

Testimony of
Coalition for the Homeless
And
The Legal Aid Society

on

Oversight – Reforms to Homeless Services, One Year Later
Intro 1443 Regarding Opioid Antagonist Training

Presented before

The New York City Council
Committee on General Welfare

Giselle Routhier
Policy Director
Coalition for the Homeless

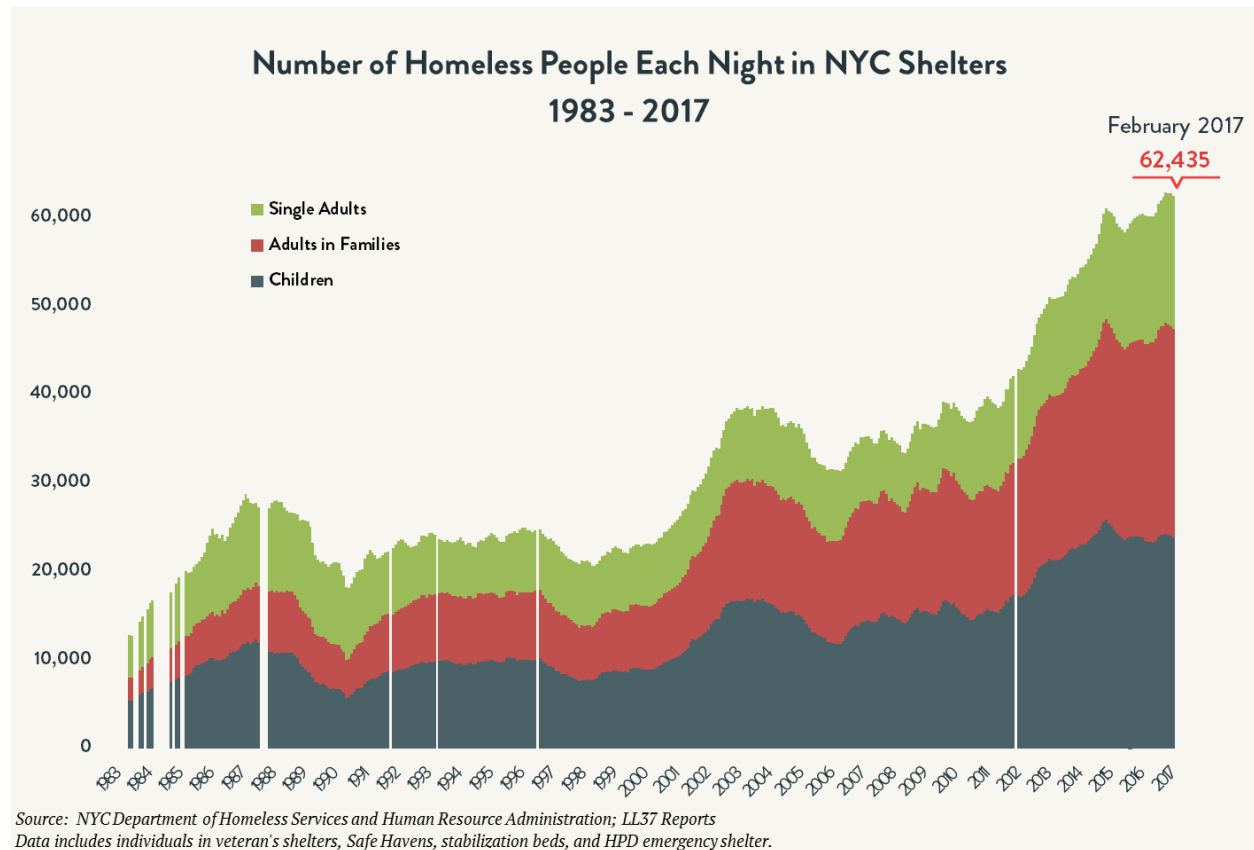
Joshua Goldfein
Staff Attorney
The Legal Aid Society

April 20, 2017

Coalition for the Homeless and The Legal Aid Society welcome this opportunity to testify before the Committee on General Welfare regarding the status of reforms to the Department of Homeless Services and actions needed to address near-record homelessness.

Near-Record Homelessness in NYC

New York City remains in the midst of the worst homelessness crisis since modern mass homelessness first emerged in our city roughly four decades ago. In February 2017, a near-record 62,435 men, women, and children slept in shelters each night – about 2,000 more than in February 2016. The number of people in shelters now is roughly double what it was in the years preceding the Great Recession. Thirty-eight percent of all individuals in shelters are children.



