

Testimony of
Coalition for the Homeless
and
The Legal Aid Society

on

**Record Family and Child Homelessness in New York City and the
Need for Targeted Housing Assistance**

Presented before

The New York City Council
Committee on General Welfare

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Coalition for the Homeless and The Legal Aid Society welcome this opportunity to testify before the New York City Council about the record numbers of homeless families and children in New York City, and the need for targeted housing assistance to stem the tide of rising homelessness.

About the Coalition and The Legal Aid Society

Coalition for the Homeless: Coalition for the Homeless, founded in 1981, is a not-for-profit advocacy and direct services organization that assists more than 3,500 homeless New Yorkers each day. The Coalition advocates for proven, cost-effective solutions to the crisis of modern homelessness, which now continues past its third decade. The Coalition also protects the rights of homeless people through litigation around the right to emergency shelter, the right to vote, and life-saving housing and services for homeless people living with mental illness and HIV/AIDS.

The Coalition operates 12 direct-services programs that offer vital services to homeless, at-risk, and low-income New Yorkers, and demonstrate effective, long-term solutions. These programs include supportive housing for families and individuals living with AIDS, job-training for homeless and formerly-homeless women, rental assistance which provides rent subsidies and support services to help working homeless individuals rent private-market apartments, and permanent housing for formerly-homeless families and individuals. Our summer sleep-away camp and after-school program help hundreds of homeless children each year. The Coalition's mobile soup kitchen distributes 900 nutritious meals each night to street homeless and hungry New Yorkers. Finally, our Crisis Intervention Department assists more than 1,000 homeless and at-risk households each month with eviction prevention assistance, client advocacy, referrals for shelter and emergency food programs, and assistance with public benefits.

The Coalition also represents homeless men and women as plaintiffs in Callahan v. Carey and Eldredge v. Koch. In 1981 the City and State entered into a consent decree in Callahan in which it was agreed that, "The City defendants shall provide shelter and board to each homeless man who applies for it provided that (a) the man meets the need standard to qualify for the home relief program established in New York State; or (b) the man by reason of physical, mental or social dysfunction is in need of temporary shelter." The Eldredge case extended this legal requirement to homeless single women. The Callahan consent decree and the Eldredge case also guarantee basic standards for shelters for homeless men and women. Pursuant to the decree, the Coalition serves as court-appointed monitor of municipal shelters for homeless adults.

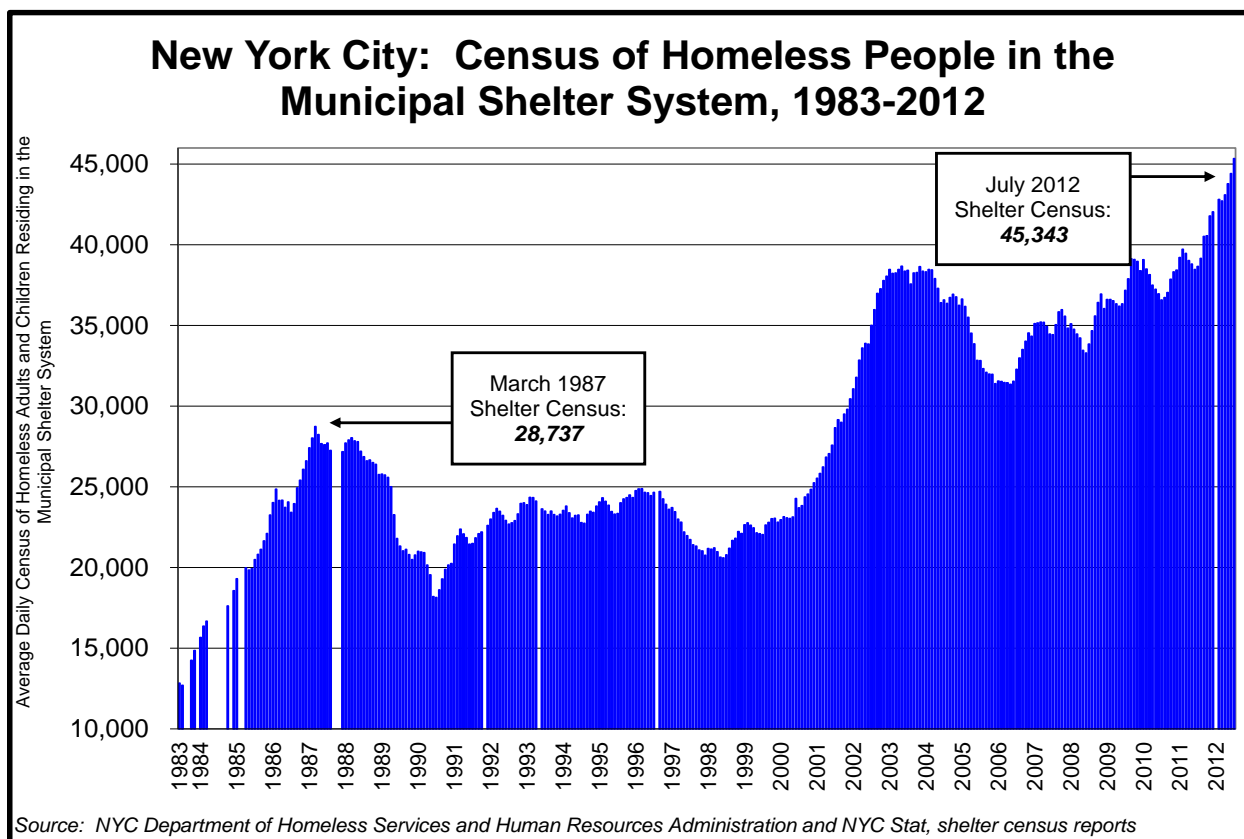
The Legal Aid Society: The Legal Aid Society, the nation's oldest and largest not-for-profit legal services organization, is more than a law firm for clients who cannot afford to pay for counsel. It is an indispensable component of the legal, social, and economic fabric of New York City – passionately advocating for low-income individuals and families across a variety of civil, criminal and juvenile rights matters, while also fighting for legal reform.

