOHMH mailbox designated for receiving completed background check paperwork they often receive delayed responses with little information. Programs have reported having to wait a minimum of *two months* to get staff fully cleared. OCFS allows prospective staff to work in programs if they are supervised by fully cleared staff. However, this only works when there are enough cleared staff to oversee the prospective staff awaiting their clearances. When fully cleared staff test positive for COVID and need to quarantine, many programs are left scrambling to meet staffing quotas.

The delays in completing background checks are unacceptable at a time when parents and guardians' ability to return to work hinges on the availability of reliable child care options. Providers will also be unable to staff summer programs like the SYEP and COMPASS and SONYC summer programs if the background check process remains in its current state. **UJA urges DYCD to assist DOHMH in expediting the comprehensive background check process, ultimately making DOHMH commit to a two-week maximum timeframe to complete checks.** Providers support rigorous background checks for all staff and need their partners in government to process background checks quickly and efficiently so providers can operate programs in this constantly changing environment.

Strengthening the Summer Youth Employment Program for Summer 2021

The cancellation of the SYEP last April and then the small restoration of the program in the FY 21 adopted budget, devastated many SYEP providers as well as the thousands of youth who applied to participate in the program. Many providers laid off staff in April when DYCD announced the SYEP would not be funded during the summer of 2020 causing them to scramble

to develop programming and attempt to rehire staff when they were notified the SYEP was going to be partially restored. Meanwhile, over 100,000 youth applied for 35,000 SYEP slots, leaving many without work options or compensation during a financially difficult year for them and their families.

UJA is grateful the FY 22 Preliminary budget included \$132 million for 70,000 Summer Youth Employment Program (SYEP) slots. UJA recognizes that more than 70,000 youth will be applying for the SYEP and there is a need to expand the program to allow every youth who is interested in participating in the SYEP the opportunity to do so. While the City may not be able to financially support an expansion to universal SYEP this year, in the next few years UJA urges DYCD to work with providers and youth to design a plan that will create a universal SYEP.

In order for SYEP to be successful in summer 2021, UJA recommends:

- DYCD to determine areas of the City most impacted by COVID-19 and to prioritize SYEP slots for youth who reside in those areas;
- A coordinated inter-agency effort (including the following City agencies but not exclusive to the New York City Housing Authority, Department of Health and Mental Hygiene, Department of Homeless Services, Department of Education and Administration for Children's Services) led by DYCD, to ensure that providers have the supports and partnerships they need to rebuild capacity after last year;
- Flexibility for providers to develop programming (including remote and in-person options) that are safe, high quality, and responsive to the unique needs of young people in their communities;
- Continued partnership with advocates, providers, and youth to determine a safe, effective process for document collection and audits that meets legal requirements while accommodating the unique circumstances faced by young people and providers in 2021; and
- Providers to have access to PPE for staff and youth as well as cleaning supplies at no additional costs to their programs. DYCD should also help SYEPs get access to COVID testing and the COVID vaccine for all employees who work in their programs

Improving Communication between the DOE Situation Room and Learning Bridges/Labs

The Preliminary budget included \$57 million for Learning Bridges/Labs funding the program for the remainder of FY 21. Ten of UJA's nonprofit partners oversee Learning Bridges/Labs, providing services and supports to children and youth in all five New York City boroughs. UJA nonprofit partners have experienced a multitude of issues overseeing the Learning Bridges/Labs including gaining access to reliable, fresh kosher food through the DOE Grab & Go program and making the program accessible to students with disabilities. Most recently, providers have received unclear guidance and inconsistent communication from the Department of Education's (DOE) COVID Response Situation Room which has impacted Learning Bridges/Labs ability to offer quality instruction and child care.

Learning Bridges/Labs providers are experiencing major lapses in communication from the Situation Room. These gaps in communication are mostly related to Learning Bridges/Labs programs being notified late of positive COVID cases in DOE schools, placing children, youth and staff at increased risk of contracting COVID. Learning Bridges/Labs providers have reported

being told to shut down operations at their programs up to ten days after the last time a child or youth who tested positive with COVID attended their programs. Regardless of the extended Situation Room hours that began February 22nd (Monday through Friday from 7:00AM through 6:30 PM and Sunday from 11:00AM to 5:30PM), Learning Bridges/Labs report continued frustrations with the hours of the Situation Room, stressing that they often need feedback on specific cases when the Situation Room is closed. Providers also report reiterating the same details multiple times resulting in them spending excessive amounts of time interacting with the Situation Room staffers who are disconnected from one another.

Despite Learning Bridges/Labs programs in the UJA network often having separate entrances and being largely isolated from other programs in their multi-service community centers, the DOE recommends entire building closures when positive cases have been found only in DOE funded programs. Lastly, the Situation Room closes Learning Bridges/Labs when two unrelated positive COVID cases are verified in participants or staff under the assumption that one or two of the cases was contracted from someone else in the program's building and not from elsewhere in the community. This assumption places Learning Bridges/Labs programs located in multi-service community centers at increased risk for having their programs closed.

