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Res. No. 285

Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.7417/A.8013, to prohibit the use of child day cares, day care centers, or community-based organizations which support activities for children under the age of eighteen as a shelter for migrants.

By Council Members Paladino, Ariola, Vernikov, Holden, Banks, Carr and Marmorato

Whereas, The migrant crisis in New York City (City) continues to worsen with almost seventy thousand migrants currently in the City's care, and over 170,000 migrants having gone through New York City intake since Spring 2022; and

Whereas, The City has opened over 200 sites, including temporary shelters and Humanitarian Emergency Response and Relief Centers (HERRCs), to house migrants engaged in lengthy legal processes or awaiting work authorization; and

Whereas, Despite the development of these dedicated shelter facilities, there is still not enough sufficient housing for the migrants and asylum seekers entering New York City every day; and

Whereas, Local community centers, such as McCarren Recreation Center and Sunset Park Recreation Center, both in Brooklyn, have previously been used to temporarily shelter migrants, displacing local residents in the process; and

Whereas, Most recently, on January 10, 2024, almost two thousand migrants who were staying at the Floyd Bennet Field tent shelter were evacuated to James Madison High School in Midwood in advance of an extreme weather event; and

Whereas, Due to the use of James Madison High School as an emergency shelter, students were directed to remote learning for the following day and extra-curricular activities were cancelled; and

Whereas, There are known detriments to remote learning including missed learning and negative impacts on behavioral health and social and emotional wellbeing, as cited in a 2021 study from the Harvard Graduate School of Education; and

Whereas, The use of community or recreation centers as emergency shelters for migrants can make activities such as swimming lessons, free fitness classes, recreation for older adults, youth sports, and after school academic enrichment programs inaccessible to children and families who rely on these services; and

Whereas, Additionally, New York City's right-to-shelter consent decree requires that families with children be placed in private rooms and not congregate or semi-congregate shelters to ensure the safety of children; and

Whereas, Despite this rule's suspension under an Executive Order from Mayor Adams, issued on May 10, 2023, the use of existing community centers and schools that have not been designed to house families is still not best practice and could put vulnerable children in dangerous situations; and

Whereas, S.7417, introduced by New York State Senator Jessica Scarcella-Spanton and pending in the State Senate, and companion bill A.8013, introduced by New York State Assembly Member Michael Reilly and pending in the State Assembly, would prohibit the use of schools and community centers as emergency shelters for migrants; and

Whereas, This bill will ensure that New York City children and families do not lose access to critical learning and enrichment environments and that migrant families with children are not put at risk in congregate shelter settings; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to Pass, and the Governor to sign, S.7417/A.8013, to prohibit the use of child day cares, day care centers, or community -based organizations which support activities for children under the age of eighteen as a shelter for migrants.

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