The Legal Aid Society has performed this role in City, State and federal courts since 1876. It does so by capitalizing on the diverse expertise, experience, and capabilities of 1,000 of the brightest legal minds. These 1,000 Legal Aid Society lawyers work with 600 social workers, investigators, paralegals and support and administrative staff. Through a network of borough, neighborhood, and courthouse offices in 25 locations in New York City, the Society provides comprehensive legal services in all five boroughs of New York City for clients who cannot afford to pay for private counsel.

The Society's legal program operates three major practices — Civil, Criminal and Juvenile Rights — and receives volunteer help from law firms, corporate law departments and expert consultants that is coordinated by the Society's Pro Bono program. With its annual caseload of more than 300,000 legal matters, The Legal Aid Society takes on more cases for more clients than any other legal services organization in the United States. And it brings a depth and breadth of perspective that is unmatched in the legal profession.

The Legal Aid Society's unique value is an ability to go beyond any one case to create more equitable outcomes for individuals and broader, more powerful systemic change for society as a whole. In addition to the annual caseload of 300,000 individual cases and legal matters, the Society's law reform representation for clients benefits some 2 million low income families and individuals in New York City and the landmark rulings in many of these cases have a State-wide and national impact.

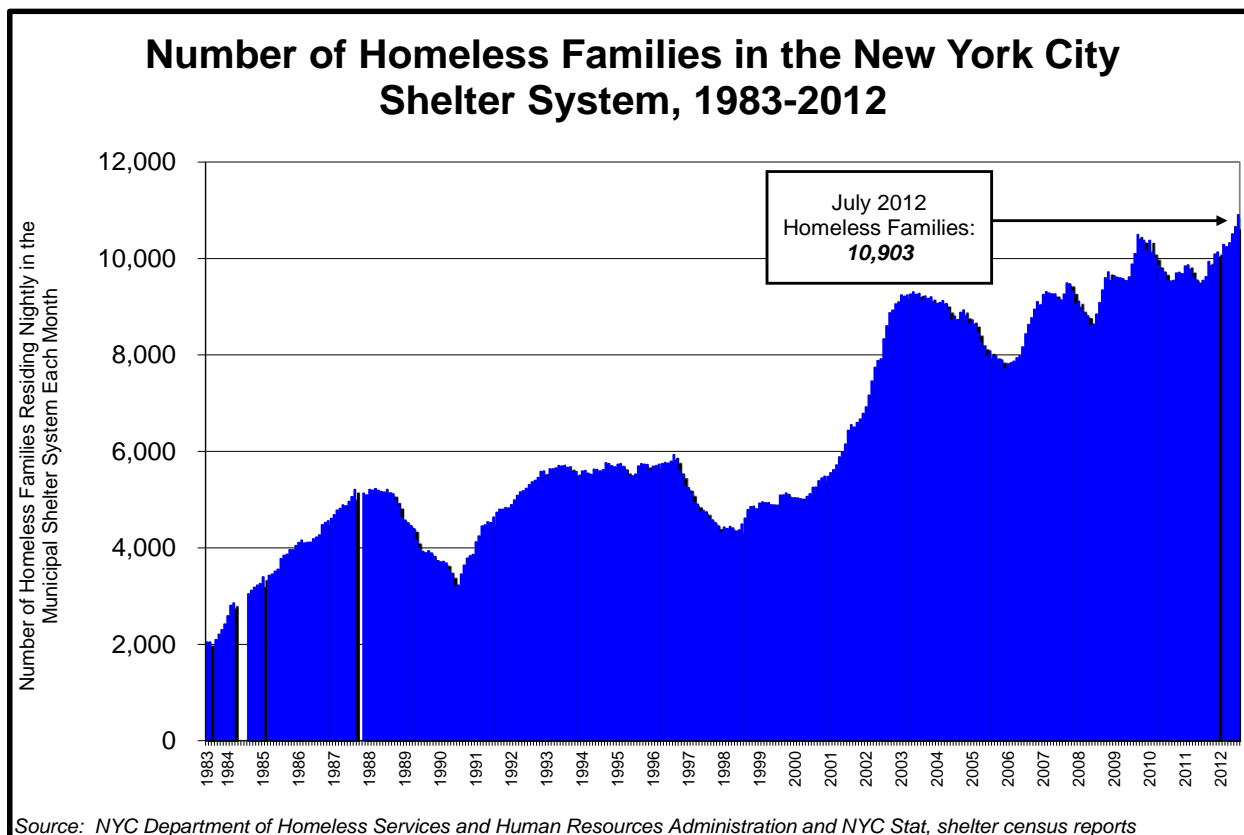
The Legal Aid Society is counsel to the Coalition for the Homeless and for homeless women and men in the Callahan and Eldredge cases. The Legal Aid Society is also counsel in the McCain/Boston litigation in which a final judgment requires the provision of lawful shelter to homeless families.



