
**Testimony of Annabel Palma
Commissioner and Chair New York City Commission on Human Rights
Before the Committee on Civil and Human Rights & Committee on Finance
March 7, 2025**

Good afternoon Chair Brannan, Chair Williams, and members of the Committees on Finance and Civil and Human Rights. Thank you for convening today's hearing. I am Annabel Palma, Commissioner and Chair of the New York City Commission on Human Rights. Today, I am joined by Kathie Carroll, Deputy Commissioner of the Law Enforcement Bureau, Kajori Chaudhuri, Deputy Commissioner of the Community Relations Bureau, and Mariela Salazar, Deputy Commissioner for Administrative Services. We are excited to speak about the Commission's accomplishments over the last year and our plans looking ahead.

The Commission was established over 80 years ago to tackle racial tension and disparities. Today, my team builds on this foundation to enforce and educate New Yorkers about one of the broadest anti-discrimination laws in the country. The NYC Human Rights Law prohibits discrimination in housing, employment, and public accommodations and includes more than 25 protected categories. These protections are critical for New Yorkers today as we witness efforts to change federal laws designed to address discrimination.

The Commission has a dual mandate – each element is critical to ensuring a New York City where people can live, work and thrive, regardless of how they identify. Enforcement of the Human Rights Law is one cornerstone of our work. This includes investigating complaints of discrimination from the public, initiating investigations on behalf of the city, and conducting tests to identify potential violations of the Law, and shaping remedies to address discrimination that has occurred and prevent future harm. Equally important is the Commission's work to prevent discrimination and build trust across communities, which takes place through education and engagement with community partners, businesses, housing providers, and sibling agencies.

During FY 24, the Commission's Law Enforcement Bureau continued to build on a strong record of addressing source of income discrimination, ensuring accessibility in housing, workplaces, and public places for persons who are entitled to reasonable accommodations, and tackling bias and discrimination. Consistent with past years, when we look across our jurisdictions – housing, public accommodations, and employment – the most common inquiries and claims are in the areas of disability and gender.

The Commission continues to use the tools at our disposal to ensure that covered employers, housing providers, and providers of public accommodations understand their Human Rights Law obligations. We reached more New Yorkers than ever before by leveraging our strong partnerships, innovative outreach, and growing communication channels. Since our budget

hearing last year, the Commission has continued to ensure that New Yorkers know their rights and their obligations. Our legal trainings together with our cultural competency trainings are foundational to tackling bias and discrimination.

Trainings are one example of the wide-ranging outreach carried out by our community liaisons and lead advisors, who work specifically with historically underserved and underrepresented populations. Our efforts to bring New Yorkers together and to increase agency visibility are an ongoing focus. In January of this year, we hosted our second annual Human Rights Summit. This day-long event featured speakers highlighting the Commission's continued partnership with the Office for the Prevention of Hate Crimes that awards grants to organizations combatting bias in New York City. The Summit also had panels with CCHR staff, sibling agencies and advocates touching on critical areas of the Human Rights Law's protections: LGBTQIA + communities, the right to be free from discrimination based on national origin, and the newest protection: Fair Chance Housing. In honor of Black History Month, February was marked by several events: one for city staff, looking at the evolution of protections against discrimination based on natural hair. We also used this February to launch a series of community-facing roundtables as spaces to explore current issues of significance and shape collective action. These events are part of the ongoing anti-Black racism prevention work that our agency does year-round, and which complements the City's larger racial equity planning process. Additionally, since the fall of 2024, CCHR has been holding legal service provider conversations at each borough office to ensure open lines of communication and create pathways for case intakes and trainings.

The Law Enforcement Bureau

In FY 24, the Commission resolved 447 cases and assessed over \$4.6 million in damages and penalties for violations of the city's Human Rights Law. In addition to resolving cases for monetary relief, the Commission has shaped remedies that repair the harm experienced by individuals and communities impacted by discrimination. In FY 24, over 100 settlements were finalized, spanning across all areas of the Human Rights Law. Employment cases ranged from addressing sexual harassment at multinational corporations to putting an end to gender identity discrimination at smaller employers, and a range of settlements were put in place to foster fair chance act compliance across industries. In housing, settlements involved race discrimination, disability, and source of income. One emblematic example of the work that our agency has accomplished is the 2024 CCHR settlement with Parkchester Preservation Management. This represents the Commission's largest housing settlement, resulting in the payment of \$1 million in civil penalties to NYC and an agreement from the housing provider to set aside 850 apartments for New Yorkers with housing vouchers. This settlement is significant for equity and racial justice because 60-70% of voucher holders identify as Black, Latino, or Asian – nationally and in NYC. Looking ahead, CCHR will be monitoring compliance.

CCHR settlements seek to deter future harms and aim to effectively change the environment that allowed harm to occur. FY 24 settlements included many forms of relief. In one case of ongoing sexual harassment in the workplace, the complainant received \$250,000 in emotional distress damages and the company involved agreed to update its policies and to report to the Commission about any further gender-based harassment complaints for 15 months. To resolve one source of income discrimination case, involving a City FHEPs voucher holder, CCHR was

able to secure 20 apartments as set asides for applicants with public sources of income, as well as to damages and civil penalties. Respondents also agreed to train employees on their obligations under the NYCHRL and SOI discrimination, display fair housing postings throughout their portfolio of buildings, and revise their policies. A number of fair chance cases led to changes in hiring policies, staff trainings on the Human Rights Law, and ongoing Commission monitoring. As in past years, settlements involving claims of discrimination based on the existence of a disability, resulted in the construction of ramps and other modifications in both housing and businesses.

Efforts to shape individual and systemic remedies occur alongside our continued efforts to serve as many New Yorkers as possible. With the Deputy Commissioner of the Law Enforcement Bureau, we have continued to strengthen intake pathways. In FY 24, the Commission fielded 13,360 inquiries from members of the public by phone, email, letter, visits to Commission offices, or speaking with staff at Commission events. More than 1,400 of these inquiries were in languages other than English. Spanish, Mandarin, and Russian are the most common in this category.

In FY 24 the largest number of inquiries we received were in employment, accounting for 1,221 inquiries. Housing was second with 1,168 inquiries. We received 665 inquiries related to disabilities and 275 inquiries related to gender. Race and color were raised in 301 inquiries.

When appropriate, LEB may resolve claims instead of filing a complaint, leading to a quicker resolution in certain matters. Pre-complaint interventions continue to be a valuable avenue for LEB to resolve claims. These interventions can resolve allegations of discrimination without the filing of a formal complaint. Out of the more than 300 pre-complaint interventions, the most common matters involved source of income discrimination. Disability accommodations in housing were the second highest number of interventions.

The Law Enforcement Bureau filed 366 complaints of discrimination in FY 24. While the majority are initiated by members of the public, the agency also filed 64 Commission-initiated complaints. Sixty six percent (66%) of complaints filed were in employment, twenty-five percent (25%) were in housing, and eight percent (8%) were in public accommodations. LEB also utilizes the agency's investigatory and prosecutorial powers to root out discrimination through Commission-initiated investigations. When the Commission identifies the potential of widespread violations or discriminatory practices, the Commission can initiate an investigation.

The Commission also proactively uses testing to investigate whether entities have engaged in discrimination. Agency staff may conduct testing in person, on the telephone, or online to see if certain protected categories are treated differently or are given different information. In FY 24, the Commission initiated tests of 1,302 entities, successfully testing 947 entities. Each entity can be tested multiple times for violations in the same jurisdiction and protected class. An entity may also be tested for violations in multiple jurisdictions and/or multiple protected classes.

Looking across public and commission-initiated cases in n FY 24, the Commission secured \$4,047,283 in compensatory damages for complainants and \$633,200 in civil penalties for City of New York.

The Office of Mediation and Conflict Resolution

The Commission's Office of Mediation and Conflict Resolution offers parties a voluntary mediation program at no cost. It is confidential and available at any stage of a case. Staffed by a Mediation Director, mediated cases accounted for damages in the amount of \$1,643,450 in addition to non-economic relief.

The Community Relations Bureau

The Commission's Community Relations Bureau ("CRB") cultivates understanding and respect among the city's diverse communities, builds partnerships, and informs New Yorkers about the rights and responsibilities that stem from the Human Rights Law. In FY 24, we reached yet another record high number of New Yorkers. The Commission engaged with 142,398 New Yorkers through 2,888 events, workshops, and trainings.

In FY 24, the most requested training was Human Rights Law 101, which was offered more than 260 times. Throughout FY 24, the Commission offered training on racism and discrimination to various organizations and sibling agencies, including the NYC Police Department (NYPD), the NYC Department of Health and Mental Hygiene (DOHMH), and the City University of New York (CUNY). In honor of the legacy of Dr. Martin Luther King Jr., the Commission also launched its first annual MLK Day of Action to increase visibility, discuss the Commission's work, and assist New Yorkers facing or concerned about discrimination. The Commission reached over 1,000 people across all five boroughs, engaging community organizations, faith institutions, and business areas.

Consistent with our mandate to foster intergroup understanding in light of global events, the Commission continued to expand bias prevention and combat stigma. I will mention just a few examples of this work.

Our cultural competency trainings address stereotypes, and other manifestations of bias and hate, and bridge gaps in knowledge while offering strategies to confront hate. The Commission's multilingual Bystander Intervention Training empowered over a thousand New Yorkers to address and prevent hate non-violently. This training emphasizes non-violent intervention techniques, safety, and the impact of identity. CCHR also continued our efforts to foster unity across the city's diverse faith communities, organizing interfaith events, interdenominational discussions, and joint community service projects.

Effective outreach and prevention must include New York's youth. With this in mind, the Commission has deepened and expanded youth programming through our youth advisory ("YES") council, and reached youth via 318 events across the city in FY 24. As already noted, Human Rights Law protections for persons with disabilities are a priority for the agency. To deepen this work, during FY 24, the Commission formed a valuable partnership with Project Access for All, hosting the signature Disability Unite Festival, which attracted over 5,000 participants. The Commission also joined the Disability Pride Parade to demonstrate solidarity with the disability community.

The Commission's ongoing commitment to gender justice also manifested in an array of activities, with an emphasis on the rights of pregnant and lactating people in the workplace. The

Commission led trainings on how to identify and prevent pregnancy discrimination, best practices for employers, and the right to accommodations for pregnancy and related conditions, as well as lactation. The Commission also worked closely with domestic worker coalitions to educate workers and employers on NYCHRL protections. One outgrowth is a collaboration with the Care Forward campaign and the NYC Domestic Worker Coalition to improve practices and standards for domestic workers through a multi-sector group working to formalize high standards for working conditions and enhance dignity in the workplace.

For decades, the Commission has safeguarded New York City's LGBTQIA+ community members. In FY 24, the Commission celebrated Pride and the 55th anniversary of the Stonewall Uprising, and demonstrated solidarity through a number of events and celebrations. Along with Governor Hochul's Office of LGBTQIA+ Affairs, the Commission partnered with the New Pride Agenda to host a Building Bridges Panel that addressed visibility and inclusion of trans communities. CCHR also served on the Bronx LGBT Taskforce, advising the Bronx Borough President on LGBTQIA+ issues. During FY 24, we were proud to participate in the 8th annual LGBTQ+ Iftar, a continued CCHR partnership with the LGBTQ Community Center, Fordham University, the Mayor's Office for the Prevention of Hate Crimes, along with other community partners. It is also vital to note that the Commission continued to show up to support communities affected by bias-motivated acts. In response to the tragic murder of O'Shae Sibley, the Commission organized a vigil where hundreds gathered to honor and mourn his life. As attacks against LGBTQIA+ communities, particularly the trans community, increase nationwide, the Commission remains steadfast in its commitment to enforcing the protections of the NYCHRL.

Office of the Chair

The agency's policy and regulatory priorities, and interagency collaborations, continue to reflect our commitment to advancing the rights of all New Yorkers. In recent months, the agency released multi-lingual and multi-media materials regarding Fair Chance Housing protections, and has worked with members of the Tenant Protection Cabinet to shape the NYC Tenant Bill of Rights, which includes protections against discrimination based on conviction history, and the right of New Yorkers to receive reasonable accommodations paid for by the housing provider absent an undue hardship. Earlier this year, CCHR also released an updated guidance on Human Rights Law protections against discrimination based on national origin and immigration status. Our work also includes ongoing partnership with the Mayor's Office of Equity and Racial Justice and the Commission on Racial Equity to support implementation of NYC's laws on reparations and truth and healing.

Communications and Marketing

The Commission continues to leverage social media, digital platforms, and community press to expand our reach. In FY 24, to educate New Yorkers and the housing providers, employers, and providers of public accommodations who must abide by the NYCHRL about new protections against height and weight discrimination, the Commission led a public information campaign "Different Bodies. Same Rights," displayed on bus shelters, in convenience stores, on LinkNYC kiosks, in subway stations, and in TaxiTV ads. This campaign yielded about 69 million impressions and drove thousands of visits to CCHR's website. The Commission also published an array of resources that highlight scenarios that may constitute illegal discrimination if based

on an individual's height and/or weight, and conducted targeted trainings for employers, EEO officers, and general counsels. These protections are also now embedded in all of our trainings.

The agency also prepared the rollout of a "Together NYC" campaign, which included a pledge for New Yorkers, an opportunity to request a bystander intervention training, and a survey to hear from New Yorkers about their experiences and perceptions of discrimination. More recently, this January, we launched Break Down Barriers to Housing as part of Fair Chance Housing education and outreach. Our multilingual campaigns span social media, radio, print outlets, and convenience stores. Campaigns are complemented by a series of short videos known as the "Human Rights Minute," which feature staff and aim to make the work of the Commission more available to New Yorkers.

Media and press outreach are a means to elevate the Commission's outreach, trainings, events, and enforcement actions. As a result of our campaigns and focus on expanding social media, we continue to reach new audiences with information about the Human Rights Law. CCHR was in the press 339 times in FY 24. The Commission also had more than six million social media impressions, and four million webpage views.

The Commission further invested in community and ethnic media through print advertising. The agency also continued to prioritize M/WBE's and has continuously invested in work with M/WBEs.

All of this work is made possible by the passionate and committed staff that show up every day to prevent and address discrimination in New York City.

Staff and Personnel

As of today, the Commission has a current headcount of 138 with 109 active staff. The staff across each unit and borough is committed to working in partnership with communities vulnerable to civil rights violations. We are a small but diverse staff that speaks over 20 languages across the agency.

Budget

The FY 25 Budget provided for **\$13,933,618**. For FY 26, the Preliminary Budget provides for **\$14,270,627**

Conclusion

I appreciate the opportunity to speak about the work of NYC Commission on Human Rights. We look forward to working everyday as part of this Administration to ensure that New Yorkers can live work and thrive and appreciate the ongoing support and partnership of New York City Council.

Thank you and I welcome your questions.

Testimony of Chair of the Equal Employment Practices Commission (EEPC)

**New York City Council
Preliminary Budget Hearing
March 7, 2025, at 11:30AM**

Good afternoon Chair Williams, and members of the Civil and Human Rights Committee. I am Aldrin Bonilla, Chair of the Equal Employment Practices Commission. With me today is EEPC Commissioner Nicole Yearwood, Jeanne Victor, Executive Director of the EEPC, and Russell Ferri, Director of Research at the EEPC.

Thank you for the opportunity to testify on behalf of the EEPC at this Preliminary Budget Hearing.

The EEPC was created by City Charter Chapter 36 in 1989 to audit and evaluate the employment practices, programs, policies and procedures of City agencies and their efforts to ensure fair and effective equal employment opportunity (EEO) for minority group members and women (Sec. 831 (d)(2) and (5)).

This year we have all seen the contraction and even vilification of equal employment opportunity programs, particularly as it relates to the elimination of diversity, equity and inclusion programs both at the federal level and in private industry, despite all of the evidence that shows a diverse workforce is beneficial to the bottom line. In fact, the Equal Employment Opportunity Commission (EEOC) in Washington, DC currently has no quorum and DEI initiatives have been erased from federal agencies and federal government programs. But here in the City of New York and at the EEPC, we continue to value these programs and what they represent to the City's workforce. As EEPC Commissioner Nicole Yearwood noted during our January Board meeting, "Equal employment practices ensure access and fairness and that this came about because of the glaring absence of certain demographics, including gender, in the workplace. This is not to take away from anyone in particular, but to ensure that others have the opportunity. It is more about creating a system of fairness in a space that has a long history of unfairness and unequal access for different groups. It is a leveling of the playing field." And not a lowering of it," as was noted by our Vice-Chair Elaine Reiss. I couldn't agree more and speaking on behalf of the entire EEPC Board of Commissioners, I want to emphasize that nothing has happened in the past couple of months that will alter the work of the EEPC. We will continue to do our work, and if anything, we will do our work even more robustly than before.

I would like to start by thanking you and the Committee for your past and continued support. As an extremely small agency, staffing is a very important matter for the EEPC. It can be the difference between doing the bare minimum and making a real difference to the City. In 2024, we had a total of 11 staff members and in January 2025, we actually dropped to 10. As we work with OMB to receive approval to fill the 3 headcount that were restored to the EEPC by City Council and the Mayor's Office at

the start of this fiscal year as well as fill 2 staff vacancies, one of which is a part-time Executive Agency Council, we will finally be approaching a more workable staffing level.

Despite the staffing challenges in 2024, it was a busy year. The EEPC audited 32 City agencies and assessed 161 corrective actions. In June, the EEPC held a symposium, featuring Dr. Beverly Tarulli, Clinical Assistant Professor at New York University, which focused on how the City can better attract diverse personnel to join its workforce. Dr. Tarulli highlighted the importance of understanding what motivates people to apply for positions in City government and how to appeal to those motivations throughout the employee lifecycle. She suggested we choose a specific area of the employee lifecycle, whether it is attracting, recruiting, on-boarding, developing, retaining, and separating employees/alumni, that if we act on it, will yield the best outcome as one way to attract and retain diverse talent.

The Research Unit has primarily focused on fulfilling the requirements of Local Law 13 of 2019, which, over a period of 10 years, requires the EEPC to conduct a citywide analysis of racial and ethnic classification underutilization and provide recommendations for addressing, among other things, (a) chronic or systemic underutilization; (b) how the City might reach citywide affirmative employment objectives; and (c) increase diversity in the recruitment, selection, retention, and promotion of City employees. We are commencing year 5 of this 10-year project.

Throughout 2024, the EEPC's Research team conducted a pilot project to review and assess certain aspects of a City agency's efforts to ensure women and people of color have equal employment opportunities. The ultimate purpose of the pilot project is to better understand what City agencies are doing to address underutilization and develop practical recommendations for entities to reduce it. Also in 2024, the EEPC proposed the creation of a handbook, which is currently in the process of being prepared, for use by the agencies' EEO Officers. The purpose of the handbook is to ensure all EEO Officers understand the EEPC's audit standards and what they need to do to ensure their agency can get into and stay in compliance before, during, and after the EEPC's audit.

In addition to our regular work on audits and Local Law 13, planned projects for 2025 include identifying those obstacles that often impede the hiring and promotion of women and people of color into those job groups with systemic underutilization. We may find the answers through working directly with agencies to better understand what they are doing to address underutilization while also looking into pay disparities and occupational segregation, which is found in certain job groups to determine what, if any, obstacles exist to prevent upward mobility. The EEPC has been without an Executive Agency Counsel for nearly 2 years so as we on-board our part-time Executive Agency Counsel, one of their first assignments will be to conduct a review of the City's current EEO laws in relation to our report findings to see what recommendations we might make to amend existing laws or propose new ones, consistent with the requirements of Local Law 13.

Thus, the EEPC will play a critical role in addressing underutilization for our City's workforce. We have now published 6 reports with recommendations pursuant to Local Law 13: one baseline report in 2021, one report in 2022, two reports in 2023, and two reports in 2024 but few know of our work and recommendations as we are not public facing. If the EEPC had a Communications Director to oversee the professional creation of our materials and reports, and craft communication strategies around the dissemination of our findings as well as to manage the messaging of internal and external communications about our work, we could acclimate our City stakeholders and the public to the upcoming legislative, regulatory, and budgetary changes to come. We would also request funding for (1)

Computer Specialist Trainee to assist our Computer Specialist in the management of the EEPC's data and computer systems and (1) Human Resources Generalist Trainee to assist our Director of Human Resources with the administrative work of the Unit in order to ensure our agency is not hampered by the loss of personnel and institutional knowledge.

In addition, the EEPC's funding for Other than Personal Services (OTPS) has not increased in tandem with our recent staffing increases but as has remained flat at \$86,555. (In fact, the EEPC's entire budget of \$1.1M is significantly less than the \$1.8M the City spends to remove one inch of snow from the streets of NYC that would probably melt anyway). An increase of \$350,00 would account for the salaries of the requested staff as well as provide some needed OTPS funding for advanced staff training and industry certifications, necessary software purchases and required software updates, as well as hosting symposia and other events with industry experts and stakeholder partners for the benefit of our City employees and colleagues.

Once again, we greatly appreciate all the support we have received from you, Chair Williams and the Committee on Civil and Human Rights, City Council, the Mayor's Office and our representatives at OMB. I am happy to use the remaining time to answer any questions you may have.



The New York City Anti-Violence Project's Testimony to the Committee on Civil Rights

Caroline Blanton

March 7, 2025

Good afternoon, Chair Williams and Committee members. My name is Caroline Blanton, and I am a Clinician at the New York Anti-Violence Project (AVP). I appreciate the opportunity to testify today, and I want to thank the Council for your continued support of AVP's work as the only organization in New York City that provides LGBTQ+ specific victim services.

For over 40 years, AVP has offered free and confidential mental health counseling, advocacy, and legal services to LGBTQ+ and HIV-affected survivors of violence, as well as operating a 24-hour crisis hotline. As a Clinician at AVP, I staff the hotline for 8-10 hours during the week and take rotating shifts staffing the hotline overnight. I also maintain a caseload of 10 recurring weekly counseling clients, provide trainings to other organizations and AVP volunteers, and run therapeutic support groups for survivors of sexual violence and intimate partner violence twice a year.

As a queer person, working at AVP has been deeply formative for me. The opportunity to provide queer and trans survivors with trauma-informed, identity-affirming services entirely for free is more rewarding than I can describe, and I can't help but think about how impactful AVP's services would have been for me at different points in my life.

Right now, AVP's clients are under attack. The current administration is explicitly targeting the communities that AVP serves and the federal funding we receive, and our ability to continue providing these lifesaving services is at risk. As the cost of living outpaces wages, housing becomes scarcer and more expensive, abolishing the rights of trans people becomes a far-right battle cry, and social services from the federal to the local level continue to get slashed, our clients are struggling to find hope for the future. Where do you turn when those in power question your right to exist?

For many of our clients, the answer is AVP. I received an email recently from a former client, a 59-year-old transgender woman who sought counseling at AVP after being attacked by a group of transphobic men on her own block last summer. When we first met, she could barely leave her house due to the severity of her PTSD symptoms. Over the next six months, we worked together in weekly counseling sessions to process the trauma she experienced and restore her sense of inner safety in a world that is increasingly unsafe for her.

She told me early on that her lifelong dream was to take a cross-country train trip. When we ended counseling in December, she resolved to embark on that trip before the current administration came into office. A month later, I had the joy of reading an email from her with dozens of photos from her journey and a few words I'd like to share with you all:



Caroline - you can take some hope from me today. I took a solo trip as a transgender woman across the country and back. I haven't enjoyed myself that much in years. This world is not safe, but I'm glad you're in it. I'm strong today, and you helped me so much to get back to this place. I'm very grateful.

This is the power of AVP. Because our services are completely free and LGBTQ+ specific, we are able to give our clients an identity-affirming space to heal that they may never have had access to otherwise. At the same time, we are a small team, operating on limited resources. In January, we lost a federal grant that made up a large portion of the funding for our legal department, which provides free legal services and representation to our clients. Over the past two months, calls to our hotline requesting legal services have only increased, particularly from folks who are terrified about their immigration status and need assistance with their asylum cases as their paths to citizenship come under threat. The most difficult part of the crisis work that we do is telling someone when we cannot help them. We provide referrals to other legal aid organizations, knowing that the client on the other end has probably called upwards of 10 organizations just that day and feels demoralized and defeated. We offer emotional support, safety plan with the client around their immediate concerns, and then eventually, there is nothing more we can do.

