

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON GENERAL WELFARE

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October 25, 2021  
Start: 10:07 a.m.  
Recess: 12:26 p.m.

HELD AT: Remote Hearing - Virtual Room 2

B E F O R E: Stephen T. Levin  
Chairperson

COUNCIL MEMBERS:

Darma V. Diaz  
Vanessa L. Gibson  
Barry S. Grodenchik  
Brad S. Lander  
Antonio Reynoso  
Rafael Salamanca, Jr.

## A P P E A R A N C E S (CONTINUED)

Elizabeth Sutter [sp?]  
New York City Action Board

Key King [sp?]  
New York City Action Board

Lyndon Hernandez  
New York City Action Board

Alexander Perez  
New York City Action Board

Stephanie Gendell  
Deputy Commissioner of External Affairs at ACS

Erin Drinkwater  
Deputy Commissioner of Intergovernmental and  
Legislative Affairs at DSS

Julie Farber  
Deputy Commissioner ACS

Alan Sputz  
Deputy Commissioner ACS

Angel Mendoza  
ACS Chief Medical Officer

Louis Watts  
Senior Assistant Commissioner for Detention  
Services at ACS

Randy Scott  
Assistant Commissioner

Tracey Thorne  
RHY Director

## A P P E A R A N C E S (CONTINUED)

Jamie Powlovich  
Coalition for the Homeless

Anna Blondell  
Legal Aid Society Juvenile Justice Rights  
Practice

Julia Davis  
Children's Defense Fund

John Sentiger  
Covenant House New York

Nadia Swanson  
Ali Forney Center

Deborah Berkman  
NYLAG

Jimmy Meagher  
Safe Horizon

Josefa Silva  
WIN NYC



UNIDENTIFIED: Cloud recording is up.

UNIDENTIFIED: Thank you. Back-up is rolling.

SERGEANT AT ARMS: Thank you. Good morning everyone and welcome to today's remote New York City Council hearing for the Committee on General Welfare. At this time, would all panelists please turn on their videos for verification purposes? To minimize any disruptions, please place all electronic devices to vibrate or silent mode. If you'd like to submit testimony, please send via email to [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov). Again, that is [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov). Thank you for your cooperation. Chair Levin, we are ready to begin. Okay, I'm sorry, you're on mute. I'm going to unmute you now.

CHAIRPERSON LEVIN: Thank you very much, Sergeant. Good morning everybody. Welcome to this hearing on the City Council's Committee on General Welfare. Today, the Committee will conduct a hearing on the series of bills related to improving Administration access to social services for vulnerable populations in New York City. It is my hope that this legislation introduced by myself and

1 many of my colleagues honors the lived experience of  
2 those closest to these issues and for whom these  
3 services effect on a daily basis. I'm proud to  
4 introduce-- I'm sorry. I'm proud to sponsor Intro.  
5 2405 which would expand eligibility of runaway and  
6 homeless youth for rental assistance programs by  
7 allowing their time spent in RHY shelter to count  
8 towards eligibility for CityFHEPS vouchers. This  
9 bill would also preclude DSS from requiring youth to  
10 live outside of a youth shelter as a condition of  
11 eligibility. It is my intention that this bill will  
12 help young people facing homelessness to more swiftly  
13 and easily secure housing for young people to avoid  
14 prolonged stays in multiple systems to get the help  
15 that they need. The next two bills, which I also  
16 sponsor, will shine a light on the foster care system  
17 to ensure that children are in appropriate  
18 placements. Intro 2419 require ACS to do quarterly  
19 reporting of time spent in Children's Center or  
20 temporary placement facilities. Intro 2420 require  
21 ACS to conduct quarterly audits of foster care  
22 placement notifications to ensure that a child's  
23 attorney is notified of placement in a timely manner  
24 as required by state law. We must make certain that  
25

1 children aren't languishing in facilities that are  
2 meant to be temporary and that attorney's always know  
3 where their clients are to effectively advocate on  
4 their behalf. Intro 1304, sponsored by Council  
5 Member Daniel Dromm, would authorize Council Members  
6 and the Public Advocate to visit and inspect  
7 detention facilities administered by ACS. A critical  
8 function of the New York City Council is to serve as  
9 an oversight body for city policy and services.  
10 Elected officials cannot effectively investigate and  
11 legislate and legislate on behalf of the public and  
12 those served by city agencies if those facilities are  
13 not available. Intro. 1992 sponsored by Council  
14 Member Diana Ayala would establish a pilot program  
15 within ACS to create a small percentage of ACS  
16 caseworkers to specialize in developmental,  
17 intellectual, and physical disabilities. Intro 2379,  
18 sponsored by Council Member Darma Diaz, would require  
19 DSS to establish a domestic violence shelter  
20 exclusively for individuals who identify as male.  
21 Intro 1829, sponsored as well by Council Member Diana  
22 Ayala, preclude DHS from requiring a child's presence  
23 at an intake center when a family with children  
24 applies for shelter. The practice of requiring  
25

1 children to be present at PATH has been suspended  
2 during the-- for the duration of the pandemic, and  
3 this has been a welcome change. There is no  
4 practical reason to have children in attendance, and  
5 it is unfair and burdensome to families to revert  
6 back to this policy. Judging whose families who are  
7 applying for assistance from the city should be able  
8 to remain in their schools and at their activities as  
9 their peers would. I want to thank advocates and  
10 members of the public who are joining us today. I  
11 want to thank representatives from the Administration  
12 for joining us, and I look forward to hearing from  
13 you on these critical issues. At this time, I would  
14 like to acknowledge my colleagues who are here this  
15 morning. We're joined by-- let's see. Council  
16 Member Barry Grodenchik is here. Council Member  
17 Darma Diaz is here. Council Member Antonio Reynoso  
18 is here and we expect to be joined by other Council  
19 Members throughout the course of the hearing. I'd  
20 also like to thank my staff, Jonathan Buche [sp?],  
21 Chief of staff, my co-Legislative Directors Elizabeth  
22 Adams and Cole Hunt, as well as committee staff  
23 Amenta Killawan [sp?], Cyrstal Pond [sp?]- Amenta  
24 Killawan, Senior Counsel, Cyrstal Pond, Senior Policy  
25

1 Analyst, Natalie Amarie, Policy Analyst, Julia Harem  
2 [sp?] Financial Analyst, and Daniel Croup [sp?],  
3 Financial Analyst. And with that, I'll turn it over  
4 to any of my colleagues that are sponsoring  
5 legislation and wish to make an opening remark.  
6 Council Member Diaz, do you wish to do that? You're  
7 still on mute.

9 COUNCIL MEMBER DIAZ: Am I-- can you hear  
10 me now?

11 CHAIRPERSON LEVIN: Yes, I can. Yeah.

12 COUNCIL MEMBER DIAZ: Good morning. Good  
13 morning to my colleagues that are in attendance and  
14 also to the panelists here today and to DSS staff. I  
15 am Darma Vanessa Diaz, Councilwoman of the 37<sup>th</sup>  
16 Councilmatic District. I am also a former employee of  
17 a homeless shelter in Brooklyn. Between becoming a  
18 member and being on staff, I realized that there are  
19 no domestic violence shelters for men, which I find  
20 to be a great detriment to our process in trying to  
21 assure that we house individuals appropriately, and I  
22 also have found the need for specific services to men  
23 [sic] that are [inaudible] with domestic violence.  
24 I'm eager to hear from DSS this morning and looking  
25 forward to positive outcomes. Thank you, Chair.

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2 CHAIRPERSON LEVIN: Thank you very much  
3 Council Member Diaz, and with that, I'll turn it over  
4 to Amenta Killawan who's the Counsel to the Committee  
5 to administer the oath to the Administration. I look  
6 forward to hearing their testimony.

7 COMMITTEE COUNSEL: Thank you, Chair  
8 Levin. My name is Amenta Killawan, Senior Counsel to  
9 the Committee on General Welfare at the New York City  
10 Council. Today I'm going to be moderating the  
11 hearing and calling on panelists to testify. We are  
12 actually going to begin with a public panel. Before  
13 we begin, please remember that everyone is going to  
14 be on mute until I call on you to testify. After you  
15 are called on you will be unmuted by a member of our  
16 staff. Note that there will be a delay of a few  
17 seconds before you are unmuted and we can hear you.  
18 Again, for public testimony I will call up  
19 individuals in panels. Please listen for your name  
20 and I will periodically call the next two panelists.  
21 Once I call your name, a member of our staff will  
22 unmute you. The Sergeant at Arms will set a clock  
23 and give you the go ahead to begin your testimony.  
24 All public testimony will be limited to three  
25 minutes. After I call your name please wait for the

1 Sergeant at Arms to announce that you may begin  
2 before starting your testimony. And for today's  
3 hearing the first panel will include public testimony  
4 from Youth of New York City Action Board. In the  
5 following order: Elizabeth Sutter, Key King [sp?],  
6 Linden Hernandez [sp?], Alexander Perez and Naisha  
7 Humphry [sp?]. And we are going to begin with  
8 Elizabeth Sutter.  
9

10 SERGEANT AT ARMS: Your time will begin.

11 ELIZABETH SUTTER: Good morning to the  
12 panelists and the committee. My name is Elizabeth  
13 Sutter. I am 23 years old, and I'm urging Council to  
14 pass Intro 2405. I, myself, was in DYCD shelters  
15 roughly for three and a half years, almost four  
16 years, and that experience was very much  
17 traumatizing. I was once in DYCD shelters, then to  
18 HUD, and-- and just-- this will just make it easier  
19 to me to get this for youth because based off my own  
20 experience, my own peers' experience. It's  
21 traumatizing. It is belittling in a sense, and even  
22 after my experience staying in these shelters, I  
23 ended up back on the streets, back in the drop-ins,  
24 back with staying with family friends, families, you  
25 know, and I'm just being recently placed out of all

1 that time into my own home. And to me, being-- youth  
2 having access within a DHS shelters through this  
3 voucher, that's great, great opportunity. But youth  
4 who are in DYCD shelters just deserve as much chance.  
5 The systems are very similar, and just because youth  
6 are in the DHL's [sic] does not make their experience  
7 any more mature, any more of an importance, so I  
8 please, please urge Council to pass this bill of  
9 Intro 2045 so all of my peers do not have to worry  
10 about where they're sleeping, where they could  
11 possibly go if they're experience are invalid and  
12 they can have permanent stability in housing.

14 COMMITTEE COUNSEL: Thank you so much,  
15 Elizabeth. We're going to move now to Key King.

16 SERGEANT AT ARMS: Your time will begin.

17 KEY KING: Hello, I'm Key King. I'm--

18 SERGEANT AT ARMS: Key, you muted yourself  
19 back.

20 KEY KING: I'm Key King, pronouns  
21 she/her/they/them. I am a youth with lived  
22 experience in DYCD shelters, and I believe that  
23 homeless youth should have the same vouchers as any  
24 other homeless person in DHS shelters because it is  
25 the same experience and in a homeless youth shelter

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2 there's kind of only path that they can lead you  
3 down, and it makes it very challenging, because not  
4 every youth wants to go down that track. I left the  
5 DYCD shelters numerous times to rent different rooms  
6 throughout the City, and the CityFHEPS voucher can  
7 also help youth throughout the city rent different  
8 rooms instead of having to stay in the shelter  
9 program. The time counted at the DYCD shelter should  
10 also count as time as any DHS shelter because that is  
11 the same circumstances, just a different age. Thank  
12 you.

13 COMMITTEE COUNSEL: Thank you so much,  
14 Key, for your testimony. We're going now to Lyndon  
15 Hernandez [sp?].

16 SERGEANT AT ARMS: Your time will begin.

17 LYNDON HERNANDEZ: Good morning, can  
18 everyone hear me?

19 COMMITTEE COUNSEL: Yes, we can hear you,  
20 Lyndon.

21 LYNDON HERNANDEZ: Good morning, Council.  
22 My name is Lyndon Hernandez. I'm 24 years old. I  
23 represent the New York City Action Board. I want to  
24 thank you all for holding this hearing and allowing  
25 me the opportunity to speak. I'll be limiting my

1 testimony only to Intro. 2045 which would finally  
2 give youth in the Department of Youth and Community  
3 Development shelters access to CityFHEPS vouchers  
4 which has been provided since 2016. I resided in  
5 both DYCD and DHS shelters while being homeless and  
6 also a parenting youth. I understood that in order  
7 to be provided access to permanent housing and  
8 vouchers such as CityFHEPS and SOTA [sic], you needed  
9 to reside in a DHS facility. Prior to meeting the  
10 mother of my child I was an individual first came  
11 into contact with DHS shelter on 30<sup>th</sup> Street in  
12 Manhattan. I was then transferred to Covenant House  
13 and shortly after was placed in a transitional  
14 independent living facility with DYCD. When I first  
15 came back into contact with the DHS system was after  
16 I met my spouse who had also been living at Covenant  
17 House during the time where we both decided to get a  
18 domestic partnership in order to be provided services  
19 through PATH as a couple, where shortly after we were  
20 expecting my son to be born. After months of working  
21 with case management we finally got a permanent  
22 housing option in New Jersey. Allowing vouchers to  
23 be provided to youth in DYCD facilities would have  
24 allowed me to have more sustainable housing options  
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1  
2 in a shorter amount of time, instead of having to  
3 self-discharge from where I was residing to be  
4 provided with better housing options that are only  
5 offered through DHS facilities. The unfairness call  
6 to youth in our city is the reason we still face a  
7 homeless crisis, due to the lack of housing options  
8 offered to youth residing in New York City. to allow  
9 youth the opportunity to take time residing in DHS  
10 and DYCD and allow those youth the same access to  
11 vouchers others have access to would give the  
12 opportunity for more youth to exit homeless and  
13 provide a better community for all of our youth  
14 today. I really appreciate your time.

15 CHAIRPERSON LEVIN: Mr. Hernandez, I'd  
16 like to just ask where are you now? Where are you  
17 living right now?

18 LYNDON HERNANDEZ: Currently, I'm living  
19 with a relative who is at the moment threatening to  
20 evict my living situation.

21 CHAIRPERSON LEVIN: And are you in New  
22 Jersey or in New York?

23 LYNDON HERNANDEZ: Currently I'm in New  
24 York City. I was residing in New Jersey but my lease  
25 expired in June.

1  
2 CHAIRPERSON LEVIN: Okay. How's the  
3 baby?

4 LYNDON HERNANDEZ: My son is currently  
5 residing with his mother in New Jersey.

6 CHAIRPERSON LEVIN: He's doing okay,  
7 though?

8 LYNDON HERNANDEZ: Yes.

9 CHAIRPERSON LEVIN: Very good. Okay,  
10 thank you so much Mr. Hernandez to your testimony  
11 [inaudible].

12 LYNDON HERNANDEZ: Thank you, Council.

13 COMMITTEE COUNSEL: Thank you again,  
14 Lyndon, for your testimony. We're going to move now  
15 to Alexander Perez.

16 ALEXANDER PEREZ: [inaudible] everyone.  
17 My name is Alexander Ray [sic] Perez. I use he/king  
18 and divine pronouns. I'm 28 years old, and I  
19 appreciate you all for allowing this hearing and  
20 welcoming me to speak. I'll be limiting my testimony  
21 to Intro 2405, which would finally keep them in  
22 Department of Youth and Community Development  
23 shelters and access to CityFHEPS vouchers, which has  
24 been promised since 2016. I testified in 2017 to  
25 raise the age for youth receiving access to youth

1 shelters. I was 24, and I was terrified of the idea  
2 of having to access the adult shelter system.

