

NEW YORK CITY COUNCIL COMMITTEE ON YOUTH SERVICES

HEARING ON INTRO 376-A & INTRO 713

SUSAN HASKELL
DEPUTY COMMISSIONER

APRIL 26, 2018

Good morning Chair Rose and members of the Committee on Youth Services. My name is Susan Haskeli, and I am the Deputy Commissioner for Youth Services at the New York City Department of Youth and Community Development (DYCD). I'm joined by Randy Scott, Assistant Commissioner for Vulnerable and Special Needs Youth and Darryl Rattray, Associate Commissioner, Community Centers and Strategic Partnerships. Thank you for the opportunity to testify today.

On behalf of Commissioner Chong, we want to extend thanks to the City Council for your ongoing support of DYCD, and commitment to the City's young people. As partners together, we have worked closely to expand services to reach more youth and communities across the City. Quality programming is so critical in supporting the development of New York City's young people.

We appreciate the spirit and intent of Intro. 376-A and Intro. 713. We are pleased to say that DYCD and the Administration have initiatives in place that help prevent bullying and address emotional or behavioral issues that may stem from bullying, peer pressure or other issues. DYCD also has practices and procedures for young people to make comments and or complaints regarding the programs and services they receive, and that more generally serve to alert DYCD to any problematic issues or needs. DYCD is committed to ensuring that our funded programs are welcoming, positive and engaging environments for young people. We provide assistance to funded providers to create safe and supported settings through training, coaching and dissemination of best practices.

At this time, I would like to offer our comments to both bills. I will start with Intro. 376-A, which seeks to amend the New York City Charter, in relation to establishing an anti-bullying hotline and additional resources for youth. We are pleased to say, that the requirements and goals of Intro 376-A are already being met by existing commitments and resources.

Bullying prevention has been a significant priority for this Administration. On October 30, 2017, former Chancellor Farina announced a package of anti-bullying programs and reforms to be implemented within the Department of Education. The package includes trainings and workshops for students, teachers and school personnel on topics such as mental health, social emotional learning, anti-bias and anti-bullying. Furthermore, in 2019, DOE will launch a Bullying Complaint Portal that will be an easy to use tool for families to report online any incidents of student discrimination, harassment, intimidation and/or bullying against their children. The DOE website also contains extensive Respect for All resources for students, families, and educators. Most young people in New York City, and in DYCD-funded programs, attend DOE schools and would be supported by these new and current resources. DYCD will work closely with DOE to promote these initiatives, through email blasts and social media that can reach DYCD's hundreds of providers and tens of thousands of youth participants.

DYCD funds youth development programming that is designed to promote positive social norms, create physical and psychological safety, opportunities for leadership and belonging, and supportive relationships with caring adults and peers. These programmatic elements prevent and combat bullying and help youth develop positively.

Recognizing the impact that bullying can have on young people, many DYCD-funded programs incorporate anti-bullying efforts directly into their program activities. For example, this year's theme of DYCD's annual Step It Up dance competition is anti-bullying. In addition to competing through dance, the teams also compete through creating engaging public service announcement videos that address bullying and highlight strategies to prevent it. To help programs address emotional and behavioral issues, DYCD offers Capacity Building workshops, Mental Health First Aid trainings, provider convenings on Positive Youth Development, and support to offer leadership development opportunities to young people.

DYCD engages in extensive outreach to ensure that young people and their families are aware of the opportunities we provide. Through DYCD's Youth Connect 1-800 number, callers can learn about the broad array of DYCD funded programs, and identify nearby programs available in their neighborhood. New Yorkers can also learn about the location of programs through Discover DYCD, which is a web-based service locator tool. In addition to helping New Yorkers find resources, Youth Connect's resource specialists can receive complaints and concerns from the public regarding DYCD-funded services.

While Youth Connect does not provide training or counseling directly, the resource specialists can connect youth to an appropriate resource. For example, the ThriveNYC initiative's NYC Well chat, text, and call-in hotline allows young New Yorkers to obtain crisis counseling, support, information, and referral to additional resources and mental health providers if they are experiencing stress, anxiety, or other mental health concerns that could be attributed to being bullied. NYC Well counselors and peers are trained to recognize bullying and be compassionate and supportive listeners for the young persons in this type of situation. For very serious situations, in which a youth is experiencing an acute behavioral or mental health issue related to bullying, NYC Well can refer the individual to a children's Rapid Response Mobile Crisis Team. These teams provide interventions, including crisis de-escalation, psychosocial assessments, prevention planning, and collaboration with educators to support families and caregivers.

I would now like to offer comments on Intro. 713, which seeks to create an ombudsman position within DYCD for runaway and homeless youth programs. Through DYCD-funded programs, vulnerable runaway and homeless youth can access high quality programs that offer shelter, meet their basic needs, and connect them to other resources such as health and mental health services. We agree that it is important for young people to offer feedback on services to ensure that they get the support that they need and to alert us when improvements are needed—and we would be happy to continue to discuss this work with the Council.

Since DYCD's RHY programs are governed by the New York State Runaway and Homeless Youth Act, its regulations establish the role of the Runaway and Homeless Youth Services Coordinator in each County. This State-defined role functions as the ombudsman for DYCD. New York City's RHY Services Coordinator is Assistant Commissioner Randy Scott. Section 182-1.15 of the RHY regulations outlines the role of the RHY Services Coordinator and includes the following responsibilities:

- (1) Development and implementation of county plans with the county youth bureau, to improve services for runaway and homeless youth and their families;
- (2) identification, assessment and monitoring of all available county resources for runaway and homeless youth and their families;

- (3) ensuring that a system is in place for responding to inquiries concerning available shelter space, transportation and services 24 hours per day;
- (4) ensuring that program youth have access to educational services, including transportation;
- (5) consideration of requests of runaway youth, who have appropriate written consent of their parent, guardian or legal custodian, to remain in runaway and homeless youth shelters beyond the 120-day maximum length of stay period.