Committee members, I am asking you today to give AVP the gift of saying yes. Of telling a caller on the hotline that we can help them. That our services are available, and free, and not going anywhere, despite the instability all around us. We can't do that without each of you and your ongoing support.

Increasing the city funding AVP receives will serve as a powerful line of defense to ensure that AVP can continue providing the lifesaving services our clients so deeply need and deserve. Committee members, thank you for listening to my testimony today.



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TESTIMONY OF:

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BROOKLYN DEFENDER SERVICES

Presented before

**The New York City Council
Committee on Civil and Human Rights**

Preliminary Budget Hearing

March 7, 2025

My name is Alexandra Dougherty, and I am a Senior Staff Attorney and Policy Counsel in the Civil Justice Practice at Brooklyn Defender Services. I want to thank the Committee on Civil and Human Rights and Chair Williams for inviting us to testify today about the New York City Commission on Human Rights (CCHR) budget. Adequate funding of at least \$21 million to enforce the city's anti-discrimination laws is necessary to protect the right to affordable housing and stable employment for all New Yorkers.

BDS is a public defense office whose mission is to provide outstanding representation and advocacy free of cost to people facing loss of freedom, family separation and other serious legal harms by the government. For nearly 30 years, BDS has worked, in and out of court, to protect and uphold the rights of individuals and to change laws and systems that perpetuate injustice and inequality. BDS represents approximately 23,000 people each year who are accused of a crime, facing the removal of their children to the foster system, or challenging deportation. Our staff consists of specialized attorneys, social workers, investigators, paralegals, and administrative staff who are experts in their individual fields. BDS also provides a wide range of additional services for our clients, including civil legal advocacy, assistance with educational needs of our clients or their children, housing, and benefits advocacy, as well as immigration advice and representation.

BDS' Civil Justice Practice aims to reduce the civil collateral consequences for the people we serve who are involved with the criminal, family, or immigration legal systems. Our practice combats housing instability in a variety of ways: we defend people from eviction in housing court, provide proactive relocation assistance and benefits advocacy, and help clients navigate



the shelter system. We also fight for the people we serve to keep their jobs and overcome employment discrimination. Through this work we see the profound challenges New Yorkers face in securing safe, affordable, and permanent housing and meaningful employment.

Source of Income Discrimination

BDS works with New Yorkers who are experiencing housing insecurity or are unhoused and works to help them find secure and stable housing. Through this work, the largest and most pervasive obstacle our clients face is source-of-income discrimination. The majority of people we work with in this capacity are voucher-holders. The housing search process typically starts with a voucher-holder reaching out to brokers via listings websites and private brokerage firms. Brokers then request a credit score and proof of income at least 40 times the monthly rent. Prospective tenants who respond with proof of their voucher rarely receive a response from the broker or they are told explicitly that the landlord does not accept vouchers. Despite New York City's protections against source-of-income discrimination, landlords and brokers know that enforcement is weak, and they are unlikely to be held accountable for denying housing to voucher-holders. Due to this unchecked source-of-income discrimination, the people we serve regularly spend six months or longer attempting to secure housing with their vouchers, unnecessarily prolonging homelessness and housing instability.

Vouchers such as CityFHEPS and Section 8 are described by the city as the ticket to finding safe, affordable, and permanent housing. But vouchers themselves are meaningless if the agencies tasked with limiting discrimination by landlords and brokers are unable, due to lack of resources, to provide meaningful enforcement of these protections. Without this enforcement, our anti-discrimination laws are merely cosmetic, and our clients are unable to search for housing in any meaningful way. The Commission on Human Rights must be fully funded to enable voucher-holders to secure stable housing.

Discrimination Based on Criminal Background

For many of our clients experiencing housing or employment insecurity, options are even further limited by an old arrest or conviction history. Because of long-standing racial inequities in our criminal legal system, Black and brown people have been disproportionately impacted by housing discrimination on the basis of an arrest or conviction record. By shutting people out of both the city's limited affordable housing stock and the competitive job market, discriminatory background checks prevent people from stabilizing their lives and perpetuate cycles of homelessness.

The Fair Chance Act established vital protections for New Yorkers with conviction and arrest histories from employment discrimination. But many of the people we serve still face immediate adverse employment consequences from an arrest or conviction. Even though the Fair Chance Act came into effect almost 10 years ago, in our experience, employers remain either unaware of their responsibilities under the Fair Chance Act or know that enforcement of the law is sporadic and slow. Often our best chance at getting redress for New Yorkers facing employment discrimination is to get involved quickly and negotiate a settlement outside of the CCHR complaint process. When we do proceed with a CCHR complaint, the employer is able to



continue its discriminatory practices and our client remains suspended or terminated from work for the duration of the years-long process.

Similarly, the Council's passage of Fair Chance for Housing was an important milestone to combat housing discrimination against New Yorkers with conviction and arrest histories. This is crucial because access to housing lowers recidivism, allows people to support themselves and their families, and makes our city safer. We know that access to housing is the foundation of thriving communities. However, as with all of our robust anti-discrimination laws, these laws are only as strong as our ability to enforce them and to educate the public on its rights and responsibilities.

The City Must Invest in Preventive Outreach and Education

The City Commission on Human Rights, which is tasked with enforcing and educating the public about the city's anti-discrimination laws, has been systemically underfunded. It is both underfunded and understaffed compared to similar agencies in smaller cities.¹ We have seen how the current Fiscal Year 2025 budget of \$14.1 million has been drastically insufficient to enforce these laws and prosecute claims of discrimination,² let alone to engage in vital preventative and educational outreach.

The Commission's staff has consistently decreased, leading to ballooning workloads and delays in hearing complaints. Our understanding is that a significant backlog of complaints began at the beginning of the COVID-19 pandemic when many staff members left and persists due to persistent staff shortages. Although the Commission is supposed to conduct an investigation once a complaint is filed and answered, the case backlog results in significant delays.

We have felt the CCHR's diminished capacity in our practice. BDS has complaints that have been pending at the CCHR for years, with little to no progress made. We believe that many of the cases we bring would benefit from CCHR's mediation process. Early resolution via mediation—where appropriate—would be an efficient use of funding because it would allow CCHR to resolve complaints without the need for a full investigation or litigation. We therefore urge the Commission to contribute funding that would expand CCHR's mediation program.

It is critical that CCHR receive full funding across the entire agency. Full funding must also ensure that the Commission has resources to conduct comprehensive and ongoing community outreach and education about our anti-discrimination laws. CCHR is charged with preventing discrimination by informing the public of their rights and responsibilities under our laws but is not equipped with the resources to do so. Therefore, responsibility for public education and outreach about the new Fair Chance for Housing law has fallen predominantly on advocates and coalition members, including BDS, but our organizations are not in a position to reach private housing providers. Until the Commission is adequately funded, housing providers will continue to conduct discriminatory background checks and violate the law simply because they are unaware of it.

¹ The Seattle Office of Civil Rights has a budget of \$7,863,947 in 2025 and serves a city of about 755,000.

² Adjusted for inflation, CCHR's FY25 budget was lower even than its pre-pandemic 2019 budget.

Brooklyn Defenders

The Commission continues to make laudable efforts to combat discrimination in New York City but cannot be expected to meet its mandate without a meaningful increase in funding. The council passed the city's Human Rights Law in order to provide broad and comprehensive protections for vulnerable populations, but it can only do so if the Commission is given the resources to enforce those protections. With the addition of the newly effective Fair Chance for Housing law, the Commission's need for those resources is greater now more than ever.

Conclusion

BDS is grateful to New York City Council's Civil and Human Rights Committee for your time and consideration of our comments. We look forward to further discussing these and other issues that impact the people and communities we serve. If you have any additional questions, please contact Alexandra Dougherty, Team Leader & Senior Staff Attorney, at adougherty@bds.org.

Testimony to New York City Council, Committee on Civil and Human Rights
Legal Services NYC
March 7, 2025

Good morning, my name is Sara Manaugh, and I'm the director of litigation at Brooklyn Legal Services, part of Legal Services NYC, here to speak about the Council's efforts to support the critical work of the NYC Commission on Human Rights to combat unlawful discrimination in housing, employment, and public accommodations.

Legal Services NYC ("LSNYC," www.legalservicesnyc.org) is the nation's largest civil legal services provider with offices in all five boroughs, providing crucial support for over 100,000 low-income New Yorkers every year. LSNYC's mission is to fight poverty and seek racial, social, and economic justice for low-income New Yorkers. Through litigation, advocacy, education, and outreach, LSNYC has advanced the interests of our clients and created systemic changes that strengthen and protect low-income communities. We work to protect the rights of people with disabilities, veterans, immigrants, the LGBTQIA+ community, and other vulnerable communities. We deeply appreciate the City Council's longstanding support for legal services and for its championship of our mission and our work.

The New York City Commission on Human rights plays a vital role in the lives of vulnerable New Yorkers as the agency charged with enforcement of the New York City Human Rights Law. Thanks in large part to the dedicated efforts of members of this body, the City Human Rights Law provides the most robust protections of any human rights law in the country, and exceeds in many ways the scope of anti-discrimination protections in the state and federal law.

When the Commission is working well, it provides critical assistance to New Yorkers who have experienced discrimination and abuse at the hands of employers and landlords. The Commission's investigatory powers, authority to enforce the law, and skilled mediators can be powerful tools on the side of defending the rights of New Yorkers to be free from unlawful discrimination. This is crucial in our efforts to represent our clients, but it is also vital to people who lack legal counsel but who can nevertheless invoke the Commission's process to seek and obtain redress for unlawful conduct that violates their human rights.

The Commission is a vital resource for clients such as Mx. C, a non-binary, transgender teacher whom we represented at the Commission in a discrimination complaint filed in early 2022. Mx. C taught high school History and Film at a girls' charter school in Brooklyn from 2019 until their termination in May 2021. During their employment, Mx. C was harassed, retaliated against, and ultimately terminated in their efforts to advocate for proper pronoun usage, not for themselves but for non-binary transgender students at the school. When Mx. C requested permission to make an announcement regarding one student's pronouns at a staff meeting, the Head of School rejected this proposal, and instead forced the student to attend counseling and then to make a presentation to the entire school about gender. In a further effort to support the student, Mx. C designed a curriculum for the class on gender identity, transphobia, and allyship, during which students discussed ways in which the school perpetuated transphobia. Mx. C then shared the work with the school's leadership. Thereafter, Mx. C was accused of indoctrinating students to

believe the school was transphobic, disciplined in retaliation, threatened, denied paid leave for gender-affirming surgery, and terminated from employment at the end of the 2021 school year.

We filed Mx. C's complaint at the Commission in early 2022 and went to mediation in November 2023. Thanks in large part to the work of the Commission's mediator, Mx. C's case was ultimately settled in early 2024, with Mx. C receiving a fair monetary settlement.

Outcomes like that in Mx. C's case are increasingly rare; these days, complaints can expect to wait almost three years for a resolution, and with only one mediator on staff, less than 1 percent of complainants were able to have their cases mediated. By contrast, the U.S. Equal Employment Opportunity Commission mediates about 10 percent of its cases.

Given the tumultuous situation in Washington, and the current presidential administration's expressions of hostility against populations who are often targets of discrimination, the City Commission is now more critical than ever in ensuring New Yorkers are protected from harassment and discrimination and can seek redress when their rights are violated. This is especially true for New York's immigrant and transgender communities, who the federal government has signaled it will not protect from discrimination.

Since January, the federal agency charged with protecting employees from discrimination has abandoned its cases protecting trans and gender non-conforming employees in favor of joining the administration's campaign of harassment and targeting of trans people. Indeed, the Equal Employment Opportunity Commission has even signaled that it will also abandon immigrants and no longer enforce federal civil rights laws against national origin discrimination. Similarly, HUD's Office of Fair Housing and Equal Opportunity is being dismantled, leaving most victims of housing discrimination without federal recourse.

With the EEOC and FHEO less willing or able to protect transgender, gender non-conforming, and immigrant New Yorkers against discrimination, the Commission's work will be more essential than ever. If the Commission's funding remains at its current levels, however, the backlog of cases only stands to increase and the delay for our clients is likely to get worse.

Finally, while we laud the Fair Chance for Housing Act's prohibition on landlords inquiring into applicants' criminal histories, the addition of this category to the Commission's jurisdiction without corresponding funding to address enforcement will mean that the wait for complaints to be adjudicated will only increase as the provision goes into effect.

We at Legal Services NYC, our coalition partners, and members of this City Council worked together and fought long and hard for New York City to have the most expansive civil rights protections in the country. However, without a City agency equipped to enforce those rights, they are all but meaningless to most people. Even those who are able to obtain representation, like our clients, will be forced to engage in lengthy litigation, delaying justice and burdening the courts, when disputes could have been more easily and efficiently resolved at the Commission. Most who aren't represented will not even have that option.

A stronger Commission on Human Rights will be a Commission that is truly empowered to serve the vulnerable New Yorkers it was created to protect.

Thank you for your time.



Powering a
more equitable
New York

**New York City Council Budget and Oversight Hearings
Civil and Human Rights**

March 7, 2025 Testimony of
Stephen Dunn, Senior Staff Attorney

The Community Service Society of New York (“CSS”) strongly encourages the Council to significantly increase funding to the New York City Commission on Human Rights (“CCHR”), raising it from the proposed amount of \$14.9 million to \$21 million. This additional money can allow CCHR to offer competitive salaries, while expanding its Law Enforcement Bureau and mediation staff to reduce the case backlog and processing time.

Over its 180 years, CSS has powered a more equitable New York with a unique combination of research, policy advocacy, and direct service work to support low- and moderate-income people, who are the main beneficiaries of a robust CCHR. Private attorneys are disinclined to represent low-wage workers because the amount of monetary damages they can recover is much smaller than that of a high wage-earner. Though the New York City Human Rights Law (“NYCHRL”) allows successful litigants to recover attorneys fees, private attorneys will earn more than their hourly rate when they are paid a percentage, typically 33%, of the total award to a high wage-earner. Additionally, CSS’s housing policy analysts have shown how CityFHEPS is a vital tool to address the homelessness crisis;¹ yet its full potential is frustrated by source-of-income discrimination.

CSS has also been involved in amending the NYCHRL: In 2015, CSS was the lead legal advocate behind the Fair Chance Act, which prohibited employers from inquiring into an applicant’s criminal history until after a conditional offer of employment. In the ensuing decade, we have seen the law lead to—and preserve—employment for people with criminal records because it forces employers to consider people as individuals, not the coalescence of their worst mistakes. CSS recently won passage of a state bill that will automatically seal conviction records for civil purposes after specific waiting periods, and we are part of a coalition working on education about and enforcement of the Fair Chance for Housing Act. We come to this work through our Next Door Project, which since 2008, has helped individuals obtain, understand, and fix mistakes

¹ See OKSANA MIRONOVA, ET AL., CITYFHEPS: STATE OF THE PROGRAM AT THE END OF 2024 (2024), available at <https://www.cssny.org/publications/entry/cityfheps-state-of-the-program-at-the-end-of-2024>

on their criminal records and overcome barriers and illegal discrimination based on those records, which includes filing complaints at CCHR.

All three of these laws are enforceable by CCHR, and they protect the roughly 817,000 people with criminal records in New York City.² Of course, the Commission's jurisdiction is much broader: It covers all 8.8 million residents, plus anyone working in or visiting the City, and it does so in the three main spheres of our lives: at work, at home, and in public. Discrimination is rightfully prohibited in all of those areas; yet the City spends one ten-thousandth (0.0001%) of its budget to CCHR. Meanwhile, the NYPD takes up almost six percent when justice for a crime victim is no less important than that for a sexual harassment victim; or a disabled person's right to access their home and public spaces; or a person seeking a home with a housing voucher. In fact, the City throws good money after bad by budgeting *one billion dollars* to spend on housing vouchers—that's 67 times CCHR's budget—without ensuring strong enforcement against source-of-income discrimination.³

Not only is CCHR's budget, insufficient, it—far more importantly—is inconsistently administered by the City Office of Management and Budget ('OMB'), whose interference in agencies' hiring process is well-documented, including by this Council.⁴ Even when titles are vacant and budgeted, OMB has imposed rules that require an agency to lose two employees before being able to hire a new one, delayed hiring candidates who have accepted a job offer for months, and eliminated positions that generate revenue for the City. Though OMB says it does not eliminate revenue-generating positions, it is the sole arbiter of which titles fall into that category. All of this has sown chaos and tanked morale at many City agencies, including CCHR.

To fight this, the Council must begin to emphasize that CCHR's Law Enforcement Bureau ('LEB') is revenue-generating because of its ability to impose civil penalties. This starts with the fiscal impact statements accompanying bills to add new protections to the NYCHRL, and it should continue with Council scrutiny of OMB. Over the past five years, LEB's penalties have added an average of over one million dollars to the City's

² DATA COLLABORATIVE FOR JUSTICE AT JOHN JAY COLL., CRIMINAL CONVICTIONS IN N.Y.S., 1980-2021 at 7 (May 2023), *available at* datacollaborativeforjustice.org/wp-content/uploads/2023/04/ConvictionsReport-2.pdf.

³ CITIZENS BUDGET COMMISSION, CITYFHEPS HITS ONE BILLION at 5 (2025), *available at* https://cbcny.org/sites/default/files/media/files/CBCREPORT_FHEPS_02242025.pdf.

⁴ Chris Sommerfeldt, *NYC Council accuses Mayor Adams' budget team of 'impeding' hiring at city agencies amid staffing crisis*, N.Y. DAILY NEWS, Mar. 28, 2023. See generally Hearing of Council Committee on Governmental Operations, State & Federal Legislation, Oversight - State of the City Workforce, *available at* <https://citymeetings.nyc/city-council/2024-11-19-1000-am-committee-on-governmental-operations-state-federal-legislation>

general fund each year.⁵ Unfortunately unmeasured is the fiscal gains of moving people out of shelters and into housing—or preventing their entry into a shelter in the first place—through strong source-of-income enforcement.

CCHR's penalties are on the decline, however, as inquiries, open matters, and complaints have all increased. Between fiscal years 2023 and 2024, the Commission has imposed over \$200,000 less in penalties as inquiries have increased by over a thousand, open matters and complaints are rising, and the average age of complaints has shot up from 514 to 593 days.⁶

Only a multi-year commitment of increased funding will allow the agency to rebuild lost capacity and increase starting salaries to a competitive level. The additional \$400,000 in the City's Financial Plan is a welcome start.⁷ But CCHR has a much broader jurisdiction and receives thousands more complaints than the Civilian Complaint Review Board, yet CCHR's budget is projected to be over \$10 million less.⁸ Its budget should match the breadth of its jurisdiction.

With strong, independent leadership and a robust, predictable budget, CCHR can effectively enforce the rights of the low-income New Yorkers CSS serves. CCHR can move faster than the court system but award the same monetary damages to complainants. It can also assess civil penalties, which go directly into the City's General Fund, and mandate policy changes and remedial actions—like reserving apartments for voucher-holders—that are difficult to achieve in court. Finally, it can issue policy guidance and make rules that can change industry practice without filing any complaints at all.

Thank you to Chair Nantasha Williams and the New York City Council Committee on Civil and Human Rights for holding this hearing and for the opportunity to provide written comments. With rollbacks to worker and civil rights protections across the federal government, it is more important than ever that New York City maintains an effective Commission on Human Rights.

Sincerely,



Stephen Dunn
Senior Staff Attorney

⁵ CCHR, MAYOR'S MANAGEMENT REPORT, 118 (2024), available at <https://www.nyc.gov/assets/operations/downloads/pdf/mmr2024/cchr.pdf>

⁶ *Id.*

⁷ CITY OF N.Y., FINANCIAL PLAN FISCAL YEARS 2025-2029, available at <https://www.nyc.gov/assets/omb/downloads/pdf/jan25/jan25-fp.pdf>.

⁸ *Id.* at 23.



**Testimony: Preliminary Budget Hearing on the FY 2026 Budget for the
Committee on Civil and Human Rights**

**Proposal: Fully fund the City Commission on Human Rights to fight
discrimination in housing and workplace**

Testimony by *Hilary Wilson, Debipriya Chatterjee and Jennifer Hinojosa*
Community Service Society of New York
March 7, 2025

Thank you to Chair Williams and to the committee members for this opportunity to testify today. Our names are Hilary Wilson, Debipriya Chatterjee, and Jennifer Hinojos and we are policy analysts at the Community Service Society of New York (CSS). CSS uses research, advocacy, and direct services to increase economic opportunity for low-income New Yorkers. CSS has long championed policies that expand access to affordable housing and promote fairness in the labor market. In recent years, we have worked alongside our allies to increase funding for CityFHEPS housing vouchers and to pass the city's salary range transparency law. These policies promote housing security by combating "source of income" discrimination and help close gender- and race-based inequities wage gaps. However, their success depends on strong enforcement by the City Commission on Human Rights (CCHR).

Thus, today, we urge the City Council and the City administration to adequately fund and staff the Commission at the levels necessary to ensure effective and efficient enforcement of city laws.

Source of Income Discrimination

CSS and its partners have been at the forefront of the fight to expand the availability of and access to the city's primary voucher program, CityFHEPS. In a city with 86,900 individuals in homeless shelters—nearly 31,100 of them children—CityFHEPS is a powerful tool that can help shelter residents find permanent housing. Since its inception in 2019, the program has gradually grown, helping 13,400 voucher holders secure permanent housing in 2024. But obtaining and using a CityFHEPS voucher remains an arduous process, requiring the voucher holder to navigate bureaucratic hurdles and a severe shortage of affordable housing. Even after overcoming these challenges, when voucher holders finally find a residence that meets all the

program requirements, they are often “ghosted” by real estate agents or landlords who are disinclined to have tenants that pay rent using a voucher.

This is an illegal yet pervasive practice, known as source of income discrimination. Our in-depth [report](#) published jointly with Unlock NYC, a non-profit tracking instances of source of income (SOI) discrimination, shows that besides “ghosting,” where the leasing representative goes unresponsive, and outright denying voucher holders, landlords often use proxy tactics such as steering voucher holders to high-crime neighborhoods or demanding unrealistically high credit score requirements. SOI discrimination delays voucher holders’ ability to access permanent housing, which they so urgently need and for which the City has rightfully dedicated a significant number of resources. Between 2023 and 2024, the [number of SOI complaints have increased](#) to 554 from 352—the highest levels recorded.

CCHR is chiefly responsible for combatting sources of income discrimination. While we applaud the administration for proposing an increase in the agency’s budget, the proposed staffing level is well below what it was before the pandemic. This is particularly concerning given the expansion of the CityFHEPS program over the past few years. We would like to underscore the fact that by short-staffing CCHR, the City is not saving money; rather, it increases costs by prolonging shelter stays and straining homeless assistance services for voucher holders encountering SOI discrimination.

Persistent Pay inequity

The Commission is also charged with oversight and enforcement of the city’s salary range transparency law. Since it went into effect in [November 2022](#), compliance with the law has been almost universal, in part thanks to the enforcement actions taken by the Commission. While the gender and racial wage gaps still persist, with women in New York earning 78 cents for each dollar earned by non-Hispanic white men and women of color earning even less, the salary range transparency law has been hailed as a crucial first step in reducing inequities among new hires.

However, over the past two years, inquiries to the Commission have been on the rise while the number of complaints closed or mediated has [declined](#). Again, this is due to ongoing funding and staffing shortages, particularly a shortage of staff attorneys.

CSS is now advocating for amendments included in [Intro 808](#) which would strengthen the salary range transparency law. These amendments are vital to ensuring that the salary transparency law can be effective and that all New Yorkers are paid fairly. Their successful implementation will require that CCHR is sufficiently resourced.

At a time when human rights and civil liberties are under attack, the city must demonstrate its commitment to upholding the rule of law. That means fully and adequately funding CCHR.

Thank you again for this opportunity. If you have any questions, please contact Hilary Wilson at hwilson@cssny.org.