3  
4 However, I was told over and over again that this was the  
5 only way, and I was told horrible stories about my  
6 fellow youth about these adult shelters and the harm  
7 that could happen specifically towards being queer,  
8 Trans, and youth in these spaces. I testified because  
9 I know how harmful having to access multiple systems  
10 for young people can be, and it not only increases  
11 harm and time on the streets, it is just plain  
12 dangerous. Allowing youth to have access to these  
13 vouchers can only-- just feels fair and reduces harm.  
14 I urge the City Council to pass Intro 2405 so that  
15 youth experiencing homelessness can finally have a  
16 fair chance at getting stable and a permanent place  
17 to live. Thank you.

18 COMMITTEE COUNSEL: Thank you very much  
19 for your testimony, Alexander. I want to acknowledge  
20 that Council Member Diaz has her hand raised.  
21 Council Member Diaz we're going to take the last  
22 panelist for this panel, and then we will turn to you  
23 for questions of your statement. We now move to  
24 Naisha Humphrey for testimony.

25 SERGEANT AT ARMS: Your time--

1  
2 NAISHA HUMPHREY: Good morning everybody.  
3 I hope you all had a great weekend and this testimony  
4 finds you well. My name is Naisha Humphrey. I am 22  
5 years old, and today will be testifying on behalf of  
6 Intro 2405 which will finally give youth in  
7 Department of Youth and Community Development  
8 shelters, access to CityFHEPS vouches, which has been  
9 promised since 2016. Less is a child that has their  
10 own. I am a homeless survivor. I have experienced  
11 what it's like to be a homeless youth in New York  
12 City, firsthand. I understand what it's like to be  
13 susceptible to drugs and crime. Due to the dearth of  
14 stability. Not knowing where you will go after you  
15 age out of the DYCD shelter at 21 discourages youth  
16 to return to a lifestyle that they were running away  
17 from. There are great benefits for the city  
18 community if Intro 2405 is approved, and it will  
19 encourage youth to be more responsible and productive  
20 because they have something to look forward to. If  
21 there are more productive members of society, there  
22 will be less crime and healthier mentally, because  
23 people will have time to sit still and take a broad  
24 analyzation of their own mental and physical health.  
25 Having access to vouchers will help youth to have

1  
2 their own and they will be able to be grateful and  
3 appreciative of what they have instead of looking at  
4 their situation now as something that's just  
5 unfortunate. They can look up and see the light.  
6 Thank you all for your consideration, for hearing me  
7 out, and for your compassion. Have a great day.

8 COMMITTEE COUNSEL: Thank you very much,  
9 Naisha, and thanks so much to this entire panel. I  
10 am now going to turn it back over to Chair Levin.

11 CHAIRPERSON LEVIN: Thank you very much  
12 to this entire panel. It's remarkable that you all  
13 are doing such amazing jobs in terms of your lives  
14 despite having these major obstacles that have been  
15 put in front of you, and trying to navigate this City  
16 which can be tough for anybody to navigate, but you  
17 have done a remarkable job, and I want to thank you  
18 for your very moving testimony, very impactful  
19 testimony. I think it's really important that we at  
20 the Council here and the Administration hear about  
21 your lived experience and understand that you know  
22 that a commitment was made in 2016 to make CityFHEPS  
23 available to youth who are aging out of the RHY  
24 system as well as youth who are aging out of the  
25 foster care system, and that the City up to now has

1 not honored that in any meaning [sic]. And that  
2 now's the time that we have to do something, have  
3 legislation to [inaudible] that, that these programs  
4 are available to young people who are aging out of  
5 their RHY [inaudible]. With that, I'm going to turn  
6 it over to Council Member Diaz. I think she has a  
7 [inaudible].

9 COUNCIL MEMBER DIAZ: Thank you, Chair  
10 Levin. I want to thank the youth that spoke here  
11 today. Having been an employee at a shelter system,  
12 I fought for many of your battles as you came into my  
13 shelter. So I know your stories personally.  
14 [inaudible] saddened to hear that the system was  
15 mistreating you, because at the end of the day,  
16 that's what happens. Because your stories seem to  
17 indicate you fell through the cracks, and that's not  
18 what this system was created for. I'd like to ask  
19 Mr. Hernandez a question, if you would allow me, in  
20 reference to the voucher that was used to you could  
21 be housed in Jersey.

22 LYNDON HERNANDEZ: I used the SOTA  
23 voucher.

24 COUNCIL MEMBER DIAZ: Do you mind  
25 sharing-- you were there for a year?

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LYNDON HERNANDEZ: Yes, ma'am.

COUNCIL MEMBER DIAZ: Were you pushed out of shelter--

LYNDON HERNANDEZ: [interposing] Well, not even-- not even a whole year, because when I resided in my apartment, three months later my house had caught on fire.

COUNCIL MEMBER DIAZ: It was caught on fire. Did you reach-- were you told you could reach back out to DHS for any-- for after care?

LYNDON HERNANDEZ: I wasn't provided--

COUNCIL MEMBER DIAZ: [interposing] Any assistance?

LYNDON HERNANDEZ: no assistance afterwards, no.

COUNCIL MEMBER DIAZ: And if I understood correctly-- if I understood correctly your family is now split?

LYNDON HERNANDEZ: Yes.

COUNCIL MEMBER DIAZ: Folks here today, you know, this is real talk. If we have adults that are struggling through the system, can you imagine what it is to be a 20-year-old young man who has lived through the shelter system, meets someone, has

1 a child, moves to another state to further  
2 [inaudible]. We have to do better. DHS, you just  
3 have to do better. Thank you my colleagues for  
4 allowing you to testify today. Thank you, Mr.  
5 Hernandez, for sharing your story.

6  
7 LYNDON HERNANDEZ: Thank you, Council.

8 COUNCIL MEMBER DIAZ: I'm done.

9 COMMITTEE COUNSEL: Thank you, Council  
10 Member Diaz. I also want to acknowledge that we have  
11 been joined by Council Member Brad Lander. I'm now  
12 going to call our second panel for today. Our second  
13 panel will include representatives from the  
14 Administration for Children's Services and the  
15 Department of Social Services, followed by Council  
16 Member questions and then public testimony. I am now  
17 going to call on Stephanie Gendell, Deputy  
18 Commissioner of External Affairs at the  
19 Administration for Children's Services, and Erin  
20 Drinkwater, Deputy Commissioner of Intergovernmental  
21 and Legislative Affairs at the Department of Social  
22 Services to testify. Deputy Commissioners Gendell  
23 and Drinkwater are also joined by several members of  
24 the Administration who will be available for  
25 questions and answers. I'm now going to administer

1 the oath to the Administration. When you hear your  
2 name, please respond once a member of our staff  
3 unmutes you. Do you affirm to tell the truth, the  
4 whole truth, and nothing but the truth before this  
5 committee and to respond honestly to Council Member  
6 questions? Deputy Commissioner Gendell?

8 DEPUTY COMMISSIONER GENDELL: I do.

9 COMMITTEE COUNSEL: Thank you. Deputy  
10 Commissioner Drinkwater?

11 DEPUTY COMMISSIONER DRINKWATER: I do.

12 COMMITTEE COUNSEL: Thank you. Deputy  
13 Commissioner, Julie Farber?

14 DEPUTY COMMISSIONER FARBER: I do.

15 COMMITTEE COUNSEL: Deputy Commissioner  
16 Alan Sputz [sp?]?

17 DEPUTY COMMISSIONER SPUTZ: I do.

18 COMMITTEE COUNSEL: Thank you. Chief  
19 Medical Officer Angel Mendoza?

20 CHIEF MEDICAL OFFICER MENDOZA: I do.

21 COMMITTEE COUNSEL: Thank you. Senior  
22 Assistant Commissioner for Detention Louis Watts?

23 ASSISTANT COMMISSIONER WATTS: I do.

24 COMMITTEE COUNSEL: Thank you. Assistant  
25 Commissioner Randy Scott?

ASSISTANT COMMISSIONER SCOTT: I do.

COMMITTEE COUNSEL: Thank you. And finally, RHY Director Tracey Thorne?

DIRECTOR TRACEY THORNE: I do.

COMMITTEE COUNSEL: Thank you all. Deputy Commissioner Gendell, you may begin when the Sergeant at Arms cues you.

DEPUTY COMMISSIONER GENDELL: Good morning Chair Levin and members of the General Welfare Committee. I am Stephanie Gendell, the Deputy Commissioner for External Affairs at the New York City Administration for Children's Services. With me today is Julie Farber, Deputy Commissioner for Family Permanency Services; Dr. Angel Mendoza, Chief Medical Officer; Alan Sputz, Deputy Commissioner for Family Court Legal Services; and Louis Watts, Senior Assistant Commissioner for Detention Services. I want to first thank the youth for their testimony today. Their voices are essential for all of us to hear, so thank you for being here. We also appreciate the opportunity to testify about the four bills related to ACS that are being discussed today. We at ACS appreciate the City Council and the advocates' continued interest in the safety and well-

1  
2 being of the children and youth in the City's care  
3 through both the child welfare and juvenile justice  
4 systems, as well as in the services and supports we  
5 provide to families. Given the role ACS plays in the  
6 lives of children and families, an essential part of  
7 our work is providing access and information to the  
8 City Council, the Public Advocate, oversight agencies  
9 including the State Office of Children and Family  
10 Services, advocates, legal service providers, and  
11 most importantly children and families. As a  
12 cornerstone of this transparency, prior to the  
13 pandemic, ACS regularly hosted elected officials,  
14 advocates and others at our various programs and  
15 sites. We look forward to enhancing this work as the  
16 pandemic continues to subside, keeping in mind the  
17 security, confidentiality and needs of the children  
18 and youth. ACS also posts extensive data and other  
19 information on our website, and meets regularly with  
20 key stakeholders to share additional information. I  
21 turn now to the bills being discussed today. Intro.  
22 1304-2018 would authorize Council Members and the  
23 Public Advocate to "inspect and visit at any time any  
24 secure or non-secure detention facility, administered  
25 in whole or in part by ACS." ACS operates two secure

1 detention facilities, Horizon in the Bronx and  
2 Crossroads in Brooklyn. ACS also contracts with non-  
3 profit service providers to operate seven non-secure  
4 detention facilities. As of October 18, 2021, there  
5 were 60 youth at Horizon; 79 youth at Crossroads and  
6 25 youth in non-secure detention. Prior to the  
7 pandemic, ACS hosted many scheduled tours of Horizon  
8 and Crossroads for elected officials, and we also  
9 included elected officials in our summer Freedom  
10 School Harambee event, where elected officials read  
11 stories and had the opportunity to dance with our  
12 youth in detention. We always did this in a manner  
13 that was safe for the youth, our staff, and our  
14 guests, and in a manner that was intentional about  
15 protecting the confidentiality of the youth in our  
16 care. It is important to us that elected officials  
17 and others are able to see our detention facilities,  
18 meet our staff, see the programming offered, see and  
19 meet the medical and mental health teams, and see  
20 DOE's Passages Academy. We have worked very hard to  
21 make our detention facilities as positive and  
22 supportive as possible, and to give youth the  
23 services and supports they need, and we certainly  
24 want Council Members and the Public Advocate to see  
25

1 and experience this. Given our interest in ensuring  
2 the safety and security of the youth in detention,  
3 ACS has limited the number of people coming to the  
4 facility throughout the pandemic, which has included  
5 reducing the number of tours. This was done to  
6 protect the youth and staff from the spread of COVID-  
7 19 as much as possible. As the community spread  
8 decreases and more and more New Yorkers have been  
9 vaccinated, ACS has opened the facilities back up to  
10 both in-person family visits and in-person  
11 programming. We would be happy to schedule  
12 opportunities for elected officials to visit our  
13 sites in the coming months. State law does not allow  
14 elected officials to make unannounced visits to  
15 secure or non-secure juvenile detention facilities.  
16 Horizon, Crossroads, and the non-secure detention  
17 facilities are licensed and regulated by the state.  
18 State regulations<sup>1</sup> for secure and non-secure  
19 detention are quite specific as to which people are  
20 permitted to make inspections or visits to juvenile  
21 detention facilities, and elected officials are not  
22 included in the regulations. Intro. 1992-2020 would  
23 require ACS to create a pilot program to train at  
24 least five percent of the frontline child protection  
25

1  
2 specialists, CPS, in how to provide reasonable  
3 accommodations that people with developmental,  
4 intellectual and physical disabilities may require,  
5 such as providing more time for case conferences and  
6 casework contacts; special assistance with travel to  
7 appointments; time management guidance; and referring  
8 to classes available for parents with developmental,  
9 intellectual or physical disabilities. Eighteen  
10 months after the start of the pilot, ACS would need  
11 to submit a report to the Council and Mayor about the  
12 pilot and recommendations on how the program could  
13 continue or be expanded. ACS appreciates the  
14 Council, particularly Council Member Ayala who  
15 sponsored the bill, for the interest in ensuring that  
16 parents with developmental, intellectual or physical  
17 disabilities, who are working with our CPS, are  
18 receiving the services and supports most appropriate  
19 for their needs. We agree that this is essential for  
20 both the parents and children who come into contact  
21 with the child welfare system. ACS currently  
22 implements a model similar to what is envisioned in  
23 the legislation. ACS provides all of our Child  
24 Protection Specialists access to expert consultation  
25 in intellectual, developmental and physical

1 disabilities. This includes medical consultants as  
2 well as an ACS team that is specifically dedicated to  
3 providing expert guidance to direct [inaudible] staff  
4 working with families with Intellectual and  
5 Developmental Disabilities. We refer to the unit as  
6 DDU. Every DCP borough office has on-site  
7 consultants providing CPS staff with expertise when  
8 needed. The Clinical Consultants include a domestic  
9 violence consultant, a Credentialed Alcoholism and  
10 Substance Abuse Counselor, or CASAC, and a Medical  
11 Consultant. The Medical Consultants are Nurse  
12 Practitioners contracted through Health + Hospitals,  
13 and part of their role is to provide expertise and  
14 training regarding individuals with physical  
15 disabilities. Medical Consultants also participate  
16 in case conferences and help CPS understand and  
17 implement the ways to minimize safety risks when  
18 parents have disabilities. The ACS DDU, within the  
19 Office of Child and Family Health, is a technical  
20 assistance unit that can refer CPS to experts in  
21 intellectual and developmental disabilities and are  
22 available for consultation with CPS at any time. In  
23 addition to providing consultation in individual  
24 cases, the DDU staff are available to participate in  
25