DYCD also has several practices and procedures in place to receive and investigate comments and complaints, which also fulfill the roles of the proposed ombudsman described in Intro 713. They include the following:

- As part of our plan to encourage youth to share their experiences, at each DYCD-funded RHY program site, providers are required to place a sign in multiple languages that notifies and encourages participants to call 311 with any concerns, issues or complaints. Those reports are directed to DYCD and the RHY Services Coordinator.
- Additionally, if an incident occurs at a DYCD-funded program site, DYCD providers are
 required to submit an incident report to DYCD and if the incident is serious, to notify
 OCFS. RHY regulations also mandate reports to the New York State Justice Center for
 the Protection of People with Special Needs (aka Justice Center) an independent
 State entity for abuse, neglect or significant incidents in RHY residential programs.
- As part of overall program monitoring, DYCD's RHY program managers make several site visits annually to monitor program quality, both announced and unannounced. Each site visit results in a program quality review report, which includes any areas in need of improvement. As a regular part of site monitoring, the Program Manager will speak with young people enrolled in the program, to learn about the quality of their experience.
- Direct complaints or concerns from young people have also come to our attention through provider staff from other programs, youth focus groups, youth advisory boards, emails and phone calls to the Commissioner's office, or the Mayor's communication portal.
- DYCD investigates all complaints or concerns that are brought to our attention, including
 interviews with youth at the relevant site, whether or not those complaints were
 submitted anonymously. It also includes interviews with provider staff, and investigation
 of cited issues. Appropriate solutions, follow up or disciplinary actions, or program
 improvements are identified.

As we have testified today, DYCD, and the Administration are committed to ensuring that the City's young people can access quality programming in safe, welcoming, and positive program environments, and can offer feedback to improve services. We look forward to the continued partnership with the City Council to meet the needs of the City's youth and create opportunities for them to grow and thrive. Thank you again for the chance to testify today. We are ready to answer any questions.





Testimony of

Coalition for the Homeless

And

The Legal Aid Society

On

Int. 713: In Relation to Creating an Ombudsman Position within DYCD

Presented before
New York City Council
Committee on Youth Services

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April 26, 2018

Introduction

The Coalition for the Homeless and The Legal Aid Society welcome this opportunity to testify before the New York City Council Committee on Youth Services regarding Int. 713-2018, which would create an ombudsman position with the Department of Youth and Community Development (DYCD). We thank Committee Chair Deborah Rose for using her role as Chair of the Youth Services Committee to repeatedly highlight the needs of runaway and homeless youth (RHY) over the past few months. We must also thank Council Speaker Corey Johnson and his staff, whose hard work and commitment to this vulnerable population are steadfast and ongoing. Additionally, we applaud the Council, and specifically Council Members Van Bramer and Chin, for their continued commitment to supporting this underserved population.

Basic RHY Demographics

As we discussed at length at oversight hearings on September 28, 2017, and February 13, 2018, runaway and homeless youth are generally defined as unaccompanied young people who have run away or been forced to leave home and now reside in temporary situations, places not otherwise intended for habitation, or emergency shelters. The federal Runaway and Homeless Youth Act defines the population as being between 12 and 24 years of age. As of April 2017, New York State redefined RHY to be anyone under the age of 25 and changed other portions of New York's Runaway and Homeless Youth Act, thereby laying the groundwork for City's own 'Raise the Age' bill passed earlier this year.

It is notoriously difficult to accurately count the number of runaway and homeless youth in New York City, and this difficulty is a substantial barrier to the provision of adequate shelter and services. The only government-sponsored youth count is organized around the City's Point in Time (PIT) count, which takes place on a mid-winter night. Providers and advocates have long argued that the PIT and youth counts miss substantial portions of RHY. Reasons for this vary from arguments that the definition of RHY does not include significant parts of the population, such as those couch-surfing or engaging in survival sex, to arguments that youth experiencing homelessness have an ability to blend into the fabric of the City. Although not the subject of this hearing, both the PIT and related youth count serve as an inadequate snapshot of homeless youth on a particular day rather than a census of youth with unstable housing situations who are in need of City services. The Council should continue to examine this issue in future hearings.

Nationally there has been some significant progress on evaluating the number of homeless youth. Near the end of 2017, the Voices of Youth Count policy research initiative at Chapin Hall, an independent policy research center at the University of Chicago, produced a sobering report called *Missed Opportunities: Youth Homelessness in America*. Anyone who knows a youth who has experienced homelessness knows the information contained in the report to be true; however, the details are still staggering. Results show that 1 in 10 young adults ages 18 to 25 have experienced homelessness in some form in a one-year period.²

By our most reliable estimates, roughly 3,800 youth in New York City are homeless, and the city does not have nearly enough shelter beds—crisis or transitional independent living (TIL)—to

¹ The City's PIT count is called the HOPE Count and the 2018 HOPE Count occurred on Monday, January 22, 2018.