**Testimony of Jonathan Eber
Program Officer, Policy and Communications
Enterprise Community Partners, Inc.**

**To the New York City Council
Committee on Civil and Human Rights
Public Hearing on the Preliminary FY 25 Executive Budget
March 7, 2025**

My name is Jonathan Eber, and I am a Program Officer on the Policy and Communications team at Enterprise Community Partners. Enterprise is a national nonprofit that exists to make a good home possible for the millions of families without one. We support community development organizations on the ground, aggregate and invest capital for impact, advance housing policy at every level of government, and build and manage communities ourselves. Since our New York office opened in 1987, we have committed more than \$4.6 billion in equity, loans and grants to create or preserve over 67,500 affordable homes across New York City. I would like to thank Chair Williams and the Committee on Civil and Human Rights for the opportunity to testify today in support of increased funding for the New York City Commission on Human Rights (CCHR).

Enterprise is a member of the Human Rights Law Working group, a coalition of legal service providers and advocates who work in housing, employment, healthcare, immigration, and more. The breadth of our coalition illustrates just how critical the work of CCHR is in enforcing the City's comprehensive Human Rights Law.

Housing discrimination exacerbates New York City's affordable housing and homelessness crises, entrenching segregation and inequality. Source of Income (SOI) discrimination, in which a landlord refuses to rent to a prospective tenant based on their lawful non-wage income, undermines New York City's critical investment in the rental assistance programs that are a pathway to housing stability for so many.

Since 2019, when Enterprise led a successful coalition effort to outlaw SOI discrimination statewide, we have been active in ensuring that New Yorkers with vouchers are able to live in the homes and communities of their choice. Despite local protections in New York City for over a decade, SOI discrimination remains pervasive, being CCHR's second most common form of complaint in 2024¹. Recent analysis of NYCHA Section 8 voucher holders by the NYU Furman Center found that in 2022, only 53% of recipients found housing within the allotted time frame of 180 days, suggesting major barriers to utilization, including discrimination.

This is a critical time for fair housing in New York, and across the country. Executive actions in Washington threaten to roll back significant protections guaranteed by the Fair Housing Act. This includes the termination of the Affirmatively Furthering Fair Housing (AFFH) rule, and the [slashing](#)

¹ <https://www.nyc.gov/assets/cchr/downloads/pdf/publications/AnnualReport2024.pdf>

[of federal grants](#) to nonprofit fair housing agencies through the Fair Housing Initiatives Program (FHIP). Furthermore, CCHR is responsible for a growing list of new fair housing protections locally, including the New Fair Chance for Housing Act, which protects an estimated 750,000 New Yorkers impacted by the criminal legal system from discrimination.

All of this speaks to the need for adequate enforcement by the City. CCHR has done commendable work with the resources it has been given. Their innovative early-intervention unit has resolved housing disputes quickly for thousands of New Yorkers and inspired a similar early-intervention unit focused on SOI on the State level. Yet for too long, CCHR has been chronically underfunded and understaffed. In FY24, it took an average time of 539 days to close a case, up over 100 days since FY21. Meanwhile, the number of inquiries CCHR receives has only increased each year, from 10,015 in FY20 to 13,360 in FY24.

We ask that the City Council allocate at least \$21 million to bring CCHR funding and staffing back to pre-pandemic levels and clear the current backlog of complaints. This figure incorporates the estimated \$1.4 million it will cost annually to enforce the Fair Chance for Housing Act and would allow the agency to hire new mediator positions which will drastically reduce wait times. We recommend that CCHR staff up to address 10% of all complaints through mediation.

In addition to new funding, we call for greater reporting transparency when it comes to complaint data. More detailed information, including the number of complaints being rolled over year-to-year and the types of complaints that take the longest to close out will help advocates and the City Council determine the best strategy to clear the backlog.

Lastly, we ask that CCHR be exempt from any upcoming Program to Eliminate the Gap (PEGs), as well as the 2 for 1 allotment process that hampers the agency's ability to staff up, just as other public safety agencies are.

Thank you again for the opportunity to testify on this year's budget about the need for adequate funding for CCHR. We look forward to working with you this year to ensure that all New Yorkers have access to fair, affordable and stable housing.



Testimony of FPWA

Presented to:
Committee on Civil and Human Rights
Preliminary Budget Hearing – Civil and Human Rights
Hon. Chair Nantasha Williams
March 7, 2025

Jennifer Jones Austin
Executive Director/CEO

Prepared By:
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We are grateful to Chair Nantasha Williams and the New York City Council Committee on Civil and Human Rights for holding this hearing concerning the Preliminary Budget for the New York City Commission on Human Rights (CCHR), and for the opportunity to provide written comments on behalf of FPWA (Federation of Protestant Welfare Agencies).

FPWA is an anti-poverty policy and advocacy organization committed to advancing economic opportunity, justice, and upward mobility for New Yorkers with low incomes. Since 1922, FPWA has driven groundbreaking policy reforms to better serve those in need. We work to dismantle the systemic barriers that impede economic security and well-being, and strengthen the capacity of human services agencies and faith organizations so New Yorkers with lower incomes can thrive and live with dignity.

In addition to our capacity as advocates for economic opportunity and security, we are here today as members of the Human Rights Law Working Group, a coalition of legal service providers and advocacy organizations who advocate in support of a well-funded and sufficiently staffed CCHR. The New York City Human Rights Law (NYCHRL), administered by CCHR, prohibits discrimination in employment, housing, and public accommodations, and protects against discriminatory lending practices, retaliation, discriminatory harassment, and bias-based profiling by law enforcement. It is one of the most comprehensive civil rights laws in the country and applies to a long list of protected classes beyond those recognized by the federal and New York State governments.¹ We commend City Council for its expansive view of civil and human rights, amending the NYCHRL over 40 times since 2013 to add additional protections for New Yorkers.² However, we must express our alarm at the chronic underfunding of CCHR, which prevents New Yorkers from receiving justice when faced with discrimination.

Creating a More Responsive and Better Resourced CCHR

We ask that City Council allocate **at least \$21 million** to bring CCHR funding back above pre-pandemic levels and give CCHR the resources necessary to work through its caseload to decide cases on the merits, including through a robust mediation process, prepare for the possibility of an influx of cases due to the changes at the federal level, and put resources towards educating the public about their rights and the work of CCHR.

Last year CCHR received approximately \$11.5 million in actual expenditures and transfers.³ In the years immediately prior to the pandemic, CCHR's budget peaked at \$14 million, which adjusted for inflation is approximately \$16.2 million today. This funding was clearly not sufficient before the pandemic, and City government has failed to allocate this level of funding since. With that amount of funding CCHR was administratively closing 51% of the cases it closed in FY20, 60% in FY19, 68% in FY18, 65% in FY17, and 62% in FY16.⁴ CCHR should also be staffed to address at least 10% of its cases through mediation to reduce the waiting times for complainants with viable claims. We believe the increase in both funding and mediation capacity is necessary to protect the civil rights of New Yorkers.

¹ <https://www.nyc.gov/site/cchr/law/the-law.page>

²

<https://www.nyc.gov/site/cchr/law/amendments.page#:~:text=A%20Local%20Law%20to%20amend,%2C%20housing%2C%20and%20public%20accommodations>

³ <https://comptroller.nyc.gov/wp-content/uploads/documents/ACFR-2024.pdf>

⁴ <https://www.nyc.gov/assets/operations/downloads/pdf/mmr2020/cchr.pdf>

We also need greater transparency in reporting, so that we may better understand how many cases are being rolled over from year to year, the types of inquiries CCHR is getting that don't result in an open case, and why. This type of information will help both City government and advocates keep CCHR accountable to New Yorkers.

Given not only the importance of CCHR's work, but the urgency created by the changed federal landscape, we also ask that CCHR be exempt from the Program to Eliminate the Gaps (PEGs). Alternatively, we ask that as a public safety agency, that CCHR be exempt from PEGs that exempt other public safety agencies such as NYPD. In an effort to increase staffing levels and address its mandate, we ask that CCHR be exempt from the allotment process (sometimes referred to as 2 for 1), which hampers the agency's ability to efficiently hire.

In addition to funding for Personal Services (PS), we believe it is also crucial that CCHR increase its Other Than Personal Services (OTPS) spending to fund expenditures such as public information campaigns and administrative costs, and support CCHR staff's efforts to implement the laws under their purview. However, given their current limited budget it is impossible for them to do so effectively and thus will require new funding to fulfill this crucial mission.

In recognition of the need to protect the civil rights of New Yorkers, City Council has enacted several laws in recent years which require additional expenditure based on their fiscal impact statements. For example, implementation of the Fair Chance for Housing Act, including the hiring of ten new staff and related costs for a public education campaign at CCHR required \$700,000 in FY25, \$1.4 million for full implementation in FY26, and a total on-going annual cost of \$1.4 million.⁵

For these reasons, we think it is essential the City Council increase funding for CCHR to \$21 million.

The Administration of Anti-Discrimination Employment Laws is Necessary to Protect Economic Security

Discrimination leads to low wages. The less power employees have in the workplace, the less they can push back against inadequate wages, including by leaving for other jobs. Unfortunately, New Yorkers face discrimination based on race, gender, age, disability, sexual orientation and the many other protected classes that are recognized by the NYCHRL.⁶ Discrimination in the workforce, which prevents qualified New Yorkers from getting jobs or promotions, receiving a fair wage, and enjoying a safe work environment that both meets safety standards and is free of harassment, is an economic security issue. Employment discrimination is costly⁷ to workers. It undermines career trajectories due to lack of promotions, loss of wages, job turnover, and the adverse physical and mental health outcomes associated with employment discrimination. It leads workers, particularly minorities and women, to be crowded into, and therefore disproportionately represented in, low-wage jobs creating and perpetuating the harmful effects of

⁵ <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=5755059&GUID=1081D9A0-5626-4DE4-BB6A-142AB373A4AF&Options=ID%7CText%7C&Search=Int+632>

⁶ <https://www.nyc.gov/site/cchr/law/the-law.page>

⁷ <https://equitablegrowth.org/the-importance-of-anti-discrimination-enforcement-for-a-fair-and-equitable-u-s-labor-market-and-broadly-shared-economic-growth/#:~:text=The%20effective%20enforcement%20of%20anti%2Ddiscrimination%20laws%20is%20essential%20to,affects%20workers'%20labor%20market%20outcomes.>

occupational segregation.⁸ Within labor sectors it creates and perpetuates wage gaps, as seen by the disparity in average wages for similarly employed individuals based on race or gender, and the stagnation of wages often experienced by women after motherhood, while men often receive a “fatherhood wage premium” or increase in pay.⁹ Discrimination at work has been linked to poor physical¹⁰ and mental health¹¹ outcomes such as depression and high blood pressure. The combination of these harms also prevents workers from building the wealth necessary to be financially secure today, save for the future, and address an unexpected crisis due to the impact on wages and physical and mental health. Addressing discrimination is also burdensome, particularly on low-wealth households due to the time-consuming process of addressing these issues legally or searching for a new job, and the expense of switching jobs including potential moving costs and loss of healthcare coverage both for employees and the dependents in their households.

Currently, FPWA is engaged in on-going research and advocacy concerning the impacts of discriminatory workplace behaviors on the lives of New Yorkers, including occupational segregation (overrepresentation and underrepresentation of specific demographics in labor sectors), wage deprivation (intersecting wage-related harms such as wage suppression, wage theft, and the perpetuation of wage gaps), and job quality (including access to benefits, scheduling, and workplace safety, among other features of employment). From this work, we see that structural inequities in our labor market, spurred by discrimination, ultimately prevent economic mobility, and prevent families from building enough household wealth to not only address their basic immediate needs, but also address their future needs like retirement.

Ultimately, structural inequalities fortify wealth disparities so rigidly that low-wealth workers (including both low- and middle-income workers) have become the majority around the country and in New York State. Without the ability to build wealth, families will continue to struggle. The National True Cost of Living Coalition, co-chaired by FPWA, released a report measuring the True Cost of Economic Security, which indicated that 52% of Americans report not having the resources to cover more than their basic needs. In New York State the figure is 54%, and 62% in New York City.¹² Addressing discrimination in the workforce mitigates this wealth disparity and drives economic security for New Yorkers. We are thankful that CCHR provides redress for those experiencing discrimination in employment, but the understaffing and underfunding of CCHR hampers its impact on economic insecurity.

Underfunding CCHR Undermines City Government Priorities and Services

Effective enforcement of the NYCHRL is key to advancing many of the City’s priorities including housing affordability, and workforce development; however, this requires a well-funded CCHR that has the capacity to take on these cases.

⁸ <https://www.americanprogress.org/article/playbook-for-the-advancement-of-women-in-the-economy/ending-discrimination-and-harassment-at-work/>

⁹ <https://www.pewresearch.org/social-trends/2023/03/01/the-enduring-grip-of-the-gender-pay-gap/>

¹⁰ <https://www.health.harvard.edu/blog/discrimination-at-work-is-linked-to-high-blood-pressure-202305302939>

¹¹

[https://pmc.ncbi.nlm.nih.gov/articles/PMC6864381/#:~:text=Discrimination%20was%20significantly%20associated%20with,13\).](https://pmc.ncbi.nlm.nih.gov/articles/PMC6864381/#:~:text=Discrimination%20was%20significantly%20associated%20with,13).)

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<https://static1.squarespace.com/static/66325d16fd47e929f648f037/t/673c6aed5ba1961190dbe659/1732012781586/Measuring-the-True-Cost-of-Economic-Security.pdf>

New York City's housing affordability and capacity crises¹³ are made worse by source-of-income discrimination¹⁴, when lenders and brokers refuse to rent to low-income New Yorkers because they are using housing subsidies to pay rent. The prevalence of this discriminatory practice is not only an injustice against the individuals and families who struggle to find permanent housing due to source-of-income discrimination, but also an administrative issue for New York City, through the undermining of the housing voucher and subsidy programs, and the follow-on effect of exacerbating homelessness and putting additional strain on the shelter system.¹⁵ Further, CCHR is responsible for enforcing many laws barring discrimination in renting and housing, including the Fair Chance for Housing Act prohibiting discrimination against renters and buyers with criminal histories. It's estimated that 750,000 New York City residents have criminal convictions and could be impacted by the passage of this law, which took effect on January 1st of 2025.¹⁶ Housing discrimination can undermine both the budgetary investment that New York City government has made to increase affordable housing, as well as the administration of the City's services for low-income New Yorkers to drive housing security. Housing security is an economic security issue. Stable housing is a foundational requirement for individuals and families to thrive. Housing security is tied to economic security because housing costs account for a significant amount of household spending. In 2021, over 1 million households (53 percent) in the City were rent burdened, spending over 30 percent of income on rent. Approximately 60 percent of this group was considered severely rent burdened, meaning they spent over 50 percent of their income on rent.¹⁷ This forces households to make trade-offs with other essentials, like food and health care, or leads to living in crowded, poorly maintained or even hazardous conditions and having a negative impact on economic security and health outcomes.¹⁸ CCHR has the infrastructure to protect New Yorkers from housing discrimination, but without sufficient funding and staffing, those tools cannot be put to proper use. New York City's workforce development programs¹⁹ and initiatives are undermined by the pervasiveness of employment discrimination. Right now, job seekers across the country are struggling to find permanent positions, with 20% of job seekers who were looking for employment in 2024, still looking as of 2025, and many reporting that they are applying for more jobs than ever and hearing back less.²⁰ This puts workers facing discrimination in a more vulnerable position, because they may be more afraid to speak out due to fears that if they are retaliated against and fired, that they will not be able to find a new job. Among its many protections NYCHRL protects workers against discriminatory practices such as sexual harassment, retaliation, lack of disability accommodations, or not providing a place and time for lactating employees to pump breast milk. Female employees, workers of color, and LGBTQIA employees, are some of the groups most vulnerable to these insidious and illegal practices. They are also groups with lower labor force

¹³ <https://www.nytimes.com/2024/11/12/nyregion/housing-crunch-affordable-housing.html>

¹⁴ <https://www.nyc.gov/site/cchr/media/source-of-income.page>

¹⁵ <https://www.nytimes.com/2022/05/25/nyregion/ny-vouchers-homeless-discrimination.html>

¹⁶ <https://www.nytimes.com/2022/08/09/nyregion/criminal-background-checks-nyc-housing.html>

¹⁷ <https://www.osc.ny.gov/files/reports/osdc/pdf/report-17-2024.pdf>

¹⁸ <https://www.osc.ny.gov/reports/new-yorkers-need-housing-insecurity-crisis>

¹⁹ <https://www.nyc.gov/site/wkdev/recent-initiatives/recent-initiatives.page>

²⁰ <https://www.newsweek.com/americans-are-struggling-find-new-jobs-market-changes-2021742>

participation²¹ and therefore most likely to be targeted by the City's workforce development programs. Providing training and education may prove to ultimately be meaningless if these workers are not hired, promoted, or unfairly disciplined because of illegal discrimination.

City Council recently introduced anti-discrimination bills, that if passed will require additional funding to CCHR based on the fiscal impact statements prepared by the New York City Mayor's Office of Management and Budget (OMB). For example, Intro 1064-2024 requires transparency concerning promotional opportunities, which would require employers to make reasonable efforts to notify their current employees of job opportunities prior to selecting a candidate for the role thus reducing the opportunity to ignore qualified long-term employees, which often exacerbates racial and gender divides. If passed CCHR would require \$431,348 during FY26 and \$281,348 for successive years to carry out and enforce the provisions of this legislation.²² Intro 0808-2024, concerning information required in job listings, was designed by Council to make hiring in the City fairer and more transparent and to ensure that all candidates were offered the best possible salary and options when interviewing for a position irrespective of any protected classes. Based on the fiscal impact statement for this bill, CCHR would require \$556,348 to implement year one and \$406,348 for successive years.²³ Intro 0984-2024 aims to study pay and employment equity for private employees. While the Office of Data Analytics (MODA), would lead this work they would require the coordination of CCHR and the Department of Consumer and Worker Protection (DCWP). Based on the fiscal impact statement for this bill, CCHR would require Personal Services funding of \$310,000 to hire staff that work to ensure pay and workplace equity year after year.²⁴ These bills contain important protections for workers, and we urge City Council to pass them during this session. However, City Council must also increase CCHR's funding to support the implementation of these laws.

New York City job seekers and employees, including those participating in priority training and workforce readiness programs, rely on CCHR's "Know Your Rights" outreach to educate them. However, more critically they should be able to rely on CCHR to address their discrimination claims in a timely manner. Unfortunately, CCHR adjudications are not timely, and during FY24, CCHR had an "average age of complaint closed" of 593 days, up from 515 days in FY20 and a 5-year low of 427 days in FY21.²⁵ New Yorkers cannot afford to wait over a year for justice when their housing, employment, wages, or ability to participate freely in society, are at stake. By not effectively staffing and resourcing CCHR, the City does a disservice to all employees, but those who are already most vulnerable will bear the brunt of the agency's lackluster performance due to its lack of resources.

²¹ <https://www.osc.ny.gov/reports/osdc/new-york-citys-uneven-recovery-mothers-workforce#:~:text=Child%20care%20issues%20may%20have,raises%20for%20women%20of%20color.&text=While%20self%20employment%20can%20provide,benefits%20such%20as%20health%20insurance.;>
<https://nysdolreports.com/2023-tgncnb/>

²² <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=6874684&GUID=4A2C4F0E-AA05-4867-90B6-7B4168CCA348&Options=&Search=>

²³ <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=6639655&GUID=F37F7F06-33EE-4DC9-AA50-86B6D4DD220A&Options=&Search=>

²⁴ <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=6788474&GUID=4100A3E1-33A0-4CC7-B431-E27984179902&Options=&Search=>

²⁵ <https://www.nyc.gov/assets/operations/downloads/pdf/mmr2024/cchr.pdf>

The City should be lauded for prioritizing addressing New York's ongoing housing crisis and compounding employment inequities. However, by not fully resourcing a critical tool in its arsenal, it countermands its own initiatives. The NYCHRL is not simply a pledge for the City to be more equitable; it is a law that should be enforced with the full weight of the government behind it. Leaving workers and tenants exposed to the whims of discriminatory actors in the housing and employment space will not only impede the City's goals of equity but undermine the resources it invests in these crucial areas.

CCHR's Enforcement Capacity is Limited by Its Underfunding and Understaffing

CCHR has a law enforcement function in a civil context, that parallels that of the district attorney's office in a criminal context serving both a prosecutorial and punitive role through initiating matters and handing down punishment. However, it has a fraction of the funding of the DA, which limits the agency staff's capacity. At its best, law enforcement should create a sense of safety within communities. CCHR has the infrastructure necessary to grant that safety in housing, employment, and general life to New Yorkers, but that is meaningless if it's not backed by sufficient resources to power its enforcement capacity.

CCHR has the power to investigate complaints, settle cases, and refer cases to the New York City Office of Administrative Trial and Hearing (OATH) for resolution. It also has the authority to assess fines, obtain monetary damages, and negotiate additional remedies including rehiring, policy change, training, and modifications for accessibility.²⁶ CCHR plays an important role in mediating reasonable accommodation requests. Under the NYCHRL employers are required to engage in "cooperative dialogue" with employees who make reasonable accommodation requests, and CCHR can mediate these matters in the settlement process.²⁷ However, the capacity issues within CCHR are leaving New Yorkers with potentially viable discrimination claims without a forum to address them, due to the backlog in cases. In FY24 CCHR administratively closed 40% of the 447 cases that it closed that year or approximately 179 cases. While this percentage is down from a 5-year high of 56% in FY22, the high rate of administrative closures means that CCHR staff initiated some cases, because they determined there may be a viable claim, but failed to decide if the cases should be dismissed or referred, or CCHR staff were unable to settle those cases.²⁸ Consequently, these 179 cases were shelved without being decided on the merits. If New Yorkers must wait for years to have their discrimination cases reviewed, only to have them administratively closed, they don't have adequate protection from discrimination.²⁹ When it comes to discrimination CCHR is the administrator of justice, but City government has not funded or staffed this agency sufficiently to meet that mandate. Consequently, New Yorkers are living in an acute state of lawlessness concerning discrimination, because their enforcement agency is under-resourced.

CCHR's settlement capacity is also limited by the agency only employing one mediator. Mediation often speeds up settlement, but the limited capacity of CCHR due to having a single mediator, and limitation that *pro se* litigants, those who are unrepresented, do not have access to CCHR's mediation, contributes to CCHR's backlog of cases. These problems undermine the deterrent effect of having a watchdog agency with the power to enforce penalties against those who violate the NYCHRL, because failing to sufficiently fund CCHR cuts the teeth of the agency. It also wastes the efforts of City Council to continuously amend the NYCHRL and expand civil rights to New Yorkers, because CCHR's responsibilities continue to expand

²⁶ <https://www.nyc.gov/site/cchr/enforcement/2024-settlements.page>

²⁷ <https://www.nyc.gov/site/cchr/law/chapter-1.page>

²⁸ <https://www.nyc.gov/assets/operations/downloads/pdf/mmr2024/cchr.pdf>

²⁹ <https://www.nyc.gov/assets/operations/downloads/pdf/mmr2024/cchr.pdf>

without sufficient staff and funding to carry out the work. In FY24 CCHR administratively closed approximately 6X more cases (179) than it mediated (31).³⁰ The need for a sufficiently staffed and funded CCHR is also about creating proactive enforcement, to keep the caseload and backlog down through both deterrence and timely enforcement of the NYCHRL. Without sufficient funding and staffing CCHR does not have the capacity to enforce these laws, leaving New Yorkers without essential protection.

While it is clear that CCHR is underfunded and understaffed, it can be difficult to gauge the extent of the problem due to gaps in reporting. In FY24, CCHR received 13,360 inquiries up from 10,015 in FY20 and a 5-year low of 9,055 in FY21, and it initiated 868 matters, down from 1,307 in FY20. CCHR also reported having 1,206 open matters in FY24, down from 2,398 in FY20 and a 5-year high of 2,411 in FY21.³¹ While there could be several reasons why the number of matters initiated by CCHR has plummeted, including an attempt to address the backlog of open matters, the reporting from the agency is insufficient to draw a clear picture. There is a need for greater transparency in reporting, because it is not clear how many of CCHR's cases are held over from year to year. A worker experiencing discrimination at their job does not have years to wait for relief.