1 family team conferences, serve as a liaison between  
2 the parent and the DD service provider, and maintain  
3 connections with DD service providers throughout the  
4 City. The ACS DDU also coordinates Parenting Skills  
5 Classes that are specifically tailored for parents  
6 with known or suspected intellectual and/or  
7 developmental disabilities. Unlike the Office for  
8 People with Developmental Disabilities, or OPWDD,  
9 services funded by the state, parents do not have to  
10 meet threshold eligibility requirements for these  
11 ACS-funded services. Parents in this program are  
12 also linked to other supports, including Health  
13 Homes, whenever possible. The DDU can also assist  
14 parents in getting assessed by our contractor for  
15 OPWDD-provided parenting skills classes and then with  
16 enrolling if they are eligible. The DDU also engages  
17 staff, providers and communities in numerous ways  
18 aimed at providing education about the best ways to  
19 support those with intellectual, developmental and  
20 physical disabilities through webinars, lunch and  
21 learn sessions and resource fairs throughout the  
22 boroughs. Finally, the ACS Workforce Institute  
23 offers a training open to all ACS staff, entitled,  
24 "Engaging Parents with Cognitive and Other  
25



1 Reception Center, which has 15 beds to serve boys and  
2 girls age 0-12; Mercy First Virginia Residence, which  
3 is a 12 bed co-ed facility for youth ages 14 and up;  
4 the Good Shepherd Services Shirley Chisholm Center  
5 which is a 10 bed facility serving girls ages 14 and  
6 up; and Heartshare [sp?] St. Vincents Fox Hills,  
7 which is an eight bed co-ed facility for youth ages  
8 14 and up. YRCs are settings where youth can be  
9 engaged in a trauma-focused, strengths-based,  
10 clinical assessment and case planning process that  
11 will result in the implementation of a safe,  
12 supportive, timely out of home placement or family  
13 reunification plan. ACS also contracts for three  
14 Rapid Intervention Centers, or RICs, which are not  
15 pre-placement facilities, but provide respite and  
16 residential care for youth in foster care who need  
17 crisis stabilization and/or assessments. RICs  
18 provide a short-term stabilizing and safe environment  
19 where individualized assessments and strengths-based  
20 treatment plans tailored to youth and family needs  
21 are developed. The Children's Center is a 24/7  
22 temporary foster care placement facility where we  
23 provide care and support for some of New York City's  
24 most vulnerable children and youth who enter foster  
25

1 care due to abuse or neglect, or other family  
2 disruptions. The Children's Center serves  
3 approximately 1,230 unique children and youth each  
4 year, from newborns up to age 21. Eighty percent of  
5 the children are at the Children's Center for seven  
6 days or less and 60 percent of the children are there  
7 for less than three days. Just five percent of the  
8 children are at the Children's Center for 30 days or  
9 more. Additional monthly data regarding the  
10 Children's Center is available on our web site in our  
11 monthly Flash report. There you will see that for  
12 Year to Date Calendar Year 2021, the average daily  
13 population at the Children's Center was 62 children.  
14 The Children's Center is staffed with child care  
15 specialists, social workers, programming and wellness  
16 staff, and engagement and visiting specialists.  
17 There is also an on-site full-time pediatrician and  
18 nursing staff, the ACS-Bellevue Mental Health Team,  
19 and JCCA provides additional clinical services to  
20 youth with high needs. ACS also contracts with Safe  
21 Horizon to provide consultants specialized in  
22 engaging youth who are at risk or who have victims  
23 been of sex trafficking. In addition, we have on-  
24 site Cure Violence Credible Messenger Mentors, Youth  
25

1 Advocate Program Family Finders/Advocates, a CASAC  
2 and ACS Peace Officers who help maintain safety. ACS  
3 has taken a number of steps to improve the experience  
4 of children and youth at the Children's Center,  
5 including the creation of four additional programming  
6 spaces for children to use for community meetings and  
7 developmentally appropriate programming workshops and  
8 recreation, and a multi-faith room which offers  
9 children a private, quiet area to practice their  
10 faith. Programming offers youth healthy prosocial  
11 and emotional outlets, provides enrichment and  
12 recreation, and helps reduce the impact of trauma.  
13 This year, ACS doubled the number of programming  
14 staff at the Children's Center. Children's Center  
15 programming ranges from therapeutic art classes  
16 taught from our community partners such as the  
17 National Arts Club, Culture for One, and A Place to  
18 Be programs that focus on life skills, music,  
19 performing arts, fitness, healthy relationships and  
20 safer sex, youth voice and empowerment, health  
21 education, and much more. Staff also chaperone youth  
22 to off-site activities such as NYC cultural  
23 institutions, sporting events, college and employment  
24 fairs, aquariums, and with the fall weather, for  
25

1  
2 example, apple picking two weekends ago and Fright  
3 Fest at Great Adventure this past weekend. The team  
4 also organizes events for children to learn about and  
5 celebrate cultural events; for instance, in October,  
6 the Children's Center held events to recognize LGBTQ  
7 History, Spanish Heritage, and the Mid-Autumn  
8 Festival. Over the past two summers, programming  
9 also introduced the Children's Defense Fund Freedom  
10 School model. This year, the Children's Center also  
11 partnered with DOHMH and Zero to Three to develop and  
12 deliver Compassionate Response training for all  
13 direct care staff. Additionally, a new partnership  
14 with Bridge Kids New York added a new training for  
15 direct care staff regarding caring for children with  
16 special needs. Intro. 2420-2021 would require ACS to  
17 conduct quarterly random audits of a statistically  
18 significant sample of foster care placement change  
19 notices to document how often ACS failed to produce  
20 the notice, how long it took to send the notice to  
21 the attorney for the child from when the placement  
22 change occurred, and whether it included all legally  
23 required information, and if not, what was missing.  
24 This bill requires quarterly reports of the quarterly  
25 audits. ACS appreciates the importance of timely

1 notification to attorneys for children regarding  
2 where children are placed and whether there is or may  
3 be a change in the child's placement. ACS has a  
4 process in place for this purpose. While placement  
5 change notification requirements passed into law in  
6 2020, ACS has been providing placement change  
7 notifications since 2010. In 2010, ACS adopted a  
8 policy requiring CPS and foster care agency case  
9 planners to notify the attorney for the child of any  
10 planned placement changes 10 days in advance of any  
11 planned change or as soon as a decision is made to  
12 change the placement, or no later than the next day  
13 after an emergency move. In 2012, a new process was  
14 implemented to improve this process by establishing a  
15 mailbox for CPS and case planners to email our Family  
16 Court Legal Services or FCLS division with  
17 anticipated and actual placement changes. The FCLS  
18 notification unit is responsible for taking the  
19 emails from the mailbox, looking up the contact  
20 information for the attorneys, and sending out a  
21 notice to the appropriate attorney for the child.  
22 Legal Aid and Lawyers for Children also set up a  
23 central mailbox to receive the notices and distribute  
24 to their staff. In 2020, the Family Court Act and  
25

1 Social Services Law were amended to create a  
2 statutory requirement regarding placement change  
3 notifications. Under the 2020 law, which went into  
4 effect at the height of the pandemic, notices are now  
5 also sent to the attorneys for the parents and to the  
6 court. Notifications from the central mailbox are  
7 not the only means by which attorneys and the court  
8 are notified of anticipated and actual placement  
9 changes. CPS, case planners and FCLS attorneys also  
10 provide information on placement location and moves  
11 to attorneys for children, parents' attorneys and the  
12 court at court hearings, in court reports and in  
13 other communication between parties throughout the  
14 pendency of cases. Notices are sent to the ACS  
15 mailbox from the Children's Center, the ACS Office of  
16 Placement Services, the foster care providers and the  
17 Division of Child Protection when there is an initial  
18 placement, an anticipated placement change, and an  
19 actual placement change. Notification of initial  
20 placements was added to the statutory requirements in  
21 September 2021 as part of the Family First  
22 legislation. Prior to this statutory change, ACS  
23 notified attorneys for children, parents and the  
24 court of children of initial placements for children  
25

1 leaving the Children's Center. Notices include the  
2 docket number, child's first name and first letter of  
3 last name in keeping with ACS information security  
4 protocols, date of placement, agency with whom the  
5 child is placed, the type of placement, meaning  
6 kinship home, foster boarding home, or other  
7 placement type, contact name and number for the  
8 agency case planner, and the FCLS attorney. On  
9 September 29, 2021, the Family First provisions  
10 became effective in New York. Building upon the  
11 existing placement change notification process, ACS  
12 is now also required to provide notice of initial  
13 placements as well as notice and then a motion to the  
14 parties and the court whenever we believe that a  
15 child may be placed in a Qualified Residential  
16 Treatment Program or QRTP. ACS is using the training  
17 opportunity that comes with Family First, to  
18 reinforce to DCPA, the Office of Placement, the  
19 Children's Center staff and our foster care  
20 providers, that they must send the notification to  
21 the placement change notification mailbox so that the  
22 attorneys and the court can be notified promptly. In  
23 conclusion, I want to once again thank the Council,  
24 the advocates and the legal providers for their  
25

1 interest in ensuring that the children, youth and  
2 families served by ACS receive the highest quality  
3 care. As a government agency charged with promoting  
4 the safety and well-being of the City's children, we  
5 agree that transparency and accountability are  
6 essential. We look forward to discussing these bills  
7 further with the Council and we are happy to take  
8 your questions.

10 COMMITTEE COUNSEL: Thank you, Deputy  
11 Commissioner Gendell. We are now going to turn to  
12 Deputy Commissioner Drinkwater for testimony from the  
13 Department of Social Services.

14 DEPUTY COMMISSIONER DRINKWATER: Good  
15 morning, I want to thank the General Welfare  
16 Committee and Chair Levin for holding today's hearing  
17 and the opportunity to testify. My name is Erin  
18 Drinkwater and I am the Deputy Commissioner for  
19 Intergovernmental and Legislative Affairs at the  
20 Department of Social Services. The committee is  
21 reviewing several bills today impacting DSS and we  
22 look forward to learning the sponsors' intent and  
23 discussing them further. As we discuss these  
24 proposals today, we request that the Committee  
25 consider the impact that they would have on our

1 existing programs and services, particularly around  
2 capacity, client safety, and improvements made to  
3 date. With this in mind, we look forward to today's  
4 discussion. Introduction 2379 would require the  
5 Department of Social Services to create a domestic  
6 violence shelter specifically designated for men. We  
7 look forward to working with the sponsor to better  
8 understand the bill's intent. DSS is the  
9 administering agency for New York State's Office of  
10 Children and Family Services domestic violence  
11 shelters in New York City. Under State Law, we are  
12 required to provide domestic violence shelters and  
13 services to all who qualify regardless of gender  
14 identity. In calendar year 2021 to date, the Human  
15 Resources Administration Domestic Violence shelter  
16 system has served 77 households headed by individuals  
17 who identify as male. As drafted, the bill presents  
18 challenges that could have a negative impact on the  
19 capacity of our shelter system and the safety of  
20 those we serve. First, regarding capacity, we are  
21 obligated to provide domestic violence shelter and  
22 services to all who qualify and creating a men-only  
23 domestic violence shelter would limit access to  
24 survivors who would, apart from their gender  
25

1 identity, be eligible to enter this shelter,  
2 consequently reducing our ability to help those in  
3 need given the limitations presented by this  
4 proposal. Regarding client safety, establishing this  
5 type of shelter could exclude men who are not safe in  
6 the proposed shelter's area due to borough  
7 preclusions needed to be considered in placement  
8 determinations. Multiple men-only shelters would  
9 have to be created to address this safety concern,  
10 which in addition to fiscal concerns associated with  
11 expansion would be compounded by the low demand for a  
12 men-only domestic violence shelter based on system  
13 wide use by men. Lastly, the bill requires a report  
14 analyzing the impact and effectiveness of such  
15 shelter. Given federal requirements in relation to  
16 client confidentiality, there would be additional  
17 steps required for client data collection. We look  
18 forward to working with the sponsor and advocates to  
19 ensure that the domestic violence system continues to  
20 serve clients irrespective of gender identity in  
21 culturally competent and trauma informed approaches.  
22 Introduction 1829 would preclude the Department of  
23 Homeless Services from requiring a child's presence  
24 at an intake when a family with children applies for  
25

1 shelter, regardless of individual case circumstances.  
2  
3 To provide some background, before the pandemic, as a  
4 result of the Mayor's 90-day review of homeless  
5 services, DHS reformed the requirements for children  
6 to be present during intake at PATH to streamline the  
7 application process for families with children. The  
8 intent of this reform, which applied to families  
9 reapplying for temporary housing within 30 days, was  
10 to preserve as much educational stability as possible  
11 for children 0-17 years old by removing the  
12 requirement to return to PATH with the adult head of  
13 household for follow up appointments. We took this  
14 reform further during the pandemic to ease the  
15 shelter intake process for families with children.  
16 Since the pandemic, families with children applying  
17 for shelter must make an initial visit to PATH to  
18 apply, but children are not required to accompany the  
19 parent. Parents can use FaceTime or Skype to provide  
20 PATH staff an opportunity to observe the children,  
21 with follow up assessments being allowed in similar  
22 fashion. While we have implemented these systemic  
23 reforms-- while we have implemented these systemic  
24 reforms and do not intend to reverse them, there are  
25 particular individual case circumstances that arise

1 when having a child physically present at intake is  
2 needed in the placement process. For example, to  
3 confirm that the applicant actually has the children  
4 in their care and custody when there is a concern  
5 that they do not. DHS has made significant reforms at  
6 PATH to ensure safety and welcoming environment for  
7 all as families seek shelter. We have taken  
8 particular focus in serving children who come to PATH  
9 and have on-site play areas as well as a mobile  
10 activity center intended to minimize the potential  
11 trauma when applying for shelter. We look forward to  
12 working with the sponsor on these matters.

14 Introduction 2405 is in relation to the eligibility  
15 for rental assistance for runaway and homeless youth.

16 We appreciate the Council's support of the 12-month  
17 pilot program the City launched in the summer to  
18 connect youth to CityFHEPS rental assistance  
19 vouchers. Given that the pilot just launched, the  
20 City needs time to assess the impact of these  
21 vouchers in connecting youth to housing and to  
22 consider any adjustments needed. We look forward to  
23 updating the Council on the progress of the pilot as  
24 we consider this bill. Thank you for the opportunity  
25 to present our testimony today. We look forward to

1 reviewing these bills and I welcome questions you may  
2 have.  
3

4 COMMITTEE COUNSEL: Thank you to the  
5 members of the Administration for your testimony  
6 today. I am now going to turn it over to Chair Levin.

7 CHAIRPERSON LEVIN: Thank you very much  
8 to members of the Administration for your testimony.  
9 I apologize everybody, I was-- there was an accident  
10 on the subway this morning, and so I was finding  
11 other ways of getting [inaudible]. I do appreciate  
12 everyone's testimony so far. The first question is  
13 on the RHY CityFHEPS bill. So, there was two pilot  
14 programs. I mean, I guess we could take a step back  
15 and say that initially when the CityFHEPS program  
16 rules were promulgated, this would have been in 2018,  
17 I believe-- 2017, 2018-- there was provisions that in  
18 that-- in the rules that allowed for the Commissioner  
19 of ACS and the Commissioner of DYCD to refer cases to  
20 DSS to consider for a CityFHEPS voucher. How many  
21 times did that happen with both ACS and DYCD?

