



Testimony of
Coalition for the Homeless
and
The Legal Aid Society
on

Update on HRA's System of Domestic Violence Shelters

Presented before

The New York City Council's Committee on General Welfare jointly with
the Committee on Women and Gender Equity

Giselle Routhier
Policy Director
Coalition for the Homeless

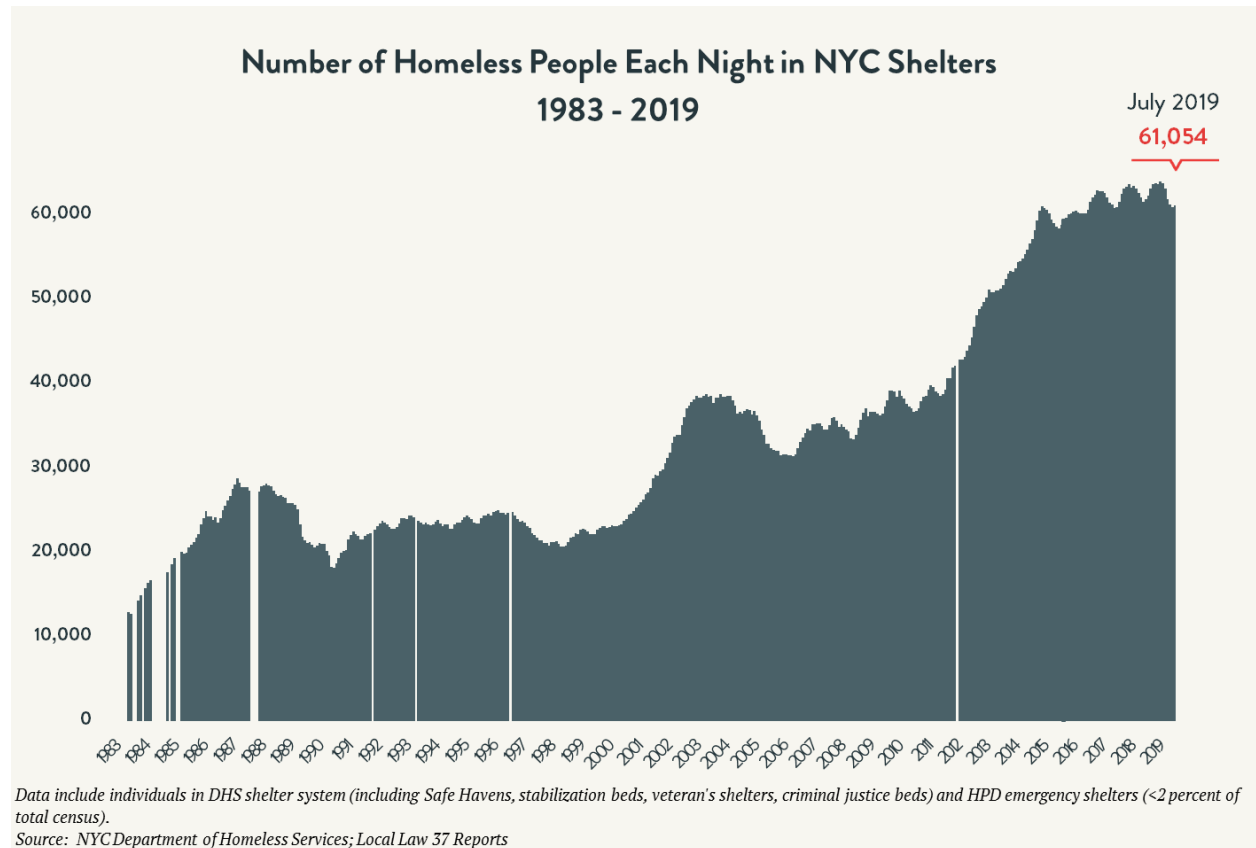
Beth Hofmeister
Staff Attorney
The Legal Aid Society

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The Coalition for the Homeless and The Legal Aid Society welcome this opportunity to testify before the New York City Council’s Committees on General Welfare and Women and Gender Equity regarding the Human Resources Administration’s domestic violence shelter system, including Intros 152 and 1712. We thank Chairs Levin and Rosenthal for their ongoing dedication to the issues of homelessness, permanent housing, and ensuring that all New Yorkers who need shelter and services have access to them.

Record Homelessness in New York City

New York City remains in the midst of the worst homelessness crisis since the Great Depression, with more than 61,000 adults and children sleeping in Department of Homeless Services (DHS) shelters each night. Domestic violence (DV) continues to be the primary reason families with minor children enter shelters. While the Human Resources Administration (HRA) may run the country’s largest DV shelter system with nearly 2,700 emergency beds and almost 300 Tier II units,¹ those beds do not fully address the need for services and support specifically tailored to survivors and their families. Further, many additional survivors of domestic violence seek shelter through DHS. In 2017, more than 4,300 families with children entering the DHS shelter system cited domestic violence as the immediate cause of their homelessness, and an additional 700 adult families and single adults entered the DHS shelter system that year because of domestic violence.²



¹ New York City Department of Social Services 2018 Annual Report on Exits from NYC Domestic Violence Shelters as mandated by Local Law 83 of 2019. Page 2.