CCHR also needs funding to dedicate staff to publicizing its work and offering policy positions within its guidance. This policy guidance would clarify how the NYCHRL will be applied by CCHR and create a deterrent effect for those looking to discriminate against New Yorkers, while also educating New Yorkers about their rights.

CCHR's Limited Capacity Leaves New Yorkers without Justice

We are in the middle of a crisis, and New York City government must act with the urgency of the last line of defense against discrimination in a context where federal anti-discrimination law and policy can no longer be relied upon.

The work of CCHR is even more vital during the second Trump administration and the changes to the U.S. Equal Employment Opportunity Commission (EEOC), which is tasked at the federal level with protecting workers against discrimination. During the first Trump Administration, the Department of Justice (DOJ) took opposing stances from EEOC on several workplace discrimination issues, pushing back on a shift towards underenforcement of anti-discrimination law, including a federal case concerning whether gender identity is covered under Title VII of the 1964 Civil Rights Act, and DOJ indicating it would not enforce EEOC's guidance concerning discrimination on the basis of criminal history.³² This time the DOJ and EEOC are in lockstep, rolling back LGBTQIA+ protections, and DEI initiatives.³³

CCHR likely will have to take up additional cases because of the Trump administration's gutting of the enforcement of civil rights law through the U.S. Department of Education (DOE) Office for Civil Rights (OCR). OCR is responsible for enforcing federal civil rights laws in schools and other recipients of DOE

³⁰ <https://www.nyc.gov/assets/operations/downloads/pdf/mmr2024/cchr.pdf>

³¹ <https://www.nyc.gov/assets/operations/downloads/pdf/mmr2024/cchr.pdf>

³² <https://news.bloomberglaw.com/daily-labor-report/biden-era-workplace-bias-policies-under-threat-with-trump-doj>

³³ <https://news.bloomberglaw.com/daily-labor-report/trumps-return-upends-eeocs-enforcement-agenda-at-record-speed>; <https://www.nbcnews.com/politics/justice-department/trump-reversing-justice-departments-civil-rights-policies-rcna189657>

funding throughout the nation.³⁴ They are responsible for enforcing several federal laws in a school context including discrimination on the basis of race, color, and national origin under Title VI of the Civil Rights Act of 1964, sex discrimination under Title IX of the Education Amendments of 1972, discrimination on the basis of disability under Section 504 of the Rehabilitation Act of 1973, and age discrimination under the Age Discrimination Act of 1975.³⁵

The Trump administration has expressed a desire to abolish the DOE³⁶, and OCR appears to be lessening its caseload. In the first three and a half weeks of the Trump administration, OCR opened 20 new investigations, compared to the 110 new investigations opened in the first three weeks of the Biden administration, and the more than 250 new cases opened during the same period last year. OCR has also shifted to “directed investigation” initiated by the Trump administration, instead of complaints filed by students and their families. It has also been reported that OCR staff have been instructed not to communicate with the students, families and schools involved in cases launched in previous administrations and to cancel scheduled meetings and mediations.³⁷ The NYCHRL applies to students³⁸ attending schools and universities in New York City. Without OCR as a resource, CCHR must be sufficiently funded to protect New York City’s students from discrimination.

To be clear, the work of CCHR has always been urgent, not only because anti-discrimination work is essential for all the reasons mentioned in this testimony, but also because there are protections that New York City residents enjoy that don’t exist on the State or federal level. However, the urgency has obviously increased under a federal administration that is dismantling decades of anti-discrimination law.³⁹ New Yorkers cannot afford a budget issue to stand between them and possibly their only forum for asserting many of their civil rights. City government must be accountable to its constituents. In this moment, recognizing a potential increased need for the services of CCHR, City government must act to increase funding.

Thank you for the opportunity to submit testimony to this hearing. At FFWA we are invested in advancing justice for those who face discrimination in New York City. CCHR serves an important role in the protection of civil rights of New Yorkers. We look forward to continuing to work with the City Council to champion increased funding and staffing for this vital agency.

³⁴ <https://www.ed.gov/about/ed-offices/ocr>

³⁵ <https://www.ed.gov/about/ed-offices/ocr/about-ocr#:~:text=The%20Office%20for%20Civil%20Rights%20enforces%20several,financial%20assistance%20from%20the%20Department%20of%20Education.&text=A%20complaint%20of%20discrimination%20can%20be%20filed,olor%2C%20national%20origin%2C%20sex%2C%20disability%2C%20or%20age.>

³⁶ <https://www.nbcnews.com/politics/trump-administration/states-brace-trump-plan-dismantle-education-department-rcna192953>

³⁷ <https://www.propublica.org/article/departement-of-education-civil-rights-office-investigations>

³⁸ https://www.nyc.gov/assets/cchr/downloads/pdf/materials/NYCStudents_KYR2024.pdf

³⁹ <https://www.axios.com/2025/01/22/trump-dei-lbj-rollback>



The Women's Legal Defense and Education Fund

March 7, 2025

Written Testimony Submitted on behalf of Legal Momentum Before the New York City Council's Committee on Civil and Human Rights on the Preliminary Budget, Capital Plan, and Mayor's Management Report

Legal Momentum, The Women's Legal Defense and Education Fund respectfully submits the following testimony on the Preliminary Budget, Capital Plan, and the Mayor's Management Report.

For over five decades, Legal Momentum has been at the forefront of using the law to advance gender equality in all spheres of life. We are grateful for the City Council's partnership and this Committee's leadership in enacting pioneering legislation to address discrimination and advance equality in the workplace, housing, and public accommodations.

We are at a critical moment when the City must step up and invest in its anti-discrimination enforcement. Specifically, the City must significantly increase the budget of the New York City Commission on Human Rights ("CCHR" or "Commission") to equip the Commission to (1) recover from years of underinvestment and to eliminate the resulting backlog; (2) effectively carry out its growing mandate over a more comprehensive set of anti-discrimination laws; and (3) step up to provide much needed relief at the local level in light of the rapid dismantling and distortion of federal anti-discrimination protections.

In New York City, CCHR plays a vital role in enforcing our expansive civil rights and anti-discrimination protections, and it has served a critical function, providing remedies for countless New Yorkers challenging discrimination in our city. Nonetheless, the Commission has suffered from underinvestment over the past years, resulting in a drastic reduction in staff and budget, that has negatively impacted its ability to uphold its critical responsibility to safeguard the civil rights of New Yorkers. As a result of this underinvestment, the Commission has not had the staff and capacity to respond to a growing number of complaints, to process and respond to those complaints in a timely fashion, to provide timely relief, and to ensure fair outcomes.

Our organization represents clients whose complaints have been pending before the Commission for over three years, raising deeper concerns regarding processing time for complaints brought by individuals without counsel. These delays hurt our clients, many of whom have been terminated based on discriminatory practices and need a more expeditious resolution of their claims in order to assess how to proceed in their workplaces and careers and in order for them to obtain emotional closure. One of our clients was improperly terminated based on her status as a survivor of domestic violence and this termination has prevented her from obtaining similar

employment, derailing her career. The delays she has faced before the Commission over the past few years have not only made it difficult for her to get back on her feet, they have imposed a heavy emotional toll. To address these needs, especially in a way that prioritizes the most vulnerable individuals, the Commission needs more attorneys with civil rights experience to handle cases and engage in early-intervention support, more mediators to help resolve claims, more support to engage in effective intake, and more capacity to engage in broader outreach and to ensure services are accessible, particularly to the most vulnerable communities.

Notably, the Commission's budget has not kept pace with its growing mandate. Over the past years, our Human Rights Law has been amended to, among other things, prohibit housing discrimination based on criminal history (Local Law 24); prohibit discrimination based on height and weight in employment, housing, and public accommodations (Local Law 61); expand the definition of domestic violence to cover economic abuse (Local Law 31); extend protections to domestic workers (Local Law 88); and mandate employers to post salary ranges in job postings (Local Law 59). While each of these amendments serves a critical role in making New York City's Human Rights Law more effective, more meaningful, and more accessible, their value is substantially diminished if the Commission lacks the capacity to enforce them.

With the enactment of our pay transparency law, for example, which serves as an essential tool to combat pay discrimination against women and people of color, the Commission was tasked with vital new functions such as engaging in public outreach and education, processing and responding to a new type of intake or complaint, and engaging in affirmative enforcement. We commend the Commission for taking this on with limited resources; however, the Commission must be empowered to do more to ensure that this new law and others are effectively enforced.

Lastly, we are now working to advance civil rights under a federal administration that is actively undercutting federal civil rights enforcement and infrastructure; prohibiting the use of Diversity, Equity, and Inclusion Initiatives; attempting to impose incorrect interpretations of anti-discrimination law, including unlawfully redefining sex discrimination to remove protections based on gender; and using our anti-discrimination laws to further disempower those they were meant to protect. In this moment, it is urgent that our local and state anti-discrimination agencies are equipped to step up to uphold our progressive Human Rights Law, especially to defend the rights of our most vulnerable communities—including LGBTQ+ individuals, low-income New Yorkers, immigrants, and women of color.

We strongly urge the City to increase staffing and funding for CCHR by at least several million dollars so that the Commission can effectively fulfill its critical mandate. We again appreciate your leadership in advancing civil rights in New York City and look forward to our ongoing collaboration to meaningfully achieve a more equitable city.

If you have additional questions or need further information, please reach out to Seher Khawaja, Director of Economic Justice & Deputy Legal Director, at skhawaja@legalmomentum.org.



Make the Road New York

Testimony on the Preliminary Budget

Committee on Civil and Human Rights

March 7, 2025

My name is Cristobal Gutierrez and I am a Lead Attorney for the Workplace Justice and Trans, Gender Non-Conforming, Intersex and Queer (TGNCIQ) Justice Projects at Make the Road New York ("MRNY").

We are grateful to Council Member and Chair Nantasha Williams and the New York City Council Committee on Civil and Human Rights for holding this hearing concerning the Preliminary Budget for the New York City Commission on Human Rights (CCHR), and for the opportunity to provide comments on behalf of Make the Road New York.

MRNY is a non-profit community-based membership organization with over 28,000 low-income members dedicated to building the power of immigrant and working-class communities to achieve dignity and justice through organizing, policy innovation, transformative education, and survival services, including legal services for workplace justice, immigration, and housing issues. MRNY's five community centers, including centers in the New York City neighborhoods of Jackson Heights, Bushwick, and Port Richmond, provide a broad array of support to thousands of New Yorkers every year. Our workplace justice legal team represents hundreds of workers each year in cases to enforce their workplace rights and provides community rights education that reaches thousands more.

The Trans Immigrant Project (TriP) at Make the Road New York is dedicated to supporting TGNCIQ people of color who disproportionately face high levels of poverty, police brutality, and workplace discrimination. Against the backdrop of a worsening political climate, incidents of

BROOKLYN 301 GROVE STREET BROOKLYN, NY 11237 718 418 7690	QUEENS 92-10 ROOSEVELT AVENUE JACKSON HEIGHTS, NY 11372 718 565 8500	STATEN ISLAND 161 PORT RICHMOND AVENUE STATEN ISLAND, NY 10302 718 727 1222	LONG ISLAND 1090 SUFFOLK AVENUE BRENTWOOD, NY 11717 631 231 2220	WESTCHESTER 46 WALLER AVENUE WHITE PLAINS, NY 10605 914 948 8466
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WWW.MAKETHEROADNY.ORG

hate violence are on the rise, with various states across the U.S. constantly introducing new anti-TGNCIQ legislation. In response, MRNY is actively engaged in resisting these injustices by advocating for inclusive policies, providing vital support services to individual community members, and cultivating a nurturing environment where TGNCIQ lives are valued and honored.

As a member of the Human Rights Law Working Group (HRL WG), a coalition of legal service providers and advocacy organizations, we are committed to advocating in support of a sufficiently resourced and staffed CCHR. The New York City Human Rights Law (NYCHRL), administered by CCHR, prohibits discrimination in employment, housing, and public accommodations, and protects against discriminatory lending practices, retaliation, discriminatory harassment, and bias-based profiling by law enforcement. It is one of the most comprehensive civil rights laws in the country and applies to a long list of protected classes beyond those recognized by the federal and New York State governments.¹ We commend the City Council for its expansive view of civil and human rights, amending the NYCHRL over 40 times since 2013 to include additional protections for New Yorkers.² However, we must express our alarm at the chronic underfunding of CCHR, which prevents New Yorkers from receiving justice when faced with discrimination, particularly given the horrendous attack on our civil liberties from the federal administration.

Over the last six weeks, the federal administration has not only gutted resources from relevant federal agencies that are charged with protecting vulnerable members of society but has intentionally targeted groups of people that New York City has enshrined in law as protected classes. We have seen the federal government deny people their gender identity and their access to medical care on account of said identity.³ We have seen the federal administration return to patronizing language against women and their ability to make choices for themselves. We have seen the federal government criminalize a population crucial to our economy, immigrants of color and immigrants who dissent, and announce English as the national language.

New York City needs to stand by the laws of its people, to protect these vulnerable members from discrimination; the same discrimination that is being directly spewed at them from their federal government and will only embolden private actors to do the same or worse. “Perceived Immigration Status,” “Gender Identity,” “Gender,” “Race,” and “National Origin” are all protected categories under the NYCHRL that will demand CCHR’s response in the current political climate. If immigrant workers of color, trans and gender-non-binary New Yorkers

¹ *Combating Discrimination Since 1955*, N.Y.C. Commission on Human Rights, available at <https://www.nyc.gov/site/cchr/law/the-law.page>.

² *Amendments*, N.Y.C. Commission on Human Rights, available at <https://www.nyc.gov/site/cchr/law/amendments.page>.

³ *Removing Gender Ideology and Restoring the EEOC’s Role of Protecting Women in the Workplace*, U.S. Equal Employment Opportunity Commission, available at <https://www.eeoc.gov/newsroom/removing-gender-ideology-and-restoring-eeocs-role-protecting-women-workplace>. See also Exec. Order No. 14168, 90 FR 8615, 2025 WL 327882(Pres.), Exec. Order No. 14183, 90 FR 8757, 2025 WL 358727(Pres.)

cannot seek the enforcement of anti-discrimination laws at the EEOC, the City should expect to see an uptick of cases filed at CCHR.

Effective enforcement of the NYCHRL is key to protecting New Yorkers who are under attack and to advancing many of the City's priorities including housing affordability and workforce development.

However, effective enforcement requires a well-funded CCHR that has the capacity to open, investigate and adjudicate discrimination cases. For years MRNY has seen CCHR increasingly struggle to complete any of these tasks. CCHR adjudications languish, in FY24, CCHR had an "average age of complaint closed" of 593 days, up from 515 days in FY20 and a 5-year low of 427 days in FY21.⁴ In MRNY's experience, cases linger well past 593 days.

For example, our client who we will call "Jackie," a single immigrant mother of color to a young child, worked in a warehouse. In 2016, she was raped by her supervisor multiple times. He threatened her with additional violence and with firing her if she reported his actions. Jackie was the sole source of income for her home and could not afford to miss a paycheck. But she also could no longer endure the assaults and reported her supervisor. The owners fired her. Jackie suffered severe harm from her employer's actions. Nearly nine years later, she continues to suffer from the trauma. She developed deep seated fear and could barely leave her home to buy food for her household, let alone reenter the economy as a worker. Her case continues to linger before the agency and she awaits the day she can put this case behind her and feel some sense of justice against her attacker employer. New Yorkers cannot afford to wait years for justice when their employment, wages, housing, or ability to participate freely in society, are at stake.

Passing laws with anti-discrimination protections does not stop discrimination; enforcing those laws does. The City's failure to properly fund the agency tasked with enforcing these laws deteriorates public faith in our institutions, creates injustice for low-income workers and their families, and emboldens infractors, who know that their unlawful behavior will go unpunished.

Given the breadth of the NYCHRL, CCHR is also tasked with enforcement of anti-discrimination laws in schools and housing, which are also being actively gutted by the Trump administration in the enforcement of civil rights law through the U.S. Department of Education Office for Civil Rights,⁵ and the ability of the U.S. Department of Housing and Urban Development to disburse grants to provide testing and litigation on the Fair Housing Act.⁶ CCHR will also likely have to absorb a part of such complaints, further increasing its demand.

⁴ N.Y.C. Mayor's Office of Operations, *Mayor's Management Report*, (Sept. 12, 2024), <https://www.nyc.gov/site/operations/performance/mmr.page>.

⁵ U.S. Dep't of Education, *Office for Civil Rights (OCR)*, (Apr. 23, 2024), <https://www.ed.gov/about/ed-offices/ocr>.

⁶ ABC News, *Trump administration to slash funding for enforcement of fair housing laws*, ABC News (Mar. 1, 2025), <https://abcnews.go.com/US/wireStory/trump-administration-slash-funding-enforcement-fair-housing-laws-11931366>
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City government must be accountable to its constituents and particularly to the most vulnerable in our City. At this moment, recognizing a potential increased need for the services of CCHR, the City government must act to increase funding.

Our requests of City Council, as a member of the HRL WG, regarding CCHR are as follows:

- Allocate at least **\$21 million** to bring CCHR funding back above pre-pandemic levels and give CCHR the resources necessary to work through its caseload to decide cases on the merits, including through a robust mediation process, prepare for the possibility of an influx of cases due to the changes at the federal level, and put resources towards educating the public about their rights and the work of CCHR.
- Exempt CCHR from the Program to Eliminate the Gaps (PEGs) generally, alternatively, provide CCHR with the same exemptions from PEGs that other designated “public safety agencies” receive, e.g. NYPD.
- Exempt CCHR from the allotment process (sometimes referred to as 2 for 1), which hampers the agency’s ability to efficiently hire.
- Fund and increase funding for Personal Services (PS) and Other Than Personal Services (OTPS) spending to fund expenditures such as public information campaigns and administrative costs, and support CCHR staff’s efforts to implement the laws under their purview. CCHR’s current limited budget makes it impossible for them to do so effectively.
- As Make the Road New York, **we also support the NYC Trans & Queer Political Advocacy Coalition, particularly, increasing the Trans Equity Fund in FY26 to \$10 Million.** We support these requests in the budget given the abrasive actions and rhetoric coming from the White House through anti-trans Executive Orders.

The survival of MRNY’s clients and members requires decisive action from the City Council to invest in combating the rampant discrimination of those who feel emboldened by the Trump Administration and its anti-diversity rhetoric. Our City prides itself in being a beacon of diversity in the world, which gives the city its economic, cultural, and social vitality. We ask you to act now and prevent further damage.



Make the Road New York
Testimony to Civil and Human Rights Committee
Written version

Good afternoon, Chair Williams and Council Members. My name is Mateo Guerrero, and I am a Lead Organizer at Make the Road New York. On behalf of our 28,000+ members and staff, I thank the Committee for the opportunity to share our concerns with the FY26 budget and its impact, particularly on TGNC New Yorkers.

Make the Road firmly believes in safeguarding dignity and fairness across our society. Over the years, the Council has done so much to ensure that New York continues to be a city that welcomes all, including immigrants of all genders.

In the face of horrifying anti-immigrant and transphobic attacks, our communities need the Council's support more than ever before. The city must fortify, rather than undermine, the critical services and funding for our diverse communities and protect New Yorkers of all immigration statuses and genders.

We ask the Council to use every available tool to reverse the Mayor's attacks on immigrants and working class New Yorkers of color. Federal immigration enforcement must not be allowed to come to our city and terrorize our people. The services that organizations like us provide are essential - we help the most vulnerable New Yorkers stay healthy, access medical care, and avoid HIV/AIDS and STIs. We organize immigrant communities to stand together against hate violence and we organize for policies that bring real safety, not criminalization.

Here are some examples of programs that we need to preserve and expand:

- Trans Equity Programs: We are requesting \$20,000 from this initiative to support our Trans Immigrant Project and develop the leadership of translatinx women in Corona, Queens. We are also echoing the calls of our allies across the city to increase the trans equity funding to \$10 million so that more translator organizations are able to access this pot of money.

- Supports for Persons Involved in the Sex Trade: We are requesting a total of \$110,000 (\$50,000 of that through the Speaker's Initiative) from this initiative to support our work to provide "know your rights" information and community organizing training to sex workers in our community

- Domestic Violence and Empowerment (DoVE) Initiative: We are requesting \$35,000 to support our work to expand awareness about the rights, benefits, and community support available to sex workers in north Brooklyn, while developing the leadership of our stipended members.

Thank you for standing up for these vital services that immigrant and working class New Yorkers depend on.



New York City Council Committee on Civil and Human Rights Preliminary Budget Hearing

**Testimony by Neighbors Together
Written by Amy Blumsack, Director of Organizing & Policy**

March 7, 2025

Neighbors Together would like to thank the Chair of the New York City Council Committee on Civil and Human Rights, Council Member Williams, as well as the other council members on the committee for the opportunity to submit testimony.

About Neighbors Together

Neighbors Together is a community based organization located in central Brooklyn. Our organization provides hot meals five days per week in our Community Café, offers a range of one-on-one stabilizing services in our Empowerment Program, and engages members in community organizing, policy advocacy and leadership development in our Community Action Program. We serve approximately 125,000 meals to over 12,000 individuals per year. Over the past year alone, we have seen a 63% increase in the number of meals we are serving, and we see new people on the line every day.

Our members come to us from across the five boroughs of New York City, with the majority living in central Brooklyn. Nearly 60% of our members are homeless or unstably housed, with a significant number staying in shelters, doubled-up with relatives or friends, and living on the street. Approximately 40% of our members rent apartments or rooms in privately owned homes, or live in rent stabilized units.

Over the last five to ten years, our members increasingly report that homelessness and lack of affordable housing options are their primary concern. Our data backs the anecdotal evidence we see and hear from our members daily: an increasing number of our members are either living in shelter with vouchers for years at a time, ineligible for a voucher, or unable to find permanent



housing due to rampant source of income discrimination and a vacancy rate of under 1% for affordable housing units in New York City.¹

Our Work with Voucher Holders

Neighbors Together has been organizing voucher holders since 2018. We conduct Know Your Rights trainings on how to identify and report source of income (SOI) discrimination, and Housing Search Workshops where voucher holders get additional support in their housing search and assistance on filing source of income discrimination complaints to the City Commission on Human Rights (CCHR) when needed. We work closely with CCHR to ensure that source of income discrimination reports are effective and have the best possible outcomes for our members. We also partner with CCHR on their restorative justice set-aside program² to ensure that set-aside units obtained through settlements are most likely to go to people in need as efficiently and effectively as possible. Additionally, in partnership with Unlock NYC, we built and launched the Stop Source of Income Discrimination (SID) NYC website,³ which provides information about source of income discrimination and how to report it as well as a mechanism for reporting via the website.

We work closely with Unlock NYC⁴ to improve New Yorkers' ability to utilize their vouchers. Starting in 2019 our members worked with the Unlock team to design and test an online tool to help voucher holders easily report source of income discrimination. The tool has enabled hundreds of our members to quickly and easily gather evidence and report source of discrimination to CCHR. In our partnership with Unlock NYC, we have released multiple reports on source of income discrimination and voucher efficacy, including "An Illusion of Choice," the SOI mapping tool, the "Serial Discriminators List"⁵, as well as ongoing budget advocacy to ensure CCHR is adequately funded to enforce against SOI discrimination.