22 DEPUTY COMMISSIONER GENDELL: I think I'm  
23 unmuted but I-- Erin, are you going to take this  
24 question, or do you want me--  
25

1  
2 CHAIRPERSON LEVIN: [interposing] This is  
3 pri-- I'm talking about prior to the pilot, you know,  
4 in the intervening time between--

5 UNIDENTIFIED: [inaudible]

6 CHAIRPERSON LEVIN: the promulgated rule  
7 and the pilot. How many instances of referrals from  
8 agency commissioners that's allowed in the rule?

9 DEPUTY COMMISSIONER DRINKWATER: Thanks,  
10 sorry, I was having trouble with the mute button. I  
11 don't have those numbers with me today. So the  
12 number prior-- so after the streamlining, the  
13 implementation of the rule, and prior to the pilot. I  
14 don't have that.

15 CHAIRPERSON LEVIN: Yeah.

16 DEPUTY COMMISSIONER DRINKWATER: We can  
17 certainly follow up. I don't know if, Stephanie, you  
18 do have that number.

19 CHAIRPERSON LEVIN: DYCD has that--

20 DEPUTY COMMISSIONER GENDELL: I can  
21 answer for ACS. We hadn't been following a specific  
22 process of referrals until we started the pilot, and  
23 I'm happy to give an update on the CityFHEPS pilot  
24 for ACS if that's helpful. I realize it's not what  
25

1  
2 the bill's about, but I'm happy to update on the  
3 pilot.

4 CHAIRPERSON LEVIN: Yeah, no, I'm-- I  
5 mean, I'm really. Sorry, excuse me, Amenta Killawan  
6 needs to chime in for a second.

7 COMMITTEE COUNSEL: Just, I just want to  
8 chime in as a reminder the members of the  
9 Administration if you can remain unmuted during this  
10 entire segment. It'll just be easier on the back-end  
11 to ensure that you can chime in as necessary. So if  
12 you can please remain unmuted, all panelists from the  
13 Administration, during this question and answer  
14 period. And also a reminder to Council Members who  
15 may have questions to use the Zoom raise hand  
16 function, and we will call on you after the Chair has  
17 finished his line of questions. Thanks, Chair Levin.

18 CHAIRPERSON LEVIN: Thank you, Counsel.  
19 Yeah, so I'm trying to get a clear picture. I mean,  
20 just to put all the parts on the table. We had  
21 introduced this bill, or we had talked about  
22 introducing this bill a long time ago, and we had  
23 introduced the ACS bill, the companion ACS bill, a  
24 long time ago. So it was always my intention to make  
25 it clear in law that youth that are aging out of

1 foster care and youth that are aging out of DYCD, RHY  
2 shelters, don't have to go into the DHS or DSS system  
3 in order to qualify for a voucher. Like, simple,  
4 straightforward, no kid that ages out of a system  
5 should be having to go into another system designed  
6 for adults to get access to the voucher. Simple,  
7 straightforward. I didn't do the bill because it was  
8 being addressed in the rule. The rule said that we  
9 would allow referrals from the Commissioners, and  
10 presumably that would then take place. So, I mean,  
11 there's an intervening period between that rule and  
12 when these pilot programs came out, that where that  
13 rule was in place. The reason I did not do a bill  
14 was because that rule is in place. And so it would  
15 be really-- it's really important for me in  
16 considering this legislation, to know how effective  
17 that rule was. And so that's why that's in place.  
18 Now, I guess I could-- I want to ask about the pilot  
19 then. Can you-- can Director Thorne maybe speak to  
20 the RHY pilot and how that's been going? How many  
21 referrals have been made? How many youth have been  
22 connected to a CityFHEPS voucher to date?

24 DIRECTOR THORNE: Hi, good morning.  
25 Thank you so much for the question and also bringing

1 attention to this crucial resource. So far we are--  
2 we've given 12 young people CityFHEPS shopping  
3 letters and we have a lease package in the works as  
4 we speak today.

5  
6 CHAIRPERSON LEVIN: That's great. How  
7 many-- under the terms of the pilot, how many--  
8 what's the cope-- what's the scope of the pilot,  
9 what's the scale?

10 DIRECTOR THORNE: The scale, we have 50  
11 CityFHEPS shopping letters that are available to us,  
12 and we are really emphasizing the flexibility of  
13 CityFHEPS in terms of room rentals and which really  
14 supports the needs of young adults and youth. And I  
15 also just wanted to say that the increased rent also  
16 improves the likelihood that young people will be  
17 able to find apartments in New York City. So, yeah.

18 CHAIRPERSON LEVIN: I guess this is a  
19 question for both ACS and DYCD. If you had a-- I  
20 mean, is-- do you see any reason why you shouldn't  
21 have access from aging out to these vouchers?

22 DEPUTY COMMISSIONER GENDELL: So I'll  
23 just say at the starting point, I think it's  
24 important to just make sure it's clear that no youth  
25 from ACS is discharged to homeless. That was the

1 case during the pandemic, prior to the pandemic, and  
2 it continues to be the case. We're always ensuring  
3 that our youth have a permanent place to go when they  
4 leave foster care, where we let them stay in foster  
5 care after their 21<sup>st</sup> birthday. The pilot is very  
6 new. So we were due to start in July, and we did  
7 start in July and then we gave out five CityFHEPS  
8 shopping letters in July, but then when the Council,  
9 which we greatly appreciate and thank you for your  
10 leadership on, of increasing the value of the  
11 voucher. We wanted to ensure that our young people  
12 had access to the higher rates of the voucher, and so  
13 we gave out the remaining vouchers throughout  
14 September. And so we currently have all 50 of the  
15 shopping letters with young people pursuing housing  
16 through CityFHEPS as well as continued to pursue  
17 housing through other opportunities.

18 CHAIRPERSON LEVIN: Okay. And I  
19 appreciate that. I mean, I think that-- and I  
20 appreciate that no youth is aging out into  
21 homelessness. Does ACS track over the course of like  
22 five years after aging out whether young people end  
23 up in the DHS system?  
24  
25

1  
2 DEPUTY COMMISSIONER GENDELL: We  
3 definitely track what's in Local Law 145 which I  
4 think it was up to two years after they leave foster  
5 care was pushed to five, and it's a very small  
6 number. I don't know it off the top of my head, and  
7 I don't know if Julie does, but it's a very small  
8 number.

9 CHAIRPERSON LEVIN: Or if there was-- I  
10 mean, I would-- housing insecure or unstably housed,  
11 not just in the-- I mean, I know that you, you know,  
12 young people are doubling up, are couch surfing.  
13 Doubling up is fine if they have like a room [sic],  
14 but couch surfing or, you know, staying with family  
15 that might not be appropriate or safe.

16 DEPUTY COMMISSIONER GENDELL: Right.

17 CHAIRPERSON LEVIN: Or other, other type  
18 of unsafe living circumstances.

19 DEPUTY COMMISSIONER GENDELL: I can see  
20 if Julie wants to chime in, but I'll just say that we  
21 work very hard and are very planful [sic] about all  
22 of these discharges [inaudible]. I'll let-- I can  
23 see Julie wants to chime in.

24 DEPUTY COMMISSIONER FARBER: Sure thank  
25 you. Thank you, Council Member, for these questions,

1  
2 and as Stephanie referenced, we do not exit young  
3 people to homelessness. We are always working to  
4 ensure that they have stable housing. We're very  
5 pleased that we have all 50 of the FHEPS letters with  
6 young people and they're working on finding  
7 apartments with our support and support from the  
8 foster care agencies. We also, as Stephanie  
9 mentioned, we do collect data on young people that  
10 show up in the shelter system. I know we do it after  
11 one year, and maybe also after two years, and that  
12 number is very, very small and also has been going  
13 down over the last five or six years. We also, you  
14 know, have staff here that support young people, even  
15 when they have left the system, and we also  
16 coordinate with DHS when we see young people, you  
17 know, in the relatively rare occurrence when they  
18 show up in the shelter system.

19 CHAIRPERSON LEVIN: Okay, so I'm just  
20 going to-- there's a little bit of a disconnect for  
21 me on this discussion, which is why-- what reason is  
22 there possibly out there to not make vouchers  
23 available to youth aging out of either the DYCD RHY  
24 system or the foster care system? What reason could  
25 there possibly be to say this is a bad idea? I just--

1  
2 I can't even think of a reason why it's a bad idea,  
3 even a theoretical reason.

4 DEPUTY COMMISSIONER FARBER: I mean, so I  
5 think that, you know, DYCD and ACS talked about the  
6 work that they're doing with the pilot, and part of  
7 that pilot is to also, you know, look at that and  
8 conduct an analysis following that pilot to  
9 understand the impact of those vouchers, and I think  
10 using that information will be very helpful moving  
11 forward.

12 CHAIRPERSON LEVIN: Well, I don't have  
13 time for that. I'm out of office in two months  
14 [sic]. So I only have-- I only have-- I mean, you  
15 know, it's not like we just started talking about  
16 this. We started talking about this, you know, year  
17 ago, three, four years ago. So, you know, I just  
18 don't have the time. You know, I hope you understand  
19 that. I just don't have the time to kind of further  
20 analyze this. Again, I can't even think of a  
21 theoretical reason, you know, why somebody aging out  
22 shouldn't have immediate access to a voucher. I  
23 can't even think of a theoretical reason. I mean, I  
24 understand we have to-- you know, it's good to  
25 analyze it, but like, again, we started talking about

1 this like years ago. The rule allowed for it to be--  
2 I mean, I'm just being totally honest. I mean, like,  
3 the City told me that when the-- the rule would take  
4 care of things. Like that was the response I got at  
5 the time. Don't do the bill because we have a rule.  
6 The rule will address the issue. And you know,-- and  
7 then there was like a gap between the rule and the  
8 pilot program of like a couple of years, and we don't  
9 even know how many referrals came in from the  
10 Commissioners of DYCD and ACS. I don't know why we  
11 don't know, but I just like, you know, I don't-- I'm  
12 debating whether to channel my inner Lou Fiddler  
13 right now, because you know, I could just imagine if  
14 Lou was here right now, how absolutely routinely  
15 upset he would be, you know, as the former Chair of  
16 the Youth Services, and a big champion of RHY. And  
17 to think that there's an option available that's just  
18 not [inaudible]. It's out there but it's not  
19 available unless you go into a DHS shelter meant for  
20 adults, single adults, which may be in congregate in  
21 the middle of a pandemic. So, I mean, I just-- if  
22 there's any bills of mine that I think are just open  
23 and shut cases, these are the bills. I'll turn it  
24 over to any of my colleagues for questions they may  
25

1 have. Council Member Diaz, do you have questions?

2 You're on mute.

3  
4 COUNCIL MEMBER DIAZ: I apologize. I'm  
5 working from home. One of the few times I do my iPad  
6 is not my friend today. It just-- I want to-- rooms.  
7 To me, rooms are not the most ideal place for an  
8 individual to live. You're sharing space, and if our  
9 youth could have lived in rooms with their family  
10 there wouldn't be in the situation they are today.  
11 Rooms are not the way to go. I hear rooms, rooms,  
12 rooms. Chair Levin, it just leads to more conflict  
13 and more discourse. We have to figure out-- if I  
14 hear conversations with SRO, which at least you're  
15 not sharing space. You share kitchen space, that's  
16 one conversation, but to know-- we're so happy and  
17 excited to know that we're exiting, which I see more  
18 pushing our young people to live in a shared space,  
19 that probably got them in this place to begin with.  
20 So while I appreciate the conversation of trying to  
21 make something happen, rooms is not a voucher that we  
22 should be pushing. We should figure out a way--  
23 stable homes, that they do not return back into the  
24 system, whether it's the shelter system, DYCD. One  
25 of our youth began our conversation. He hopped. He

1 was exited as a youth into a room, became a parent.  
2 As a couple went into an apartment. Ended up in  
3 Jersey, and is back basically on the streets. Rooms  
4 are not an answer. Chair, I apologize [inaudible]  
5 angry and antsy, but having worked the system for  
6 thirteen and a half years, I come from a different  
7 space, a different picture. Rooms is not the way to  
8 go. And let's be clear, if the youth want to-- if  
9 anyone that wants to get out of shelter, they'll  
10 accept a room, but we have to assure that the leases  
11 are real, they would do real inspections. So I'm  
12 moving into a room to then leave the room because of  
13 the discourse or the services that were supposed to  
14 have been provided weren't provided, that's an issue.  
15 I had someone that moved into a room and once she was  
16 there was told she couldn't have a TV. That's  
17 basics. Forget you're in COVID. Could you just  
18 imagine? You're living in a room. You're sharing a  
19 refrigerator. You're sharing your bathroom, all your  
20 amenities and you can't have something basic as a TV?  
21 We need to do better. And I'm gonna [sic] say on and  
22 on throughout this hearing, we should do better.  
23 With New York, millions and trillions of dollars are  
24 spent on housing. Housing is a human right. Let's  
25

1  
2 not just push people so that our numbers look better.  
3 Thank you, Chair.

4 CHAIRPERSON LEVIN: Thank you very much,  
5 Council Member. Counsel, do you see any other  
6 committee members with their hands up.

7 COMMITTEE COUNSEL: I do not, Chair.

8 CHAIRPERSON LEVIN: We were also joined  
9 by Council Member Brad Lander. I'm not sure if Brad  
10 is still here, but he has been here. I'll ask some  
11 questions around some of the other legislation. For  
12 Intro 2419, for ACS reporting requirements on the  
13 Children's Center, have there been any recent  
14 increases in the number of children at the Children's  
15 Center, or has the numbers remained steady? I know a  
16 couple of years ago they were high. How does that  
17 compare to where it was in 2019?

18 DEPUTY COMMISSIONER GENDELL: It's  
19 significantly lower than 2019, but it is a little  
20 higher than the average. So, the average for 2021  
21 was 52. Currently, as of Saturday had 78 children at  
22 the Children's Center, Saturday, October 16<sup>th</sup>.

23 CHAIRPERSON LEVIN: Do you have a sense  
24 of the ratio of staff, children to staff?  
25

1  
2 DEPUTY COMMISSIONER GENDELL: Yeah, the  
3 ratio is one to three.

4 CHAIRPERSON LEVIN: And that's been  
5 maintained despite, you know, increases or decreases  
6 in the population?

7 DEPUTY COMMISSIONER GENDELL: Yeah, we  
8 have the ability to bring in addition staff if  
9 needed, people who work for ACS in other capacities  
10 who have been trained to also work there who are  
11 temps if ever we needed it based on the census so  
12 that we can maintain the ratio.

13 CHAIRPERSON LEVIN: Do you keep detailed  
14 data on length of stay of-- you know, in terms of--  
15 obviously in the-- you do keep the data, but I mean,  
16 do you aggregate it in a way that you can analyze and  
17 understand what's causing increases and decreases?