Learning Bridges/Labs providers have been dealing with contradictory instructions from different Situation Room staff, building shutdowns based on unrelated cases, and inconsistent wording and reasoning. It is important to note that providers also receive delayed communications from schools when a child or youth who attends their Learning Lab is in quarantine or has tested positive for COVID. These issues often lead providers to extended 24-hour investigations and not receiving information about COVID cases in a timely manner – an issue which threatens the health and safety of all children, youth and staff involved.

In order to eliminate these harmful gaps in communication and ensure that the children and youth served by Learning Bridges/Labs receive quality care, UJA urges the DOE, DYCD, DOHMH and the Test and Trace Corps when appropriate to take the following immediate steps:

1. The principles that guide the DOE, DOHMH, DYCD, and the Test & Trace Corps decisions regarding school building and program closures must be publicly accessible for all relevant City agencies, Learning Bridges/Labs program managers, and parents/guardians. All Situation Room employees should be rigorously briefed on these guidelines.
2. The Situation Room must clearly state in writing when Learning Bridges/Labs must close, for how long and the reasons why the programs must close. This communication must be sent to the manager of the impacted program and the Executive Director or Chief Executive Officer of the nonprofit hosting the program.
3. The Situation Room must have extended hours and/or have staff who are on-call to receive inquiries from providers about potential COVID cases in their programs. From start to finish investigations should take a maximum of 24 hours to perform. After 24 hours, it should be determined if a program should remain open or be shut down.
4. The Situation Room must implement more cohesive and reliable documentation which would ultimately expedite the investigation process and lessen the likelihood that providers would have to repeat details. Every investigation should be overseen by one

person in the Situation Room who will be the point of contact with whom providers interact.

5. Learning Lab providers should be notified directly and simultaneously with DOE school personnel by the testing company when children or youth are found to be positive after undergoing random COVID testing.

6. Learning Lab providers should not be required to serve enrollees from public schools closed due to COVID investigations while the investigation is active. Children and youth from these schools should be allowed to attend Learning Labs once it is determined the child had not tested positive or that they were not required to quarantine due to COVID exposure.

UJA and its nonprofit partners recognize the important role the DOE Situation Room plays in keeping children, youth and providers healthy and safe and look forward to working with the City Council, DOE, DOHMH, DYCD and the Test and Trace Corps to address the above issues, action items and improve operations.

Increase Supports for Youth Transitioning out of Foster Care

UJA with the Fair Futures coalition recognizes that older youth transitioning out of the foster care system require additional supports to ensure academic and/or vocational success as they age into adulthood. The COVID-19 crisis has left youth in foster care feeling isolated, confused and scared. While so many other New Yorkers can lean on their families to get them through this challenging time, these youth require additional supports to assist them during and after the pandemic. Additional supports can include providing foster youth with access to a long-term coach from the start of high school through age 26, as well as providing social-emotional supports for foster youth in middle school. This is a proven strategy for increasing graduation rates and post-secondary enrollment, preventing system involvement, and helping youth get on a pathway to becoming self-sufficient, successful adults. **UJA supports the Fair Futures FY22 budget request to include \$20 million in baseline funding for long-term, comprehensive supports for all foster youth from middle school through age 26.**

Increasing and Maintaining Funding for Mental Health Initiatives

UJA's nonprofit partners receive funding through a number of mental health initiatives including Autism Awareness, Geriatric Mental Health, Court Involved Youth Mental Health, Opioid Prevention and Treatment, and Developmental, Psychological and Behavioral Health. UJA submits the following recommendations that will allow UJA's nonprofit partners to continue to serve these populations through FY 22:

1. Maintain funding at \$3.2 million for the Autism Awareness Initiative

Seven of UJA's nonprofit partners receive funding through the Autism Awareness Initiative. The Autism Awareness Initiative funding allows our nonprofit partners to provide wraparound services to autistic children and youth in afterschool, weekend and summer programs. It also supports trainings for parents, guardians and caregivers of children diagnosed with autism. Most importantly, these supports and trainings are offered to individuals with autism and their families who are not eligible for services through the Office of People with Developmental Disabilities. In many cases, this is one of the few supports these individuals and their families can access in the community.

During the pandemic, providers transitioned services to virtual platforms. Those who provided trainings and support groups to parents, guardians and caregivers of children with autism saw an increased need for these groups. Due to the need to quarantine and social distance, many parents, guardians and caregivers of children with autism became totally responsible for the 24/7 care of the individuals with autism who live with them. This included providing one on one supports to their children with autism as they participated in virtual learning while they attempted to maintain their own demanding work schedules. Because of this, support groups for parents, guardians and caregivers of children with autism became very popular allowing for these individuals to virtually meet with others who were experiencing similar situations as well as learn new skills on how to support the individuals they were caring for.