Record Family Homelessness and the Need for a New Approach to the Problem

Today, the number of homeless families and individuals has reached an unprecedented high. As of July 2012, a record 45,343 men, women, and children bedded down in the municipal shelter system each night, including an all-time record 18,489 children and 10,903 families (see charts attached to this testimony). And although incomplete, the most recent snapshot data from

the New York City Department of Homeless Services (see “Daily Report” attached), dated September 21, puts the number of homeless children over 19,500 — a new all-time record high. It is therefore likely the number of homeless children in New York City’s shelter system will reach an unprecedented 20,000 children per night very soon.

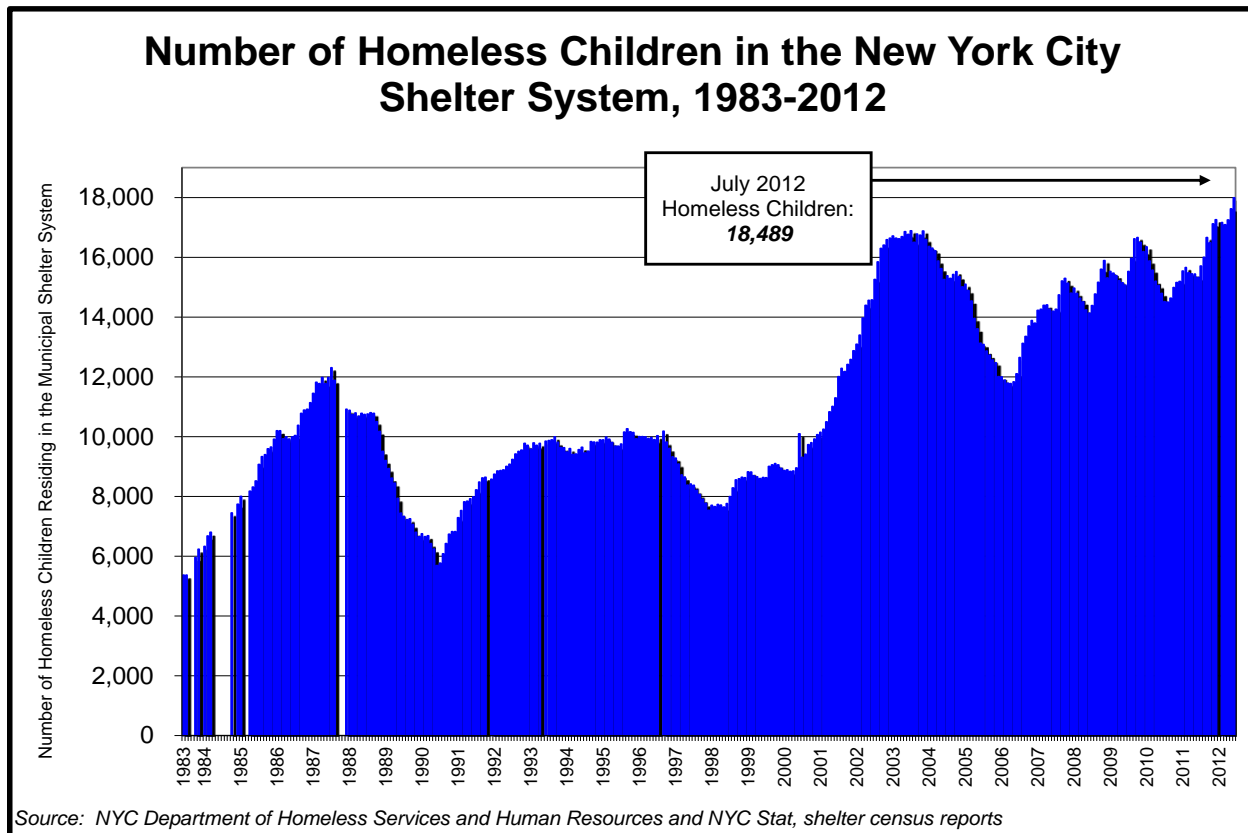


New York City, in short, is in the midst of a historic crisis of family and child homelessness – a crisis that is getting worse by the day, and that shows no sign of ending given the ongoing failures of the current Administration’s approach to the problem of homelessness. However, there is good news. There is a proven solution that will stem the tide of rising homelessness; reduce the number of homeless children and families in the shelter system; save millions of taxpayer dollars spent on an ever-expanding shelter system; and help rescue thousands of vulnerable children and families from the hardships of homelessness. Indeed, there is a consensus among policy experts, academic researchers, advocates, service providers, budget analysts, and many New York City elected officials that targeting affordable housing assistance – in particular, Federal housing programs like public housing – will help thousands of homeless families move from shelters to permanent, stable housing.