18 DEPUTY COMMISSIONER GENDELL: Yeah, we  
19 have a-- you know, we're always keeping track of how  
20 many children are at the Children's Center and their  
21 length of stay, and you know, most importantly, we're  
22 always working to do everything we can so that  
23 children are placed in the most appropriate placement  
24 out of the Children's Center, whether that's  
25 returning home to their family, going to a foster

1 home or in some instances a residential provider.  
2 We're always looking to ensure they, you know, get  
3 out of the Children's Center into the most  
4 appropriate placement.  
5

6 CHAIRPERSON LEVIN: And is that something  
7 that you make public in any way right now, in terms  
8 of average length of stay? Is there any other kind  
9 of metrics from the Children's Center? Are you  
10 publicly reporting on any of that?

11 DEPUTY COMMISSIONER GENDELL: So we  
12 currently publicly report in the monthly flash that's  
13 available on our website that we update each month  
14 where we keep track-- we provide calendar year to  
15 date monthly averages of children at the Children's  
16 Center and some of the information that you're asking  
17 about, length of stay. I also in my testimony talked  
18 about some of the length of stay numbers including  
19 that 80 percent of the young people and children are  
20 there for seven days or less.

21 CHAIRPERSON LEVIN: I mean, one thing  
22 that we're very concerned about are the outliers.  
23 So, young people that are-- so do we have a sense of  
24 how many young people right now have been there, for  
25



1  
2 after 20 days, and 55 percent of those were 11 or  
3 older, and 45 percent were under.

4 CHAIRPERSON LEVIN: Sorry, can you-- 55  
5 percent were over 11. So there's-- do you see a  
6 disparity in terms of-- or what are you able to glean  
7 from that data in terms of the relationship between  
8 length of stay and either special needs status or  
9 [inaudible].

10 DEPUTY COMMISSIONER GENDELL: I mean, I  
11 think one of the things that's just important to keep  
12 in mind as we think about the children coming in and  
13 out of the Children's Center is it changes from one  
14 day to the next. Since most of the children are  
15 there for such a short time, there's constantly  
16 different children that we would be talking about  
17 each day. Luckily, not a lot of children, but  
18 removals are way down, too. But you know, it's not  
19 the same from one day to the next. I don't know if  
20 Julie has anything she would want to add about the  
21 trend data that you're asking.

22 DEPUTY COMMISSIONER FARBER: Yeah, so as  
23 Stephanie mentioned, the numbers I have in front of  
24 me says 60 percent, right, leave within three days,  
25 80 percent within seven days, 90 percent less than 15

1 days. So the vast majority, obviously, of children  
2 are leaving to placement relatively quickly. The  
3 other thing that I know you're familiar with, Chair,  
4 is that our first focus is on placing children with  
5 kin. So, we're keeping many, many children out of  
6 the Children's Center through those efforts. And so  
7 at this point, of the children who are coming into  
8 care due to abuse and neglect, about 50 percent of  
9 those children are being placed with kin. So that is  
10 a huge focus for us, and then obviously we are always  
11 working to move children who can't be immediately  
12 placed with kin. We continue to look for kin, and  
13 then when kin really cannot be found, we work to  
14 place them in the, you know, the foster home that  
15 best meets their needs.

17 CHAIRPERSON LEVIN: I'm sorry, I'm just--  
18 I do want to focus kind of on the children that are  
19 kind of an outlier cases. Are there instances where  
20 there are children that are there for longer than 60  
21 days or longer than that? Ninety--

22 DEPUTY COMMISSIONER GENDELL: There are  
23 sometimes, and you know, we're working always very  
24 hard to find them the most appropriate.

25

1  
2 CHAIRPERSON LEVIN: Are there any  
3 children there now that have been there for longer  
4 than 60 days.

5 DEPUTY COMMISSIONER GENDELL: Longer than  
6 60 days?

7 CHAIRPERSON LEVIN: Yeah.

8 DEPUTY COMMISSIONER GENDELL: I would  
9 guess so from the data I'm looking at, but I don't  
10 have that for sure. So we'd need to get back.

11 CHAIRPERSON LEVIN: I mean, what are  
12 circumstances that would cause a child to be there  
13 for longer than 60 days, considering that 90 percent  
14 are there for no longer than 14 days.

15 DEPUTY COMMISSIONER FARBER: So, you  
16 know, when we're placing a child we're considering a  
17 lot of different factors. We're considering  
18 geography. We're considering the child's needs.  
19 We're considering clinical issues. there are some,  
20 and you know, these are outliers, you know, as you  
21 have said Council Member, but sometimes when young  
22 people have a placement but don't want to go to their  
23 placement, and so we're working, you know, with young  
24 people in those situations, and of course, want to  
25 value young people's perspective, particularly

1 teenagers, and so there are certain instances, you  
2 know, such as that, but can contribute to longer  
3 lengths of stay, but we're always working to find the  
4 right match, the right fit, you know, the right  
5 foster parents, if the child needs clinical and  
6 therapeutic treatment in a residential program.  
7 We're working to, you know, place a child in the  
8 right place, and in the meantime when they're at the  
9 Children's Center, as Deputy Commissioner Gendell  
10 noted, there is a significant amount of programming  
11 and clinical and therapeutic services in place at the  
12 Children's Center.  
13

14 CHAIRPERSON LEVIN: Right. I think that,  
15 you know, it's-- but it's in-- it's not an  
16 appropriate setting for a-- you know, it's never  
17 meant to be a even medium term placement. It's there  
18 to be temporary. So any-- I mean, I think that  
19 obviously it's good to hear that the vast majority of  
20 children are there for a short period of time. I do  
21 worry about even if it's only, you know, small number  
22 of children there that were there for longer periods  
23 of time [inaudible] the lack of access to, you know,  
24 socialization with other children, you know, longer  
25 term relationships, familial relationships, you know,

1  
2 just a home. You know, a home is really important  
3 for a kid, and so--

4 DEPUTY COMMISSIONER GENDELL:

5 [interposing] We agree with you that we want children  
6 to be in home-base settings as much as possible. I  
7 do want to make sure the kids do have ample  
8 opportunity and they are socializing. They're going  
9 to school, and so I just want to make sure they're--

10 CHAIRPERSON LEVIN: [interposing] Sure.

11 DEPUTY COMMISSIONER GENDELL: just like  
12 other children, both in the Children's Center and  
13 going to school.

14 CHAIRPERSON LEVIN: Right. But even if  
15 they're socializing with children in the Children's  
16 Center and 90 percent of them are there for less than  
17 14 day, you know, it's difficult to have any  
18 meaningful ongoing relationships with another kid.  
19 They're there for-- in any event, I'll move on.

20 [inaudible] one other question about-- we've heard  
21 that the babies in toddlers wing is in quarantine.  
22 How does that work in terms of quarantine?

23 DEPUTY COMMISSIONER GENDELL: Thank you  
24 for asking that question. We take the health and  
25 safety of the children at the Children's Center

1 [inaudible] very seriously. They're in quarantine  
2 due to exposure to COVID. And I'm going to turn it  
3 over to Doctor Mendoza to talk more about.  
4

5 CHIEF MENDOZA: Yeah, so we-- once of  
6 course, we follow all DOHMH guide-- and state  
7 [inaudible] guidelines and CDC guidelines in terms of  
8 quarantine and isolation. I'm glad to say that we  
9 are just a day away from releasing the child who was  
10 positive from isolation and just I believe four days  
11 away from releasing the rest of the quarantine. We  
12 also, while they're in quarantine they stay with  
13 their quarantine groups. So they are interacting  
14 with those who are in the same group. So we try to  
15 keep them in that infection control "bubble" and they  
16 are also engaged in different activities within the  
17 bubble. They have visits, virtual visits with their  
18 families as well, and as much as possible, we also  
19 maintain other kinds of activities that we can while  
20 they're still safe within that quarantine bubble. We  
21 are so proud to say that we have had very, very, very  
22 low cases of COVID-19 positivity rates at the  
23 Children's Center. In fact, even when the city was  
24 at high transmission rates, the Children's Center was  
25 averaging in the low transmission rate, and we

1  
2 continue to average low transmission rates. We feel  
3 that this is because of our strict adherence to  
4 infection control practices.

5 CHAIRPERSON LEVIN: Thank you [sic],  
6 Doctor Mendoza. Sorry. I'm going to move over to  
7 another piece of legislation, 2420, which would  
8 require an audit report on foster care placement  
9 notices. We've heard, and I'm wondering if this is  
10 true, that ACS has a shortage of therapeutic foster  
11 homes to meet the needs that are currently existing  
12 in the foster care system.

13 DEPUTY COMMISSIONER GENDELL: Thank you.  
14 I wasn't sure-- I didn't think that's what you're  
15 going to ask about that legislation, but that's okay.  
16 I'm now going to turn it over to Julie to answer.

17 DEPUTY COMMISSIONER FARBER: Sure. Thank  
18 you very much for that question. So our foster care  
19 providers are working very hard, as I mentioned, to  
20 increase the proportion of young people who are  
21 placed with kin, right? So that happens both by the  
22 Division of Child Protection and then also by our  
23 foster care agencies, and then at the same time  
24 obviously the agencies are also focused intensively  
25 on foster parent recruitment and support. And so

1  
2 prior to the pandemic we drastically increased new  
3 foster home recruitment across all different types of  
4 foster care, including therapeutic foster care that  
5 you asked about, Council Member. The pandemic did  
6 have a little bit of an impact on foster home  
7 recruitment, but I am very pleased that in this past  
8 year we are now rising out of that impact and moving  
9 back to foster home recruitment levels prior to the  
10 pandemic.

11 CHAIRPERSON LEVIN: Can you speak to  
12 maybe some of the challenges that you face in  
13 recruiting foster parents for older youth or youth  
14 with disabilities?

15 DEPUTY COMMISSIONER FARBER: Yeah, so we-  
16 - the strategy that we use and that has really been  
17 most effective in recruiting foster parents for older  
18 youth and for children with special needs is focusing  
19 on recruiting from existing experienced foster  
20 parents. So we have foster parents to come in and  
21 they are in what's considered sort of regular foster  
22 care, and then there's therapeutic foster care and  
23 specialized foster care. And while some foster  
24 parents can be recruited directly from the community  
25 to those higher needs groups, we have found that the

1  
2 most successful approach for recruiting foster  
3 parents for therapeutic and specialized is really to  
4 focus on existing foster parents who have had some  
5 experience and to support those foster parents to  
6 transition to taking older youth and children with  
7 special needs. And then the critical piece of the  
8 work there is really around the support. It's not  
9 just around the recruitment, but it's around the  
10 support that is provided to foster parents. And so  
11 there's a lot of work happening around both the  
12 support that the foster care agencies are providing,  
13 but also the support that the community of foster  
14 parents are providing to one another. And so that's  
15 really where we have found it is most effective in  
16 where we're focusing our energies in terms of  
17 recruiting and supporting foster parents for older  
18 youth and young people with special needs.

19 CHAIRPERSON LEVIN: Have you considered  
20 what impact raising the boarding rates for foster  
21 parents?

22 DEPUTY COMMISSIONER FARBER: so,--

23 CHAIRPERSON LEVIN: [interposing]

24 DEPUTY COMMISSIONER FARBER: Oh, sorry,  
25 go ahead, Chair.

1  
2 CHAIRPERSON LEVIN: I'm sorry. Is that  
3 entirely within your jurisdiction or is that an OCFS  
4 [inaudible] work on with OCFS in terms of the  
5 boarding rates?

6 DEPUTY COMMISSIONER FARBER: We have some  
7 control over it. Obviously, state funding is a piece  
8 of it, but as I think you know, Chair, the City far  
9 out-spends the foster care block grant that the state  
10 provides. So that's obviously an important piece of  
11 the financing. But in terms of the payment rates  
12 that are provided to foster parents are certainly a  
13 piece of the puzzle, in addition to emotional  
14 support, moral support, training, and so forth.

15 CHAIRPERSON LEVIN: Are you ever-- do you  
16 ever face a situation where a child is placed in a  
17 group setting simply for a lack of a foster home, or  
18 group setting? Go head, sorry.

19 DEPUTY COMMISSIONER FARBER: Yeah, no, go  
20 ahead Chair.

21 CHAIRPERSON LEVIN: Or I going to say or  
22 group setting placements entirely due to the  
23 appropriateness of the setting. Is there ever a  
24 situation where a foster home is preferable, it's  
25 just not available?

1  
2 DEPUTY COMMISSIONER FARBER: So, we are--  
3 you know, we have an entire function at ACS that  
4 determines what's called the appropriate level of  
5 care and whether a child needs a regular foster home,  
6 a therapeutic foster home, a specialized foster home,  
7 or do they need, you know, services and stabilization  
8 in a residential program. And so those  
9 determinations are made by that function, and  
10 obviously that relates directly to the new Family  
11 First Law that has gone into place, and so we now  
12 have what's called the QI, qualified individuals, who  
13 make those decisions and they are firewalled from the  
14 folks who actually make the placements, and so the  
15 focus is always on finding the most appropriate  
16 placement according to what the level of care is that  
17 has been identified. I don't know if-- I can see  
18 that Stephanie wants to say something more about  
19 Family First.

20 DEPUTY COMMISSIONER GENDELL: Sure, I can  
21 do that. I think-- to answer your question, we are  
22 always seeking to find the most appropriate placement  
23 for children, but we now under Family First have  
24 additional layers before a child would be in what's  
25 now called a Qualified [sic] Residential Treatment

1 Program which is essentially our residential parent  
2 providers. That qualified individual that Julie  
3 mentioned require to use an evidence-based tool that  
4 we've just implemented called a CASIE [sic] and they  
5 also are-- they're required to speak with what's  
6 called a Permanency Team which is the child, their  
7 family, the child's lawyer, and other people involved  
8 in the child's life, and they put that all together  
9 to make the recommendation about whether or not  
10 residential care or QRTP is the appropriate level of  
11 care. That will now have an additional court review.  
12 So, I think adding on the new Family First  
13 requirements, had this ever been occurring before  
14 should really prevent it from happening again. And  
15 if we do have a young person in congregate [sic]  
16 care, who the QI says that's not the right level of  
17 care, we would no longer receive federal funding for  
18 that [inaudible].

20 CHAIRPERSON LEVIN: So, that as a-- that  
21 would be enough of a deterrent or enough of an  
22 obstacle. Essentially, if it's not-- if it's not  
23 determined you're staying under this evidence-based  
24 framework as being an appropriate placement, then  
25 there would be no federal reimbursement for--

DEPUTY COMMISSIONER GENDELL:

[interposing] That's correct. I don't know that necessarily the lack of federal funding would be the deterrent. We really were very focused on finding the most appropriate placement, and I think these enhanced processes [inaudible] both the assessment by the qualified individual and the court review are really what would provide the additional layers of ensuring who are residential care or youth who have therapeutic need to be there.

CHAIRPERSON LEVIN: Okay.

DEPUTY COMMISSIONER FARBER: And definitely. The staff who are making the level of care determinations and making the placements, they have no focus whatsoever on federal funding reimbursement. Their focus is entirely on the needs of the child.

CHAIRPERSON LEVIN: Right. So then-- I mean, I guess my question then would be are you saying that it never happens, or under the current Families First Law, it-- there's no circumstance where that would happen?