² Chapin Hall of the University of Chicago, *Missed Opportunities: Youth Homelessness in America*, November 2017, at http://voicesofyouthcount.org/wp-content/uploads/2017/11/ChapinHall_VoYC_1-Pager_Final_111517.pdf.

serve this population.³ As of February 12, 2018, the Department of Youth and Community Development (DYCD) has contracted 751 beds to be opened through Fiscal Year 2019, while 557 beds are currently open and available to RHY. This is certainly an improvement over four years ago, when there were just 253 beds. However, it is still woefully insufficient to serve the number of RHY in New York City, especially considering that only approximately 20 of those new beds are for crisis shelter.

As is the case with so many other marginalized and system-involved populations we work with, youth of color and LGBTQ/TGNC youth are vastly overrepresented in the RHY population. Chapin Hall reports that Hispanic, non-white youth have a 33% higher risk for homelessness and Black or African-American youth have an 83% higher risk. Unmarried parenting youth have a 200% higher risk for homelessness.⁵ These results are consistent with prior New York City Youth Count numbers. In 2015, 44% of respondents to NYC's Youth Count survey were Black, 24% were Latino, and 17% identified as two or more races. Although the 2016 and 2017 Youth Count reports do not break out the percentages of respondents in the same manner, both reports indicate a similar breakdown. Similarly, LGBTO youth become homeless at a significantly higher rate than the adolescent population as a whole and are vastly overrepresented in the RHY population. Chapin Hall's study indicated that LGBT youth have a 120% higher risk for homelessness, which is consistent with a 2012 report by the NYC Association of Homeless and Street Involved Youth Organizations that shows that lesbian, gay, bisexual, and questioning youth make up 25-40% of the homeless youth population in NYC and other large cities,⁸ compared with 3-6% of the general population. In addition, the Empire State Coalition of Youth and Family Services presented census data showing that 5% of homeless youth identified as transgender and another 18% were unsure or chose not to answer the question about gender identity. 10 According to the City's own 2015 Youth Count, almost 60% of youth living in shelters or transitional living facilities, 50% of youth in unstable housing, and 30% of unsheltered youth identified with a sexual orientation other than straight. 11 Many homeless youth are also immigrants, and like their older counterparts, face additional challenges in accessing services and permanent housing, especially in the current political climate. Immigrant RHY cannot apply for financial aid and often cannot work legally, making it all the more difficult to stabilize.

³ Empire State Coalition of Youth and Family Services, *The New York City Association of Homeless and Street-Involved Youth Organizations' State of the City's Homeless Youth Report*, 2009.

⁴ Chapin Hall of the University of Chicago, *Missed Opportunities: Youth Homelessness in America*, supra. ⁵ Id.

⁶ http://www1.nyc.gov/assets/cidi/downloads/pdfs/youth count report 2015.pdf

⁷ http://www1.nyc.gov/assets/cidi/downloads/pdfs/youth_count_report_2016.pdf; http://www1.nyc.gov/assets/cidi/downloads/pdfs/youth_count_report_2017_final.pdf

⁸ Empire State Coalition of Youth and Family Services, *The New York City Association of Homeless and Street-Involved Youth Organizations' State of the City's Homeless Youth Report, 2009.*

⁹ http://news.gallup.com/poll/182051/san-francisco-metro-area-ranks-highest-lgbt-percentage.aspx?utm_source=Social%20Issues&utm_medium=newsfeed&utm_campaign=tiles.

¹⁰ Empire State Coalition of Youth and Family Services, supra.

¹¹ http://www1.nyc.gov/assets/cidi/downloads/pdfs/youth_count_report_2015.pdf

Causes of Youth Homelessness

In 2013, a comprehensive survey by the New York City Coalition on the Continuum of Care shed important light on the causes of youth homelessness. The top reasons for homelessness at that time were reported as "fighting frequently with parents" (34%), being "kicked out" of the home (31%), "physical, mental or sexual abuse" (34%), "neglect or [a] parent not meeting basic needs" (26%), unwillingness to "live by parents' rules" (20%), and parental use of drugs or alcohol (20%). Anecdotally, these statistics are reflected in the stories we hear from clients with whom we work daily and are distinct from the reasons adults become homeless. Often the choice to leave home is a survival strategy in and of itself. Remarkably, youth experiencing homelessness demonstrate incredible fortitude and resilience in overcoming trauma, routine discrimination, and incredible systemic barriers.

Youth Experiencing Homelessness

By definition, RHY are disconnected from the very support systems that are intended to support adolescent development into adulthood, such as their families and schools. Even before a young person is considered runaway or homeless, they have likely experienced trauma. This trauma is only exacerbated each day they experience homelessness.

While it is difficult to explain all of the ways in which youth experience homelessness in New York City, there are common threads. Not surprisingly, homeless youth in New York face myriad dangers, obstacles, and simply frightening circumstances as they navigate the city trying to survive. Survival often involves entry into the street economy. Many homeless youth are pressured to trade sex for a place to sleep or shower, and about one-third to half of these youth exchange sex for money, food, or a place to stay. 13 Many are victims of sex trafficking. 14 These dangers expose them to a significantly heightened risk of sexually transmitted diseases, including HIV. 15 For runaway or homeless youth with serious substance abuse issues, which often stem from the very chaotic and traumatic family histories that drove them to homelessness, options are limited. Programs are often abstinence based, and many of these youth need treatment, support, and time before they are able or ready to quit. 16 RHY are at high risk of involvement with the juvenile or criminal justice system due to their homelessness. 17 The lack of stability can also impact their ability to continue with school, or find and maintain employment. 18 For these reasons, access to meaningful healthcare, including access to quality mental healthcare, and related services is particularly crucial for RHY. Despite the many challenges they face, RHY exhibit a common desire to be self-sufficient and yearn for the tools and ability to be successful in that pursuit. Because they do not share many of the characteristics of chronically homeless

¹² Lance Freeman and Darrick Hamilton for the New York City Coalition on the Continuum of Care, *A Count of Unaccompanied Homeless Youths* in New York City, November 19, 2013.