The only missing piece in this policy consensus is the Administration. And unless the Administration abandons its failed policies and resume the proven, effective approach of targeting housing resources to help homeless children and families escape the shelter system, New York City’s historic crisis of family homelessness will only worsen.

Homelessness Inflicts Harm on New York City Children

For the nearly 20,000 homeless children currently living in New York City shelters, and the tens of thousands who will experience homelessness in the coming months, the current crisis cannot be ignored. A wealth of research has documented the harm that homelessness inflicts on children, from school disruption to emotional trauma and health problems.



Today Coalition for the Homeless is releasing a policy brief that summarizes the wealth of research studies assessing the harmful impact of homelessness on children (see copy attached). These studies show that:

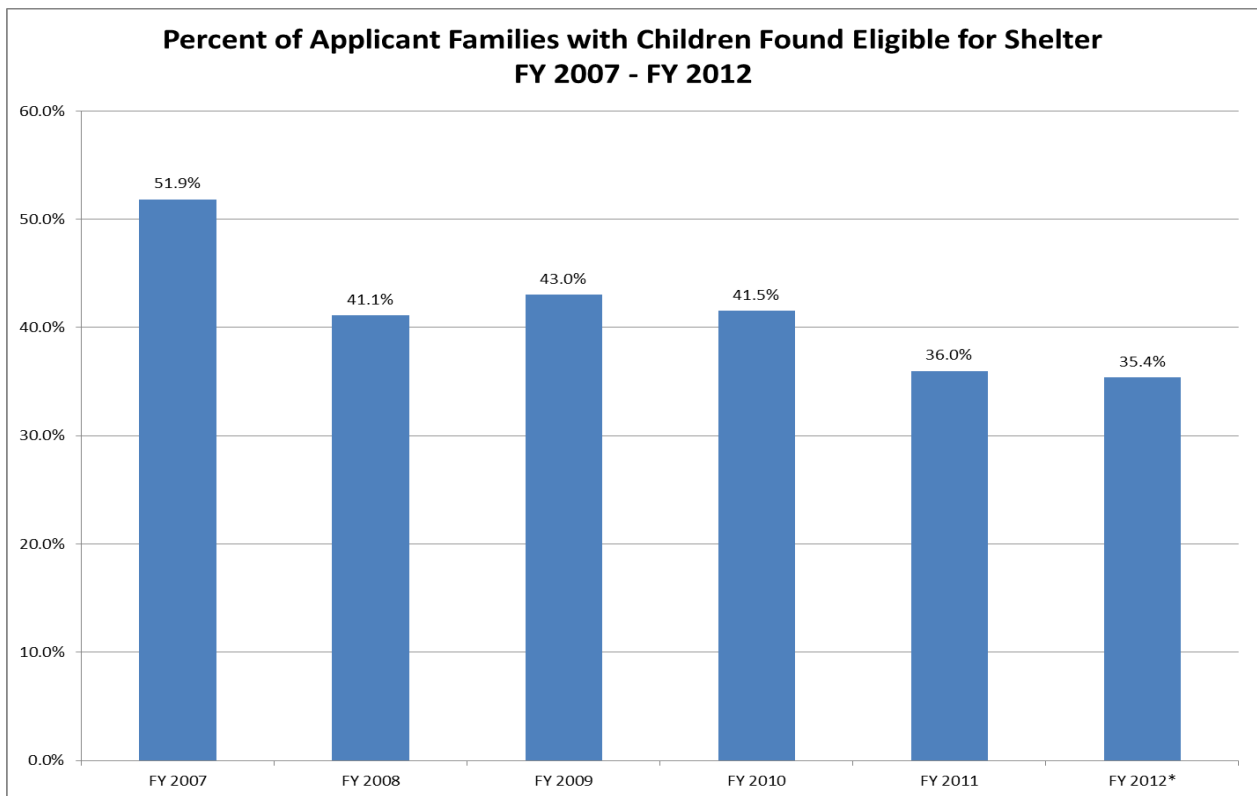
- Homeless children are more likely to experience acute and chronic health problems, including respiratory infections, ear disorders, and gastrointestinal disorders.
- Additionally, homeless children also have greater instances of developmental delays, clinical depression, anxiety, and behavior problems.
- Not surprisingly, many of these negative factors also contribute to underachievement in school for many homeless children, who have been found to miss more school days, perform lower on tests, and be more likely to repeat grades.
- Current City data support these academic findings and illustrate the challenges homeless students continue to face just getting to school. In 2012, homeless students in New York City shelters missed an average of 31 days of school, putting their average school attendance rate at 82.7 percent. And although school attendance has risen