DEPUTY COMMISSIONER FARBER: I think that there is--

DEPUTY COMMISSIONER GENDELL:

[interposing] Should never.

DEPUTY COMMISSIONER FARBER: Right, well, it certainly should never happen. I think there is also the fact that, you know, there can be different viewpoints on, you know, the best possible setting for a young person which is also--

CHAIRPERSON LEVIN: [interposing]

DEPUTY COMMISSIONER FARBER: the benefit of having the QI. There's also the young person's view, the parent's view, the court's view, and so you know, it is not always sort of one way or the other. The other piece is that, you know, circumstances can change. Children's needs can change, and evolve. So, you know, obviously our focus is on placing children in the setting that will best meet their needs. We have, you know, very low rate in New York City of placement in residential care. It's about eight or nine percent of all kids in foster care, so it is not something that happens very often, and it is something that we are extremely focused on continuing to reduce. And of course you know, Council Member, that we are currently in the process of re-RFP-ing [sic], re-procuring the entire foster

1  
2 care system, and a major focus of the RFP and the new  
3 contracts is on increasing kin, increasing family-  
4 based placement, only utilizing residential care for  
5 time-limited treatment and for the purpose of  
6 stabilization and returning ideally to parents and  
7 families and/or returning the community to foster  
8 parents.

9 CHAIRPERSON LEVIN: I apologize, I didn't  
10 quite get this before, but do you-- is the  
11 Administration or is ACS in favor of this piece of  
12 legislation, 2420, or are there issues that you have  
13 with it as a bill?

14 DEPUTY COMMISSIONER GENDELL: We are  
15 happy to discuss the bill further.

16 CHAIRPERSON LEVIN: Okay. Neither one  
17 way or another is that what you're saying?

18 DEPUTY COMMISSIONER GENDELL: Yeah, I  
19 mean, I think there are, as we mentioned in the  
20 testimony, some considerations we'd want to discuss,  
21 and we're happy to do so.

22 CHAIRPERSON LEVIN: Okay. Okay. Thank  
23 you very much. Commissioners, thank you. I'm going  
24 to just ask about 1829 very quickly. That's the PATH  
25 bill. Is there any reason why DSS would ever revert

1 to requiring children to be attending PATH in person?  
2 For this bill, like what's the downsides of this  
3 bill? This is-- it's a practice that we shouldn't be  
4 having.  
5

6 DEPUTY COMMISSIONER FARBER: Yeah, so we  
7 don't have an intention of reverting back, but as-  
8 written the bill categorically, you know, it would be  
9 on the parent, the parent to bring their children in,  
10 but there are times as mentioned in the testimony if  
11 we're trying to work with the family to understand  
12 that a child is in the custody of the head of  
13 household, having that child present could be of  
14 benefit.

15 CHAIRPERSON LEVIN: Would be amenable to  
16 working with the sponsor to--

17 DEPUTY COMMISSIONER FARBER:  
18 [interposing] Absolutely.

19 CHAIRPERSON LEVIN: see if there's  
20 accommodations that could be written into the bill,  
21 but that would largely codify the current practice  
22 into law?

23 DEPUTY COMMISSIONER FARBER: Yeah, we'd  
24 be happy to meet with the sponsor. I know, Chair,  
25 that you and Council Member Diaz went to PATH not too

1  
2 long ago, certainly saw some of the efforts made  
3 particularly around, you know, children who are at  
4 PATH and would be happy to offer the same to Council  
5 Member Ayala [sic] and certainly work with her on the  
6 bill.

7 CHAIRPERSON LEVIN: Just for the record,  
8 Council Member Diaz and I went to PATH. It was not--  
9 it was sparsely attended. I mean, it was-- there was  
10 a not a lot of-- there were not a lot of families  
11 there. It was on a, you know, a weekday morning.  
12 You know, that's-- there's probably a number of  
13 reasons why that's the case, but obviously we--  
14 that's a good thing. We don't want to see more  
15 families [inaudible]. Okay, I appreciate the-- I'll  
16 convey this to Council Member Ayala.

17 DEPUTY COMMISSIONER FARBER: Wonderful.

18 CHAIRPERSON LEVIN: And we'll see if we  
19 get somewhere on this bill. Okay, that's it for me.  
20 I know that there's other pieces of legislation that  
21 Council Member Ayala sponsored, and I-- and she can  
22 speak with the Administration offline about that as  
23 well, but I also want to acknowledge Council Member  
24 Salamanca joined. And put it to my colleagues once  
25 more, if anyone has any questions before we move on

1 to public testimony. Alright, seeing none, I want to  
2 thank members of the Administration for your  
3 testimony this morning. I appreciate you taking the  
4 time, and I think this is probably my last hearing,  
5 not the last hearing in general, but the last hearing  
6 where we're considering legislation. So, from here  
7 on out it's going to be hard-hitting oversight  
8 hearing between now and the end of the year.

9  
10 DEPUTY COMMISSIONER GENDELL: Sounds  
11 great Chair.

12 DEPUTY COMMISSIONER FARBER: Thank you,  
13 Chair.

14 CHAIRPERSON LEVIN: Thank you, and it's  
15 good to see you all, and you know, maybe one day  
16 we'll be able to do that in person, but I don't know  
17 if that's going to happen. So, for now, we're just  
18 going to have to be content with the Zoom hearing.  
19 Okay. Thank you all. I'll turn it back over to  
20 Committee Counsel Killawan to call up the first  
21 public panel. Thank you.

22 COMMITTEE COUNSEL: Thank you, Chair  
23 Levin. We have now concluded the Administration's  
24 testimony and are going to turn to additional public  
25 testimony. I want to again remind everyone that I'm

1  
2 going to call up individuals in panels. Once your  
3 name is called a member of our staff will unmute you  
4 and you may begin your testimony once the Sergeant at  
5 Arms sets the clock and gives you the cue. All  
6 testimony will be limited to three minutes, and  
7 please remember that there is a few seconds delay  
8 when you are unmuted before we can hear you. Please  
9 wait for the Sergeant at Arms to announce that you  
10 may begin before starting your testimony. And our  
11 next panel, which will be comprised of public  
12 testimony, in the order of speaking will be Jamie  
13 Powlovich, Anna Blondell, and Julia Davis. We are  
14 going to begin with Jamie.

15 SERGEANT AT ARMS: Your time will begin.

16 JAMIE POWLOVICH: Good morning. My name  
17 is Jamie Powlovich and I'm the Executive Director of  
18 the Coalition for Homeless Youth. Thank you to Chair  
19 Levin for holding today's hearing. I'll be limiting  
20 my testimony to Intro 2405, which CHY is in full  
21 support of. Despite many broken promises, youth in  
22 the DYCD system still do not have equal access to  
23 CityFHEPS vouchers. I would like to outline the  
24 history that has led to the need for this bill. In  
25 April 2016, the first promise of voucher access for

1  
2 homeless youth was made when the Mayor released his  
3 review of homeless service agencies and programs  
4 report. This promise was echoed in February 2017 and  
5 the Turning the Tide on homelessness in New York City  
6 report which stated, "In 2017, the City will expand  
7 these rental assistance programs to include for the  
8 first time youth living in DYCD youth shelters at  
9 risk of entering DHS shelters." Fast-forward to  
10 April 2017 at the General Welfare Oversight Hearing  
11 regarding reforms to homeless services one year  
12 later. When Commissioner Banks testified regarding  
13 DYCD youth getting access to vouchers that it, "is  
14 expected to be finalized in the summer of 2017."  
15 During questioning Chair Levin asked Commissioner  
16 Banks, "When do you expect that the first young  
17 person will have a voucher in hand?" To which  
18 Commissioner Banks responded under oath, "in the  
19 fall." In Fiscal Year 17 1,804 youth exited the DYCD  
20 shelter system into homelessness. In September 2017  
21 at the Youth Services Oversight Hearing, DYCD  
22 Commissioner Chung testified under oath that, "We are  
23 working with HRA to help eliminate young eligible  
24 youth apply for access link housing subsidies." This  
25 was untrue, as DYCD youth never have access to LINC

1 vouchers. In June 2018 the Mayor announced the  
2 creation of the New York City Youth Homelessness  
3 Taskforce. In Fiscal Year 18 another 1,466 youth  
4 exited into homelessness. In January 2019 the  
5 taskforce released its report that has still not been  
6 acknowledged by the Administration that commissioned  
7 it which included the recommendation to "determine  
8 and implement the eligibility and community referral  
9 process for homeless youth residing in DYCD programs  
10 to access CityFHEPS." In March 2019 when CHY asked  
11 DYCD what the status of getting access to CityFHEPS  
12 for runaway and homeless youth was, they responded  
13 via email that, "We have had some very productive  
14 meetings with HRA and are close to finalizing."  
15 However, in April 2021, CHY obtained a copy of an MOU  
16 that DYCD signed with HRA on October 4, 2019 that  
17 would force DYCD residents to go into DHS shelters  
18 prior to being found eligible for CityFHEPS vouchers.  
19 In Fiscal Year 19, another 1,235 youth--

21 SERGEANT AT ARMS: [interposing] Time  
22 expired.

23 JAMIE POWLOVICH: exited into  
24 homelessness.

1  
2 CHAIRPERSON LEVIN: You can continue  
3 Jamie.

4 JAMIE POWLOVICH: Thank you. In July  
5 2019, the Mayor again announced that the city was,  
6 "working with the DYCD to connect certain eligible  
7 young people transitioning out of DYCD shelter and  
8 entering DHS shelter with CityFHEPS rental  
9 assistance." In Fiscal Year 20 and Fiscal Year 21  
10 another 2,430 youth exited into homelessness. Since  
11 initially promising youth in DYCD shelters access to  
12 vouchers in 2016, 6,935 youth have remained homeless,  
13 that we know of. That is almost 7,000 missed  
14 opportunities the city had to change the outcome for  
15 youth experiencing homelessness. We urge you to pass  
16 Intro. 2405. Thank you.

17 CHAIRPERSON LEVIN: Jamie, can I just ask  
18 you-- so, not all of those young people aged out into  
19 the DHS system, but very few, if any, are aging out  
20 into a stable housing situation, correct?

21 JAMIE POWLOVICH: So, the numbers that I  
22 quoted are from FOIL data as well as the Local Law 86  
23 reports when they were started being produced, and  
24 they incorporate young people that were discharged  
25

1  
2 from shelter into shelter or shelter onto the  
3 streets. So remained homeless.

4 CHAIRPERSON LEVIN: So you laid out in  
5 much clearer fashion than I did what we were trying  
6 to get at. Why do you think this has been the case  
7 for so--

8 JAMIE POWLOVICH: Well, I think to put it  
9 frankly, it's because people don't like to share,  
10 right? I think it has to do with money and that we  
11 consider folks homeless based on the systems that  
12 they're a part of and the money that's being spent in  
13 those systems instead of actually considering  
14 homelessness as an experience and a trauma, and then  
15 making resources available to everyone that meets  
16 that definition.

17 CHAIRPERSON LEVIN: So, Council Member  
18 Diaz has questions for DHS, so I'm going to turn it  
19 over to her, but I'm going to ask you for a favor for  
20 us here, is if you can continue to over the coming  
21 months, coming weeks really, make as much noise about  
22 this issue and this bill as you can. We'd greatly  
23 appreciate it. I think that we need to make this. We  
24 need everybody in this city to understand what's  
25 happening. Collectively channel our inner Lou

1  
2 Fiddler's [sic] and, you know, kind of like do this  
3 in his honor. It'd be a good thing. Imagine-- maybe  
4 I'll actually reach out to his family [inaudible], so  
5 that we could recruit them, but it's-- you know, it's  
6 an outrage. There's this option available. It's now  
7 at a market rate, so they're actually usable vouchers  
8 now. And you know, we could-- it is-- it's the right  
9 thing to do [inaudible]. If we could work together  
10 and really make some noise at this point it would be  
11 great.

12 JAMIE POWLOVICH: Definitely. We're  
13 happy to make noise, and I just want to thank you  
14 again for all of your leadership with this issue.  
15 Since as far back as I can remember, you've never  
16 missed an opportunity at a hearing or another forum  
17 to advocate for young people to get vouchers. So  
18 thank you.

19 CHAIRPERSON LEVIN: Thank you, Jamie.  
20 Thanks. I'll turn it over to Council Member Diaz,  
21 and then I have to actually step out for a few  
22 minutes because I'm joining another hearing, but I'm  
23 here and I'll be back, but I'm going to turn it over  
24 to Council Member Diaz.

25 SERGEANT AT ARMS: Your time will begin.

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COMMITTEE ON GENERAL WELFARE

COUNCIL MEMBER DIAZ: Thank you. My questioning is for Deputy Commissioner Drinkwater. Are you still on?

DEPUTY COMMISSIONER DRINKWATER: Yes, I'm here.

COUNCIL MEMBER DIAZ: Hi. Good. Thank you again for taking your time to be with us today. In your statement you mentioned there was 77 men under the domestic violence--

DEPUTY COMMISSIONER DRINKWATER: [interposing] That's correct.

COUNCIL MEMBER DIAZ: category [sic] of domestic violence?

DEPUTY COMMISSIONER DRINKWATER: There's 77 households that include a head of household that is male or a single adult that is male.

COUNCIL MEMBER DIAZ: The report I have as of March 21<sup>st</sup>, we had 171 in a same category. I'm interested in knowing how did the numbers decrease so quickly.

DEPUTY COMMISSIONER DRINKWATER: Which report are you referencing?

COUNCIL MEMBER DIAZ: I was given a DHS report. I have to go back to my notes. I'll send you

1  
2 the report itself, but I was given-- so I'm working  
3 from home. I'm multitasking.

4 DEPUTY COMMISSIONER DRINKWATER: No  
5 problem.

6 COUNCIL MEMBER DIAZ: It was--

7 DEPUTY COMMISSIONER DRINKWATER:  
8 [interposing] Yeah, I just-- I don't want to comment  
9 on a report-- if it's a DHS report--

10 COUNCIL MEMBER DIAZ: [interposing] Yes,  
11 yes, yes.

12 DEPUTY COMMISSIONER DRINKWATER: I'm  
13 referring to the HRA domestic violence shelter system  
14 and there were 77 in calendar year 21 year-to-date,  
15 77 male head of households or single adult men.

16 COUNCIL MEMBER DIAZ: I'm going to send  
17 you what was sent to me a couple of months ago.  
18 Because if I'm correct, it's the same reporting  
19 mechanism that DHS uses, that's where the data was  
20 taken from.

21 DEPUTY COMMISSIONER DRINKWATER: Yeah,  
22 I'm happy to look at it. Just to make clear--

23 COUNCIL MEMBER DIAZ: [interposing] Okay.  
24  
25

1  
2 DEPUTY COMMISSIONER DRINKWATER: If this  
3 is-- I'm referring to the HRA domestic violence  
4 shelter system, not DHS.

5 COUNCIL MEMBER DIAZ: Okay, thank you.

6 DEPUTY COMMISSIONER DRINKWATER: DHS  
7 doesn't administer the DV system.

8 COUNCIL MEMBER DIAZ: I understand.  
9 Thank you. Now, you mentioned that there would be  
10 perhaps a federal compliance issue.