DHS Reform a Year Later and Mayor's New Plan to Address Homelessness

Mayor de Blasio's 90-day review of the NYC Department of Homeless Services was completed in April 2016 and outlined 46 individual reform proposals to address prevention, street homelessness, shelters, and rehousing. One year later, some progress has been made, but many issues remain unresolved – as detailed in the Coalition's *State of the Homeless 2017* report released last month. On February 28th, the Mayor released his new plan to address homelessness, entitled *Turning the Tide on Homelessness*. This plan is drawing criticism from many for placing too much emphasis on building new shelters and not enough on building and providing the

permanent housing that can actually reduce the number of New Yorkers relegated to homelessness. In response to the reforms announced in April 2016 and the new plan released this past February, we note the following concerns:

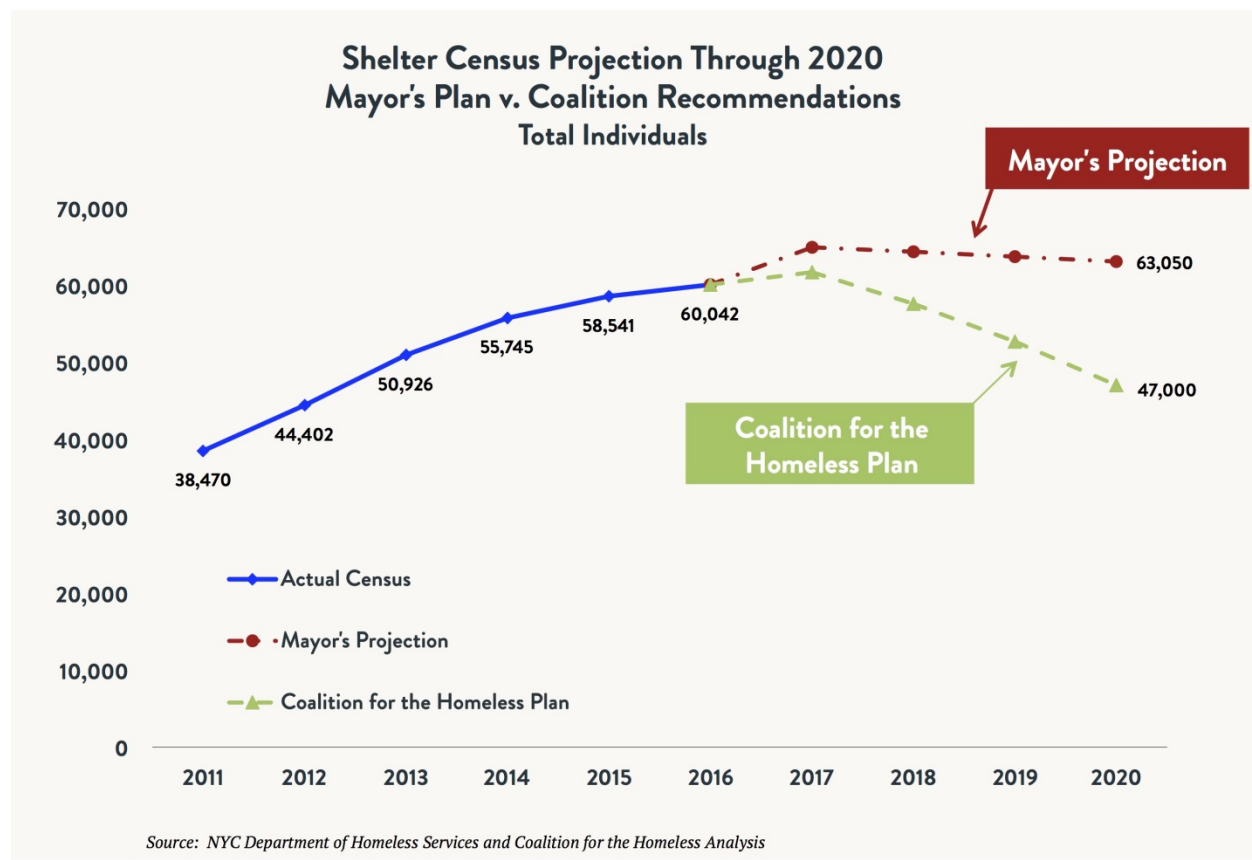
- Housing Placements: Despite policy changes made by the de Blasio administration to re-open access to NYCHA public housing, Section 8 vouchers, and City-funded subsidies for homeless individuals and families in shelters, the amount of permanent, affordable housing made available to homeless households is still not sufficient to make up for the Lost Decade in which the prior Administration denied access to NYCHA and Section 8 for homeless families, let alone meet the current need. More families are now receiving stable housing placements than any year since 2005, but the number of NYCHA public housing apartments, Section 8 vouchers, and HPD apartments remains below the level needed to make a real dent in homelessness. Our specific recommendations for housing placement goals are outlined below.
- Intake and Eligibility: We are extremely concerned about the recent dramatic decline in the percentage of families found eligible for shelter after enduring an already-onerous application process. In February 2017, the eligibility rate was just 37.6 percent, down from 46.6 percent in January and from 51.6 percent in February of 2016. The eligibility rate has not been this low since 2012. This disturbing trend is combined with and related to the increasing percentage of families erroneously found ineligible and forced to repeat the application process multiple times before ultimately being found eligible. These needless bureaucratic barriers do not solve homelessness and demonstrably increase the trauma inflicted on homeless families – mostly mothers and children. In addition, the administration has yet to implement recommendation #29 from the 90-day review, which would align the adult family intake process with procedures for families with children. Adult families continue to face many unlawful and unnecessary barriers to shelter entry, and their higher rates of disability present even further obstacles for an extremely fragile population.
- Mental Health and Medical Needs: A significant number of homeless single adults have serious medical and/or mental health needs. Homeless adults are assigned to either a general population shelter or a specialized shelter, depending on their circumstances. However, specialized shelters for those with mental health and medical needs are struggling to adequately address such needs and have difficulty securing more appropriate permanent housing placements. As the shelter system becomes a last resort for many low-income individuals discharged from hospitals, nursing homes, or psychiatric facilities, far too many find themselves without access to proper health and mental health care.