slightly over the past nine years, it still remains well below the required 90 percent to advance to the next grade.

- A recent study of homeless adolescents found that homeless students changed schools more frequently, repeated grades more often, and reported worse school experiences than their housed peers. Additionally, homeless children “scored approximately six percentile points worse than housed children on both reading and mathematics achievement, controlling for earlier achievement” prior to their shelter stay.

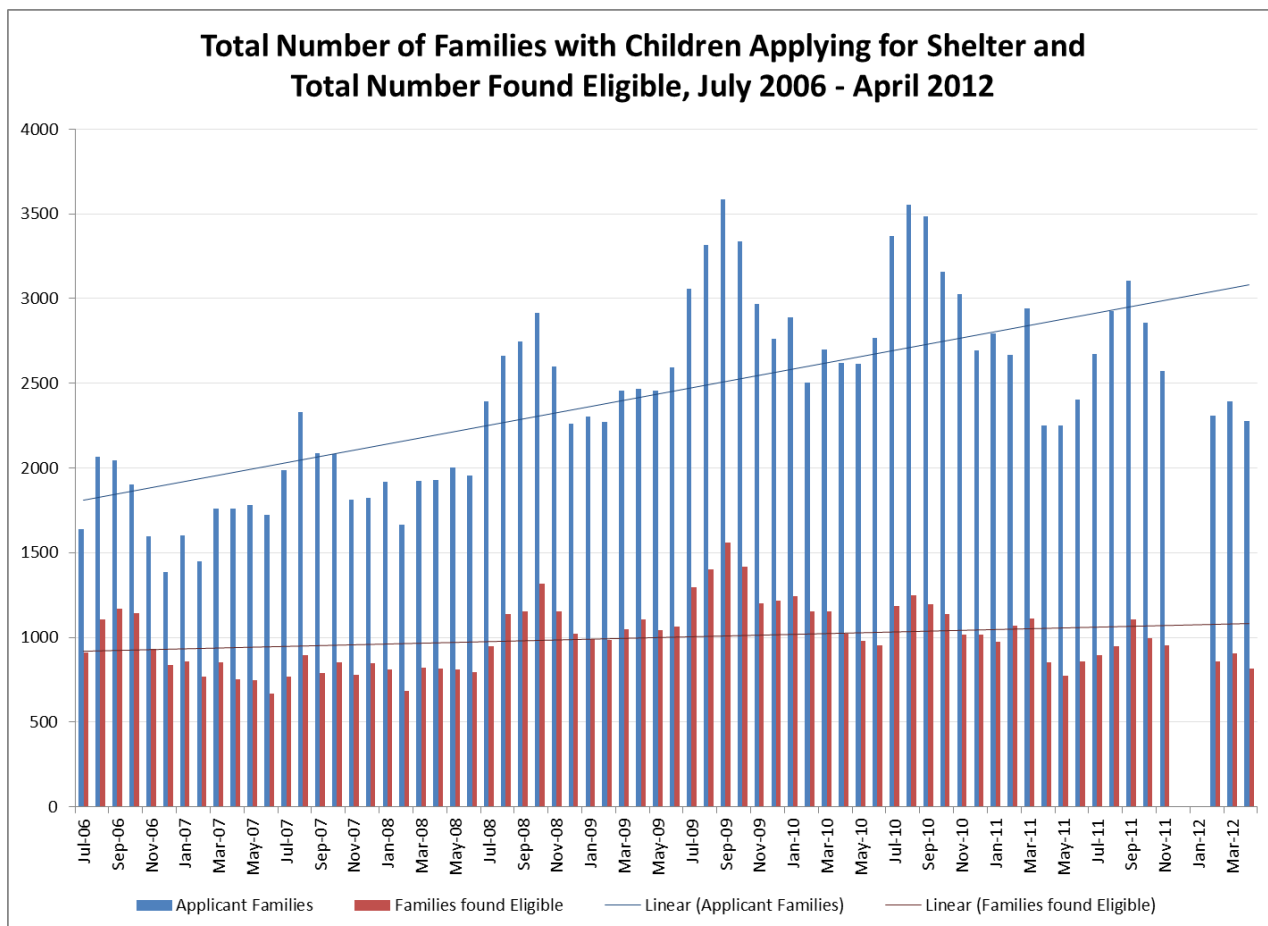
The City Wrongfully Denies Shelter to Many Homeless Children and Families