The wraparound afterschool and summer programs provided by our nonprofit partners generally focus on assisting participants to develop intellectually and socially. During the past year, the afterschool programs funded by the Autism Awareness Initiative transitioned to a combination of virtual and in-person offerings while summer programs were in-person with reduced capacity. Providers worked with the communities they served to understand if individuals were more comfortable with in-person, virtual or a combination of both types of programming and families appreciated the flexibility.

One thing that remained clear during the pandemic is that families need full day supports. During the last year, programs funded through the Autism Awareness Initiative provided an outlet for individuals with autism while also supporting parents and caregivers of these individuals. As the pandemic continues, individuals with autism and their families will need these opportunities for engagement with their communities. UJA urges the City Council to maintain funding for the Autism Awareness Initiative at \$3.2 million in FY 22 in order for these supports and services to remain available to the individuals who need them.

2. Increase funding for the Geriatric Mental Health Initiative (GMHI) to \$2,858,310 million

The GMHI supports organizations to provide individual and group counseling to older adults in non-clinical settings such as senior centers, Naturally Occurring Retirement Communities, and food pantries, while also supporting in-home services for homebound elderly. The GMHI also provides financial support for in-home services such as psychiatric evaluations and counseling, services that are often not covered by insurance companies or reimbursed poorly. By offering these services in a non-clinical setting, providers are able to adapt services to the needs of the communities without stigma. Older adults have also benefitted from case management services funded by the GMHI, helping them to get connected to additional social supports like SNAP.

Since the onset of the pandemic, providers have had to change the manner in which they were delivering services. In many instances, this involved straying from meeting older adults in person to providing services telephonically or virtually. For example, one of UJA's nonprofit partners speaks to their older adult clients over the phone instead of performing home visits. Before the pandemic, this same provider hosted a bi-weekly in-person men's group. The men in this group now receive individual counseling sessions over the phone to replace the in-person group counseling sessions they once received before the pandemic.

Regardless of how hard providers have worked to continue to serve older adults virtually during the pandemic, isolation and loneliness has increased among this population. Providers recognize the continued and increased need for these services in their communities and the important role they will play in helping older adults recover from the pandemic. Additional funding for this program in FY 22 would allow our nonprofit partners to connect more homebound elder adults with the mental health services they require to live fulfilling lives in the community.

3. Increase funding for the Court Involved Youth Mental Health Initiative to \$3.4 million

The Court-Involved Youth Mental Health Initiative is a citywide initiative that assesses risk for mental health concerns and connects court-involved youth with nonprofits. The initiative also provides family counseling and respite services to families of court-involved youth. These services are essential for preventing entry and re-entry into the juvenile justice system. At-risk youth often lack access to mental health services, family counseling, or other supports that will keep them from juvenile detention. This initiative addresses lack of access to these important interventions through best practices in support services and referrals.

JCCA, one of UJA's nonprofit partners, receives funding through the Court-Involved Youth Mental Health Initiative. The JCCA's Second Chance program is for youth between the ages of 12 and 17 who have mental and/or behavioral health needs, are court-involved or have behavioral indicators for court involvement. The program provides free mental health/counseling services, educational support and substance abuse referrals, family support services, and advocacy. During the pandemic, JCCA launched virtual workshops and programming on career exploration and skill development. The program also offers work from home internships focusing on remote projects, job training and skills building. The individuals who benefit from this program do not have health insurance. FY 21 funding was used to staff the program as well as pay for expenses related to overseeing the program. Funds were also used to pay stipends to youth involved in the job training program. The stipends were especially beneficial to the many youth involved in the job training program who lived in homes dealing with unemployment. An increased investment in the Court Involved Youth Mental Health Initiative in FY 22 would support agencies like JCCA to expand services and supports to youth who are court involved and struggling to thrive during the pandemic.

4. Increase funding for Developmental, Psychological and Behavioral Health to \$2,255,493

This initiative supports a range of programs and services that address the needs of individuals with substance use disorder, developmental disabilities, and/or serious mental illnesses and their families and caregivers. One of UJA's nonprofit partners oversees two programs with the funding they receive through this initiative. One of the programs provides housing and services to ten people with serious mental illness who are transitioning from inpatient psychiatric hospitalization into a less restrictive setting. The second program is at a clinic where adults with mental illness and older adults receive mental health treatments in a group setting. The clinic provides services to approximately 900 individuals annually. Both

individuals with serious mental illness and/or developmental disabilities have higher mortality rates when exposed to COVID. An increased investment in this initiative in FY 22 will allow additional supports to be offered to these individuals which are needed at this point in time.

