

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON GENERAL WELFARE

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October 25, 2021
Start: 10:07 a.m.
Recess: 12:26 p.m.

HELD AT: Remote Hearing - Virtual Room 2

B E F O R E: Stephen T. Levin
Chairperson

COUNCIL MEMBERS:

Darma V. Diaz
Vanessa L. Gibson
Barry S. Grodenchik
Brad S. Lander
Antonio Reynoso
Rafael Salamanca, Jr.

A P P E A R A N C E S (CONTINUED)

Elizabeth Sutter [sp?]
New York City Action Board

Key King [sp?]
New York City Action Board

Lyndon Hernandez
New York City Action Board

Alexander Perez
New York City Action Board

Stephanie Gendell
Deputy Commissioner of External Affairs at ACS

Erin Drinkwater
Deputy Commissioner of Intergovernmental and
Legislative Affairs at DSS

Julie Farber
Deputy Commissioner ACS

Alan Sputz
Deputy Commissioner ACS

Angel Mendoza
ACS Chief Medical Officer

Louis Watts
Senior Assistant Commissioner for Detention
Services at ACS

Randy Scott
Assistant Commissioner

Tracey Thorne
RHY Director

A P P E A R A N C E S (CONTINUED)

Jamie Powlovich
Coalition for the Homeless

Anna Blondell
Legal Aid Society Juvenile Justice Rights
Practice

Julia Davis
Children's Defense Fund

John Sentiger
Covenant House New York

Nadia Swanson
Ali Forney Center

Deborah Berkman
NYLAG

Jimmy Meagher
Safe Horizon

Josefa Silva
WIN NYC

UNIDENTIFIED: Cloud recording is up.

UNIDENTIFIED: Thank you. Back-up is rolling.

SERGEANT AT ARMS: Thank you. Good morning everyone and welcome to today's remote New York City Council hearing for the Committee on General Welfare. At this time, would all panelists please turn on their videos for verification purposes? To minimize any disruptions, please place all electronic devices to vibrate or silent mode. If you'd like to submit testimony, please send via email to testimony@council.nyc.gov. Again, that is testimony@council.nyc.gov. Thank you for your cooperation. Chair Levin, we are ready to begin. Okay, I'm sorry, you're on mute. I'm going to unmute you now.

CHAIRPERSON LEVIN: Thank you very much, Sergeant. Good morning everybody. Welcome to this hearing on the City Council's Committee on General Welfare. Today, the Committee will conduct a hearing on the series of bills related to improving Administration access to social services for vulnerable populations in New York City. It is my hope that this legislation introduced by myself and