¹³ Meredith Dank et al. The Urban Institute, Surviving the Streets of New York: Experiences of LGBTQ Youth, YMSM, and YWSW Engaged in Survival Sex, February 2015; Marya Viorst Gwadz et al., The initiation of homeless youth into the street economy, 32 Journal of Adolescence 357, 358 (2009).

¹⁴ Ric Curtis et al., *The Commercial Sexual Exploitation of Children in New York City* (September 2008), *available at* http://www.courtinnovation.org/sites/default/files/CSEC_NYC_Executive_Summary.pdf.

¹⁵ Empire State Coalition of Youth and Family Services, supra.

¹⁶ Id.

¹⁷ See generally Id.; Dank, et al., supra; Youth Justice Board, Center for Court Innovation, *Homeless Not Hopeless: A Report on Homeless Youth and the Justice System in New York City*, June, 2017.

¹⁸ Empire State Coalition of Youth and Family Services, supra.

adults, it is critical to provide youth-specific shelter and services that increase their ability to achieve self-sufficiency.

Chapin Hall's study also confirmed what previous research and anecdotal experience has shown: The longer a young person is homeless, the more difficult it is for them to rise out of this experience and "contribute to stronger families, communities, and economies." The report continues to support the idea that housing solves homelessness: "to exit homelessness permanently, youth require housing and support services tailored to their unique developmental needs," and youth-specific shelter and services for which we have long advocated provide this opportunity. ²⁰

The Positive Impact of Specialized Services for Runaway and Homeless Youth

In 2017 a groundbreaking white paper was released by the Center for Drug Use and HIV Research at NYU Rory Meyers College of Nursing in collaboration with the Coalition for Homeless Youth. The purpose of the underlying study was to build upon a foundation of other research and over a three-year period to examine a diverse group of RHY service providers and assess the effectiveness of these programs.²¹ One of the most significant findings of the study is that high-quality RHY programs not only meet basic requirements, but "address higher order relational, psychological, and motivational needs... fostering a sense of resilience among RHY" and providing long-term benefits to a youth's functioning.²² In short, well-funded, high-quality RHY programs make a positive impact on a youth's ability to stabilize and successfully transition from crisis to independence. While more research is needed to evaluate the long-term benefits of RHY services, understanding that these programs make a proven difference to the youth they serve gives further support to why we are here pushing for the passage of this package of legislation.

Int. 713

As described below, The Legal Aid Society represents RHY in various fora and cases throughout New York City and we understand the value of having someone available with whom youth may share comments and complaints. As class counsel for our lawsuit *C.W. v. The City of New York*, we have regularly advocated for class members and understand why RHY need access to advocates to ameliorate both individual and broader issues within the youth shelter system continuum of services. However, it is imperative that such an advocate have both the power and the objectivity to actually act upon what they hear. Traditionally an ombudsman -- and we suggest using the phrase ombudsperson -- possesses broad investigatory authority to discover mismanagement and field complaints; however, their ability to act on those complaints is often limited.

Youth using DYCD's system are often in various stages of crisis and have often been failed by various systems around them. They need an advocate who can quickly and effectively address a

¹⁹ Chapin Hall of the University of Chicago, *Missed Opportunities: Youth Homelessness in America*, November 2017, at http://voicesofyouthcount.org/wp-content/uploads/2017/11/ChapinHall_VoYC_1-Pager_Final_111517.pdf. ²⁰ Id.

²¹ Gwadz, M., et al., Moving from crisis to independence: The characteristic, quality, and impact of specialized settings for runaway and homeless youth, supra.

²² Id. at 16.

complaint or issue within a short period of time in order for the position to have any credibility. Moreover, many of the complaints this ombudsperson will field may relate directly to agency-driven policies, funding decisions, and even statutory limits on time in shelter or when a youth can age out. Housing the ombudsperson in the very agency that is providing shelter and services may limit their ability to deal with issues objectively, or even at all.

Instead of creating an ombudsperson in DYCD, we suggest the use of a RHY shelter monitor. As the monitor for the Department of Homeless Services (DHS) shelter system, Coalition for the Homeless has extensive first-hand experience of how valuable it is to have an outside person or agency act as monitor versus having an ombudsperson housed inside the very agency providing the shelter and services. A shelter monitor would be able to fulfill all of the functions described in the current legislation, specifically, establishing a system to manage and respond to complaints and comments, investigating those complaints, monitoring the programs and shelters, including by conducting site visits, notifying appropriate agencies and authorities, and submitting information in the form of reports. The value of having this person outside of DYCD is immeasurable. Not only will it lend to the credibility of the position itself, it would more effectively change the very problems being reported and facilitate the kind of transparency the legislation is designed to enact.