5. Increase funding for Opioid Prevention and Treatment to \$4,375,000

Opioid Prevention and Treatment supports neighborhood-based prevention and treatment efforts related to opioid abuse. JCCA, one of UJA's nonprofit partners, receives funding through the Opioid Prevention and Treatment Initiative. JCCA uses this funding for the Keshet Opioid Prevention and Treatment program to target Jewish Orthodox and Bukharian youth between the ages of 14 and 19 in Queens who are at-risk for or engaging in opioid abuse. All participants in the program complete substance use screenings; those who are determined to be exhibiting at-risk behaviors or dealing with substance use issues participate in a 10-week program focused on prevention and recovery tools and resources.

Since the beginning of the pandemic, youth living in the community the Keshet program serves have experienced high rates of depression turning to marijuana to self-medicate. The Keshet program provides a therapeutic outlet for youth who have been socially isolated from friends and family during the last year. The Keshet program has increased the number of cohorts of individuals who meet in person, limiting the number of participants while remaining socially distanced and maintaining participation rates. Information on empowerment and well-being is sent virtually to youth as well. Community leaders such as Rabbis and principals continue to refer youth to the Keshet program, recognizing many are at risk for engaging in drug use during this challenging time.

Programs like the Keshet Opioid Prevention and Treatment continue to be needed throughout New York City. Overdose deaths increased 55% from 2015 to 2019. Early data from the first quarter of 2020 has revealed an additional increase of 28% in overdose deaths compared to the first quarter of 2019. UJA is requesting the City Council increase funding for this Initiative in FY 22 to \$4,375,000 to expand support to providers responding to the opioid epidemic in their communities.

Domestic Violence Services

The COVID-19 pandemic has increased the need for domestic violence services. In an April 2020 needs assessment survey, UJA's network of nonprofit partners were asked what issues were currently impacting the populations they serve. More than 10% stated that domestic violence is impacting the clients they serve, with one agency stating survivors of domestic violence are one of the populations most negatively impacted by the repercussions of the Covid-19.

The DoVE Initiative supports a range of services for individuals impacted by domestic violence that include case management, crisis intervention, referrals, counseling, empowerment workshops, and legal advocacy. The DoVE initiative has always provided vital supports to individuals living in violent situations. During the pandemic it has literally been a lifesaver for New Yorkers in every neighborhood and community. The DoVE Initiative directs funds to many of UJA's nonprofit partners who are rooted in their communities and have been able to pivot to

provide necessary and life-saving supports to survivors of domestic violence during the pandemic. UJA strongly urges the City Council to maintain funding for the DoVE Initiative at \$9.8 million in FY 2022.

Closing

Thank you for the opportunity to provide testimony. Please reach out to Ariel Savransky at savranskya@ujafedny.org with any questions.



**City Council FY22 Preliminary Budget Hearing
Committee on General Welfare
March 17, 2021**

Testimony of Myung J. Lee, President & CEO

My name is Myung Lee and I am the President & CEO of Volunteers of America-Greater New York, the local affiliate of the national organization, Volunteers of America, Inc. (VOA). I would like to thank the Chair of the City Council Committee on General Welfare, Council Member Stephen Levin, for the opportunity to submit my testimony.

VOA-Greater New York is a human services organization that provides services to over 11,000 people every year through emergency shelters, transitional housing, and permanent supportive housing in NYC, Northern New Jersey, and Westchester. Most of our services are provided right here in NYC and we specialize in housing and care for seniors, veterans, survivors of domestic violence, persons living with HIV/AIDS, and persons with behavioral health and substance use disorders.

After a year of managing the impact of twin global health and economic crises, roughly 10 million New Yorkers are struggling with loss of income and mounting rent arrears, wondering if they will still have a home when the eviction moratoriums expire. It is well-documented that people of color have suffered disproportionately with respect to health and financial outcomes since the onset of the pandemic. It is therefore unsurprising, but still deeply disturbing, that Black and Latinx New Yorkers make up approximately 80% of those facing the prospect of eviction.

In addition to those at risk of becoming homeless, there were 56,849 homeless people, including 18,099 homeless children, in the NYC municipal shelter system as of December 2020. That figure includes a record high of 20,811 single adults, who tend to have much higher rates of behavioral health and substance use disorders compared to members of homeless families, making it harder for them to secure permanent housing without additional supports.

At VOA-Greater New York, we know that providing people who are homeless or at risk of becoming homeless with shelter is important, but it is not enough to address their complex and diverse needs. This is why wraparound services – case management, assistance with benefits and entitlements, linkage to medical and behavioral health services and substance abuse treatment, and recreational and socialization activities – is integral to our approach to caring for our clients. The provision of these services is a proven and cost-effective way to address chronic homelessness and transition to housing stability.

Our wraparound services are made possible through myriad contracts with City agencies. At a time when our clients need these services more than ever, VOA-Greater New York is experiencing significant financial uncertainty because receipt of funding from contracting agencies has been delayed, often without timely communication as to why the delay has occurred and when it will be addressed.