Even with a record and rising family shelter population, the true scale of New York City’s homelessness crisis is even greater when one takes into account the number of homeless children and families who are wrongfully denied shelter every day. Over the past six years, the percentage of families found eligible for shelter has continued to drop, even in the face of record applications. Between 2007 and 2011, the number of applications for shelter increased 67 percent. But the number of families found eligible increased only 16 percent. In 2012, only 35 percent of all applicant families were found eligible for shelter, compared with over 50 percent in 2007.



At the two intake centers for homeless families, the PATH office and the Adult Family Intake Center (AFIC), homeless families are frequently denied shelter on the grounds that they can live somewhere else, even when this other residence is truly unavailable to them. For instance, families are routinely denied shelter and told they can live with a relative or friend in a public housing or Section 8 apartment, when housing subsidy rules specifically prohibit unauthorized

tenants in these units. Families are also often told to return to overcrowded apartments and unsafe living situations.



Indeed, even more alarming is the fact that, in recent months, the NYC Department of Homeless Services has begun to deny overnight shelter placements to homeless children and families even during declared weather emergencies – like the “Code Red” heat emergencies or the “Code Blue” cold weather emergencies. During these times, the City has in the past made extra efforts not only to ensure access to shelter for homeless single adults sleeping on the streets, but also provide overnight placements for homeless families and children who are still in the midst of the City’s grueling shelter application process, or who are re-applying for shelter after an initial denial.

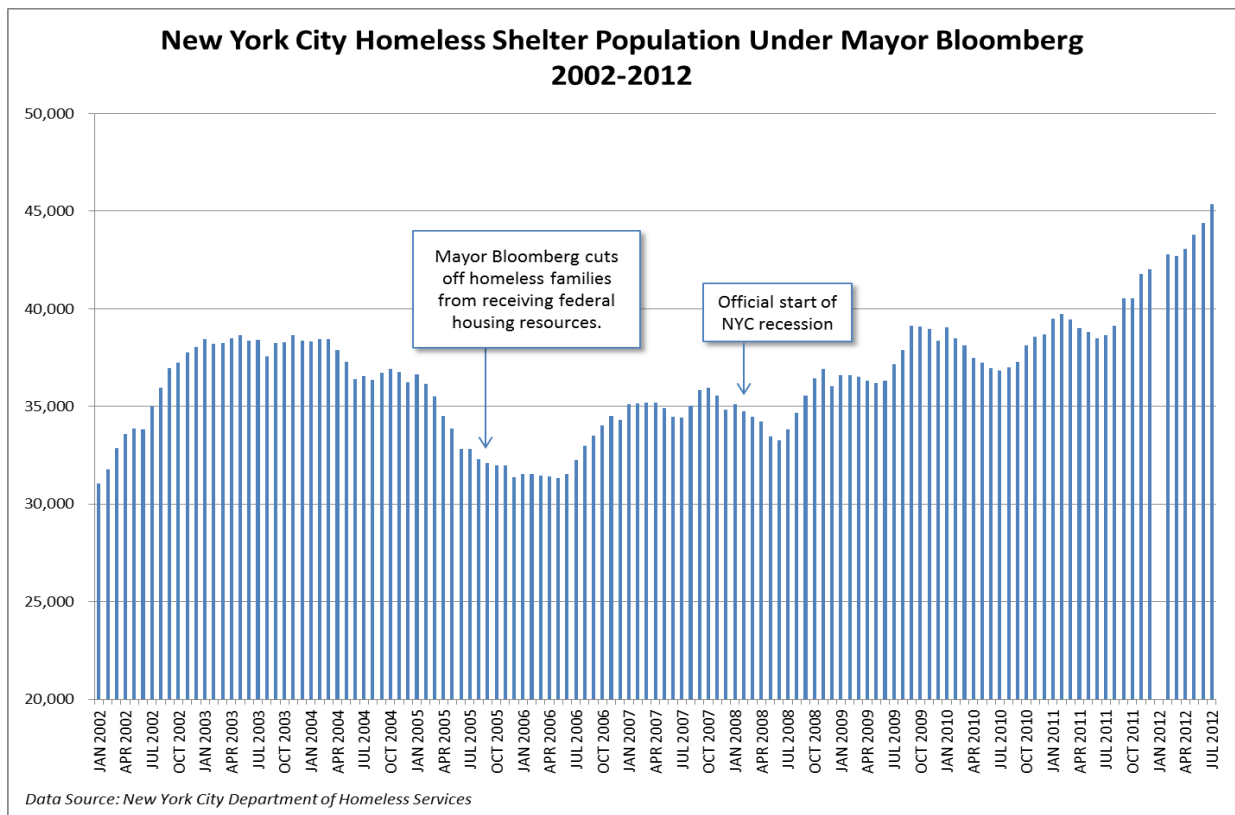
Nonetheless, in the middle of the heat waves during this past summer the City denied shelter placements to many children and families who were still applying for shelter, including to people with serious health problems. As we approach the cold-weather months, it is essential that the City ensure that children and families seeking shelter are provided with shelter from the elements, especially during weather emergencies.