We have also learned from the RHY provider and advocate community that they would like DYCD's Youth Connect hotline to operate 24 hours a day, and for the hotline to expand to address some of the same goals of Int. 713. Currently, the Youth Connect hotline provides resources and referrals for youth-related services in New York City. Ideally, changes to the hotline would include extending its hours, providing an opportunity for RHY to be heard regarding youth shelter and service issues, and allowing youth to access information about where they could get a bed within the DYCD continuum of shelters in real time. These simple changes would enable youth to access life-saving information about where they can safely sleep and get help, which alone is worth pursuing. If hotline staff were able to collect and address complaints as well, it could also help maintain and improve the services available to youth experiencing homelessness.

Conclusion

Thank you again to the Committee for looking so closely at a number of issues facing our runaway and homeless youth. We applaud the spirit behind Int. 713 and we hope the Youth Services Committee and the bill sponsors will consider adjusting the bill to consider the concerns we brought up here. We are happy to answer any questions.

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 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 uniquely positioned to speak on issues of law and policy as they relate to New York City's runaway and homeless youth. Each of our three practice areas routinely interacts with the RHY population. 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 RHY 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. Legal Aid's Juvenile Rights Practice provides comprehensive representation as attorneys for children who appear before the New York City Family Court in abuse, neglect, juvenile delinquency, and other proceedings affecting children's rights and welfare. Last year, our staff represented approximately 34,000 children. Last year, the Society's Civil Practice provided free direct legal assistance in more than 48,500 cases and legal matters through neighborhood offices in all five boroughs, and 23 specialized units, of which the Homeless Rights Project is one. Our Criminal Practice handles over 220,000 trial and postconviction cases a year, some of which arise out of arrests predicated on our clients' homeless status. Our perspective comes from daily contact with children and their families, and also from our frequent interactions with the courts, social service providers, and State and City agencies.

<u>Coalition for the Homeless</u>: 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.



Advocates for Children of New York

Protecting every child's right to learn

Testimony to be delivered to the New York City Council Committee on Youth Services

RE: Pro Int. No 376-A establishing an anti-bullying hotline and an anti-bullying mobile device application

April 26, 2018

Board of Directors Eric F. Grossman, President Jamie A. Levitt, Vice President Harriet Chan King, Secretary Paul D. Becker, Treasurer Matt Berke Jessica A. Davis Lucy Fato Robin L. French Brian Friedman Kimberley D. Harris Caroline J. Heller Maura K. Monaghan Jon H. Oram Jonathan D. Polkes Steven F. Reich Veronica M. Wissel Raul F. Yanes Executive Director Kim Sweet

> Deputy Director Matthew Lenaghan

Good morning. My name is Gena Miller. I am a staff attorney and Greenberg Traurig Equal Justice Works Fellow in the School Justice Project at Advocates for Children of New York ("AFC"). At AFC, I support families of students who are involved in bullying incidents in school through direct representation; trainings to students, parents, and professionals about students' rights to a safe, supportive school environment; and policy advocacy. My work has a special focus on Lesbian Gay Bisexual Transgender Queer or Questioning ("LGBTQ") students and students with disabilities. I testify today to share insights and make recommendations based on AFC's extensive experience working with students involved in incidents of bullying and harassment that have impacted their education.

We appreciate the City Council's attention to this significant issue. However, we are concerned that Pro Int. No 376-A, requiring the Commissioner of the Department of Youth and Community Development to establish an anti-bullying hotline and an anti-bullying mobile device application, would duplicate the efforts of the New York City Department of Education ("DOE") and unintentionally make it harder for families to report complaints of school-related bullying. The DOE recently



created an online form on its website to receive and respond to bullying complaints as an alternative to contacting school staff or emailing or calling the DOE's Office of Safety and Youth Development. The DOE also recently announced that it plans to create an online bullying complaint portal in 2019. Since most bullying is school-related, a hotline or mobile device application would likely be duplicative of the DOE's complaint system, confuse families, and create an unnecessary extra layer of bureaucracy since school-related complaints would still need to be referred to the DOE to get addressed.

Additionally, the bill does not include necessary training for staff who would provide the information, resources, and counseling specified in the bill. If one of the purposes of the proposed hotline is to provide real-time support to young people and their families who may be in or near crisis by providing counseling and referrals to appropriate resources and services, then hotline staff must be properly trained.

To prevent and address bullying, the City should invest in building positive, inclusive school climates by meaningfully implementing timely, effective antibullying training to staff and students and funding whole-school evidence-based approaches, including Collaborative Problem Solving.

Towards that end, first, we recommend that the City Council urge the City and the DOE to improve the quality and delivery of anti-bullying trainings to all school staff. State law and DOE Chancellor's Regulation A-832 require each school to designate at least one staff member to serve as an anti-bullying resource for students



and staff. The staff member, called a Respect for All ("RFA") Liaison, is required to receive training in how to prevent, identify, report, and stop bullying behavior, and then turnkey the training to all students and staff by October 31 each school year. AFC's experience indicates that a number of schools do not provide this turnkey training to staff and students, and when they do, the training does not give the support that staff need to prevent and address bullying. For example, it has been our experience that some school staff fail to report bullying because they struggle to differentiate bullying from other behavior, and that many school administrators are not adequately trained to investigate and address bullying. Additionally, some RFA Liaisons have reported to AFC that they do not feel confident enough in their own training to train their colleagues in bullying prevention, identification, reporting, and investigation procedures; effective ways to stop bullying; and supports and interventions for students who were bullied or engaged in bullying. To ensure the provision and quality of anti-bullying training, the DOE should review the delivery of RFA Liaison training, provide more support to RFA Liaisons (including compensation or relief from other obligations), and better monitor the completion and efficacy of RFA trainings for staff and students.