As recently as December 2020, we had roughly \$16 million in outstanding receivables from City agencies against a total operating budget of \$100 million. We turned to our lines of credit to cover the cost of the services the City committed to fund, and we are responsible for the interest accrued in the interim as we wait to recognize funding.

The City relies on the ecosystem of human services providers in NYC to enact some of its boldest policy initiatives, leveraging the expertise of our staff and the deep trust we have built within our communities to ensure critical services and resources are delivered to New Yorkers in need. Unfortunately, systemic delays in paying these providers undermines the financial sustainability of our sector as a whole.

VOA-Greater New York contracts are commonly registered by the City after the contract's start date, and there is confusion surrounding approval of invoices. Our staff has also identified limitations to the NYC HHS Accelerator system that exacerbate these delays in recognizing funding:

- 1) **No budget modification while there is a pending payment** – If a government partner does not make a payment timely, agencies are forced to submit the next month's billing, which further delays the ability to perform a budget modification. This process forces agencies to decide between delaying budget modifications or not comply with billing due dates in order to submit a budget modification. Both options will result in a delay of cash reimbursement.
- 2) **Disallowance of costs not permitted** – A single questioned cost, regardless of how small it is, will result in the rejection of an entire billing, which must then be adjusted and resubmitted. If Accelerator allowed for the government partner to disallow a questioned cost, this would not delay processing the balance of the payment.

When we are expected to provide contracted services before the contract itself is registered, it introduces significant liquidity risk to our organization. The risk compounds during a crisis, when the City is also experiencing tight cash flow.

In addition to liquidity concerns, our organization also faces financial stress when the City alters its funding commitments suddenly and retroactively. With less than four months left in the fiscal year, the City just announced that it only intends to fund 30% of the value of the FY21 indirect cost rate (ICR) amendments for human services organizations, amounting to a significant loss of revenue for organizations that built the full ICR into their budgets – for VOA-Greater New York, that could be over \$1 million. In light of the recent federal stimulus package, I urge the City to invest \$171 million in its FY22 budget to fully honor the commitments it made to human services providers with respect to ICR funding for FY20, FY21, and FY22.

The nonprofit sector employs 18% of the private workforce, and the majority of these employees are women, and Black, Indigenous, people of color (BIPOC). At VOA-Greater New York, 70% of our staff identify as BIPOC, and 50% identify as BIPOC women. Our City contracts do not provide adequate funding to ensure that our service providers are paid living wages, exacerbating the economic inequities that break down along racial and gender lines in NYC. Our staff members are credentialed, hardworking, and experts in their fields. They are essential workers who have been on the frontlines since the onset of this pandemic, and their wages should reflect their service to the public. This year, we were not able to provide staff with the modest salary increase they have come to expect annually because the cost-of-living adjustment (COLA) was removed from the personnel services line of our contracts.

I am grateful for the support that we have received from the NYC Department of Social Services, Human Resources Administration, and Department of Homeless Services during this crisis. It is of paramount importance that the Mayor's Office and City Council restore funding to these agencies so that human services organizations have the resources they need to drive the COVID-19 recovery effort in NYC.

I urge members of the Committee on General Welfare and their colleagues in the New York City Council to continue advocating for workers in the human services sector, who are the first line of defense in NYC during times of crisis and critical partners in the success of the City's poverty fighting initiatives.

Respectfully submitted by:

Volunteers of America - Greater New York
135 West 50th Street, 9th Floor
New York, NY 10020

Testimony of Good Shepherd Services Before the New York City Council Committee on General Welfare Preliminary Budget Hearing

Submitted by Michelle Yanche, Executive Director, Good Shepherd Services

March 17, 2021

My name is Michelle Yanche and I am the Executive Director of Good Shepherd Services. Thank you Chair Levin and the members of the Committee on General Welfare for the opportunity to testify during today's preliminary budget hearing.

My testimony will focus on the following priority areas:

- Salary Parity for Residential Staff
- Prevention Services
- Non Profit Investments and the Indirect Cost Rate
- Fair Futures

Salary Parity for Residential Staff: Child Welfare and Juvenile Justice Residences

The Council has an opportunity with the stimulus package and the next budget, to finally bring some level of parity for our residential staff in child welfare and juvenile justice residences. I have testified about providers across the City not being able to fairly and equitably compensate staff for the incredible jobs that they do and risks they take which has only been exacerbated by the pandemic. The staff in our residences have been on the front lines of the pandemic effort, meaning they put their own lives and their families lives literally on the line. They are the staff most likely to become ill and bring COVID to their families and communities – we have a responsibility to address it. I call on the Council to align foster care with ACS staff at the Children's Center and Close to Home with the new ACS facilities that were opened after the Raise the Age law was implemented.