After over a year of collecting data through the Stop SID NYC website, running know your rights trainings and conducting housing searches for people with vouchers, Neighbors Together built a grassroots organizing campaign of directly impacted people who had voucher shopping letters but couldn't find housing. The **VALUE in Housing (Voucher Advocates Lifting Up Equity in**

¹<https://www.nyc.gov/site/hpd/news/007-24/new-york-city-s-vacancy-rate-reaches-historic-low-1-4-percent-demanding-urgent-action-new#/0>

²<https://gothamist.com/news/nyc-requiring-landlords-set-aside-apartments-voucher-tenants-under-new-approach-enforcing-human-rights-law>

³ <https://www.stopsidnyc.com/>

⁴ <https://weunlock.nyc/>

⁵ <https://weunlock.nyc/data/>



Housing) campaign created a platform of 5 policy reforms aimed at making vouchers effective tools for accessing permanent affordable housing. Since launching in 2019, the VALUE in Housing campaign has won a significant portion of its platform, including:

- Ensuring that CityFHEPS voucher holders receive know-your-rights information about SOI discrimination upon receipt of their shopping letter
- Increasing the size of the source of income unit at CCHR
- Increasing the payment standard of CityFHEPS to fair market rent
- Improving income requirements for CityFHEPS vouchers so that recipients can increase their income until they are financially self-sufficient without fear of losing their voucher.⁶

Importance of the City Commission on Human Rights (CCHR)

From early in our work with voucher holders, the City Commission on Human Rights has been one of our most important resources for getting our members housed. Rampant source of income discrimination is a nearly universal experience for voucher holders; the majority of our members with rental assistance vouchers have searched for housing for months and come up empty handed because they experience SOI discrimination with nearly every call.

The Commission on Human Rights is the only city agency that enforces against discrimination on behalf of the individual who was discriminated against. Other agencies can bring litigation against discriminators, but the penalties don't go to the person who experienced the discrimination. CCHR is the primary means by which voucher holders can receive restitution. This restitution can take different forms; monetary compensation for damages, access to view an apartment or access to an application, or an apartment itself.

One of the practices of the Commission that has been most beneficial for our members is the pre-complaint intervention (PCI). If a voucher holder submits a complaint of SOI discrimination and there is enough evidence to support that claim, then the SOI Unit will intervene by reaching out to the landlord or broker to inform them about SOI discrimination and the city's human rights laws. This is often enough to make the landlord or broker reconsider, and our members often get housed as a result. PCI's are one of the fastest ways our members can secure housing with their voucher.

Another important tool that CCHR uses to help voucher holders secure housing after being discriminated against is their set-aside program. When negotiating settlements with landlords

⁶ <https://www.stopsidnyc.com/get-involved>



who discriminated against voucher holders, the Commission frequently negotiates for set aside units that will be held explicitly for voucher holders.

Litigation is another important tool, and when CCHR is adequately staffed, it has the capacity to pursue litigation on behalf of voucher holders, as well as impact litigation. Since last year's budget hearing, CCHR has added additional staff lines, and with that increased capacity they were able to pursue impact litigation against Parkchester. The litigation resulted in a historic settlement of \$1 million dollars with 850 units mandated to be set-aside for voucher holders.⁷ Neighbors Together members feel strongly that the civil penalties for discriminators should be increased. For corporate landlords, small civil penalties are just the cost of doing business- our members want the financial consequences for discrimination to be meaningful. Members want to see more impact litigation like the recent Parkchester settlement- they want bad actors punished and a clear message sent to others in the industry that discrimination won't be tolerated.

It is important to note that although members of Neighbors Together frequently want to focus on securing safe and stable housing before they pursue litigation, they still feel that formal litigation is important, including litigation on behalf of an individual and impact litigation. For many, the stability of housing gives them the mental and emotional bandwidth to consider or follow through on bringing litigation against a discriminating party.

When adequately staffed, the SOI Unit at CCHR is a life raft for voucher holders who are drowning in the unforgiving and inequitable sea of New York City housing. For that reason, **it is critical that the FY26 budget increase CCHR's budget to \$21 million.**

Increased Capacity Improves CCHR Outcomes

Discrimination doesn't happen in silos - it is intersectional, and occurs in many different forms. SOI discrimination often overlaps with, or is a stand-in for, discrimination against other protected classes such as race, disability, gender, or presence of children, to name a few. With a robust and ever-growing City Human Rights Law to enforce, CCHR has a serious and large mandate. The Commission is tasked with protecting the rights of over 8 million people with less than 1% of the city's total budget.

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<https://www.nyc.gov/office-of-the-mayor/news/653-24/mayor-adams-largest-civil-rights-settlement-city-history-protecting-new-yorkers-from#:~:text=Parkchester%20Preservation%20Management%20required%20housing,to%20qualify%20for%20a%20unit.>



After many years of advocating for increased funding for CCHR to bring on new staff to the SOI Unit and the Law Enforcement Bureau, Neighbors Together has been happy to see improved response times, and an increase in successful PCIs as CCHR has hired up. That said, the Commission needs increased funding support to continue its trajectory toward improved outcomes. Increased funding for CCHR to continue to bring on new staff, including critical support staff, as well as funding for OTPS, will help the Commission to meet its mandate. While Commission response times to inquiries have improved, Neighbors Together members have waited months at a time to hear back from staff at CCHR regarding formal complaints, and many have experienced their cases taking years to resolve.

Equally as important as funding increases is the Commission's ability to effectively utilize its funding and staff lines. Mayor Adams' years of austerity budgets, multiple rounds of PEGS, hiring freezes, and the 2:1 allotment process have made it difficult for CCHR to quickly and effectively staff up. Additionally, the city salaries for attorney positions are not competitive with the market, making the positions less attractive to potential applicants. This is compounded by only hiring at the lowest end of a given position's salary range.

The City Commission on Human Rights has a mandate to cover the more than 8 million people who live in New York City, and given the current federal administration's dismantling of federal agencies and civil rights, the Commission's work is needed now more than ever. **In order to effectively enforce the human rights law, the city must fund CCHR at \$21 million dollars total, in order to bring the Commission back up to its pre-pandemic levels, adjusted for inflation.**

Recommendations

The City Council must stand firm in its support for the City Commission on Human Rights, and champion increased funding for CCHR to effectively do its job. To that end, Neighbors Together strongly recommends that the Council:

- **Fund CCHR at \$21 million dollars total, including:**
 - **Increased funding for additional staff lines; both attorneys and other critical support staff positions**
 - **Increased funding for OTPS so that CCHR is able to run robust public education and outreach campaigns. This will allow CCHR to meet people who might otherwise be scared to report discrimination, in their own neighborhoods and among trusted partners, where they will be more comfortable.**



- **The city must classify staff positions at CCHR as “critical” positions and exempt them from the hiring freeze and 2:1 allotment process.**
- **The Commission, whose budget is less than 1% of the total city budget, should be exempted from PEGS.**
- **Salaries at the Commission need to be raised to competitive rates in order to attract and retain experienced attorneys, and CCHR must be allowed to hire at the top end of position salary ranges.**

In addition to increased funding for CCHR, **the city must address deep staffing shortages in the Department of Homeless Services and the Human Resources Administration, as well as Homebase, all of which administer or process CityFHEPS vouchers.** DHS, HRA and Homebase’s serious lack of capacity to meet the need of voucher holders also affects CCHR’s ability to effectively settle negotiations and close out cases in a timely manner. Lack of communication, slow response times, and delays in processing voucher packets can draw out the timeline for securing housing and moving a voucher holder into housing negotiated through CCHR settlements. One member of Neighbors Together with a CityFHEPS voucher secured housing through a CCHR set-aside unit, but it took the city over a year to process and renew his voucher packet. He lost the unit because of the delays, and remains homeless to this day. To prevent other voucher holders from experiencing the same unnecessary fate, the city must:

- **Reverse PEGS and Increase Staffing In CityFHEPS Units at DHS and HRA**
- **Stop further PEGS to DHS/HRA and Restore Service Dollars for Shelters**
- **Increase Staffing at Homebase Offices**

Conclusion

In order to address the historic homelessness and housing crisis in New York City, Council must stand strong against the mayoral administration’s ongoing cuts to the social safety net. In particular, Council must ensure robust funding for the City Commission on Human Rights. Without a proper investment in CCHR, New York City will continue to see voucher holders languish in shelters as source of income discrimination and other intersectional forms of discrimination go unchecked.

Budgets are moral documents, and the allocation of funds represent the values of our city. If New York City is truly a city for all, one that values equity and uplifting its vulnerable groups, then it



must affirm those values by investing in the agencies that help protect those groups, particularly CCHR.

The historic homelessness crisis that New York City is currently facing requires a bold willingness to invest in our city's systems and its people, and the funding priorities outlined above will provide significant positive outcomes for tens of thousands of New Yorkers for years to come.

For questions regarding this testimony, please contact Amy Blumsack, Director of Organizing & Policy at Neighbors Together, at amy@neighborstogether.org or 718-498-7256.



Testimony
Of
Linda Tigani, MSW
Chair & Executive Director
NYC Commission on Racial Equity (CORE)

Before the
New York City Council
Committee on Civil & Human Rights Committee

On
Friday March 7, 2025

Preliminary Budget Hearing for NYC Commission on Racial Equity

Good afternoon, Chair, Dr. Nantasha Williams, and members of the Civil and Human Rights Committee. My name is Linda Tigani, and I have the honor of serving as the Chair and Executive Director of the NYC Commission on Racial Equity (CORE). I lead CORE in partnership with 14 Commissioners and 11 staff members. Today I am joined by Maya Williams, our Director of Research and Policy, and Kiiru Gichuru, our Senior Legislative Strategist. I am excited to share an overview of accomplishments from CORE's work this past year and a snapshot of what we have planned for fiscal year 2026.

NYC residents overwhelmingly voted to establish CORE, a 15-person led independent commission responsible for holding NYC government accountable to advancing racial equity in government operations and increase community voice in government decision making. Commissioners and staff represent the diversity of New York City.

At a time when efforts to abide by federal, state, and local civil rights law are deemed suspect at best and misrepresented as illegal at worst, CORE is committed to upholding its mission to eliminating the gap between the letter of these laws and the daily experiences of New Yorkers harmed by racism and social injustice. As public and private institutions around the country disavow the pursuit of racial equity and social justice, we take heart in the fact that our mission is enshrined in a Charter whose preamble proudly declares that our city is a multiracial democracy and that our diversity is our strength. Our work is focused on holding NYC government accountable for protecting and promoting the well-being, safety, and economic stability of Black, Indigenous, Latinx, Asian, Pacific Islander, Middle Eastern and North African, and other People of Color, women, religious minorities, immigrants, people who are LGBTQIA+, people with disabilities, youth, elders, people who are incarcerated, and people who are unhoused.

To do justice to this mission, CORE's small staff works tirelessly to form and sustain community partnerships, collect, and synthesize data on existing racial disparities in well-being, and support the development and implementation of projects arising from community and legislative priorities. In our first year of operation alone, our inaugural staff of six drafted sixteen community equity priorities in consultation with 21 organizations within the Taskforce on Racial Equity and Inclusion Neighborhood Network Initiative and the NYC Participatory Budgeting program. We solicited feedback with over 40 organizations across all 5 boroughs, reviewed and incorporated input gleaned from over 4000 public surveys, and released a final set of 18 Community Equity Priorities (CEPs) designed to inform citywide and



agency-level racial equity plans. CORE is submitting a copy of the final 18 community equity priorities as part of today's testimony.

I will now provide an overview of CORE's accomplishments in Fiscal Year 2025 and plans for Fiscal Year 2026.

One of CORE's central pillars, as dictated by the City Charter, is to increase community voice in government decision making. Our Community Organizing and Engagement team is focused on ensuring that the needs, and campaigns for change in government are heard and supported by all of CORE staff. In Fiscal Year 2025, CORE wrapped up our first round of community organizing and engagement. We reached over 4000 people, over 40 organizations across NYC, and continued to build relationships with organizations fighting for economic, and environmental justice as well as the rights of the LGBTQIA+ community. Additionally, we build relationships with approximately 700 New Yorkers across 73 events attended by or facilitated by CORE.

Hyper local community conversations on the equity priorities will re-launch by April 2025. Starting in April we will ensure that we close out and finalize the Community Equity Priorities by October 1, 2025, which will also mark the beginning of the next racial equity planning process.

CORE will be circling back with all our partners with an improved community feedback form to help us better understand the level of urgency New Yorkers associate with each priority. Engagement will span across all five boroughs and be offered in multiple languages. Similar to the first round, we will be offering community organizations funding to host an in-person or virtual conversation, that can be led by CORE or a member of their team. Funding may be up to \$2,500 per conversation, which includes a \$20.00 stipend for each community member that participates. Funding provided by CORE covers all costs associated with each conversation.

In Fiscal Year 2026, CORE's community Organizing and Engagement portfolio will expand to include engagement work for Local Law 91 establishing a truth, healing, and reconciliation plan and Local Law 92 formulating a study on reparations and introduce two new pathways for engagement. To begin, CORE will continue the CEPs community conversations to receive ongoing feedback from New Yorkers on how government should solve the inequities our priorities seek to address. We will ask community members

how they would like to measure change, and what goals and strategies they would like to see government implement. CORE will work closely with community partners to co-develop curriculum, workshops, and toolkits to peel back the history of racial capitalism, develop a deeper understanding, and increase community participation in racial equity and social justice campaigns within government, and campaigns seeking to change how government works. The curriculum will incorporate community equity priority data profiles, research conducted by CORE Research and Policy team, and relevant historical information. For example, CORE and the community can collaborate on a short curriculum that explains the difference between racial equity and equality in the fight to end segregation and disinvestment in our school system. This comprehensive curriculum will be used to increase community consciousness on the role that government plays in creating, sustaining, and exacerbating racial disparities, gather feedback from New Yorkers about local disparities, and how communities can grow their advocacy power to concretely shape government decisions related to policy, budgeting, and accountability. CORE community sessions across both pathways are designed as hyper- local conversations serving 15-25 unique participants in each session for at least one hour.

As CORE awaits the release of the preliminary 2024 budget equity plan (Plan), we have developed a robust and clear process for community voices to provide feedback that will be incorporated in CORE's public response to the plan. However, at this time, the city has not specified a release date. The city's failure to abide by the timeline prescribed in the Charter will require CORE to simultaneously review and respond to the inaugural Plan and lay the foundation for the FY26 plan, inevitably straining our already overextended staff.

Publicly sourced information is the bedrock of government accountability work. CORE's Research and Policy team works across all departments, campaigns, and CORE's Charter mandates. In Fiscal Year 2025, our Research and Policy team developed community equity priority CEP profiles to provide CORE Commissioners with a snapshot of what public data could tell us about each priority. At the start, Maya Williams, a team of one, combed through the Open Data portal, met with city agencies, reviewed reports published by the City Council, Comptroller's Office, and City Agencies to provide an accurate and up to date account of each inequity a draft priority addressed. Profiles were utilized by Commissioners in the decision-making process for the final CEPs. CORE only uses publicly available data to ensure transparency with the public. Unfortunately, our team encountered several challenges by relying on publicly available data.



CORE made an intentional decision to only use publicly available data to ensure transparency to communities and to further understand limitations in the available data. CORE discovered that existing data sets were not designed to measure structural change and did not allow for easy matching across data sets, which is needed for a full and accurate picture of the social injustices we are seeking to address. Publicly available data revealed that much of it is not only outdated, but it did not even have the necessary disaggregation of communities in NYC. Given our city's diverse population— different races, genders, gender identities, and ages — our existing data and research must reflect that diversity. In November 2022, NYC voters approved a measure that enshrines the definition and use of data disaggregation in our Charter and calls for standard disaggregation guidelines to be used by all city agencies in all of their work and specifically, the Racial Equity Planning Process. To date, the Mayor's Office has not released the guidelines.

Without comprehensive data disaggregation, we risk overlooking the critical disparities that affect communities and exacerbate the policies and practices that fail to address the root causes of inequities. In Fiscal Year 2025, our Research and Policy team identified the interim disaggregated data categories we will be using until the standard guidelines are released. With respect to race and ethnicity, we will give community members the opportunity to identify with one or more the following categories: Black or African American, Black Caribbean, African, Asian, South Asian, Southeast Asian, Central or East Asian, White, Eastern European, Adopted/Unknown, Middle Eastern or North African (MENA), Hispanic, Latino/a or Latinx/e, Native Hawaiian or Pacific Islander, Prefer not to say. All participants are also asked to indicate their ancestry or ethnic origin. If the respondent identifies as indigenous to the United States, we ask for their tribe irrespective if the tribe is recognized by the federal government. With respect to gender, we provide the following categories: Woman, Man, Transgender Woman, Transgender Man, Non-Binary Person, Genderqueer Person, Prefer not to say, or Not mentioned, my gender is _____. With respect to gender, we offer the following categories Straight/Heterosexual, Lesbian, Gay, Bisexual, Queer, Pansexual, Asexual, Questioning, Not mentioned, my sexual orientation is _____. We also ask participants if they identify as having chronic illness or disability, and their level of education. The questions and categories shared allow for CORE to have an inclusive and diverse respondent pool that creates a space for every New Yorker to show up with all of their identities and be heard.

The racial equity process requires data disaggregation to occur at the collection, examination, and reporting stages of any research and policy practice. We also look at disaggregation according to zip codes and boroughs. In April 2025, our team will release updated community equity priority profiles reflecting the final community equity profiles. It is our goal that these profiles serve as a snapshot of the CEPs and will allow for a more comprehensive approach to inform future policies, budgets, and local laws, ensuring they address and ultimately eliminate racial inequities.

In FY25, CORE will launch the first-ever borough-based CEP profiles which will provide the city with aggregate responses from our first community engagement cycle. When released, the profiles will be made available to the public via our website and shared with borough presidents, community boards, and local leadership.

In Fiscal Year 2026, our Research and Policy team will focus on setting up CORE in open data so that the public can use the data we collect and develop a system to monitor and track the city's progress on their compliance with the Racial Equity Plan. The Research and Policy team will also continue to support Local Law 91 & 92 by playing a key role in supporting researchers that will be working with CORE. Lastly, the team will work closely with Community Organizing and Engagement to identify one or two specific research questions and projects, requested via our community engagement work, to begin next year.

Our conversations with community members and the broader patterns and practices our research team discerns through its data analysis, form the basis of CORE's legislative work. Guided by these sources as well as public complaints of city agencies' actions that may have the effect of exacerbating racial equity disparities, CORE continuously monitors and promotes legislation that serves to advance the City Charter's central tenets of justly valuing the talents and contributions of every New Yorker; ensuring the condition of thriving for every person; [and] embracing vigilance, remedy, and reconstruction.

CORE's legislative team will also continue to implement special projects arising from legislative and community priorities. In Fiscal Year 2025, we launched a special project with the Institute on Race, Power, and Political Economy housed in The New School to adapt an equity budgeting tool that will allow New Yorkers to score the city's budget across the following categories: transparency and accountability; inclusive community engagement; equity focused decision making; equitable resource allocation; and equitable resource generation. Our conversation held on March 6, 2025, with the support of Chair, Dr.



Nantasha Williams, is the first in a series of equity in budgeting conversations that our office is leading in fiscal year 2026. We look forward to collaborating with your team, as well as the Mayor's Office of Equity and Racial Justice, and our city and community partners to increase community voices in government budget decisions and ensuring that FY 27's budget cycle will do a better job of meeting the needs of the community. To that end, our office put forward the following questions for all council members to ask agencies throughout the preliminary budget season:

1. Can the agency and/or office describe how their work and budget for fiscal year 2026 reduces, perpetuates, or exacerbates, racial inequity in service delivery and the criminalization of communities of color and poverty?
2. Can the agency and/or office explain whether the policies or investments presented for FY26 is based on needs and goals expressed by impacted communities?
3. Does the investment reflect the foundational principles expressed in the Preamble of the Charter of the City of New York?

To achieve the multi-racial democracy we deserve, we must ask these critical questions of all city agencies at every opportunity. Asking on the record will allow us and the public to build trust which will ensure an enduring partnership on the long road towards racial equity and social justice for all.

A strong partnership between government and community is critical for redressing long standing harms that include, but are not limited to, the history of genocide against the indigenous people of this land, chattel slavery, Jim Crow, and the legacy of race-based exploitation, oppression, and discrimination. In Fiscal Year 2025, CORE, via our legal and legislative team, began operationalizing Local Law 91 and 92 of 2024. Our first action was to create a cross-function team with members from each department that will see both projects to completion. We then convened a small working group which includes all named consulting agencies to receive periodic updates and provide feedback to shape each action step.

In Fiscal Year 2025, CORE along with our partners across government, released a Request for Information (RFI) pertaining to Local Law 91 and 92. While the request was open for comment, we began meeting with different jurisdictions leading truth, healing, and reconciliation work. CORE hosted two public question and answer sessions with an approximate 70 members of the public. We have also met with community

groups focusing on truth, healing, and reconciliation and reparations work to receive their feedback. City agencies were also able to join one of two question and answer sessions on Local law 91 and 92, which were completed this week. We invited racial equity planners from the 45 city agencies we expect to have a Racial Equity Plan. Approximately 80 representatives joined across both sessions. We received less than a handful of public comment responses to the RFI. Community members appreciated and preferred joining an open call and sharing their feedback.

Interested New Yorkers, including city workers, provided critical feedback to shape the approach and design to implement Local Law 91 and 92, 2024. First community members asked for frequent, consistent, and robust updates throughout the project. They recommended we place key dates and milestones on our website and that we start hosting public hearings and larger, in-person community sessions. With respect to reparations, community members have asked that we conduct public education on what is reparations and why it is necessary. New Yorkers who attended our public sessions indicated they would like to review report outlines, speak with researchers, and asked CORE to create a community review process prior to finalizing any report. With respect to truth and racial healing, community members asked CORE to ensure the development of multiple pathways that would allow for people to provide their truth via audio, video, or written format. New Yorkers want to ensure that any process we implement will be inclusive of communities harmed by racism and social injustice as well as communities that are disabled and/or experiencing chronic diseases. Our latest recommendation, which came from our city agency partners, is to consider pairing historians, truth tellers, and the public to support the development of full and accurate testimony.

In Fiscal Year 2026, we will draw on the feedback received in response to our recently issued RFI as well as input from other jurisdictions, CORE will develop and release a request for proposals (RFP) and coordinate with the selected vendor in addition to holding public meeting to solicit input from interested members of the public. We will continue to meet with other jurisdictions, host learning calls, and project update public sessions to ensure New Yorkers are able to shape every step of this project early and often.

Communicating CORE's work is of utmost importance. Our Communications team remains hard at work expanding CORE's brand as well as increasing our public profile. Over the past year, we have learned that New Yorkers want to know who are our Commissioners, and who is leading this work. For example, when Pesach Osina announced they had been appointed as a Commissioner to CORE, we received 4,196



impressions on X (formerly Twitter). New Yorkers are also tracking our progress. CORE's workshop announcement on Facebook indicating that it had finalized the CEPs received over 726 impressions. This has been our highest number of impressions on Facebook and indicates that older New Yorkers, who are our main audience on the platform are not only paying attention, but they are also engaged with what CORE is doing. The Communications team's work has continued to pay off with CORE receiving an astronomical 859,826,325 media impression from press coverage in 2024 (April to December 2024).

In Fiscal Year 2025, CORE launched a partnership with the Department of Records and Information Services (DORIS) to highlight the history of the fight for racial equity and social justice in NYC. Launched on February 13, 2025, CORE and DORIS sent out the first tweet of the project which focused on February 3, 1964 student and staff walk out of NYC Public schools to protest against segregation. The protest was led by civil rights activist Bayard Rustin, Milton Galamison, and Reverend William M. James. In 2025, our students, parents, teachers, and school staff are still fighting against segregation and the legacy of chattel slavery in our school system, particularly in school serving predominantly Black, and Hispanic students. We look forward to continuing our partnership with DORIS and sharing more about racial equity history in our city. We hope this social media project deepens understanding and inspires change.

In Fiscal Year 2026, the Communications team will continue highlighting the CEPs and their importance while amplifying community voices. We will expand the use of CORE Talks, an initiative to highlight advocates and experts fighting at a hyper-local level to improve living conditions for all New Yorkers with special consideration on communities harmed by racism and social injustice. Our team will conduct street interviews across the five boroughs to increase community awareness of CORE's work and uplift resources available to New Yorkers. Some of our interviews and posts will spotlight critical legislation and public hearings that aligns with the CEPs held by the City Council. Lastly, CORE will launch a public education campaign related to Local Law 91 and 92, 2024.