Second, we call on the City Council to work with the Mayor to negotiate a final budget that invests at least \$1 million per year in whole-school trainings in Collaborative Problem Solving. Research shows that, when implemented with fidelity, this evidence-based approach promotes a positive school climate and



supportive, inclusive learning environments where bullying is prevented and appropriately addressed. Collaborative Problem Solving develops the skills and capacities of students and staff to develop healthy relationships, constructively resolve conflict, and de-escalate behavior. The Mayor's Leadership Team on School Climate and Discipline recommended that the City and the DOE implement this approach in reports released in 2015 and 2016. While we appreciate the DOE's plans for expansion of whole-district Restorative Practices to three additional districts, the City and the DOE have yet to invest in a long-term strategic plan with funding to build capacity to develop and expand whole-school evidence-based approaches that train all members of the school staff to promote a positive, inclusive school climate. The City should start by investing \$1 million for whole-school training in Collaborative Problem Solving in the final Fiscal Year 2019 budget.

Thank you for your opportunity to testify. I am happy to answer any questions you may have.



Testimony of

Jamie Powlovich Executive Director Coalition for Homeless Youth

Before the

The New York City Council Youth Services Committee

On

Int. 0713-2018

March 26, 2018

Introduction

Good morning. My name is Jamie Powlovich, and I am the Executive Director of the Coalition for Homeless Youth (CHY), also known as the Empire State Coalition of Youth and Family Services. CHY has advocated for the needs of runaway and homeless youth (RHY) for nearly 40 years. The coalition is comprised of 60 providers of services to homeless youth across New York State, including 29 members in New York City. Our members include providers that are directly contracted to provide services to RHY as well as agencies that intersect with the RHY population within the larger scope of their work.

I would like to thank Chair Rose and the members of the Youth Services Committees for holding today's hearing. I would also like to thank Speaker Johnson for his ongoing commitment to the needs of young people experiencing homelessness, and Councilmembers Van Bramer and Torres for introducing pieces of legislation being discussed today. We will be limited our testimony to Councilman Van Bramers' bill, Int. 0713-2018

Background

New York City has never adequately supported the needs of homeless young people or the providers that serve them. Although under the current Administration many positive steps have been made, we are still only touching the surface of meeting the need. Runaway and homeless youth, as a population, are young people between the ages of 16 and 24 who have unique developmental needs and often fall between the cracks of the State's child welfare and adult homeless systems. The Department of Community Development (DYCD) contracts with various social service agencies to provide short-term crisis shelters, transitional living programs, drop-in centers and street outreach programs which offer food, shelter, case management, mental and medical health care, educational and vocational programming, legal services, programs for young mothers and a plethora of other services. Many homeless young people have previous experiences of trauma and with the juvenile and adult criminal justice systems. A large percentage of youth have had both positive and negative experiences in foster care, many lack a high school diploma or employment, and all have experienced neglect by the systems and adults that were supposed to support them and guide them into adulthood. For too long providers have struggled to meet the needs of the homeless youth in New York City with insufficient resources. Although the actual current number of homeless youth in NYC is unknown, a 2007 study by CHY and Columbia University estimated that on

¹Covenant House. 2014. "Homeless Youth - What We Know..." Available at: http://ny.covenanthouse.org/homeless-youth-what-we-know; Empire State Coalition of Youth and Family Services. 2008. "A Count of Homeless Youth in New York City." Available at: http://www.citylimits.org/images_pdfs/pdfs/HomelessYouth.pdf.

² Ibid.

³ Ibid.

any given night there are 3,800 homeless youth sleeping on the streets of New York City. 4 However, there are currently only 575 beds to offer them⁵.

Under Mayor Bloomberg, there were 253 RHY beds in the DYCD portfolio. Prior to Mayor Bloomberg leaving office, Legal Aid Society sued NYC for a right to shelter for homeless youth. Shortly after the lawsuit was filed, DYCD expedited the addition of 100 new crisis beds outside of the traditional RFP process, raising the number of beds to 353. In January 2016, Mayor de Blasio announced that he was adding 300 youth beds over three years, which will bring the total number of RHY beds to 753. CHY commends DYCD for the work that they have done to bring new beds online. There are currently 575 beds online (309 TIL and 236 Crisis), with an additional 206 that have been contracted, but are not up and running yet. This will bring DYCD only 2 beds shy of their target goal⁸. Although this is a success, CHY continues to have concerns about the lack of attention that has been given to ensure that the DYCD portfolio has an adequate number of crisis beds, and hopes that of the remaining 206 beds that are yet to be up and running, that at least half are crisis.

Although providers have reported that the needed increase in beds has resulted in a significant reduction in monthly turnaways, DYCD has still not shown that it is able to provide beds for all youth seeking shelter. On the ground, agencies are still left in the heart-wrenching position of having to turn away youth who are seeking services due to lack of capacity. When a bed in a youth shelter is not available, providers are forced to refer youth to adult homeless shelters that are not developmentally appropriate, do not provide the comprehensive wraparound services offered by RHY programs and put the young person at risk of exploitation and physical risk. Additionally, youth continue to be reluctant to go to adult shelters out of fear, and not feeling confident that their needs will be met. Instead, many youth who are unable to access services spend their nights on the streets, in abandoned buildings or riding the subways, or risk sexual exploitation in order to gain a place to stay.