On April 10, 2017, New York State raised the age of criminal responsibility to 18 years of age, ensuring that young people in New York who commit non-violent crimes receive the intervention and evidence-based treatment they need. By October 2019, New York will no longer automatically prosecute 16- and 17-year-olds as adults.

When young people were moved off Rikers, the City created a new job title and offered salaries far in excess of those paid in Close to Home – salaries that are much more commensurate with the skills and responsibilities required to do this work. The nonprofit agencies partnering with ACS lost 10-30% of their trained staff who went to work in the ACS secure facilities for better starting salaries, benefits, and guaranteed salary increases.

In addition to the loss of staff to ACS, shortly thereafter, the "Raise the Age" programs in the rest of the state opened, reimbursing providers at a rate of over \$1,000 a day. This gave qualified professionals yet another career opportunity for higher salaries.

We hope that the Council will consider including language to support salary parity in both Child Welfare and all of the Juvenile Justice residential programs operated by nonprofit providers. The drastic disparity

between our staff and those who work for the City or providers in Westchester, Nassau, and other surrounding counties, has spiked staff turnover, compromising our ability to provide the high-quality services that has made NYC a model for juvenile justice reform.

Prevention Services

According to ACS, the Governor's proposed budget would lead to over \$38 million in cuts to ACS. As a member of the Family First Implementation NYC Team which is tasked with advancing recommendations to the State on what the State's plan should include to address both prevention and congregate care, it is imperative that the investments ACS made a few years ago to prevention are kept whole.

For context, the Governor's Executive Budget proposed an 8% cut to the State's share of Preventive Services which includes the 5% State's withholding and the historical rate reduction in reimbursement from the statutory 65%. These cuts amount to \$25.8 million for NYC. NYS is set to implement Family First in September of this year.

We ask the Council to join us in calling on a restoration of the nearly \$38 million dollar cut that would hit ACS from the Governor's proposal. This is a time when we need to be investing more into preventive services, specifically in primary prevention.

Good Shepherd has a network of Preventive Services that includes, 4 programs in the Bronx and 4 in Brooklyn that support 850 families. We use three evidence-based models which include Solution Based Case Work, Functional Family Therapy and Family Treatment and Rehabilitation.

Last week, ACS announced the providers selected to operate NYC's Family Enrichment Centers. Good Shepherd was among those selected to continue to operate The C.R.I.B. (Community Resources in Brooklyn) in East New York. Since it was first launched in 2017, these neighborhood spaces are a place where individuals and families can connect with peers, access resources, and participate in communal activities are a vital part of vibrant community life. FECs have been essential to maintaining health and wellbeing in communities most affected by the COVID-19 pandemic.

Questions

Good Shepherd operates one of the three family enrichment centers. Ours is called the C.R.I.B. (Community Resources in Brooklyn) and located in East New York. We were very fortunate to just have our contract renewed. We were hoping to see there would be an expansion which was the plan for this year so other organizations would have the opportunity to operate FECs and this would have been the right time to do it. Our FEC has been pivotal in GSS' pandemic response efforts. The FEC is a primary prevention model – open to the whole community and is a community-led and community-driven strategy. It's not specifically focused on families known to the child welfare system, although absolutely they can and do serve those families. We were able to engage the community in identifying the pressing community needs at every step of the past year of the pandemic and to use it as a location/hub/platform for mobilizing resources to meet those needs directly. Everything from technology distribution to young people so they could homeschool more effectively, food distribution efforts, financial assistance, benefits enrollment, and meeting every other kind of community need. Our FEC has been a critical part of our efforts over the past year and will be a critical part of the recovery. This is the time we should reactivate that opportunity to allow other organizations to open FECs in all the communities that have been hard hit.

The FEC model is designed not only to not emphasize the ACS involvement or that of GSS. It is purposefully named/branded/co-operated with community. That is the model. It's not supposed to be an ACS/GSS program. We are facilitators in the process but it's very much about bringing community to the table to design, implement, lead, mobilize. That's why it's been so effective. It really creates a platform to let community assist community, neighbor assist neighbor. This is exactly the kind of strategy that not only is effective in "normal times" but is especially effective for neighbors to help each other in during a crisis.

Non Profit Investments and the Indirect Cost Rate

In a meeting last week of the Non-Profit Resiliency Committee, it was announced that because many more providers had entered the "portal" to be included in the Indirect Cost Rate (ICR) but the amount of funding had not increased (still set at \$34 million), they would have to reduce the amount that each provider would get in FY 21 from 60% in FY 2020 to 30% in FY21. Full funding to support the ICR and the existing providers would require \$57 million more.