The work of CORE is grounded on our Operations and Administration team, who continues to grow our infrastructure. In fiscal year 2025, CORE moved into temporary space which allows for every staff member to have their own desk, and computer. We worked closely with DCAS to identify a home for CORE. I am excited to share that we will move into our new office home at the start of the Fiscal 2026 year. Our operations and administration team also continues to support our technology needs. As a new

Commission, I want to highlight the hard work it takes to ensure that we have all the payment pathways set up so that our staff are fully supported, CORE is identified as its own agency in every financial system, and we are responsible for our own procurement. There are less than a handful of offices who can say that our HR, Admin, IT, Operations, Finance, Budgeting, and Contracting are all conducted by three people, including myself.

Our accomplishments as a small but mighty team are no small tasks. With that said, today is Employee Appreciation Day. I want to acknowledge the hard work, and dedication my team has shown since they have begun. They didn't let the small things like no office space, no printer, and sometimes no working surface to prevent them from showing up for New Yorkers and doing their best to fulfill our Charter Mandate. Without them, CORE would not be able to function. Thank you CORE team!

Before I close, I would now like to provide an overview of CORE's Fiscal Year 2026 budget and related asks.

In Fiscal Year 2026, CORE's budget will increase to \$4,398,741. Increases are due to allotments for the following projects: \$1,000,000 for Truth, Healing, and Reconciliation and \$1,000,000 for Reparations. In Fiscal Year 2027, we are expecting another \$500,000 in FY27 to complete truth healing and reconciliation project and \$1,300,000 for the NYC study on Reparations. Working with the Office of Management and Budget (OMB), we were able to baseline \$660,000 in OTPS funding which is specifically for our work with community organizations. Our PS budget is approximately \$2,000,000 which pays for 15 full time staff, including myself, and two internship lines. After our last budget hearing, OMB granted us \$93,000 for commissioner reimbursement, which is required by law. We also received the following four full time staff lines and two internship lines: Compliance Senior Associate; Fiscal Senior Associate; Special Projects Senior Associate; and Community Organizing and Engagement Associate. Our internship lines are approved to join the Research and Policy Department. All new lines will support both CORE's mandates and Local Law 91 and 92.

Over the past few months, CORE has worked with NYC OMB as well as Council Finance to identify gaps in staffing and funding that must be closed to meet our mandate and fulfill Local Law 91 and 92, 2024. We, very much, are still in launch phase and are working through getting licenses for key programs, buying office supplies and equipment, and will have to incur moving costs in July 2025.



To meet our mandate, we will need operational and personnel support. At this time, I am requesting additional staff lines to ensure that every team is fully staffed and can increase the efficiency of the organization. I have submitted a request for the following lines: a chief of staff, one racial equity impact associate, a research and visualization designer, a research and policy associate, and a community organizing and engagement associate. As a reminder, CORE is required to work across all five boroughs, review, and comments on over 40 agency racial equity plans, and the overall city's plan, track and monitor hundreds of data points, and respond to community concerns about racial equity disparities. To do this work right, we need a bigger team. This work is too important to be understaffed, and under resourced.

Before we close today,

I would like to end by taking this opportunity to place CORE's own FY26 budget within the context of the City's overall blueprint for the allocation of public funds. One of the many reasons people voted for CORE is because if budgets are moral documents, then NYC's budget continues to be immoral in how it fails to address poverty and implement true structural and institutional change. Robin Hood recently released its report on poverty, and it should come as no surprise that poverty has continued to increase across NYC. If you recall, last year's \$112.4 billion budget was mostly restorative and did little to ameliorate the high cost of living experienced by NYC residents, especially those living in poverty.

When the public voted for CORE, they envisioned structural changes that would chart a new way of life in which all New Yorkers can afford necessities, enjoy equal access to decision-making, and live without fear of abuse at the hands of police and other city officials. Structural change requires effort, will, and investment, an imperative made explicit by the Racial Justice Commission when it introduced the city's racial equity planning timeline. Noting the importance of budgeting and resource prioritization to the racial justice process, the Commission unambiguously expressed its intent for the racial equity plan to intersect with the city's budget process.

In departing from this mandate, the city is not only in violation of the City Charter, but it is eroding trust in city government and undermining its capacity to ensure that all New Yorkers enjoy the opportunity to thrive.

Finally, structural change requires accountability and it is clear that the Mayor is violating the City Charter in failing to produce the Preliminary Racial Equity Plan to inform the budget process. Chair Dr. Williams, I cannot emphasize enough how the Mayor's failure to provide the Preliminary Racial Equity Plan on time communicates to the larger NYC community that he is not interested in pursuing true structural and institutional change. We must do better.

NYC 2024 Community Equity Priorities

Respondents and NYC CORE Commissioners finalized 18 Community Equity Priorities (CEPs) as what community members view as most relevant to their well-being. CORE refers to New Yorkers and community members as anyone living in NYC, including immigrants, regardless of their documentation status. To implement each priority, the city will need to provide appropriate funding and leverage community-based approach. We must invest our tax dollars equitably so that all individuals and families can thrive in our city.

Our government justly values all talents and contributions	
NYC communities call on their government to prioritize and measure the following:	
1.	Remove the gaps in race, gender identity, sexual orientation, age, and disability in city jobs. Ensure that government work and staff reflect the city's commitment to equity and social justice.
2.	Fund communities harmed by racism and injustice to shape and get updates on NYC government plans.
3.	Remove the gaps in race, gender identity, sexual orientation, age, and disability in city pay, promotions, and contracts.
4.	Ensure NYC offices and partners get funds for community-based language access services in the city's most spoken languages.
5.	Check for and remove any formulas and computer processes that may be biased based on race, ethnicity, or poverty. This will prevent inequities in health care, housing, policing, criminal justice, employment, social service and more.
6.	Collect, analyze, and share data on access to government services with the public, categorizing it by specific groups harmed by racism and social injustice.
Our government ensures the condition of thriving for every person	
NYC communities call on their government to prioritize and measure the following:	
7.	Expand access to safe, stable housing for those at risk of homelessness, eviction, and deed theft without delay. Access should be available to individuals and families.
8.	Evaluate and remove fines and fees to reduce the impact on low-income people of all ages.
9.	Use and expand non-punitive responses to mental health and all crises. These responses should rely less on police where possible. People should be allowed to decide or contribute to decisions about their own care.
10.	Reduce racial and economic segregation and education gap by increasing support to schools. Help every student and family with education and other health related social needs.
11.	Expand health, mental health, substance use, and disability services. They must meet the needs of families and individuals harmed by racism and social injustice.
12.	Remove costs and barriers to CUNY enrollment and retention.
13.	Increase access and lower the cost to basic needs such as quality food, transportation, medical, and housing

Our government embraces vigilance, remedy, and reconstruction
NYC communities call on their government to prioritize and measure the following:
14. Expand access for those harmed by racial and social injustice to inform local emergency planning. These include plans to prepare for, act in, and recover from emergencies.
15. Remove barriers and increase access for people harmed by racial and social injustice to learn about buy and keep ownership of property.
16. Ensure all city employees and their agencies, including the police and social service providers, are held accountable for any harm and abuse of power.
17. Remove the gaps in racial, gender identity, sexual orientation, age, and disability access to job training and funds to start businesses.
18. Expand services to prevent, intervene, and provide care for people and families harmed by policing, jails, and court supervision.



**TESTIMONY OF
THE FORTUNE SOCIETY**

**THE COMMITTEE ON CIVIL AND HUMAN RIGHTS
OF THE NEW YORK CITY COUNCIL**

250 Broadway,
New York, NY

Friday, March 7th, 2025

SUBJECT: Preliminary Budget Hearing – Civil and Human Rights

PURPOSE: To support additional funding for the NYC Commission on Human Rights in order to properly implement and enforce anti-discrimination laws, including the Fair Chance for Housing Act

Presented by

Reggie Chatman
Director of Policy,
The David Rothenberg Center for Public Policy

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Thank you, Council Committee Chair Williams and Members of the Committee for the opportunity to provide testimony today.

My name is Reggie Chatman. I am the Director of Policy at The Fortune Society's David Rothenberg Center for Public Policy. The Fortune Society is a 57-year-old organization committed to providing alternatives to incarceration and supporting successful reentry. Our mission aims to strengthen the fabric of communities by instilling a belief in the power of individuals to change. Through programs shaped by the experiences of our participants, we help rebuild lives. We also seek to change minds through education and advocacy to foster a fair, humane, and rehabilitative justice system.

In my capacity as the Director of Policy, I help lead Fortune's policy and advocacy efforts. One policy that we have put a great deal of effort into is the Fair Chance for Housing Act (FCHA) that went into effect on January 1, 2025, which prevents most private housing providers from discriminating against people with criminal convictions. I am also a formerly incarcerated person who spent 25 years in prison. As it did for many other people, my conviction record made it difficult for me to obtain housing. Thus, I have professional and lived experience with respect to this issue.

More than a quarter of Fortune's new participants are homeless or housing insecure. To help them, we provide them with temporary housing via our transitional housing sites. We also simultaneously provide them with additional services to help them become stable enough to apply for permanent housing. Unfortunately, however, when some participants become stable enough to apply for an apartment or home, housing providers deny their applications because of their conviction record. The FCHA is designed to protect our participants and countless other New York City (NYC) residents who are denied housing because of their conviction records.

The City Council's decision to pass FCHA was a bold first step in attempting to reduce instances of housing discrimination against people with convictions. It passed this law with an overwhelming, veto-proof majority, in recognition of this pervasive and harmful form of discrimination. Thus, Fortune's request that the City Council ensure that the NYC Commission on Human Rights (CCHR/the Commission) has the budget necessary to prevent discrimination under the law through public education and robust enforcement is in line with the Council's values.

In order for the FCHA to provide true protection, the Commission must be resourced to effectively implement and enforce the law. The Commission is responsible for informing housing providers and applicants about the new law, processing complaints, mediating cases, and filing complaints. Based on housing providers' previous failures to adhere to other housing policies, including the federal Fair Housing Act, which prevents blanket bans against people with convictions, we expect to see numerous situations where the Commission will have to litigate cases. Doing so will require a great deal of resources. We have already received reports from Fortune participants about being denied housing because of their convictions, which is a clear violation of the new law; we must ask whether these instances would have occurred if housing providers had been educated about the new law, which cannot happen while CCHR lacks the resources to conduct robust public education. Furthermore, unfortunately, while NYC has some of the most robust Human Rights Laws in the country, it cannot always effectively enforce them. If the CCHR is unable to adequately educate the public about the new law, and enforce it, it will have several adverse impacts with respect to: (1) family justice, (2) racial justice, (3) public health, and (4) overall human rights protections. Therefore, it is necessary that CCHR receive increased funding.

Family Justice

Discriminating against a person with respect to housing because of their conviction record perpetuates homelessness and undermines families' opportunity for mobility and success across generations. Over 750,000 people in New York City have convictions.¹ Every year since 2015, roughly 41% to 54% of people returning to New York City from our state prisons are released directly into shelter.²

As of December 2024, 350,000 people in New York City did not have homes. Over 200,000 slept with family or friends, and 124,764, including 41,131 children, slept in New York City's main municipal shelter system each night.³ In addition, approximately, 146,000 school-aged children— about 1-in-8 of all NYC public school children – were homeless at some point during the last school year.⁴ What is even more alarming is that these numbers are higher than they were the previous year.

This dynamic of the crisis in child homelessness works in tandem with the fact that approximately 80% of formerly incarcerated people and their families report that housing providers deny them because of a conviction record.⁵ When housing providers deny housing to an adult with a conviction record, they also deny housing to their children. To build a better society, it is imperative that we protect families. Protecting people with conviction records from housing discrimination is one way to do so.

Racial Justice

In addition to being a family justice issue, denying housing to people with convictions is a racial justice issue. Our criminal legal system disproportionately affects people of color.⁶ These structural inequities have disproportionate effects on Black and brown communities. As a result, 80% of New York City residents with a conviction are Black or brown.⁷ The federal Fair Housing Act of 1968,⁸ which was enacted to end racial discrimination in housing, has been interpreted by the U.S. Department of Housing and Urban Development to prohibit housing providers from enacting blanket bans against people with convictions, since they are disproportionately Black and brown and thus such bans constitute racial discrimination.⁹

Housing discrimination reinforces systemic barriers that perpetuate cycles of poverty and incarceration in communities of color. Many individuals with prior convictions are actively working to rebuild their lives, yet discriminatory housing practices prevent them from securing stable and safe homes. This lack of access to stable housing significantly increases the likelihood of recidivism, further entrenching racial

¹ Mihir Zaveri, *City Council Votes to Limit Criminal Background Checks by Landlords*, N. Y. TIMES (Dec. 20, 2023), <https://www.nytimes.com/2023/12/20/nyregion/criminal-background-checks-tenants.html#:~:text=There%20are%20an%20estimated%20750%2C000,housing%20advocates%20and%20landlord%20groups>.

² Coalition for the Homeless, *Basic Facts About Homelessness: New York City*, COAL. FOR THE HOMELESS (Updated Jan. 2025), <https://www.coalitionforthehomeless.org/basic-facts-about-homelessness-new-york-city/>.

³ Coalition for the Homeless, *Basic Facts About Homelessness: New York City*, COAL. FOR THE HOMELESS (Updated Jan. 2025), <https://www.coalitionforthehomeless.org/basic-facts-about-homelessness-new-york-city/>.

⁴ *Id.*

⁵ See Becca Cadoff, M.P.A., Erica Bond, J.D., Preeti Chauhan, Ph.D., & Allie Meizlish, J.D., *Criminal Conviction Records in New York City (1980-2019)*, DATA COLLABORATIVE FOR JUST. AT JOHN JAY COLL. (Apr. 2021), https://datacollaborativeforjustice.org/wp-content/uploads/2021/04/2021_04_07_Conviction_Record_Report.pdf. Among the more than 11,000 justice-impacted individuals whom Fortune serves each year, over 90% are individuals of color. Internal Fortune data.

⁶ *Id.*

⁷ *Id.*

⁸ 42 U.S.C. §§ 3601-3619, 3631.

⁹ U.S. Department of Housing and Urban Development, *Office of General Counsel Guidance on Application of Fair Housing Act Standards to the Use of Criminal Records by Providers of Housing and Real Estate-Related Transactions*, U.S. DEP'T OF HOUS. AND URB. DEV. (Apr. 4, 2016), https://www.hud.gov/sites/documents/hud_ogcguidappfhastandcr.pdf.

disparities in the criminal legal system. Moreover, it exacerbates economic inequality and deprives Black and brown communities of generational wealth and well-being. Dismantling these barriers is not just a moral imperative but a necessary step toward achieving true racial equity in New York.

Public Health

The need for increased CCHR funding for FCHA education and enforcement is also a public health issue. Housing security is not just a legal issue; it is a critical public health necessity and a social determinant of health. Research shows that without secure housing, individuals experience higher rates of chronic illness,¹⁰ mental health challenges,¹¹ and substance use disorders,¹² all of which place an undue burden on our healthcare¹³ and social services systems.¹⁴ This is even more concerning considering that people with convictions, particularly those who have been incarcerated, already face high rates of mental health and substance abuse disorders.

People who experience homelessness or housing instability also have significantly higher rates of emergency room visits, hospitalization, and premature mortality.¹⁵ When housing providers deny people with conviction records housing, it often forces them into overcrowded or unstable living conditions, shelters, or street homelessness, which increases their risk of communicable diseases, substance use relapse, and mental health deterioration.¹⁶ Allowing people to access housing, however, not only reduces the aforementioned, but also decreases the amount of preventable emergency department use, all of which helps alleviate the city's healthcare burden.¹⁷ Children are especially vulnerable to the adverse health impacts of housing insecurity.¹⁸ It exacerbates childhood poverty, food insecurity, and educational instability, which creates negative public health impacts that span generations.¹⁹ Therefore, ensuring that people with conviction records can access stable housing is a social determinant and public health issue.

Urgency for Local Human Rights Education and Enforcement

The need to strengthen local human rights laws has never been more important. Under the new administration, the federal government has dismantled several critical civil rights protections, particularly those related to fair housing and racial equity. It has de-funded agencies such as the Equal Employment Opportunities Commission (EEOC) and the Department of Housing and Urban

¹⁰ "Housing Instability - Healthy People 2030 | Odphp.Health.Gov," n.d. <https://odphp.health.gov/healthypeople/priority-areas/social-determinants-health/literature-summaries/housing-instability>.

¹¹ "Housing Insecurity and Mental Health: The Effect of Housing Tenure and the Coexistence of Life Insecurities" March 18, 2022. <https://pmc.ncbi.nlm.nih.gov/articles/PMC9033895/>.

¹² "In Flux: Associations of Substance Use with Instability in housing, employment, and income among young adults experiencing homelessness" May 13, 2024. <https://pmc.ncbi.nlm.nih.gov/articles/PMC11090355/>.

¹³ "Health Care Spending And Use Among People Experiencing Unstable In the Era Of Accountable Care Organization" November 3, 2017. <https://pmc.ncbi.nlm.nih.gov/articles/PMC7384249/>.

¹⁴ "New Yorkers in Need: The Housing Insecurity Crisis," January 7, 2024. <https://www.osc.ny.gov/reports/new-yorkers-need-housing-insecurity-crisis>.

¹⁵ "Health Care Spending And Use Among People Experiencing Unstable In the Era Of Accountable Care Organization...," November 3, 2017. <https://pmc.ncbi.nlm.nih.gov/articles/PMC7384249/>.

¹⁶ "Communicable Disease among People Experiencing Homelessness in California" March 30, 2020. <https://pmc.ncbi.nlm.nih.gov/articles/PMC7189346/>.

¹⁷ "Impact of a New York City Supportive Housing Program on Housing Stability and Preventable Health Care among Homeless Families" March 12, 2018. <https://pmc.ncbi.nlm.nih.gov/articles/PMC6153151/>.

¹⁸ "The Effects of Housing Insecurity on Children's Health: A Scoping Review," June 1, 2023. <https://pubmed.ncbi.nlm.nih.gov/35134939/>.

¹⁹ "Residential Instability, Neighborhood Deprivation, and Outcomes for children" November 30, 2024. <https://bmcpublichealth.biomedcentral.com/articles/10.1186/s12889-024-20846-6>.

Development (HUD) to name a few.²⁰ This has left millions of New Yorkers vulnerable and defenseless to discriminatory practices. Thus, CCHR is the only line of defense left in protecting all of us. Given this reality, the city cannot afford to underfund its own civil rights enforcement agency by failing to fully resource it. If the City Council provides CCHR with an increased budget and agency-wide holistic funding, the Commission will be able to do several things with respect to FCHA.

CCHR is not currently conducting any public education campaign about the law because they do not have the resources to do so. Thankfully, advocates from the FCHA campaign, which The Fortune Society co-chairs, have been filling that void. Using private funding, we launched the New Rights, New Beginnings campaign across bus shelters, on buses, Link NYC, and in pamphlets. We also educate people leaving Rikers and those within our communities; set up a website so that organizations can request training; and even trained CCHR staff. However, we do not have the networks or the ability to reach private housing providers about their responsibilities, so far too many of them are left ignorant of the new law and the penalties they may face for violating it. With increased funding, the Commission would be able to conduct public education campaigns and community outreach to ensure that vulnerable populations understand their legal protections and housing providers understand their responsibilities.

It should also be noted that CCHR used testimony from Fair Chance for Housing advocates in last year's budget hearings to secure federal funding to conduct public education, since their budget was lacking. Due to changes in the new administration, it is a forgone conclusion that CCHR will not receive that funding this year. Thus, it is even more urgent to provide CCHR with additional funding.

In addition, CCHR also needs more staff attorneys and investigators to mediate disputes between applicants and landlords, manage caseloads, and promptly investigate and resolve claims of discrimination, which will prevent delays in case processing and continued discriminatory practices. We need CCHR to be resourced to engage in all these processes.

Fortune urges the Council to negotiate a budget that will allow the Commission to implement and enforce laws like the FCHA. We request that CCHR's overall budget increase from \$17 million to at least \$21 million for Fiscal Year 2026 and exempt CCHR from any future budget cuts or hiring freezes, including the Program to Eliminate the Gap (PEGs). Providing them with these exceptions is important because the Commission provides essential services that are now completely absent at the federal level.

In conclusion, expanding resources to CCHR will show that NYC is deeply committed to advancing and protecting human rights in Fiscal Year 2026 and beyond. More specifically, to ensure that the FCHA provides people with conviction records a fair chance, CCHR must have the resources to undertake comprehensive community outreach, education, and enforcement. Providing people with convictions access to stable housing will address issues of family justice, racial justice, public health, and human rights. In addition, fully funding CCHR will allow the Commission to enforce civil rights and invest in the community, which is essential for a more equitable, safe, and just New York City.

Thank you for giving me the opportunity to share my testimony.

²⁰ Workforce Bulletin. DEI Dead at Revamped EEOC: EEOC Enforcement Priorities After Trump Administration Makeover (February 5, 2025) <https://www.workforcebulletin.com/dei-dead-at-the-eeoc-whats-next-for-eeoc-enforcement-priorities-after-trump-administration-actions>

March 7, 2025

The Legal Aid Society's Testimony Regarding the Importance of the New York City Commission on Human Rights and the Crisis in Staffing that is Harming New Yorkers

Submitted by Rebekah Cook-Mack

Thank you for the opportunity to present this testimony. I am a Staff Attorney in the Employment Law Unit of The Legal Aid Society.

Last year we testified that disinvestment in the City Commission on Human Rights had created a crisis. We explained that due to understaffing and lengthy delays in processing cases, it no longer served the needs of New Yorkers. Unfortunately, the City did not heed our warning. Council prioritized the Commission in its budget response, but it has remained underfunded even as its obligations have grown and its import has increased.

Today, in the absence of federal partners to protect the rights of the most vulnerable, New Yorkers will increasingly turn to the Commission. Without increased funding and the ability to hire without impediment, the Commission will continue to fail our city's residents. We call on our city to reinvest in the Commission so that it can occupy the field ceded by its federal counterparts.

It is not yet too late for New York City to take decisive steps to protect vulnerable populations that have already been targeted by the federal administration. For Transgender, Gender Non-conforming, Nonbinary, and Intersex (TGNCNBI) and undocumented New Yorkers, federal partners are no longer viable avenues for protecting their rights. For these New Yorkers, the City Commission, which enforces a broad array of laws – more protective than state or federal counterparts – has become

Justice in Every Borough.

an indispensable partner. **The City should fund the Commission at a level commensurate with its heightened import.**

We call on the City to reinvest in the Commission, to ensure it can rebuild without limitations on hiring so that it can meet the immediate needs of vulnerable New Yorkers in this unprecedented moment. We ask the City to **fund CCHR at \$21 million** to ensure its Office of Mediation and Conflict Resolution can provide fast and meaningful relief at rates equal to the rate at which the commission administratively closes case. The \$21 million would also help provide CCHR with the resources necessary to work through its caseload to decide cases on the merits, prepare for the possibility of an influx of cases due to the changes at the federal level, and put resources towards educating the public about their rights and the work of CCHR. While the Mayor's FY26 preliminary budget increased CCHR's budget by \$430,000 (from \$14,530,000 to \$14,961,000), that increase is woefully insufficient.

The current budget proposal reflects, rather than addresses, the chronic underfunding CCHR has been subjected to since the pandemic. Funding CCHR at this anemic level will not allow it to meet the needs of New Yorkers in this time of federal retrenchment. It will not be able to fully enforce the laws that have taken effect since the pandemic while simultaneously stepping up to fill federal shoes. To meet the needs of the most vulnerable New Yorkers today we must invest in CCHR and ensure they can hire to fill the positions. We know that CCHR is more essential now than ever. Funding CCHR at \$21 million and committing to its budget for coming years is an essential part of our City's response to the current administration. It is a necessary element to ensuring that New York City can hold the line and protect the rights of its most vulnerable residents – largely Black and Brown low-income New Yorkers. By protecting these New Yorkers in this moment, CCHR will act as a bulwark for all of us. While it is a significant increase over an anemic and inadequate budget, it reflects a total budget for CCHR that would still be less than 2% of the City's overall budget.