We commend the administration's efforts to end the use of cluster sites and hotels – stated as one of the primarily goals of the Mayor's new plan – and support the goal of creating a shelter system that reduces community displacement and trauma for families who lose their homes. However, we believe a far more robust effort is needed to provide enough affordable housing for homeless individuals and families to meet the tremendous scale of need. Homelessness cannot be solved without recognition that the City cannot solve its homeless crisis without making up for

the Lost Decade of NYCHA and Section 8 placements and add far more affordable housing targeted to homeless households. This obvious history and readily available remedy has been ignored in the Mayor's new plan.

The Critical Need for Affordable Housing

Mayor de Blasio's investments in homelessness prevention and new rental subsidy programs, in conjunction with the City's use of stable Federally-funded apartments (albeit at inadequate levels), did succeed in stemming the skyrocketing shelter census after unchecked growth from 2001-2014. However, the City cannot truly "turn the tide" and substantially reduce homelessness without: 1) fully utilizing all of its existing housing resources, including increasing stable housing placements in NYCHA and HPD to 5,500 per year for families, as well as 5,000 rent subsidies and supported placements for single adults, and 2) creating a new aggressive capital development program to finance construction of at least 10,000 additional units of affordable housing for homeless households over the next five years. Taken together, these recommendations could help reduce the number of families and single adults staying in shelters and prevent their number from growing by thousands in the coming years.



Note: see full methodology and recommendations in *State of the Homeless 2017*, available at: coalitionforthehomeless.org/soth

Intro 1443 Regarding Opioid Antagonist Training

The Coalition for the Homeless supports Intro 1443 and addressing the increasing problem of opioid- and synthetic opioid-use in shelters and across New York City. We recommend adding language to the bill that would allow for shelter residents to be trained in the provision of opioid antagonist medication. Often, the first person to find someone who is overdosing is a fellow shelter resident. In cases where shelter residents are trained and have Naloxone, more lives can be saved.

We thank the Council for the opportunity to testify and look forward to working together on our mutual goal of ending homelessness in New York City.

About Coalition for the Homeless 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 is now in its fourth decade. The Coalition also protects the rights of homeless people through litigation involving 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 11 direct-services programs that offer vital services to homeless, at-risk, and low-income New Yorkers. These programs also demonstrate effective, long-term solutions and include: Supportive housing for families and individuals living with AIDS; job-training for homeless and formerly-homeless women; 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 over 900 nutritious hot meals each night to homeless and hungry New Yorkers on the streets of Manhattan and the Bronx. Finally, our Crisis Intervention Department assists more than 1,000 homeless and at-risk households each month with eviction prevention, individual advocacy, referrals for shelter and emergency food programs, and assistance with public benefits as well as basic necessities such as diapers, formula, work uniforms, and money for medications and groceries.

The Coalition was founded in concert with landmark right to shelter litigation filed on behalf of homeless men and women (*Callahan v. Carey* and *Eldredge v. Koch*) and remains a plaintiff in these now consolidated cases. In 1981 the City and State entered into a consent decree in *Callahan* through which they agreed: "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, and the City has also authorized the Coalition to monitor other facilities serving homeless families.

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 more than 1,100 lawyers, working with some 800 social workers, investigators, paralegals and support and administrative staff. Through a network of borough, neighborhood, and courthouse offices in 26

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 more than 1.7 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.