11 DEPUTY COMMISSIONER DRINKWATER: Correct.  
12 So there is very strict requirements under federal  
13 guidelines as it relates to information that can be  
14 shared from survivors who are receiving services.  
15 And so in terms of the reporting requirement that's  
16 reported in the bill, it's one additional layer that  
17 we would need to take into consideration as we're  
18 exploring the bill.

19 COUNCIL MEMBER DIAZ: Great. I did some  
20 research over the weekend and it seems that Texas, in  
21 Dallas, they were able to figure out a way to work  
22 with men. It seems to be the first state that has  
23 addressed the issue for domestic violence and men in  
24 particular. So I'd like to work on that so we can  
25 figure out how to do that. And then you mentioned

1 about the safe zones. I see no difference than we  
2 place the family or an individual's when it comes to  
3 safe zones. And if it means we have to have more  
4 than one shelter-- we have five boroughs. I'm open  
5 to having more than one shelter, specifically to work  
6 with individuals identifying as men.  
7

8 DEPUTY COMMISSIONER DRINKWATER:

9 Understood. Thank you.

10 COUNCIL MEMBER DIAZ: Thank you. That

11 was all my questions.

12 DEPUTY COMMISSIONER DRINKWATER: Thank

13 you Council Member.

14 COUNCIL MEMBER DIAZ: You're welcome.

15 COMMITTEE COUNSEL: Thank you, Council

16 Member Diaz. We are now going to turn back over to

17 our public testimony. We're going to call on Anna

18 Blondell and Anna will be followed by Julia Davis.

19 Over to Anna.

20 SERGEANT AT ARMS: Your time will begin.

21 ANNA BLONDELL: Thank you, Chair Levin

22 and City Council. My name is Anna Blondell. I am a

23 Staff Attorney with the Legal Aid Society Juvenile

24 Rights Practice. Our office represents children at

25 the center of child welfare matters in Family Court

1  
2 and many are children placed in foster care and held  
3 in temporary placement facilities. Legal Aid has  
4 submitted joint testimony with the Coalition for the  
5 homeless on the shelter-related bills before the  
6 council and seeded our testimony time to the young  
7 people with lived experience who have testified so  
8 powerfully in support of the CityFHEPS bill before  
9 you today. But I want to speak to you regarding two  
10 bills, Intro 2419 and 2420 and to demonstrate why  
11 they would create transparency and improve the  
12 experience of children in foster care. On Intro  
13 2420: As ACS just testified, ACS is already  
14 obligated by law, regulations, ACS policy to notify a  
15 child's attorney before the child is moved through  
16 the foster care system, but attorneys for children  
17 almost always receive notice after ACS has already  
18 removed the child. For instance, ACS giving notice  
19 at a court hearing or in a court report is too late.  
20 The child has already been moved. I'll give you just  
21 one example of how this hurts children in care. We  
22 represent five-year-old boy who has been thriving in  
23 a foster home for a year. This fall, his foster  
24 mother needed to enroll him in school so that she  
25 could go back to work. She wanted to continue to care

1  
2 for this boy, but no one at the agency was helping to  
3 enroll him in school, and so with her back against  
4 the wall, she put in her notice asking for him to be  
5 removed. Our staff was not notified by ACS, but  
6 luckily we found through the attorney for the parent,  
7 and we moved rapidly to intervene. We helped enroll  
8 the child in school quickly, preserved the placement,  
9 and this five-year-old boy did not need to be moved  
10 through the system, and that is it. It sounds  
11 incredibly simple, but it was deeply significant for  
12 this five-year-old child. Advance notice, as already  
13 required, allows us to do our job, assist our clients  
14 and avoid needless disruptions. Without timely notice  
15 countless children have been denied needed advocacy.  
16 This happens daily and children are unnecessarily  
17 traumatized. Data on the length of placement at the  
18 Children's Center and other temporary placement  
19 facilities, Intro 2419, is equally critical, as there  
20 are too many kids held for too long without adequate  
21 care. ACS testified before City Council this June  
22 that at least 153 children have been held at the  
23 Children's Center for over 20 days, and while the  
24 Children's Center census did plummet at the beginning  
25 of the pandemic, they're back to pre-pandemic levels.

1  
2 In August there was an average of 83 children at the  
3 Children's Center per day. There were 78 children at  
4 the Children's Center this Saturday. We have clients  
5 right now, some as young as four years old, who have  
6 been in the Children's Center for months, certainly  
7 over 60 days and who have had multiple quarantines  
8 after exposure to COVID. There is no excuse for this  
9 excessive reliance on temporary placement facilities.  
10 The proposed bill would mandate comprehensive  
11 reporting, providing the City Council--

12 SERGEANT AT ARMS: Time has expired.

13 ANNA BLONDELL: I have just a few more--

14 CHAIRPERSON LEVIN: [interposing] You can  
15 go ahead and finish.

16 ANNA BLONDELL: Thank you, Chair.

17 CHAIRPERSON LEVIN: [inaudible]

18 ANNA BLONDELL: The proposed bill would  
19 mandate comprehensive reporting, providing City  
20 Council and other stakeholders with the data  
21 necessary to ensure that children aren't languishing  
22 at temporary placement facilities instead of homes  
23 where they belong. We ask you to review our written  
24 testimony and are happy to address any questions.

1  
2 COMMITTEE COUNSEL: Thank you very much,  
3 Anna, for your testimony. We will now turn to Julia  
4 Davis.

5 JULIA DAVIS: Good after--

6 SERGEANT AT ARMS: [interposing] Your time  
7 will begin.

8 JULIA DAVIS: Good afternoon Chair Levin  
9 and members who are joining us today. Thank you for  
10 holding this hearing. Thank you for revisiting all  
11 this much-needed legislation. I'm Julia Davis. I'm  
12 the Director of Youth Justice and Child Welfare at  
13 the Children's Defense Fund New York. We advocate  
14 for young people across the state and in the city and  
15 detention is a special issue for us, in part because  
16 our Freedom Schools operate in juvenile detention in  
17 New York City. We support 2419 which is the bill  
18 that our colleagues from Legal Aid just discussed  
19 with regard to information about children who are  
20 staying at the Children's Center, and we stand with  
21 the Coalition for Homeless Youth and Legal Aid on  
22 2405. I want to focus for a moment on the bill that  
23 we haven't spent a lot of time on today, which is  
24 1304 which allows City Council Members and the Public  
25 Advocate to visit youth detention centers in the

1  
2 city, and I focus on this today just so that we  
3 remember what's going on in detention. During the  
4 spring we saw an enormous-- spring of 2020, we saw an  
5 enormous decrease in the number of kids in detention.  
6 That is not the case today. We've seen a 25 percent  
7 increase in the number of kids in secure detention in  
8 the City, and that is in part due to the slow-downs  
9 in the courts. I raised this with you because it is  
10 so important for you all to be in the facilities.  
11 It's an important component of oversight. This is an  
12 important constituency, as well. Young people are  
13 spending much longer in detention. What was a year  
14 ago, an average of about two months, is now close to  
15 three months. This really changes the dynamic of  
16 what young people need, not only those who are  
17 detained, but also their families. So, as City  
18 Council moves forward with this bill and others, I  
19 urge you to use this as an opportunity to visit with  
20 young people, their siblings, their parents, their  
21 families, and center these young people in particular  
22 in the responses that the city creates for COVID  
23 recovery. Young people in detention need to be the  
24 center of all of your work. This bill is one  
25 opportunity to make that connection to be in these

1 spaces with young people and to know more about what  
2 they need to thrive and to move forward. so I want  
3 to thank you all today and remind you that detention  
4 is not only an issue for young people, it's an issue  
5 of freedom, and it is also a critical issue related  
6 to racial disparity. Ninety-four percent of young  
7 people in detention in the city today are black and  
8 Latinx. This is a crucial group of young people that  
9 need to hear you and see you and need to have you in  
10 the buildings. Thank you very much for the  
11 opportunity to testify today.

12 CHAIRPERSON LEVIN: Thank you, Julia.

13 COMMITTEE COUNSEL: Thank you so much to  
14 this entire panel for your testimony. I am now going  
15 to call up our next panel. Our next panel will be in  
16 the following order: John Sentigar, Nadia Swanson,  
17 and Deborah Berkman, and we are going to begin with  
18 John Sentigar.

19 JOHN SENTIGAR: Thank you. Good  
20 afternoon. My name is John Sentigar, and I am a  
21 member of the Advocacy Team at Covenant House New  
22 York where we serve youth experiencing homelessness  
23 ages 16 to 24 years old. I'd like to thank the  
24 Committee on General Welfare and Chairperson Steven  
25

1 Levin for the opportunity to submit testimony today.  
2 I am limiting my testimony to Intro. 2405. You heard  
3 earlier from Jamie Powlovich about the city's  
4 repeated promises to reform homeless services to  
5 accommodate youth getting access to vouchers, but  
6 this has still not happened. Time and time again our  
7 dedicated and experienced aftercare housing managers  
8 struggle to find housing options for young people who  
9 are about to leave our transitional housing programs,  
10 even when the client has met all of their individual  
11 and program goals. This creates a bottleneck in our  
12 programs, as a young person in our shelter won't be  
13 able to move into a TIL until there's a bed  
14 available. But we won't release that bed until we  
15 can be sure that the young person exiting our TIL has  
16 an appropriate place to stay. This needs to change  
17 and this is why Covenant House New York is in full  
18 support of Intro. 2405. While the pilot program  
19 initiated the summer that provides 50 CityFHEPS  
20 housing vouchers to youth is a good start, it's  
21 nowhere near enough. Covenant House New York will  
22 ideally be provided 10 of those vouchers for youth in  
23 our programs, but as of today, or this week when I  
24 checked, we've already had 43 youth sign up for this  
25

1 assistance. So this means we'll have to turn many of  
2 them away and determine another plan for them. In  
3 Fiscal Year 2020, only 29 of the 2,791 young people  
4 discharged from a DYCD shelter moved in to  
5 unsubsidized housing. Many had no other option but  
6 to become homeless. The city needs to provide more  
7 funding to help administer these programs, and while  
8 we are grateful that these 50 vouchers made  
9 available, it amounts also to a lot of additional  
10 staff time without additional funding. Ultimately,  
11 youth experiencing homelessness in New York City need  
12 much more than 50 vouchers from the city. Meaningful  
13 change needs to take place. Time spent in a youth  
14 shelter must be counted towards time spent as  
15 homeless by the DSS. Youth homelessness is an  
16 epidemic and it is at crisis levels in New York City  
17 and across the country. Young people definitely need  
18 access to affordable and sustainable housing, and the  
19 numbers clearly affect this. Counting their time  
20 spent in a youth shelter towards eligibility for  
21 CityFHEPS will be an essential tool in making that  
22 happen. It does not make sense that because a young  
23 person is accessing services through a different city  
24 agency, one that specializes in developmentally

1  
2 appropriate services they should be denied a major  
3 pathway to achieving housing stability. I'd like to  
4 thank you for the opportunity to testify today. We  
5 know the city has difficult decisions to make, but  
6 young people experiencing homelessness are already  
7 marginalized and the current economic realities make  
8 it even harder for them to break free from poverty.  
9 Passing Intro. 2405 will go a long way towards  
10 ensuring homeless youth in New York City are better  
11 able to obtain independent and permanent housing.  
12 This change to benefit young New Yorkers facing  
13 homelessness will ensure positive outcomes and  
14 promote positive systemic change in the face of a  
15 continuing homeless crisis. Thank you.

16 CHAIRPERSON LEVIN: Thanks so much.

17 COMMITTEE COUNSEL: Thank you, John, for  
18 your testimony. Going to turn now to Nadia Swanson  
19 who will be followed by Deborah Berkman. Over to  
20 Nadia.

21 NADIA SWANSON: Good morning. My name is  
22 Nadia Swanson and I'm the National Technical  
23 Assistance and Advocacy Consultant at the Ali Forney  
24 Center. Thank you to the Committee and Chair Levin  
25 for this hearing and for this committee's ongoing

1 support of youth experiencing homelessness in New  
2 York City. The Ali Forney Center and myself are in  
3 full support of Intro. 2405, a bill which will  
4 provide runaway and homeless youth in DYCD shelters  
5 access to FHEPS. As a member of Coalition for  
6 Homeless Youth, we support their testimony as well.  
7 I specifically want to thank the youth who spoke  
8 earlier. The Ali Forney Center is the nation's  
9 largest and most comprehensive service for LGBTQ  
10 youth experiencing homelessness. We believe that  
11 housing is a human right and that youth should never  
12 need to experience homelessness, let alone have increased  
13 barriers to accessing permanent housing. We know  
14 that youth, especially LGBTQ+ young people experience  
15 immense amounts of trauma when needed to access DHS  
16 shelters. I know the longer you stay in the shelter  
17 system, it greatly increases the risk of  
18 decompensation [sic] which makes them less likely to  
19 be able to thrive independently. We need to be  
20 giving youth permanent housing as quickly as possible  
21 after accessing homeless services. Young people's  
22 experiences in DHS are so damaging that AFC [sic]  
23 youth do not even consider going to DHS in order  
24 to get a voucher, creating a several year-long delay  
25

1 to accessing permanent housing. At AFC we serve over  
2 2,000 youth a year, and in the last 10 years of our  
3 agency, we only know of a few young people that were  
4 successful in obtaining a voucher through DHS. In  
5 2017, Mayor de Blasio promised youth access to  
6 vouchers, and we're still waiting. There's no reason  
7 why time in DYCD shelter should not count as time  
8 spent in a shelter for a voucher, but it does for  
9 supportive housing. Not all youth qualify for  
10 supportive housing and deserve support to stability.  
11 As a city we need to be doing everything in our power  
12 to reduce the amount of trauma and violence that face  
13 LGBTQ youth and denying them access to CityFHEPS  
14 vouchers for their time spent on the street or in  
15 DYCD shelter with a direct link to the violence they  
16 ultimately face. By passing this Intro 2405 you'll  
17 be giving all youth the ability to thrive  
18 independently, prevent and heal from trauma, and  
19 reach their individual goals beyond survival. Thank  
20 you.

22 COMMITTEE COUNSEL: Thank you very much,  
23 Nadia. We will turn now to Deborah Berkman for  
24 testimony.

25 DEBORAH BERKMAN: Thank you.

SERGEANT AT ARMS: Your time will begin.