We are here today as members of the Human Rights Law Working Group, a coalition of legal service providers and advocacy organizations who advocate in support of a well-funded and sufficiently staffed CCHR. The New York City Human Rights Law (NYCHRL), administered by CCHR, prohibits discrimination in employment, housing,

and public accommodations, and protects against discriminatory lending practices, retaliation, discriminatory harassment, and bias-based profiling by law enforcement. It is one of the most comprehensive civil rights laws in the country and applies to a long list of protected classes beyond those recognized by the federal and New York State governments.¹ We commend City Council for its expansive view of civil and human rights, amending the NYCHRL over 40 times since 2013 to add additional protections for New Yorkers.² However, we must express our alarm at the chronic underfunding of CCHR, which prevents New Yorkers from receiving justice when faced with discrimination.

The Legal Aid Society is built on one simple but powerful belief: that no New Yorker should be denied the right to equal justice. We want to remain a beacon of hope for New Yorkers who feel neglected, regardless of who they are, where they come from, or how they identify. From our start nearly 150 years ago, our growth has mirrored that of the city we serve. Today, we are proud to be one of the largest and most influential social justice law firms in New York City and nation-wide. Our staff deliver justice in every borough, working tirelessly to defend our clients and dismantle the hidden, systemic barriers that can prevent them from thriving. As passionate advocates for individuals and families, LAS is an indispensable component of the legal, social, and economic fabric of our city.

In the past year, LAS served over 480,000 individuals and their families who benefitted from our holistic direct services through our Civil, Criminal, and Juvenile Rights Practices. Our work across these Practices together provides us with unique insights into the challenges facing marginalized communities in NYC and an unparalleled ability to effect change on a greater scale. Our Civil Practice works with low-income New Yorkers experiencing a broad range of civil legal issues that, without assistance, can escalate into situations with cascading effects that threaten their stability and keep families locked in cycles of poverty. Our specialized units cover the full spectrum of civil legal needs, including housing and homelessness; homeowner stabilization, family

¹ <https://www.nyc.gov/site/cchr/law/the-law.page>

²

<https://www.nyc.gov/site/cchr/law/amendments.page#:~:text=A%20Local%20Law%20to%20amend,%2C%20housing%2C%20and%20public%20accommodations>

law and domestic violence; immigration; special education; health; community development; consumer issues; employment; government benefits and disability; taxes; and holistic services for vulnerable populations including the elderly, adults and children with disabilities, and people living with HIV/AIDS.

The Employment Law Unit represents low-wage workers in employment-related matters such as claims for violations of leave laws, unpaid wages, discrimination, trafficking, and unemployment insurance. Our clients are overwhelmingly people of color living paycheck to paycheck. The Unit conducts litigation, outreach, and advocacy designed to assist the most vulnerable workers in New York City, among them, low-wage workers who are sexually harassed; discriminated against based on race, national origin, immigration status, pregnancy, disability, sex, sexual orientation, gender identity, age, domestic violence, or criminal background; or denied reasonable accommodations needed due to pregnancy or disabilities.

The LGBTQ+ Unit of the Legal Aid Society seeks to address systemic issues impacting Legal Aid's LGBTQ+ clients through public education, advocacy, legislation, and impact litigation. It also provides trainings to Society staff on the New York State and New York City Human Rights Law's protections for LGBTQ+ people.

LAS provides legal and related services to individuals and families experiencing source of income discrimination. As part of this work, we provide legal assistance to low-income New Yorkers who are facing housing discrimination based on their source of income. This work entails advocacy and negotiation with brokers, owners, and landlords on behalf of clients and litigation of selected cases to end systemic practices that exclude voucher holders. In cases where landlords continue to discriminate based on source of income after being informed of their legal obligations to accept housing vouchers, LAS proceeds to litigate against the landlords to compel their acceptance of the vouchers. CCHR should be a critical partner to this work.

I. Importance of the Commission Expands as Federal Partners Retreat

The Commission should be a key partner protecting the people of New York City and bringing bad actors to justice. Unfortunately, today, the Commission is in crisis. It no longer meets the needs of New Yorkers. **We write to alert you to this crisis and to implore you to take immediate action to increase its funding and staffing.** Without

adequate funding and staffing, thousands of New Yorkers - disproportionately low-income people of color – who have been discriminated against will go without justice.

The Commission is an indispensable partner for New York's most vulnerable residents seeking to enforce their rights. For low-income New Yorkers the Commission is likely the only way to protect their rights. Accessing the courts, without the assistance of counsel, is not viable for many New Yorkers. This is because court procedures are complex; litigation can be expensive and involve multiple appearances requiring low-income New Yorkers to miss work they cannot afford to forego; and language access can be a barrier. Often private attorneys will not take the cases of low-income New Yorkers who cannot afford to pay an hourly rate or retainer. Non-profits, like The Legal Aid Society, used to file regularly in the Commission because it allowed us to help more people. Today, we rarely do. We are hesitant to refer pro se individuals there because the waits are too long and the outcomes are poor. This leaves New York's most vulnerable residents without an avenue to protect their rights and disproportionately impacts people of color.

Historically, employees facing discrimination could turn to the EEOC for help. Today, the federal workforce is experiencing an unprecedented retrenchment and filing with a federal agency now involves risks for the undocumented. For TGNCNBI people, the EEOC is no longer a viable partner, the DOJ has withdrawn from cases involving TGNCNBI individuals in its effort to comply with Executive Order 14168. If the City of New York wants its civil rights laws to be enforced, it must fund the Commission charged with doing so. It can no longer rely on federal counterparts.

Ensuring that our civil rights laws are enforced is important for all workers. By demanding that employers comply with our laws we ensure that workplaces are free of discrimination and harassment. This benefits all workers. To meet this moment and ensure New York City's laws are enforced, the City must invest in the Commission.

II. New York City Human Rights Law, the Strongest in the Nation, Continues to Expand

The Commission is a unique body in the City, entrusted with the authority and charged with the duty of "thoroughly" investigating allegations of discrimination and, to the best of its ability, "eliminate and prevent" discrimination in New York. The Commission's budget has plummeted while its responsibilities have grown. In nearly

every year in the past decade, the City Council has added to the protections of our Civil Rights Law in some way. Since 2013, the City Council has passed more than 40 amendments to these laws.³ Most recently CCHR took responsibility for enforcing the Fair Chance for Housing Law.

City Council recently introduced additional anti-discrimination bills that, if passed, will require additional funding to CCHR based on the fiscal impact statements prepared by the New York City Mayor's Office of Management and Budget (OMB). For example, Intro 1064-2024 requires transparency concerning promotional opportunities, which would require employers to make reasonable efforts to notify their current employees of job opportunities prior to selecting a candidate for the role thus reducing the opportunity to ignore qualified long-term employees, which often exacerbates racial and gender divides. If passed CCHR would require \$431,348 during FY26 and \$281,348 for successive years to carry out and enforce the provisions of this legislation.⁴ Intro 0808-2024, concerning information required in job listings, was designed by Council to make hiring in the City more fair and transparent and to ensure that all candidates were offered the best possible salary and options when interviewing for a position irrespective of any protected classes. Based on the fiscal impact statement for this bill, CCHR would require \$556,348 to implement year one and \$406,348 for successive years.⁵ Intro 0984-2024 aims to study pay and employment equity for private employees. While the Office of Data Analytics (MODA), would lead this work they would require the coordination of CCHR and the Department of Consumer and Worker Protection (DCWP). Based on the fiscal impact statement for this bill, CCHR would require Personal Services funding of \$310,000 to hire staff that work to ensure pay and workplace equity year after year.⁶ These bills contain important protections for workers.

³ See *Amendments to NYC Human Rights Law*

<https://www.nyc.gov/site/cchr/law/amendments.page#:~:text=A%20Local%20Law%20to%20amend,%2C%20housing%2C%20and%20public%20accommodations.>

⁴ <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=6874684&GUID=4A2C4F0E-AA05-4867-90B6-7B4168CCA348&Options=&Search=>

⁵ <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=6639655&GUID=F37F7F06-33EE-4DC9-AA50-86B6D4DD220A&Options=&Search=>

⁶ <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=6788474&GUID=4100A3E1-33A0-4CC7-B431-E27984179902&Options=&Search=>

However, to be effective, the City must also increase CCHR's funding to support the implementation of these laws.

Many of the more recent additions to the law have no equivalent protections at the state or federal level. Some of these new rights and obligations are among the most common forms of discrimination in the City, significantly increasing the Commission's workload.⁷

III. Staffing Crisis at the Commission

The Commission is more important now than ever and it is in crisis. In 2018, the Law Enforcement Bureau (LEB) had 47 staff attorneys. In the summer of 2023, that fell to only 9 staff attorneys. **Today, the Commission has less than 1/3 of the staff attorneys it had in 2018 – it has 17 staff attorneys in the LEB serving the entire City today and enforcing the strongest human rights law in the country.** Support and managerial staff suffered similar reductions in personnel. Because limited staff means limited intake appointments, the number of complaints filed at the Commission dropped substantially over this same period. Organizations like LAS no longer file with the Commission because its outcomes are so poor.

New Yorkers should be able to rely on CCHR to address their discrimination claims in a timely manner. Unfortunately, CCHR adjudications are not timely, and during FY24, CCHR had an "average age of complaint closed" of 593 days, up from 515 days in FY20 and a 5-year low of 427 days in FY21.⁸ New Yorkers cannot afford to wait over a year for justice when their housing, employment, wages, or ability to participate freely in society are at stake. By not effectively staffing and resourcing CCHR, the City does a disservice to all New Yorkers, but those who are already most vulnerable will bear the brunt of the agency's lackluster performance due to its lack of resources.

⁷ See Ishan Thakore, *Plagued by staff shortage, NYC agency fails to make determinations in most discrimination cases*, Gothamist (July 6, 2023) (noting that source of income discrimination is the most common form of housing discrimination), <https://gothamist.com/news/plagued-by-staff-shortage-nyc-agency-fails-to-make-determinations-in-most-discrimination-cases>.

⁸ <https://www.nyc.gov/assets/operations/downloads/pdf/mmr2024/cchr.pdf>

In FY2018 just over 800 complaints were filed at the Commission.⁹ In FY2024 just 366 complaints were filed for all of New York City – **46% of its prior performance**.¹⁰ Damages collected by the Commission have dropped from over \$8 million to \$4 million. OATH hearings result in decisions that linger without receiving a Decision and Order from CCHR so they do not take effect denying victims of discrimination resolution of their claims.

More Resources are Needed to Protect TGNCNBI Employees

Workplace discrimination against Transgender, Gender Non-conforming, Nonbinary, and Intersex (TGNCNBI) employees takes many forms: blatant refusal to hire, wrongful termination, and hostile work environments that force TGNCNBI employees to leave otherwise viable jobs. Many workers experience persistent misgendering, harassment, and denial of appropriate facilities. In one recent case, the employer made a nonbinary employee continue to use their deadname to access their work files, claiming that it could not change their name in the company's computer systems. The same company misgendered the employee's nonbinary partner, causing them to face barriers to necessary healthcare. The employee was fired after complaining of discrimination against themselves and their partner. In an *amicus* brief on employment sexual orientation and gender identity discrimination to the United States Supreme Court, Legal Aid described the experiences of a transgender client who was treated as an object of curiosity and ridicule at work because of their gender identity. The brief also described a gay man who was told by a supervisor that she wanted to address him "like a man" and then supposedly imitating him by waving her arms flamboyantly. He was fired after complaining about her behavior toward him. In short, even in today's New York City, people who are perceived as gender nonconforming face harassment in the workplace often culminating in termination, particularly if they complain. The resulting economic instability disproportionately pushes TGNCNBI individuals into

⁹ https://www.nyc.gov/assets/operations/downloads/pdf/mmr2019/2019_mmr.pdf.

¹⁰ <https://www.nyc.gov/assets/operations/downloads/pdf/pmmr2024/cchr.pdf> and <https://www.nyc.gov/assets/operations/downloads/pdf/pmmr2025/cchr.pdf>.

unemployment and homelessness, further deepening the housing insecurity crisis in our city.

Because the federal government no longer fights discrimination against TGNCNBI persons, it is critical that CCHR has the resources to take up this critical battle.

Understaffing Leaves CCHR Unable to Fight Source of Income (SOI) Discrimination

Despite prohibitions in the City and State Human Rights Laws and ambitious private enforcement actions, source of income discrimination—particularly landlords’ refusal to rent to voucher holders—remains rampant in New York City.¹¹ Homeless and rent-burdened New Yorkers continue to face repeated rejections because of their vouchers or never receive responses from the landlords they have contacted. The delays in resolving instances of SOI discrimination place additional and avoidable burdens on the City’s shelter system, the housing of last resort for the most vulnerable New Yorkers. Over the past several years, the SOI Discrimination Unit at the Commission lost numerous staff members.¹²

New Yorkers who file Source of Income complaints with the Commission face years-long delays. For pro se complainants, the wait is even longer because they can wait months for their initial intake appointment with Commission staff when they file their complaint. These delays have particularly devastating impacts on the lives of voucher holders. This is because, under most voucher programs, the voucher must be used by a fixed deadline or will expire and be permanently lost. Delay in resolving these SOI claims increases the likelihood that the victim of discrimination will lose their voucher before their case is resolved and they have the chance to secure housing. Further, many

¹¹ Matthew Haag, *She Wants Well-Qualified People’: 88 Landlords Accused of Housing Bias*, The New York Times, March 15, 2021,

<https://www.nytimes.com/2021/03/15/nyregion/real-estate-lawsuit-section-8-discrimination.html>; Mihir Zaveri, *Discrimination Weakens Tool for Reducing N.Y. Homelessness, Lawsuit Says*, The New York Times, May 25, 2022, <https://www.nytimes.com/2022/05/25/nyregion/ny-vouchers-homeless-discrimination.html>.

¹² David Brand, *NYC’s Long-Understaffed Voucher Discrimination Unit Now Has Zero Employees*, City Limits, Apr. 13, 2022, <https://citylimits.org/2022/04/13/nycs-long-understaffed-voucher-discrimination-unit-now-has-zero-employees/>.

complainants remain in unstable housing – or in the City’s overburdened shelters - while their complaints are pending. Unstable housing has well documented negative impacts on health, employment, and education. Delays at the Commission leave SOI discrimination victims in limbo and exacerbate these effects.

Delays in processing SOI complaints also have significant costs for the City. Instead of using a voucher to move into permanent housing, voucher holders experiencing unresolved SOI discrimination may be forced to rely on the City’s overburdened shelter system for longer. In 2021, the Independent Budget office estimated that it cost the City \$4,000 a month to house a single adult in a homeless shelter.¹³ The math is clear:

housing vouchers that move people out of shelters and into permanent housing save money even before the multiplier effects associated with stable housing are accounted for. Funding the Commission to complete its work efficiently is good for the City’s bottom line.

Delays in resolving SOI discrimination at the City Commission carry a cost. They diminish any deterrent effect Commission action might have, making the speedy resolution of SOI complaints take longer. The lack of an adequate government response to SOI entrenches segregation, as voucher holders are primarily limited to low-opportunity areas. The Commission’s “pre-complaint intervention” program, where SOI Unit employees perform rapid outreach to landlords, is an important SOI Discrimination Unit resource. This team can successfully and quickly intervene to enable voucher holders to use their voucher and obtain relief for voucher holders when they need it most.

The “pre-complaint intervention” process works best in situations where the person or entity committing SOI discrimination might be uninformed about the law or susceptible to pressure from a governmental authority. Pre-complaint intervention is an effective and efficient way to combat SOI discrimination, reduce homelessness, and move New Yorkers into stable housing. We recommended that additional resources be allocated to expanding pre-complaint intervention efforts. New York City needs to commit to eliminating SOI discrimination and send a clear signal to the real estate industry that it cannot continue to discriminate without consequences.

¹³ See <https://ibo.nyc.ny.us/iboreports/adams-increases-funds-for-homeless-shelters-but-more-needed-for-shelters-and-other-programs-fopb-march-2022.pdf> .

IV. MEDIATION

CCHR offers a strong mediation, but the program is tiny. In FY24, it successfully mediated just 31 complaints: just 6% of the cases it closed in the year.¹⁴ During the first quarter of FY25, CCHR reported “the number of complaints successfully mediated decreased by 44 percent... to five from nine during the same period in Fiscal 2024.”¹⁵ In contrast the Commission closed 40% of its cases (or approximately 178) for administrative convenience.

Although mediation cases at CCHR are resolved more than five times faster than its average complaint¹⁶ CCHR underutilizes mediation. **CCHR should significantly expand its mediation program.** Mediation is proven to help courts and agencies decrease case backlogs and to help parties resolve legal disputes quickly and efficiently.¹⁷ It should be fully embraced by CCHR. The Commission should be funded to mediate cases at the same rate that they close them for administrative convenience and CCHR.

The EEOC has long relied on mediation to promptly and successfully resolve complaints. The efficacy of the EEOC mediation program is well known. From 1999 through mid-2018, the EEOC conducted more than 214,000 mediations, resulting in more than 155,000 resolutions (a resolution rate of about 72%) and more than \$2.5 billion in monetary benefits paid to charging parties.¹⁸ Each year the program has averaged 11,300 mediations. It has facilitated the resolution of over 8,100 charges and

¹⁴ See Preliminary Fiscal 2025 Mayor’s Management Report, Human Rights at 103. Last viewed February 27, 2025 at <https://www.nyc.gov/assets/operations/downloads/pdf/pmmr2025/cchr.pdf>.

¹⁵ *Id.* at 101.

¹⁶ CCHR reports the average days to completion for mediation is 112 days while it is 593 days – over a year longer – for the complaint caseload. *Id.*

¹⁷ J. Panetta and R. Cartez, “Five Indications Mediation is at a Tipping Point,” New York Law Journal, August 7, 2023.

¹⁸ “After 20 Years, Mediation is Mainstream at the EEOC,” *Dispute Resolution Magazine*, Summer 2018, https://www.americanbar.org/content/dam/aba/publications/dispute_resolution_magazine/summer-2018/7-mediation-at-the-eeoc.pdf

has yielded more than \$130 million in monetary benefits for complainants. What is more, at the EEOC mediation resolves complaints in an average of 94 days, less than one-third of the investigative processing time it takes the EEOC in cases that are not part of the program. The program began with volunteer mediators and grew to include agency staff mediators, contract mediators and volunteer mediators who work on a pro bono basis. In addition to its effectiveness, the EEOC program gets high marks from the parties who choose to participate in it.¹⁹

Courts such as the U.S. District Court for the Southern District of New York also have robust mediation programs. The Southern District has offered mediation to litigants since 1991. The program expanded significantly in 2011 and is now required in employment discrimination and Fair Labor Standards Act cases. In 2022, the most recent year for which statistics are available, 1550 cases were referred to mediation. As of October 2023, the overall settlement rate for 2022 was 65%.²⁰ Since its inception, the Court's Mediation Program has relied on the services of a roster of volunteer neutrals. In 2022, there were approximately 200 volunteer mediators on the panel and two mediators from the Court's staff.

Now, more than ever, vulnerable New Yorkers – especially TGNCNBI and undocumented New Yorkers – who cannot rely upon federal agencies for help, will look to CCHR for help. CCHR's current Office of Mediation and Conflict Resolution is not adequate to meet the needs of New Yorkers. The City should fund CCHR to greatly expand the Office.

¹⁹ The study analyzed questionnaire responses from over 3,000 participants in EEOC mediations, 52% from charging parties and 48% from respondents. The best evidence of participant satisfaction with the EEOC mediation program was that the overwhelming majority of participants (91% of charging parties and 96% of respondents) indicated that they would be willing to participate in the mediation program again if they were a party to an EEOC charge. McDermott, E. P., Obar, R., Jose, A., and Bowers, M. An Evaluation of the Equal Employment Opportunity Commission Mediation Program. Washington, D.C.: Equal Employment Opportunity Commission, 2000, <https://www.eeoc.gov/evaluation-equal-employment-opportunity-commission-mediation-program>

²⁰ Annual report for 2022, Mediation Program of the United States District Court for the Southern District of New York, <https://www.nysd.uscourts.gov/sites/default/files/pdf/Mediation/Mediation%20Program%20Annual%20Reports/Annual%20Report%202022.pdf>

V. Reinvest in the Commission

The Commission cannot eliminate and prevent discrimination when understaffing is so acute that it closes rather than resolves cases after years of inaction. **The Commission is in crisis. We call on the City to:**

1. **Increase funding to \$21 million for CCHR.**
2. **Expand the Office of Mediation and Conflict Resolution at the Commission.**
3. **Exempt the Commission from the Hiring Freeze and Allow it to Hire Experienced Attorneys.** The City must lift hiring restrictions so that the Commission is no longer subject to a two-to-one hiring replacement scheme by which it can only hire one person for every two departures. This policy is responsible for accelerating the crisis facing the Commission. Remaining staff are forced to take on more work with no relief. This citywide budget measure has a disproportionate impact on the Commission because it is so small. With less than twenty LEB staff attorneys, four departures could reduce the LEB unit by ten percent while saving the City virtually no money. The Commission must be exempt from this policy. It must be encouraged to promptly replace any departing staff members.

Rather than hiring the most junior attorneys, the Commission should hire at the Agency II and III attorneys to attract the best talent. The Commission will not be able to rebuild if it offers its employees jobs promising low salaries and large caseloads.

This is a moment of urgency. Without intervention the situation will deteriorate still further. Today's underfunded and understaffed Commission is not positioned to meet the needs of New Yorkers as federal partners retreat. It is not positioned to meet the needs of the undocumented or TGNCNBI New Yorkers who may reasonably fear the repercussions of filing complaints with a federal agency or in court. The Commission is failing New Yorkers and must be rescued.

We thank the Council for its consideration of this testimony. For more information or to address concerns, please feel free to contact me at rcook-mack@legal-aid.org or (212) 298-5311.



Testimony on behalf of NELA/NY to the Committee on Civil and Human Rights
Preliminary Budget Hearing Testimony
Submitted March 10, 2025

The National Employment Lawyers Association (NELA) is a national organization of attorneys dedicated to the vindication of workers' rights. NELA/NY, incorporated as a bar association under the laws of New York State, is NELA's New York State affiliate. NELA/NY is a member of the Human Rights Law Working Group, a coalition of legal service providers and advocacy organizations who advocate in support of a well-funded and sufficiently staffed CCHR.

We are grateful to Chair Nantasha Williams and the New York City Council Committee on Civil and Human Rights for the opportunity to submit written comments on behalf of NELA NY to the March 7, 2025 hearing concerning the Preliminary Budget for the New York City Commission on Human Rights (CCHR).