Lack of Housing Assistance is the Underlying Cause of Record NYC Family Homelessness

Since the Administration ended all housing assistance for homeless families more than a year and a half ago, the homeless shelter population has risen dramatically – indeed, in the past year

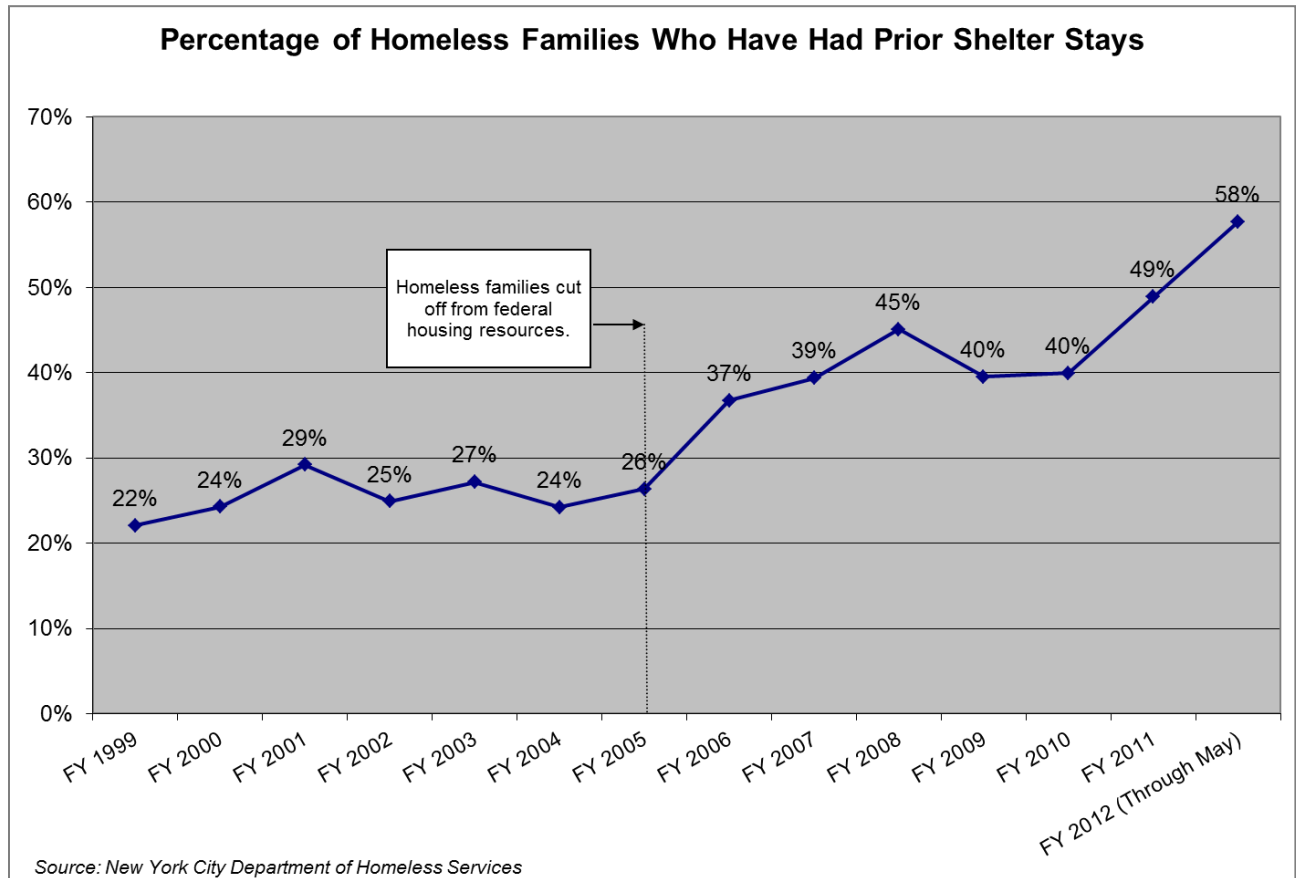
alone the total shelter population has increased by 17 percent and the number of homeless children in families has increased by 18 percent. But the steady increase in the shelter population began long before the end of the Advantage program, and indeed even before the recession began in 2008.