For Good Shepherd Services specifically, the initial retroactive cut meant that the \$1.2 million dollars we had not only anticipated receiving but had been told would be reimbursed, would instead be reduced to \$700,000. We immediately would have to absorb a retroactive \$500,000 loss and figure out how to make up for a mirror-image impact in the new fiscal year as well. And now, as we respond to new RFPs, the City is asking that we calculate a 10% Indirect Cost Rate in the event that funding for the indirect initiative is not available. This means that for FY 21, the year we are currently in, we have to absorb that \$500,000 loss from FY 20 and also again for FY21. Make no mistake: this comes, as it always does, at the expense of the direct services we could instead use those funds to provide to participants. And in a pandemic year, it hurts that much more because the need for what we could instead do with those funds is so painfully great.

Again between the 40% reduction in the first year of implementation – FY20 – coupled with an additional 70% reduction for FY 21, we will have lost a full year of the value of what has only been a two-year implementation.

Good Shepherd Services adds our voice to the Human Services Council's call for full restoration of the Indirect Cost Rate Initiative and we urge the Council to work closely with the Administration to ensure the Indirect Cost Rate is fully funded in the budget for FY 22 and every year thereafter.

Fair Futures

Good Shepherd Services implemented the Fair Futures model within our Family Foster Care and Therapeutic Family Foster Care programs as well as in our Youth Reception Center. Fair Futures has allowed Good Shepherd to improve education, career development, permanency, and housing outcomes for young in care.

We are calling on the City to baseline \$20 million for Fair Futures and secure the resources necessary to allow long-term coaching and robust academic supports for foster youth, which are critically needed to help build a stable foundation for children to successfully transition to adulthood and save money over the long-term.

Thank you for the opportunity to submit our testimony. I look forward to learn how the State and the City will allocate the latest Federal relief package which provides NYS and NYC an opportunity to make restorations and investments in Fiscal Year 2022.

About Good Shepherd

Guided by social and racial justice, Good Shepherd Services (GSS) partners and grows with communities so that all NYC children, youth, and families succeed and thrive. We provide quality, effective services that deepen connections between family members, within schools, and among neighbors. We work closely with community leaders to advocate, both locally and nationally, on behalf of our participants to make New York City a better place to live and work

AVP Community Member Sample Testimony --- KEEP TO 1 PAGE!!!

Yaszmin Harris:

- Good afternoon, Committee Chair(s); my name is **Yaszmin Harris**, and I am a community member of the New York City Anti-Violence Project (AVP).
- AVP empowers lesbian, gay, bisexual, transgender, queer, and HIV-affected communities and allies to end all forms of violence through organizing, education, counseling, and advocacy.
- Today, I am advocating for more resources to go to address violence against our communities. Many forms of violence are increasing during the pandemic, including hate violence.
- Violence against LGBTQ New Yorkers has not stopped during the pandemic; in fact, 2020 was one of the deadliest years for hate violence against the trans, gender non-conforming, and non-binary community, especially Black trans women.
- Yet in the middle of the pandemic, last year, the Council cut the Hate Violence Prevention Initiative, despite rising violence against Black, brown, Asian, and LGBTQIA+ communities.
- **OPTIONAL**. The initiative focused on community-based approaches to building safety, including rapid response mobilization after violent incidents, community education, community reporting, and bystander intervention trainings.
- **Having many community members, friends, and loved ones being affected by hate violence, I understand the importance of this initiative and its necessity to help combat hate violence that my community faces.**
- **OPTIONAL**. Many of our communities do not feel safe going to the police when they face violence. We need to be diverting and reinvesting the NYPD's bloated \$6 billion budget, especially eliminating VICE's \$18 million budget to fund community-based solutions.
- That's why its important to have alternative safety approaches, like the Hate Crimes Prevention Initiative, that fund organizations like AVP to build safe ways to report and mobilize members to combat hate violence in the community.
- We know the city is in a challenging financial position. But we strongly urge the City Council to restore this funding to at Fiscal Year 2020 levels.
- We appreciate past support and look forward to working with you. Thank you.

New York City Council Committee on General Welfare Public Testimony

Wednesday, March 17, 2021

You Gotta Believe!

Bianca Bennett, Youth Advocate & Quality Assurance Assistant

Good Afternoon Council,

My name is Bianca Bennett. I am a Youth Advocate and Quality Assurance Assistant for You Gotta Believe, a nonprofit organization that finds families for older youth who are at risk of aging out of care and have aged out.

As a Quality Assurance Assistant and Law and Government student, I ground myself on efficiency and I am very data orientated. I wanted to come to you today and present a plethora of statistics of how YGB has transformed the idea of family and has connected thousands of New York State youth with unconditional support. However, when it comes to youth in care, I know as a former foster youth that we are more than just numbers. I want to express a personal story on how YGB helped me find my family and my purpose in this world.

I was placed in the New York State Foster Care System for from the age of 13 to the time I aged out at 21. During that whole process, my unconditional support was my maternal grandmother, who at 18 became my legal kinship guardian. She was the only person who I could depend on. When I turned 21, I was scared to age out but I knew with the support of my grandmother, I could take on the world.