The New York City Human Rights Law (NYCHRL), administered by CCHR, is one of the most comprehensive civil rights laws in the country and applies to a long list of protected classes beyond those recognized by the federal and New York State governments.¹ We commend City Council for its expansive view of civil and human rights, amending the NYCHRL over 40 times since 2013 to add additional protections for New Yorkers.²

The consequences of the chronic underfunding of CCHR, which prevents New Yorkers from receiving justice when faced with discrimination, is particularly acute right now. The recent announcement by the federal Equal Employment Opportunity Commission (EEOC) that it intends to stop or limit the acceptance, processing and investigation of charges brought by those who suffer from workplace gender identity discrimination, means that New Yorkers who experience workplace discrimination based on gender identity will look to New York State courts and the New York City Commission on Human Rights for protection of their rights. In addition, there are press reports that EEOC has instructed its staff to halt processing of all sexual orientation claims.³

¹ <https://www.nyc.gov/site/cchr/law/the-law.page>

² <https://www.nyc.gov/site/cchr/law/amendments.page#:~:text=A%20Local%20Law%20to%20amend,%2C%20housing%2C%20and%20public%20accommodations>

³ Some reports indicate that the EEOC has decided to halt processing not just gender identity discrimination claims, but sexual orientation claims as well. <https://www.hrdiver.com/news/eeoc-tells-employees-halt-lgbtq-discrimination-cases/738853/#:~:text=Dive%20Brief%3A,with%20knowledge%20of%20the%20situation.>

This, of course, is occurring in the larger context of the new Administration's stance on discrimination in general, which led former EEOC Commissioner Jocelyn Samuels to recently comment, "I am deeply worried that the EEOC will no longer be an agency that is committed to protecting and vindicating the rights of vulnerable workers, and will instead be a barrier to their ability to be protected from discrimination."⁴

Background

The New York City Human Rights Law (NYCHRL) has prohibited discrimination based on gender identity since 2002, with the passage of the Transgender Rights Bill. It ensured legal protection for people whose "gender and self-image do not fully accord with the legal sex assigned to them at birth, "with the intent to make explicit that the law prohibits discrimination against people based on gender identity. Recognizing the profoundly debilitating impact of gender-based discrimination on transgender, non-binary, and other gender non-conforming people, the amendment makes clear that "gender-based discrimination—including, but not limited to, discrimination based on a person's actual or perceived sex, and discrimination based on a person's gender identity, self-image, appearance, behavior, or expression—constitutes a violation of the City's Human Rights Law." In 2018, City Council amended the definition of "gender" in the NYCHRL to reflect a broader and inclusive understanding of gender."⁵

The United States Supreme Court held 2020, in *Bostock v. Clayton County*⁶ that discrimination on the basis of gender identity was barred by Title VII of the Civil Rights Act of 1964. The EEOC, the federal agency charged with enforcing federal workplace discrimination laws, subsequently issued guidance consistent with *Bostock*: Commission's Enforcement Guidance on Harassment in the Workplace⁷; the EEOC Strategic Plan 2022-2026); and the EEOC Strategic Enforcement Plan Fiscal Years 2024-2028, which included specifically, "targeting discrimination, bias, and hate directed against LGBTQI+ individuals."⁸ The EEOC in fiscal year 2023 received more than 3000 charges alleging discrimination based on sexual orientation or gender identity, up more than 36% from the previous year.⁹

The EEOC Reneges on Its Obligation to Trans and Non-Binary Americans.

All this changed after January 20, 2025. In a press release dated January 28, 2025, Acting EEOC Chair Lucas announced that pursuant to Executive Order 14168, one of her priorities for compliance, investigations, and litigation—is to "defend the biological and binary reality of sex and related rights, including women's rights to single-sex spaces at work" in other words, not only to abandon claims of discrimination on the basis of gender identity, but to actively support those who carry out such discrimination.

⁴ <https://www.npr.org/2025/02/09/nx-s1-5287582/trump-eeoc-dei-civil-rights-diversity>

⁵ <https://www.nyc.gov/site/cchr/law/legal-guidances-gender-identity-expression.page>

⁶ 590 U.S. 644 (2020)

⁷ https://www.eeoc.gov/laws/guidance/enforcement-guidance-harassment-workplace#_Toc164808005

⁸ <https://www.eeoc.gov/strategic-enforcement-plan-fiscal-years-2024-2028>

⁹ <https://www.cbsnews.com/news/eeoc-transgender-discrimination-cases/>

“The Commission’s harassment guidance was fundamentally flawed,” said Lucas. “It ignored biological reality, effectively eliminated single-sex workplace facilities, and impinged on all employees’ rights to freedom of speech and belief. In unlawfully expanding past *Bostock*’s dictates, the EEOC exceeded its authority. The EEOC must rescind the guidance and protect the sex-based privacy and safety needs of women.”¹⁰

The EEOC wasted no time to put these words into action. On February 18, 2025, the news media reported that the EEOC moved to dismiss six of its own cases on behalf of workers alleging gender identity discrimination.¹¹ One of these cases, *Equal Employment Opportunity Commission v. Boxwood Hotels, LLC* (1:24-cv-00902), involved a housekeeper in a New York hotel who was fired after she complained about being the target of multiple derogatory comments by her supervisor, including being referred to as “it”.¹²

The EEOC has explicitly chosen, in direct violation of its mandate under Title VII and Supreme Court doctrine, to simply stop pursuing cases based on gender identity discrimination. Whether this takes the form of absolutely refusing to accept new complaints of gender identity discrimination, completely eviscerating employee rights under Title VII, or simply refusing to investigate them, the EEOC’s message is clear: the federal government can no longer be relied upon to protect trans and non-binary New Yorkers. Moreover, there have been press reports that sexual orientation claims are being “paused”, again in violation of Title VII. And, as described above, as former Commissioner Samuels has warned, there is reason to believe that the EEOC in general will be shifting its focus away from protecting historically disadvantaged populations and even targeting them for discrimination.

The Role of the City Commission on Human Rights

While filing with the EEOC is a prerequisite for bringing a lawsuit under federal anti-discrimination workplace laws, New Yorkers may also exercise their rights under New York City’s Human Rights Law, by filing a lawsuit, or by making an administrative complaint to the NYCCHR. Until the EEOC reversed its stance, New York employees could choose to file either with the EEOC or the NYCCHR (or with NYS State Division of Human Rights.) For many employees, an administrative agency such as the EEOC or NYCCHR is the forum of choice – when working properly, these agencies can offer a faster, less expensive, more private alternative to litigation in court.

Now that the federal government in general, and the EEOC in particular, have announced that they no longer protect the rights of employees to be free of gender identity discrimination, we can only expect that New Yorkers suffering from such discrimination will be forced to turn to state and local agencies. With the EEOC turning back on victims of gender identity and sexual orientation discrimination, and its anticipated policy shift away from protecting members of

¹⁰ <https://www.eeoc.gov/newsroom/removing-gender-ideology-and-restoring-eeocs-role-protecting-women-workplace>

¹¹ <https://www.cbsnews.com/news/eeoc-transgender-discrimination-cases/>

¹² <https://www.eeoc.gov/newsroom/eeoc-sues-boxwood-and-related-hotel-franchises-discriminating-against-transgender-employee>

disadvantaged communities, the CCHR will become a, if not the, critical administrative locus for protection of these New Yorkers and the vindication of their rights.

Underfunding CCHR Undermines City Government Priorities and Services

Effective enforcement of the NYCHRL is key to advancing many of the City's priorities including workplace rights. This requires a well-funded CCHR that has the capacity to take on these cases.

Among its many protections, the NYCHRL protects workers against discriminatory practices such as sexual harassment, retaliation, lack of disability accommodations, or not providing a place and time for lactating employees to pump breast milk. Female employees, workers of color, and LGBTQIA employees, are some of the groups most vulnerable to these insidious and illegal practices. They are also groups with lower labor force participation¹³ and therefore most likely to be targeted by the City's workforce development programs. Providing training and education may prove to ultimately be meaningless if these workers are not hired, promoted, or unfairly disciplined because of illegal discrimination.

The NYC Council recently introduced anti-discrimination bills, that if passed will require additional funding to CCHR based on the fiscal impact statements prepared by the New York City Mayor's Office of Management and Budget (OMB). For example, Intro 1064-2024 requires transparency concerning promotional opportunities, which would require employers to make reasonable efforts to notify their current employees of job opportunities prior to selecting a candidate for the role thus reducing the opportunity to ignore qualified long-term employees, which often exacerbates racial and gender divides. If passed CCHR would require \$431,348 during FY26 and \$281,348 for successive years to carry out and enforce the provisions of this legislation.¹⁴ Intro 0808-2024, concerning information required in job listings, was designed by Council to make hiring in the City more fair and transparent and to ensure that all candidates were offered the best possible salary and options when interviewing for a position irrespective of any protected classes. Based on the fiscal impact statement for this bill, CCHR would require \$556,348 to implement year one and \$406,348 for successive years.¹⁵ Intro 0984-2024 aims to study pay and employment equity for private employees. While the Office of Data Analytics (MODA), would lead this work they would require the coordination of CCHR and the Department of Consumer and Worker Protection (DCWP). Based on the fiscal impact statement for this bill, CCHR would require Personal Services funding of \$310,000 to hire staff that work to ensure pay and workplace equity year after year.¹⁶ These bills contain important protections for workers, and

¹³ <https://www.osc.ny.gov/reports/osdc/new-york-citys-uneven-recovery-mothers-workforce#:~:text=Child%20care%20issues%20may%20have,raises%20for%20women%20of%20color.&text=While%20self%20employment%20can%20provide,benefits%20such%20as%20health%20insurance.;> <https://nysdolreports.com/2023-tgncnb/>

¹⁴ <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=6874684&GUID=4A2C4F0E-AA05-4867-90B6-7B4168CCA348&Options=&Search=>

¹⁵ <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=6639655&GUID=F37F7F06-33EE-4DC9-AA50-86B6D4DD220A&Options=&Search=>

¹⁶ <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=6788474&GUID=4100A3E1-33A0-4CC7-B431-E27984179902&Options=&Search=>

we urge City Council to pass them during this session. However, City Council must also increase CCHR's funding to support the implementation of these laws.

New York City workers should be able to rely on CCHR to address their discrimination claims in a timely manner. Unfortunately, CCHR adjudications are not timely, and during FY24, CCHR had an "average age of complaint closed" of 593 days, up from 515 days in FY20 and a 5-year low of 427 days in FY21.¹⁷ New Yorkers cannot afford to wait so long for workplace justice. In the experience of NELA/NY's members, investigations often lag for many months, creating significant hardship for complainants, especially those who are still employed by the employer. By not effectively staffing and resourcing CCHR, the City does a disservice to all employees, but those who are already most vulnerable will bear the brunt of the agency's lackluster performance due to its lack of resources.

By not fully resourcing a critical tool in its arsenal, NYC countermands its own initiatives and commitment to workplace justice. The NYCHRL is not simply a pledge for the City to be more equitable; it is a law that should be enforced with the full weight of the government behind it. Leaving workers exposed to the whims of discriminatory actors in the employment space will not only impede the City's goals of equity but undermine the resources it invests in these crucial areas.

CCHR's Enforcement Capacity is Limited by Its Underfunding and Understaffing

CCHR has a law enforcement function in a civil context, that parallels that of the district attorney's office in a criminal context serving both a prosecutorial and punitive role through initiating matters and handing down punishment. However, it has a fraction of the funding of the DA, which limits the agency staff's capacity. At its best, law enforcement should garner a sense of safety within communities. CCHR has the infrastructure necessary to grant that for NYC workers, but that is meaningless if it's not backed by sufficient resources to power its enforcement capacity.

CCHR has the power to investigate complaints, settle cases, and refer cases to the New York City Office of Administrative Trial and Hearing (OATH) for resolution. It also has the authority to assess fines, obtain monetary damages, and negotiate additional remedies including rehiring, policy change, training, and modifications for accessibility.¹⁸ CCHR plays an important role in mediating reasonable accommodation requests. Under the NYCHRL employers are required to engage in "cooperative dialogue" with employees who make reasonable accommodation requests, and CCHR can mediate these matters in the settlement process.¹⁹ However, the capacity issues within CCHR are leaving New Yorkers with potentially viable workplace discrimination claims without a forum to address them, due to the backlog in cases. In FY24 CCHR administratively closed 40% of the 447 cases that it closed that year or approximately 179 cases. While this percentage is down from a 5-year high of 56% in FY22, the high rate of administrative closures means that CCHR staff initiated some cases, because they determined there may be a viable claim, but failed to decide if the cases should be dismissed or referred, or CCHR staff were unable to settle those cases.²⁰ Consequently, these 179 cases were shelved without being

¹⁷ <https://www.nyc.gov/assets/operations/downloads/pdf/mmr2024/cchr.pdf>

¹⁸ <https://www.nyc.gov/site/cchr/enforcement/2024-settlements.page>

¹⁹ <https://www.nyc.gov/site/cchr/law/chapter-1.page>

²⁰ <https://www.nyc.gov/assets/operations/downloads/pdf/mmr2024/cchr.pdf>

decided on the merits. If New Yorkers must wait for years to have their discrimination cases reviewed, only to have them administratively closed, they don't have adequate protection from discrimination.²¹ When it comes to discrimination CCHR is the administrator of justice, but City government has not funded or staffed this agency sufficiently to meet that mandate. Consequently, New Yorkers are living in an acute state of lawlessness concerning discrimination, because their enforcement agency is under-resourced.

CCHR's settlement capacity is also limited by the agency only employing one mediator. Mediation often speeds up settlement, but the limited capacity of CCHR due to having a single mediator, and limitation that *pro se* litigants, those who are unrepresented, do not have access to CCHR's mediation, contributes to CCHR's backlog of cases. These problems undermine the deterrent effect of having a watchdog agency with the power to enforce penalties against those who violate the NYCHRL, because failing to sufficiently fund CCHR cuts the teeth of the agency. It also wastes the efforts of the City Council to continuously amend the NYCHRL and expand civil rights to New Yorkers, because CCHR's responsibilities continue to expand without sufficient staff and funding to carry out the work. In FY24 CCHR administratively closed approximately 6X more cases (179) than it mediated (31).²² The need for a sufficiently staffed and funded CCHR is also about creating proactive enforcement, to keep the caseload and backlog down through both deterrence and timely enforcement of the NYCHRL.

CCHR also needs funding to dedicate staff to publicizing its work and offering policy positions within its guidance. This policy guidance would clarify how the NYCHRL will be applied by CCHR and create a deterrent effect for those looking to discriminate against New Yorkers, while also educating New Yorkers about their rights. Without sufficient funding and staffing CCHR does not have the capacity to enforce these laws, leaving New Yorkers without essential protection.

While it is clear that CCHR is underfunded and understaffed, it can be difficult to gauge the extent of the problem due to gaps in reporting. In FY24, CCHR received 13,360 inquiries up from 10,015 in FY20 and a 5-year low of 9,055 in FY21, and it initiated 868 matters, down from 1,307 in FY20. CCHR also reported having 1,206 open matters in FY24, down from 2,398 in FY20 and a 5-year high of 2,411 in FY21.²³ While there could be several reasons why the number of matters initiated by CCHR has plummeted, including an attempt to address the backlog of open matters, the reporting from the agency is insufficient to draw a clear picture. There is a need for greater transparency in reporting, because it is not clear how many of CCHR's cases are held over from year to year. A worker experiencing discrimination at their job does not have years to wait for relief. This type of backlog is unacceptable and needs to be addressed with increased funding and staffing.

²¹ <https://www.nyc.gov/assets/operations/downloads/pdf/mmr2024/cchr.pdf>

²² <https://www.nyc.gov/assets/operations/downloads/pdf/mmr2024/cchr.pdf>

²³ <https://www.nyc.gov/assets/operations/downloads/pdf/mmr2024/cchr.pdf>

CCHR's Limited Capacity Leaves New Yorkers without Justice

We are in the middle of a crisis, and the New York City government must act with the urgency of the last line of defense against discrimination in a context where federal anti-discrimination law and policy can no longer be relied upon.

To be clear, the work of CCHR has always been urgent, not only because anti-discrimination work is essential for all the reasons mentioned in this testimony, but also because there are protections that New York City residents enjoy that don't exist on the federal level. However, the urgency has obviously increased under a federal administration that is dismantling decades of anti-discrimination law.²⁴ New Yorkers cannot afford a budget issue to stand between them and possibly their only forum for asserting many of their civil rights. City government must be accountable to its constituents. In this moment, recognizing a potential increased need for the services of CCHR, City government must act to increase funding.

Creating a More Responsive and Better Resourced CCHR

We ask that City Council allocate at least **\$21 million** to bring CCHR funding back above pre-pandemic levels and give CCHR the resources necessary to work through its caseload to decide cases on the merits, including through a robust mediation process, prepare for the possibility of an influx of cases due to the changes at the federal level, and put resources towards educating the public about their rights and the work of CCHR.

In the years immediately prior to the pandemic, CCHR's budget peaked at \$14 million, which adjusted for inflation is approximately \$16.2 million today. This funding was clearly not sufficient before the pandemic, and City government has failed to allocate this level of funding since. With that amount of funding CCHR was administratively closing 51% of the cases it closed in FY20, 60% in FY19, 68% in FY18, 65% in FY17, and 62% in FY16.²⁵ CCHR should also be staffed to address at least 10% of its cases through mediation to reduce the waiting times for complainants with viable claims. We believe the increase in both funding and mediation capacity is necessary to protect the civil rights of New Yorkers.

We also need greater transparency in reporting, so that we may better understand how many cases are being rolled over from year to year, the types of inquiries CCHR is getting that don't result in an open case, and why. This type of information will help both City government and advocates keep CCHR accountable to New Yorkers.

Given not only the importance of CCHR's work, but the urgency created by the changed federal landscape, we also ask that CCHR be exempt from the Program to Eliminate the Gaps (PEGs). Alternatively, we ask that as a public safety agency, CCHR be exempt from PEGs that exempt other public safety agencies such as NYPD. In an effort to increase staffing levels and address its mandate, we ask that CCHR be exempt from the allotment process (sometimes referred to as 2 for 1), which hampers the agency's ability to efficiently hire.

In addition to funding for Personal Services (PS), we believe it is also crucial that CCHR increase its Other Than Personal Services (OTPS) spending to fund expenditures such as public information campaigns and administrative costs, and support CCHR staff's efforts to implement

²⁴ <https://www.axios.com/2025/01/22/trump-dei-lbj-rollback>

²⁵ <https://www.nyc.gov/assets/operations/downloads/pdf/mmr2020/cchr.pdf>

the laws under their purview. However, given their current limited budget it is impossible for them to do so effectively and thus will require new funding to fulfill this crucial mission.

Thank you for the opportunity to submit testimony to this hearing. NELA/NY's members are invested in advancing workplace justice for those who face discrimination in New York City. CCHR serves an important role in the protection of civil rights of New Yorkers. We look forward to continuing to work with the City Council to champion increased funding and staffing for this vital agency.

Preliminary Budget Hearing
Committee on Civil and Human Rights
Testimony by Charisma White
March 07, 2025

My name is Charisma White and I am submitting this written testimony to share my experiences and perspective on the effectiveness of the NYC Commission on Human Rights (CCHR) Source of Income (SOI) Unit. As a Lived Experience voting member of the NYC Continuum Of Care, and Lead Member at Neighbors Together, I have witnessed firsthand the challenges that impacted voucher holders face in securing housing due to source of income discrimination.

I myself am a voucher holder and know the full assault of discrimination that is faced when trying to find housing that is dignified, affordable, and safe. Even with the help of CCHR, finding equitable housing is proven to be very difficult sometimes because of the lack of funding and staffing. I still have several open outstanding cases. The importance of this unit and government recognition of correcting the wrongs of discrimination is fully needed for everyone's future and for equity.

The SOI Unit has played a crucial role in addressing housing discrimination through enforcement and education. Some of its notable strengths include:

- Investigating and prosecuting landlords and brokers who unlawfully deny housing based on a voucher holder lawful source of income.
- Holding landlords and Real Estate Brokers/agents accountable to ensure obligations are understood.
- Offering direct support to individuals facing discrimination, helping them file complaints and seek remedies.

However, there are areas where the SOI Unit could improve:

- **Processing Timeliness:** Cases often take months to resolve, leaving many voucher holders in precarious housing situations.
- **Enforcement and Accountability:** While investigations are conducted, there is a need for stronger penalties and stricter enforcement against repeat offenders.
- **Tenant Support:** More proactive support, including legal assistance and follow-up, would empower tenants throughout the process.
- **Awareness Campaigns:** Many landlords and brokers still feign ignorance or use loopholes to circumvent SOI protections, highlighting the need for expanded outreach.

Recommendations for Improvement

To strengthen the impact of the SOI Unit, I urge the following actions:

1. **Increase Funding and Staffing** – Additional resources would help expedite investigations and provide more hands-on support to tenants.
 - a. \$21 million in funding for CCHR – this is pre-COVID funding level, adjusted for inflation plus additional funds for a meaningful and effective mediation team. and respond to the disappearance of federal partners.
2. **Stronger Enforcement Mechanisms** – Implement stricter penalties for non-compliant landlords and ensure repeated violations lead to significant legal consequences.
3. **Exempt from Barriers to Staffing** – CCHR needs the ability to hire staff without harmful delays caused by the Office of Management and Budget. This includes CCHR being exempt from PEGS, 2:1 hiring, and the allotment process.
4. **Allow Flexibility in Salary offer** – CCHR needs the ability to hire using the full salary range, not just the bottom of the range.

Conclusion

The work of the SOI Unit is essential in the fight against housing discrimination, but there is room for improvement. Strengthening its capacity and ensuring faster, stronger, effective enforcement will help create a more fair housing system for all New Yorkers. We know CCHR is far from perfect, but with the new federal administration, now more than ever, CCHR is going to play a crucial role in protecting people's rights, and they need significant funding support to do that. Thank you for your time and consideration of this testimony. I appreciate the opportunity to contribute to this important discussion.

Sincerely,

Charisma White

To Whom it may Concern:

I Reside at Riis houses for 57 years
it took a village to raise us generation x
Since there was no clean up from Sandy
The building has growing mold in bricks
as well as in the walls as well as
The hazzardes tiling with asbestos
Closets with lead base paint peacock
green color all these after all these
years of my safe haven to find it was
harming my family from being arsenic
poisoned to having both my sons be hit
with life alternating changes with a missive
stroke and seizures at the age of 34
and 37 with no none history of any of
these illnesses Doctors cant figure out
the cause environmental that being said
I've been Relocated until they fix my Apartment
In fair of Returning but want to Return
who do I hold accountable for this
federal ground City own building
No lawyer will help going around
in circles

Thank you

Sabrina Dinger

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Address: _____

I represent: Community Service Society of NY

Address: _____

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I represent: Self

Address: _____

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Name: Katherine Carroll

Address: _____ Brooklyn NY 11211

I represent: NYC Commission on Human Rights

Address: 22 Reade St, New York NY 10007

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Name: MARCELA SANCHEZ

Address: [REDACTED] NY NY 10469

I represent: NYC COMMISSION ON HUMAN RIGHTS

Address: 22 READE STREET NY NY 10007

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Name: ANABEL TALAM

Address: 22 READE ST NY NY 10007

I represent: NYC COMMISSION ON HUMAN RIGHTS

Address: 22 READE STREET NY NY 10007

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Name: KAJORI CHAUDHURI

Address: 22 READE STREET, NY NY 10007

I represent: NYC COMMISSION ON HUMAN RIGHTS

Address: 22 READE STREET, NY NY 10007

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Name: Sara Manangle - Legal Services NYC

Address: 105 Court St., 4th Fl. Brooklyn

I represent: Legal Services NYC

Address: _____

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Name: Caroline Blanton

Address: _____

I represent: NYC Gay and Lesbian Anti-Violence Project

Address: _____

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Name: Reggie Chatman

Address: [REDACTED]

I represent: NY, NY 10032 The Fortune Society

Address: 29-76 Northern Blvd, Long Island City, Queens 11101

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Name: Stephen Dunn

Address: 633 Third Avenue

I represent: Community Service Society

Address: 633 Third Avenue

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Name: Jonathan Eber

Address: [REDACTED] BK NY

I represent: Enterprise community partners

Address: 1 Whitehall Street

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Name: Edwin Santana

Address: _____

I represent: Freedom Agenda

Address: _____

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Name: RUSSELL FERRI

Address: 253 BROADWAY, SUITE 602

I represent: EQUAL EMPLOYMENT PRACTICES COMM.

Address: _____

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Name: JEANNE VICTOR

Address: _____

I represent: EQUAL EMPLOYMENT PRACTICES COMM.

Address: 253 Broadway

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Date: MARCH 7, 2025

(PLEASE PRINT)

Name: Nicole Yearwood

Address: 253 Broadway

I represent: EEPC

Address: 253 Broadway

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(PLEASE PRINT)

Name: _____

Address: _____

I represent: _____

Address: _____

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Date: march 8, 2025

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Name: _____

Address: _____

I represent: _____

Address: _____

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Name: _____

Address: _____

I represent: _____

Address: _____

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Date: 03/07/25

(PLEASE PRINT)

Name: Mateo Guerrero

Address: _____

I represent: Make the Road NY

Address: 92-10 Roosevelt Avenue

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Date: 3/7/2025

(PLEASE PRINT)

Name: Sharon Brown

Address: _____

I represent: ROSE OF Sharon Enterprises

Address: _____

Bklyn N.Y. 11238
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