In 2005, the current Administration cut off homeless families from receiving priority for Federal housing resources, including public housing and Section 8 vouchers. These resources are proven effective at moving families out of homelessness and keeping them stably housed. Numerous research studies, including one commissioned by the current Administration and published by the Vera Institute in 2005, have found that homeless families who exit the shelter system with Federal housing assistance have the lowest rates of return to shelter – only 4 percent after two years for families who leave shelter to public housing. This is one of many reasons why Federal housing assistance was the main resource used to fight homelessness under all previous mayors since modern homelessness began, from Koch to Dinkins to Giuliani. However, after the current Administration cut off homeless families from receiving such assistance in 2005, the number of homeless families began its steady ascent to where it is today.



After 2005, the Administration experimented with City-funded short-term rental subsidies, the latest of which was the second version of the Advantage program. These time-limited subsidies proved wasteful and ineffective, with more than one of every four formerly-homeless families returning to shelter after their subsidies ended. Advantage also fueled a growing “revolving door” of homelessness. In fiscal year 2012, close to 60 percent of all homeless families entering the shelter system had been homeless before, compared with a steady 25 percent before the 2005 cutoff of Federal housing assistance. This data explains why, even before the City ended

the Advantage program for families in shelter in March 2011, family homelessness was already at historically high levels.



Earlier this year, The New York City Council and Speaker Christine Quinn called on the Mayor to once again give homeless families priority access to federal housing resources and create a new rental subsidy, based on the successful Section 8 voucher program.

In contrast to the current Administration's complete elimination of housing assistance for homeless families, the Coalition and The Legal Aid Society have advocated for such an approach to homelessness that would not only help thousands of families leave shelter, but would also save the City millions. The New York City Independent Budget Office has verified that if 2,500 homeless families were placed in NYCHA public housing over the course of the year, shelter expenses would decrease by \$14.7 million. The City's portion of these savings would be \$5.5 million. And the number of homeless children and families in municipal shelters would decline. This independent analysis reminds us that providing homeless families with permanent affordable housing is not only the right thing to do, but it is the fiscally responsible thing to do.

Recommendations

In closing, we call on the Administration to reverse course from current disastrous policies and enact the following common sense approach that the independent budget analysts and policy experts have determined would be a cost-effective investment of City resources:

1. Return to using federal housing resources, such as public housing and Section 8 to help homeless New Yorkers move from shelter to permanent housing

- This can be swiftly accomplished by using the existing priority system for both the New York City Housing Authority (NYCHA) public housing and voucher waiting lists, which makes households referred by the NYC Department of Homeless Services the highest priority applicants.

2. Create a new local rental assistance program modeled on the successful Section 8 voucher program

- The City and State should work together to create a new rental assistance program for homeless families and individuals modeled on the proven Section 8 voucher program..

3. In coming years, the City should set aside a significant percentage of City-assisted apartments - apartments created or preserved by the NYC Department of Housing Preservation and Development (HPD) - for homeless families and individuals.

- This policy would build on the success of Mayor Koch's ten-year "Housing New York" program which allocated 15,000 affordable apartments – 10 percent of all housing units created or preserved under the program – for homeless New Yorkers.
- Currently Mayor Bloomberg's "New Housing Marketplace" plan allocates only around 4 percent of all City-assisted apartments to homeless people, even at a time of much worse homelessness.
- The City should also allocate a significant share of HPD-administered Federal housing vouchers to help homeless New Yorkers.

Thank you for the opportunity to share this testimony. And, as always, we look forward to working with the Committees and the City Council in the coming months and years on efforts to reduce New York City's homeless population and help homeless New Yorkers.