Being forced to live on the street puts youth at risk of experiencing violence, sexual exploitation and human trafficking. In a 2013 study by Fordham University and Covenant House New York, approximately one fourth of surveyed homeless youth either fit the federal definition of human trafficking

⁴Empire State Coalition of Youth and Family Services. 2008. "A Count of Homeless Youth in New York City." Available at: http://www.citylimits.org/images_pdfs/pdfs/HomelessYouth.pdf.

⁵ Email correspondence with Department of Community Development, dated 2/12/18

⁶ A copy of Legal Aid's complaint can be found online here: https://www.scribd.com/document/197344657/Legal-Aid-Society-Complaint-Re-

Mayor's announcement can be found online here: http://www1.nyc.gov/office-of-the-mayor/news/032-16/mayor-de-blasio-dycd-commissionerchong-hra-commissioner-banks-enhanced-services-to#/0
⁸ Email correspondence with Department of Community Development, dated 2/12/18

or at some point felt they had no choice but to trade sex for food, money, or shelter. The trafficking survivors explained how pimps and other traffickers often take advantage of the thinly-stretched RHY shelter system, by informing youth that the shelters are full and offering a place to stay which will eventually lead to exploitation and trafficking.

Another critical population over-represented within NYC's homeless youth is LGBTQ people. Nationally, only 5-7% of all youth identify as LGBTQ, but the proportion of homeless youth who identify as LGBTQ is as high as 40%¹⁰. Compared to other homeless youth, LGBTQ youth are more likely to be sexually or physically assaulted, more likely to be harassed, robbed, or become victims of hate crimes, and more likely to be forced into survival sex or sexual exploitation.

Without access to basic needs, such as food, clean clothes, and a consistent place to sleep, a young person facing homelessness is less likely to pursue or complete their education, less likely to find and sustain employment, and less able to maintain stable mental and physical health. CHY recently completed a three-year research study with NYU on the Impact of RHY programs on homeless youth and their effectiveness across the state. The study shows how effective RHY programs are at changing the trajectories of youth away from crime, chronic homelessness and public assistance and toward success and self-sufficiency, employment, and education along with building individual skills and increasing supportive relationships¹¹.

Int. 0713-2018

At this time, CHY supports the design and implementation of a method for homeless young people to report grievances, and obtain information that can support them in navigating systems and alleviating crisis. Although we applaud council for their willingness to create an ombudsman position, with the intent of supporting homeless young people, we feel that given the needs of today's youth and the many ways in which they access information, that an ombudsman would not be the best way to achieve the desired outcome of the bill under consideration today.

Young people that are experiencing homelessness are often dealing with a plethora of issues, and are regularly in crisis. When a young person reaches out for help, or guidance, they are looking for

⁹ http://www.covenanthouse.org/sites/default/files/attachments/Covenant-House-trafficking-study.pdf

¹⁰ Durso, L.E., & Gates, G.J. (2012). Serving Our Youth: Findings from a National Survey of Service Providers Working with Lesbian, Gay, Bisexual, and Transgender Youth who are Homeless or At Risk of Becoming Homeless. Los Angeles: The Williams Institute with True Colors Fund and The Palette Fund.

¹¹ Gwadz, M., Freeman, R., Cleland, C.M., Ritchie, A.S., Leonard, N.R., Hughes, C., Powlovich, J., & Schoenberg, J. (2017). Moving from crisis to independence: The characteristic, quality, and impact of specialized settings for runaway and homeless youth. New York: Center for Drug Use and HIV Research, NYU Rory Meyers College of Nursing.

support/answers/results immediately, although this is not always feasible, it is the outcome that they desire. An ombudsman's job is more to collect information, relay resources to address the issue presented, and report the interaction. Their ability to immediately assist to alleviate crisis or deescalate a situation is limited.

Instead of creating an ombudsman position within DYCD we would recommend that DYCD expand their current Youth Connect hotline to operate 24 hours a day, so that it can serve as a tool that can address many of the intended outcomes of Int. 713, and can also support youth in real time with their needs. Currently, there is no hotline available to homeless youth 24/7, despite there being a need for one. CHY has seen a significant increase in the amount of calls/emails/Facebook messages that we receive from young people, parents and services providers looking for support. Based on our relationships with the RHY community and DYCD, we can support the best way possible, but based on our limited capacity, it is not something that is within our regular scope of work.

Currently the Youth Connect hotline provides resources and referrals for youth-related services in New York City, but only during business hours. By extending its hours, and changing its structure to operate more like a crisis hotline, it would give youth and the general community a resource to report complaints, obtain general information, and get real time support with issues related to homelessness, such as finding a bed or a safe place to go. In addition, if Youth Connect could expand to have the ability to facilitate communication with youth via social media and text messaging that would be ideal.

Lastly, we appreciate the intent of the bill to provide additional oversight of the services being provided by the DYCD RHY contracted providers, however we see this proposed oversight as a duplication of the oversight that is already happening. Since the first draft of this bill was introduced over a decade ago, DYCD has increased their program monitoring to monthly, and does field program specific complaints directly from youth.

Conclusion

CHY is grateful to the City Council for its ongoing commitment to runaway and homeless youth. We look forward to our continued work together to improve the city's runaway and homeless youth services.

Thank you for the opportunity to testify before you today.



April 26, 2018

New York City Council Committee on Youth Services Council Member Deborah Rose, Chair 250 Broadway New York, NY 10007

The Tyler Clementi Foundation Testimony in Support of Int. 376-A

Members of the New York City Council Committee on Youth Services:

On behalf of the Tyler Clementi Foundation, I want to thank the Committee for inviting me to testify today. My name is Jason Cianciotto, and I am the Foundation's executive director.