² Data received from the Department of Homeless Services, via FOIL.

Need for Permanent Housing

City data reveal that many survivors of domestic violence struggle to find permanent housing once they enter shelters. The Department of Social Services' 2018 Annual Report on Exits from Domestic Violence Shelters indicates that 39 percent of the 2,444 households who were discharged from HRA DV shelters in 2018 were discharged to shelters run by DHS.³ The report states these 2,444 households include clients who were timed out of DV shelters and those who were administratively discharged.⁴ A sizeable percentage of the population leaving DV shelters continues to experience homelessness rather than exiting to permanent, affordable housing. The report also notes that only 24 single adults moved out of DV shelters into affordable housing, including NYCHA apartments, supportive housing, and apartments rented with a voucher or other rent subsidy.⁵

These figures further underscore how difficult it continues to be for all shelter residents to find permanent housing. As thousands of survivors of domestic violence find themselves trapped in homelessness, urgent action is needed to expand the supply of permanent housing necessary to break this cycle. Since January 2018, the House Our Future NY Campaign has urged Mayor de Blasio to align his *Housing New York 2.0* plan with the reality of record homelessness by building 24,000 new apartments and preserving the affordability of 6,000 more for homeless New Yorkers by 2026. The 67 organizations that have endorsed the House Our Future NY Campaign include leading domestic violence advocacy and services groups. We appreciate the Council's steadfast support in this campaign as we continue to encourage Mayor de Blasio to take action to create this desperately needed housing.

Intro. 1712

Intro. 1712 provides an opportunity for HRA to present information about the number of non-binary and transgender/gender non-conforming (TGNC) shelter residents entering and being served by the DV shelter system. DV exists in every community, and the DV shelter system should reflect and support this diversity of experience. Many DV shelters do not allow males or male-identifying clients to reside there, including households with older male and male-identifying children. Coalition for the Homeless and The Legal Aid Society staff witness the difficulty these individuals face in trying to access a safe, confidential shelter. This difficulty also persists for non-binary and TGNC individuals. While there may be a need for some shelters to limit the availability of beds to only those individuals who identify as female, we are concerned that particularly vulnerable New Yorkers who would otherwise qualify for beds in DV shelters are left without access to these necessary centers of support and safety because of their gender identity. Intro. 1712 provides a framework to better understand the patterns of this population's access to the DV shelter system and will hopefully provide information about how the City can improve services for non-binary and TGNC clients residing in DV shelters. We support Intro. 1712 and look forward to analyzing the data once it is released.

Intro. 152

Many of the data points proposed in Intro. 152 are already reported via Local Laws 37 and 79, or are proposed in Intro. 1642, which will amend Local Law 37. In order to keep data as consistent

³ New York City Department of Social Services 2018 Annual Report on Exits from NYC Domestic Violence Shelters as mandated by Local Law 83 of 2019. Page 3-4.

⁴ Id.

⁵ See Figure 1 of the DSS Report on Exits from Domestic Violence Shelter on page 3.

as possible over time, we do not recommend duplicating sources of identical data points. We suggest that Intro. 152 be revised to require only data that is not already reported through Local Laws 37 and 39 or that will be reported once Intro. 1642 is passed.

Conclusion

We are pleased that the New York City Council continues to acquire information about various components of the shelter system to ensure that all New Yorkers who need these services have access to them. We look forward to opportunities for further advocacy to address the needs of all homeless New Yorkers.

About The Legal Aid Society and Coalition for the Homeless

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 2,000 attorneys, social workers, 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 uniquely positioned to speak on issues of law and policy as they relate to homeless New Yorkers. 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. The Society, in collaboration with Patterson Belknap Webb & Tyler, LLC, filed *C.W. v. The City of New York*, a federal class action lawsuit on behalf of runaway and homeless youth in New York City. Our goal in litigation is to ensure that the City creates and maintains enough youth-specific beds to meet the needs of *all* youth seeking shelter. The Society, along with institutional plaintiffs Coalition for the Homeless and Center for Independence of the Disabled – NY, settled *Butler v. City of New York* on behalf of all disabled New Yorkers experiencing homelessness.

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, the right to reasonable accommodations for those with disabilities, 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. In 2017, the Coalition, fellow institutional plaintiff Center for Independence of the Disabled – New York, and homeless New Yorkers with disabilities were represented by The Legal Aid Society and pro-bono counsel White & Case in the settlement of *Butler v. City of New York*, which is designed to ensure that the right to shelter includes accessible accommodations for those with disabilities, consistent with Federal, State, and local laws.