A month later, my grandmother had a sudden brain hemorrhage and passed away. I was devastated. Here I was, now aged out of care, alone and unaware of what to do. In the following two months, I had lost my housing despite working three jobs and had stressed myself so bad that I was hospitalized for sciatica for a week and was unable to work. Although I had the skills that I was taught in my independent living classes, maintain a job, create a bank account, and other "adult" responsibilities, I was in survival mode because I had no one to help guide me through the process. I was alone and I was falling deeper into the rabbit hole of depression and often thought of following in my mother's footsteps of substance abuse.

It wasn't until I reached out to my vice president of my college and her and her husband came to my rescue. I felt an instant connection with the Scotts and imagined being a part of their family. It wasn't until I reached out to YGB where they gave me the belief and confidence that despite me being 22, I deserved family and I was worth it. Because of that conversation, I am currently in the process of being adopted this year. This is just one story of how YGB has changed my life, I have had the privilege to watch our services make a difference at foster care agencies and the youth and families in our system.

You Gotta Believe does more than just instill hope that family is possible, they are with you through every step of the way. We are on call 24/7 with parent and youth advocates to assist with post placement. Because of our lived experience through the foster care system, we can provide the knowledge and the empathic nature to change the narrative for not only youth but the perspectives of the agencies we work with.

In addition, because YGB is an organization composed of former foster youth and adoptive parents, our organization provides employment and advocacy opportunities to allow power back into the voice who have been hindered by the system. By uplifting their voices and providing spaces for them at their table, we can make effective change based on lived experience. I myself as an employee have benefited from the professional development that YGB has provided and have traveled all around the country before COVID, advocating for children's' rights and foster care reform. I never thought my voice mattered, but YGB proved that when you are not at the table, you are on the menu so pull up your own seat and make room.

YGB needs the support of the City Council to be able to continue to work with the young people and bring hope back into agencies and families. I as a former foster youth and employee of YGB support its efforts in supporting older youth in care and I hope the city council will do the same.

New York City Council Committee on General Welfare Public Testimony

Wednesday, March 17, 2021

You Gotta Believe!

Jennifer Pinder, Executive Director

Good afternoon Chair Levin and all other members of the Committee and thank you for your time. My name is Jennifer Pinder and I am the Executive Director of You Gotta Believe (YGB). I would also like to thank my colleague – Bianca, Youth Advocate at You Gotta Believe, for her powerful testimony whose work at YGB is possible because of city council funding.

You Gotta Believe has submitted an ask to the City Council Discretionary Fund to support our Nobody Ages Out Program. YGB has received support from the City Council since 2015 when, with the advocacy and backing of Council Members Johnson, Levin, and Treyger, YGB was given a lifeline after having our ACS Contract discontinued after over a decade of service to the systems' most vulnerable youth. We continued to receive support from City Council until last year when we were zeroed out. It seems as though this may just have been a result of the chaotic situation during budget development and the shortfall, rather than an intentional cut. With the help of Council Member Dromm and others, a portion of our funding was restored, but only at a fraction of our previous level. Our request this year is to assist YGB in making up for the loss as we continued to conduct the Nobody Ages Out Program - a program which was even more intensive and costly than usual as a result of the adjustments required with the pandemic in place.

For 26 years, You Gotta Believe has been laser-focused on finding loving and unconditionally committed parents specifically for kids in foster care who would otherwise age out to be essentially alone in the world. YGB is the only agency with this focus. We find people interested in becoming parents and train them to parent traumatized children. Everyone on our program staff are credible messengers – they are either parents of older youth from foster care or survivors of the foster care system themselves. This gives our staff an advantage in being able to both train and support parents and youth to help them maintain their relationship and avoid the typical disruptions that older youth experience.

You Gotta Believe applauds all the work being done; first to keep families together through preventive services; secondly the increased efforts made to reunify families; and finally the extensive accomplishments and increasing numbers of youth being placed with kin. Unfortunately, there are still what are labeled the “hardest to place” youth who slip into the “independent living” track and are often relying on “services,” such as coaches and mentors. However, these services do not take the place of a family and are time limited. We have seen from this past year how everyone required the emotional support of their family and many went “home” to wait out the pandemic. Meanwhile, youth from foster care just became more isolated than ever as they had no “home” to go to for support.

While the situation was somewhat worse for foster youth during the pandemic, aging out is never a positive experience. Youth face homelessness, continued welfare dependence, and often join the pipeline to incarceration.

These negative outcomes are avoidable for the youth who we connect with permanent and unconditionally committed families who serve as lifetime mentors and coaches, and who never give up on their kids no matter what.

YGB needs the support of the City Council to be able to continue to work with the young people who have not been helped by all the other resources and are about to fall off a proverbial cliff to the worst outcomes. YGB knows that we can find loving families for these youth who have not had success with the many earlier attempts to keep them with family.

Thank you for the opportunity to deliver testimony today.