In September 2010, Tyler Clementi, an 18-year-old Freshman at Rutgers University, died by suicide after he was cyberbullied by his college roommate. Tyler's death brought unprecedented attention to what was then a relatively new form of cyberbullying, perpetrated on social media. Shortly after his death, Tyler's parents Joe and Jane established the Foundation with a vision to create a world rooted in kindness and mutual respect and guided by the Golden Rule: Do to others what you want them to do to you. That visions manifests in our mission to end online and offline bullying in schools, workplaces, and faith communities.

I am here to express the Foundation's enthusiastic support for Int. 376-A. We commend Council Member Ritchie Torres for introducing it, as well as its co-sponsors, Council Members Salamanca, Brannan, and Cabrera. Establishing a hotline and app for youth affected by bullying, and ensuring they know how to access it, is a critical tool for preventing the well-documented, harmful effects of bullying, including increased risk for violence and suicide. In fact, our poll of 1,000 teens and parents in the New York City Metro Area, conducted in partnership with AT&T in 2016, found that nearly half have been cyberbullied, and that 80% know someone who's experienced some form of online harassment.

The resources created by Int. 376-A will be accessible to youth on the mobile devices that are both integral to their lives and the most likely source of cyberbullying. This is supported by additional key findings of our poll:

- More than half of New York-area teens spend at least three hours a day socializing online;
- 33% prefer to socialize online than in person, and;
- 86% are most often at home when they socialize online.

We look forward to working with the City to ensure this new app includes a comprehensive and accessible suite of resources that not only provide support after youth are bullied, but also help prevent the often lifelong wounds caused by bullying from happening in the first place.





Amidst the many wonderful anti-bullying organizations supporting life-saving work, our focus on prevention is among the things that make the Tyler Clementi Foundation unique. Yet, we have consistently found that effective, accessible, and research-based bullying prevention is not available to youth in New York City. The consequences of this structural deficiency are dire.

Since the end of 2017, I have trained nearly 340 City teachers, school counselors, and administrators to implement #Day1, our free, easy, and research-based bullying-prevention program, in their schools. #Day1 is available in English, Arabic, Chinese, and Spanish via toolkits customized for grades K-3, 4-6, as well as middle and high schools. It consists of a declaration read by a teacher in authority that clearly states behavior expectations and responsibilities, followed by a verbal confirmation of understanding from students. Students then read aloud and sign our Upstander Pledge, in which they commit to:

- 1) Treat each other with respect and kindness, whether on or offline;
- 2) Intervene when they see someone being bullied if it is safe to do so or ask for help from someone in authority, and;
- 3) Reach out to victims of bullying either in person or online to provide support and to encourage them to seek professional help.

While #Day1 is implemented in schools, Boys and Girls Clubs, YMCA programs, and other physical spaces that serve youth every day, its focus on prevention through the Upstander Pledge also extends into the digital spaces where they prefer to interact with others. If included in the app created by Int. 376-A, along with implementation of #Day1 in every school, New York City could lead the nation in dramatically decreasing bullying incidents and their life-threatening effects.

If Tyler Clementi lived in world of Upstanders who either never cyberbullied him to begin with or who reached out to him afterward, perhaps via an app like the one that will be created by Int. 376-A, he may still be alive today. On behalf of the Foundation, I want to again urge this committee and the full Council to support supporting this bill. I also invite you to partner with us to prevent bullying before it begins through a city-wide implementation of #Day1 and the Upstander Pledge. Together, we will end bullying.



FOR THE RECORD



United Federation of Teachers

BRAVE HOTLINE: 212-709-3222

52 Broadway, New York, NY 10004

PHONE: 212-510-6338 FAX: 212-331-6315

Anthony Harmon

April 24, 2018

Council Members Ritchie Torres, Rafael Salamanca Jr., Justin Brannan and Fernando Cabrera Committee on Youth Services New York City Council 250 Broadway, Suite 1759 New York, NY 10007

Dear Council members.

The City Council helps to fund an existing anti-bullying hotline as part of the UFT Brave initiative that began in 2012.

The BRAVE hotline is a confidential anti-bullying hotline provided by the United Federation of Teachers and operated by the Mental Health Association of New York City. Students may call the hotline – 212.709.3222 – Monday through Friday from 2:30 pm to 9:30 pm. Children and families in need can also text BRAVE to 43961 during the same hours.

BRAVE, an acronym for Building Respect Acceptance and Voice through Education, also offers an array of other resources and tools to help educators tackle bullying in their schools including a series of workshops for UFT members, elementary students and parents.

In a year when the New York City public school community bore witness to the first killing inside a city school since 1993 — a teenager was allegedly bullied to his breaking point —students need to know they have allies in their schools.

The UFT, in fact, is seeking Council support to expand this vital service to increase the number of trained mental health professionals answering our hotline and better meet the demand for school trainings.

Enclosed is more material about what your Council support is doing to maintain this existing antibullying hotline.

Please feel free to contact me if you would like to learn more about the BRAVE anti-bullying hotline.

Sincerely

Anthony Harmor

Directór

THE COUNCIL THE CITY OF NEW YORK

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☐ in favor ☐ in opposition				
Date:				
Name: Jamie Powlovi (L				
Address: 460 W 415+ ST NY NY 10036				
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I represent: Advocates for Children of New York				
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I represent: The Legal Aid Society + Coalition for the Homeless				
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