DEBORAH BERKMAN: Chair Levin, Council Members and staff, good morning. Thank you for the opportunity to speak to the Committee on General Welfare. My name is Deborah Berkman, and I'm the Coordinating Attorney of the Shelter Advocacy Initiative at the New York Legal Assistance Group or at NYLAG. The Shelter Advocacy Initiative provides legal services and advocacy to low-income people in and trying to access the shelter system. Based on my experience working with families and young people experiencing homelessness, I appreciate this opportunity to testify about the dramatically positive impact Intros Number 1829 and 2405 would have on my client's lives. I'll start with Intro 1829. Since the COVID crisis began, DHS has been temporarily allowing families with children to apply for shelter at PATH without the children being present, but as you know, has indicated that this may not be a permanent change. Prior to COVID-19, families with children applying for shelter would spend 10 to 20 hours in PATH every time they applied. Having a policy that mandates children spend 10-20 hours in an office necessarily precludes them from

1 regularly attending school, and it's been well-  
2 established that students experiencing homeless test  
3 well behind our housed peers. Forcing these children  
4 to be present at PATH [inaudible] disparity, and  
5 we're not talking about one missed day of school.  
6 Many of my clients are deemed ineligible for shelter  
7 based on administrative issues with their  
8 applications and they have to apply again and again.  
9 prior to COVID, reapplying would entail restarting  
10 the process from the beginning having the entire  
11 family including the children go back to PATH and  
12 spend another 10-20 hours completing a new  
13 application for shelter, typically identical to the  
14 prior application, and then waiting on-site for a new  
15 temporary shelter placement. So, some of my client's  
16 children would miss a day of school every 10 days and  
17 that would force them to fall further and further  
18 behind housed children. This is unacceptable  
19 hardship for children how are experiencing  
20 homelessness, and missing school is only part of the  
21 problem with having children be present at PATH.  
22 Many of my clients reported that while waiting at  
23 PATH Families were provided very little if any food,  
24 and that there are no outlets to charge their phones  
25

1 or other devices so their children could be kept busy  
2 while they waited. They were also warned not to  
3 leave, less they would lose their places in line, and  
4 none of these factors create an appropriate  
5 environment for children. Additionally, applicants  
6 for family shelter have to provide extremely detailed  
7 accounts of why they can't currently stay at any of  
8 the places they've lived for the last two years. And  
9 [inaudible] sensitive topic such as domestic violence  
10 or domestic abuse. Most of my clients don't want  
11 their children to have to hear about these disturbing  
12 and painful personal experiences, and they shouldn't  
13 have to. And I just want to take a moment to address  
14 whatever the Commissioner Drinkwater said about  
15 having to make sure that there being instances where  
16 PATH staff has to make sure that the parent is in the  
17 custody. If the policy has been in place for 18  
18 months and that hasn't been the case, why would that  
19 be the case in the future? Moreover if the child is  
20 not actually in the custody of the applying parent,  
21 it will become immediately obvious once a family  
22 shelter placement is made because that child won't  
23 show up at the placement. So it just doesn't make  
24 sense what-- that reason. I also want to support  
25

1  
2 Intro. 2405. It's an extremely necessary step that  
3 NYLAG strongly supports, preventing young people from  
4 --

5 SERGEANT AT ARMS: [interposing] Time  
6 expired.

7 DEBORAH BERKMAN: I'm sorry, can I just--

8 CHAIRPERSON LEVIN: [interposing] You can  
9 go ahead and finish, yeah, of course. Thank you.

10 DEBORAH BERKMAN: Thank you so much.

11 Preventing these young people from obtaining vouchers  
12 just increases the amount of time that they have to  
13 experience homelessness and it lengthens their  
14 shelter status. In a policy that prevents young  
15 people from achieving housing stability while  
16 allowing older adults to do so can only be considered  
17 arbitrary and it disadvantages those who need those  
18 protections most. And it also-- requiring young  
19 people to transfer into single adult shelter which  
20 has a higher risk of violence just to have the chance  
21 of permanent housing adds additional trauma to their  
22 already difficult lives. So, NYLAG whole-heartedly  
23 endorses Intro. 2405. Thank you.

24 COMMITTEE COUNSEL: Thank you very much  
25 Deborah, and thank you for this entire panel for your

1 testimony. I'm now going to call up our next panel.  
2 Our next panel will be in the following order, Jimmy  
3 Meagher and Josepha Silva [sp?], and we are going to  
4 begin with Jimmy. Oh, I see that Council Member Diaz  
5 has her hand raised. Over to Council Member Diaz.  
6

7 COUNCIL MEMBER DIAZ: Thank you again for  
8 the opportunity. My question is to Ms. Nadia Swanson.  
9 Hi, it's in reference to the 2010 E application. You  
10 mentioned that not all within your population  
11 qualify. Can you give me an example as to why-- what  
12 category they're not meeting?

13 NADIA SWANSON: Yeah, so normally it  
14 would be having to have serious persistent mental  
15 health diagnosis, HIV, other serious chronic medical  
16 condition. And so usually we can do PTSD or  
17 something like that, but it's not always accepted.  
18 So, someone who doesn't have a serious persistent  
19 mental health diagnosis might not qualify for the  
20 supportive housing.

21 COUNCIL MEMBER DIAZ: My understanding is  
22 that if we could prove that they were displaced  
23 within the last five years, no high school diploma,  
24 mental illness, displacement-- that falls down under  
25 mental illness. I'm just really curious as to why

1  
2 you're applications are being denied after me knowing  
3 so many applications that go through.

4 NADIA SWANSON: Yeah, it's a great  
5 question. I'm not sure--

6 COUNCIL MEMBER DIAZ: [interposing] Yeah,  
7 yeah.

8 NADIA SWANSON: [inaudible] like, but it's  
9 not happening. Yeah.

10 COUNCIL MEMBER DIAZ: We have to look at  
11 the psycho/socials.

12 NADIA SWANSON: Yeah.

13 COUNCIL MEMBER DIAZ: That are being  
14 submitted. Feel free to give me a call after this  
15 today. Maybe I'd like to have more conversation with  
16 you with your process, because your population to me  
17 meets that category, generally.

18 NADIA SWANSON: I want to clarify. Many  
19 do, right? Like we get a lot of people that qualify  
20 for supportive housing, but there's some that just  
21 fall through that crack, right, who might not have a  
22 strong enough history. Maybe they haven't been with  
23 us for, you know, too long, or--

24 COUNCIL MEMBER DIAZ: [interposing] But  
25 for a year, okay.

1  
2 NADIA SWANSON: They've hit a year but  
3 they want a stronger diagnosis. There's just like  
4 other factors that they keep-- they'll shoot back,  
5 but we do get a lot of people placed in supportive  
6 housing.

7 COMMITTEE COUNSEL: Thank you, Council  
8 Member Diaz, and thank you Nadia for responding to  
9 Council Member Diaz's questions. I'm now going to  
10 call up Jimmy Meahger.

11 SERGEANT AT ARMS: Time starts now.

12 JIMMY MEAGHER: Good afternoon and thank  
13 you for the opportunity to testify today. My name is  
14 Jimmy Meagher. My pronouns are he/him/his, and I'm  
15 policy Director at Safe Horizon, the nation's largest  
16 nonprofit victim services organization. Safe Horizon  
17 offers a client-centered trauma-informed response to  
18 250,000 New Yorkers each year who have experienced  
19 violence or abuse, and we are increasingly using a  
20 lens of racial equity to guide our work with clients,  
21 with each other, and in developing the public  
22 positions we hold. Safe Horizon has programs across  
23 New York City's five boroughs where we provide  
24 critical support and services to victims and  
25 survivors of all forms of violence and abuse. Across

1  
2 all of our programs, whether they serve survivors of  
3 domestic violence, family violence, trafficking,  
4 etcetera, one of the top needs for our clients has  
5 always been and continues to be housing. I'm here  
6 today to enthusiastically endorse two critical pieces  
7 of legislation, Intro. 2405 which will provide RHY in  
8 the DYCD shelter system access to CityFHEPS rental  
9 assistance program and Intro. 1829 which would  
10 preclude DHS from requiring that every member of a  
11 family be present at its intake center when that  
12 family seeks placement at a shelter. Both bills  
13 right unjust policies that have harmed the young  
14 people we serve and show care and understanding to  
15 the most vulnerable members of the communities. So,  
16 first, Intro. 2405. Our Street Work Project works  
17 with homeless and street-involved young people up to  
18 age 25 to help them find safety and stability. Many  
19 homeless young people face a day to day struggle to  
20 survive which can lead to physical and emotional  
21 harm. Homeless youth may have experienced family  
22 abuse, violence, rejection, and instability that led  
23 to their homelessness. We welcome these young  
24 folks, help them navigate complex systems, and  
25 provide essential resources at our drop-in centers,

1 at our overnight shelter, and through our street  
2 outreach teams. This work can be incredibly  
3 challenging, but also rewarding. Street Work did not  
4 pause during this pandemic, rather, our dedicated  
5 team continued to respond to homeless and at-risk  
6 young people in need of shelter, services, and  
7 understanding. Street Work has been doing this  
8 community-based work for decades. We know that young  
9 people experiencing homelessness need and deserve  
10 housing and economic justice, that is why we support  
11 Intro. 2405. We support policies that will make  
12 permanent, safe, and affordable housing accessible to  
13 young people experiencing homelessness and unstable  
14 housing. For years we and our community of service  
15 providers have encouraged the City to count time in  
16 youth shelters as homeless time for the purpose of  
17 eligibility for housing resources and vouchers.  
18 We've been advocating that our clients have equal  
19 access to the same housing resources as other  
20 homeless New Yorkers. This bill is critical,  
21 necessary, and the right step for its connecting RHY  
22 to stable housing. And for Intro 1829, our programs  
23 offer information, referrals, and advocacy for  
24 shelter and permanent housing. Our clients tell us  
25

1 all the time how difficult and challenging the intake  
2 process for shelter is. Entering shelter can be  
3 extremely disruptive, and we join advocates and  
4 unhoused New Yorkers in demanding that we make this  
5 process as trauma-informed, simple, safe, and--

6  
7 SERGEANT AT ARMS: [interposing] Time  
8 expired.

9 JIMMY MEAGHER: I just have one-- two  
10 more sentences.

11 CHAIRPERSON LEVIN: Please go ahead and  
12 finish.

13 JIMMY MEAGHER: Thank you. We demand  
14 that we make this process as trauma-informed, simple,  
15 safe, and undisruptive as possible. Ordinarily, DHS  
16 requires that children under the age of 21 be present  
17 with their adult family members at the facility that  
18 processes shelter applications. This bill would  
19 allow these families to complete the application  
20 process without disrupting children's schooling or  
21 other daily activities. The City currently exempts  
22 children from PATH due to the pandemic. This bill is  
23 an opportunity to make permanent this temporary  
24 change so that families have flexibility and children  
25 no longer have to experience the stress and trauma of

1  
2 going to PATH. Pass this bill. Thank you for the  
3 opportunity to testify today.

4 CHAIRPERSON LEVIN: Thank you, Jimmy.

5 COMMITTEE COUNSEL: Thank you very much  
6 Jimmy. And I apologize for getting your last name  
7 wrong. I think it's the second time that I've done  
8 that. I am now going to turn it over to the Josefa  
9 Silva.

10 SERGEANT AT ARMS: Time starts now.

11 JOSEFA SILVA: Thank you. Good  
12 afternoon. Thank you for the opportunity today to  
13 speak in support of Intro. 1829, which would preclude  
14 DHS from requiring parents to bring their minor  
15 children to the intake center known as PATH who may  
16 apply. As we've heard, this bill will make permanent  
17 DHS' current exemption of children from the center.  
18 My name is Josefa Silva, and I'm the Director of  
19 Policy and Advocacy at WIN, New York City's largest  
20 provider of shelter and supportive housing for  
21 families with children. I'm testifying today because  
22 of the heart-wrenching accounts that we hear from  
23 families at WIN about their experiences [inaudible]  
24 intake center. We'd like to thank Council Member  
25 Ayala for listening to families who have experienced

1  
2 homelessness and for responding with action and  
3 intention to alleviate some of the hardship [sic]  
4 they face. I'm going to begin by saying something  
5 that we already know, but that is important context  
6 for families experiences PATH. In order to access  
7 shelter, families have to apply to DHS, and they have  
8 to prove that they have nowhere else to stay. For  
9 families with minor children, that very intrusive and  
10 very high stakes process of applying begins by going  
11 to PATH, located in the Bronx. Families have  
12 described going through PATH as grueling and harsh at  
13 best, and most often described it as being punitive  
14 and re-traumatizing. Before COVID-19, DHS required  
15 parents to bring their children when they applied for  
16 the first time. As we understand it and heard today,  
17 this requirement was in place to allow DHS to certify  
18 the family composition and to assess children for  
19 unmet needs. We don't believe that these reasons  
20 justify requiring children to be present at PATH.  
21 Both of these things have always been done when a  
22 family arrives at shelter, and in 2021 these reasons  
23 are even less justified. As we know, DHS is moving  
24 to conducting assessments remotely and the needs of  
25 children and families have been met effectively and

1 safely since then. The truth is that the needs of  
2 children are best met [inaudible] being a child  
3 [inaudible] similar environments, not at PATH. And  
4 after eh academic and social distancing that children  
5 have gone through, we cannot revert to pre-pandemic  
6 practices that disrupted relationships and routines,  
7 and that forced children to miss school. The current  
8 exemption of children from [inaudible]. The  
9 Administration has not indicated any intention of  
10 returning to pre-pandemic practices, but they have  
11 not agreed to make them permanent either. That's why  
12 we ask you to support Intro. 1829 and allow it to  
13 pass. This would make the current practice permanent  
14 and will protect children who experience homelessness  
15 in the future from a harmful and archaic  
16 administrative requirement. I'd also like to add that  
17 [inaudible] supports Intro. 2405 so you can access  
18 CityFHEPS without entering DHS shelter. We'd like to  
19 thank Chair Levin for his leadership in ensuring with  
20 the understanding that we all had years ago with  
21 regard to fair, streamlined access to CityFHEPS is  
22 actually important [sic]. Thank you very much.

24 CHAIRPERSON LEVIN: Thank you, Josefa,  
25 thank you.

1  
2 COMMITTEE COUNSEL: Thank you, Josefa,  
3 for your testimony. And thank you, Chair Levin. At  
4 this point we have now heard from everyone who signed  
5 up to testify today. We appreciate all of your time  
6 and presence. If we inadvertently missed anyone who  
7 would like to testify, please use the Zoom raise hand  
8 function now and I will call on you in the order in  
9 which your hands are raised. Seeing no one else, I  
10 would like to note that written testimony which will  
11 be reviewed in full by committee staff may be  
12 submitted to the record up to 72 hours after the  
13 close of this hearing by emailing it to  
14 [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov). Chair Levin, we have  
15 concluded public testimony for this hearing.

16 CHAIRPERSON LEVIN: Thank you so much,  
17 Counsel Killawan, to all the staff in the hearing  
18 today, committee staff, our Sergeant at Arms, and my  
19 colleagues, Council Member Diaz, thank you. And to  
20 my other colleagues that had legislation, Council  
21 Member Ayala, in this package today, and we hope that  
22 we can get these bills passed into law. we have--  
23 you know, we have a short time frame to do it, but  
24 this is important, and I think the testimony from the  
25 young people who have had lived experience, from

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Jamie and John detailing clear data, exactly what  
the-- what happens to young people when they age out  
of the DYCD systems. It's really incumbent upon us  
to do something here and just to pass this  
legislation. So, I want to thank you all, and I look  
forward to working with you, and let's get this done.  
With that, this hearing is adjourned.

[gavel]

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COMMITTEE ON GENERAL WELFARE

C E R T I F I C A T E

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



Date November 10, 2021