1 many of my colleagues honors the lived experience of
2 those closest to these issues and for whom these
3 services effect on a daily basis. I'm proud to
4 introduce-- I'm sorry. I'm proud to sponsor Intro.
5 2405 which would expand eligibility of runaway and
6 homeless youth for rental assistance programs by
7 allowing their time spent in RHY shelter to count
8 towards eligibility for CityFHEPS vouchers. This
9 bill would also preclude DSS from requiring youth to
10 live outside of a youth shelter as a condition of
11 eligibility. It is my intention that this bill will
12 help young people facing homelessness to more swiftly
13 and easily secure housing for young people to avoid
14 prolonged stays in multiple systems to get the help
15 that they need. The next two bills, which I also
16 sponsor, will shine a light on the foster care system
17 to ensure that children are in appropriate
18 placements. Intro 2419 require ACS to do quarterly
19 reporting of time spent in Children's Center or
20 temporary placement facilities. Intro 2420 require
21 ACS to conduct quarterly audits of foster care
22 placement notifications to ensure that a child's
23 attorney is notified of placement in a timely manner
24 as required by state law. We must make certain that
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1 children aren't languishing in facilities that are
2 meant to be temporary and that attorney's always know
3 where their clients are to effectively advocate on
4 their behalf. Intro 1304, sponsored by Council
5 Member Daniel Dromm, would authorize Council Members
6 and the Public Advocate to visit and inspect
7 detention facilities administered by ACS. A critical
8 function of the New York City Council is to serve as
9 an oversight body for city policy and services.
10 Elected officials cannot effectively investigate and
11 legislate and legislate on behalf of the public and
12 those served by city agencies if those facilities are
13 not available. Intro. 1992 sponsored by Council
14 Member Diana Ayala would establish a pilot program
15 within ACS to create a small percentage of ACS
16 caseworkers to specialize in developmental,
17 intellectual, and physical disabilities. Intro 2379,
18 sponsored by Council Member Darma Diaz, would require
19 DSS to establish a domestic violence shelter
20 exclusively for individuals who identify as male.
21 Intro 1829, sponsored as well by Council Member Diana
22 Ayala, preclude DHS from requiring a child's presence
23 at an intake center when a family with children
24 applies for shelter. The practice of requiring
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1 children to be present at PATH has been suspended
2 during the-- for the duration of the pandemic, and
3 this has been a welcome change. There is no
4 practical reason to have children in attendance, and
5 it is unfair and burdensome to families to revert
6 back to this policy. Judging whose families who are
7 applying for assistance from the city should be able
8 to remain in their schools and at their activities as
9 their peers would. I want to thank advocates and
10 members of the public who are joining us today. I
11 want to thank representatives from the Administration
12 for joining us, and I look forward to hearing from
13 you on these critical issues. At this time, I would
14 like to acknowledge my colleagues who are here this
15 morning. We're joined by-- let's see. Council
16 Member Barry Grodenchik is here. Council Member
17 Darma Diaz is here. Council Member Antonio Reynoso
18 is here and we expect to be joined by other Council
19 Members throughout the course of the hearing. I'd
20 also like to thank my staff, Jonathan Buche [sp?],
21 Chief of staff, my co-Legislative Directors Elizabeth
22 Adams and Cole Hunt, as well as committee staff
23 Amenta Killawan [sp?], Cyrstal Pond [sp?]- Amenta
24 Killawan, Senior Counsel, Cyrstal Pond, Senior Policy
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1 Analyst, Natalie Amarie, Policy Analyst, Julia Harem
2 [sp?] Financial Analyst, and Daniel Croup [sp?],
3 Financial Analyst. And with that, I'll turn it over
4 to any of my colleagues that are sponsoring
5 legislation and wish to make an opening remark.
6 Council Member Diaz, do you wish to do that? You're
7 still on mute.

9 COUNCIL MEMBER DIAZ: Am I-- can you hear
10 me now?

11 CHAIRPERSON LEVIN: Yes, I can. Yeah.

12 COUNCIL MEMBER DIAZ: Good morning. Good
13 morning to my colleagues that are in attendance and
14 also to the panelists here today and to DSS staff. I
15 am Darma Vanessa Diaz, Councilwoman of the 37th
16 Councilmatic District. I am also a former employee of
17 a homeless shelter in Brooklyn. Between becoming a
18 member and being on staff, I realized that there are
19 no domestic violence shelters for men, which I find
20 to be a great detriment to our process in trying to
21 assure that we house individuals appropriately, and I
22 also have found the need for specific services to men
23 [sic] that are [inaudible] with domestic violence.
24 I'm eager to hear from DSS this morning and looking
25 forward to positive outcomes. Thank you, Chair.

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2 CHAIRPERSON LEVIN: Thank you very much
3 Council Member Diaz, and with that, I'll turn it over
4 to Amenta Killawan who's the Counsel to the Committee
5 to administer the oath to the Administration. I look
6 forward to hearing their testimony.

7 COMMITTEE COUNSEL: Thank you, Chair
8 Levin. My name is Amenta Killawan, Senior Counsel to
9 the Committee on General Welfare at the New York City
10 Council. Today I'm going to be moderating the
11 hearing and calling on panelists to testify. We are
12 actually going to begin with a public panel. Before
13 we begin, please remember that everyone is going to
14 be on mute until I call on you to testify. After you
15 are called on you will be unmuted by a member of our
16 staff. Note that there will be a delay of a few
17 seconds before you are unmuted and we can hear you.
18 Again, for public testimony I will call up
19 individuals in panels. Please listen for your name
20 and I will periodically call the next two panelists.
21 Once I call your name, a member of our staff will
22 unmute you. The Sergeant at Arms will set a clock
23 and give you the go ahead to begin your testimony.
24 All public testimony will be limited to three
25 minutes. After I call your name please wait for the

1 Sergeant at Arms to announce that you may begin
2 before starting your testimony. And for today's
3 hearing the first panel will include public testimony
4 from Youth of New York City Action Board. In the
5 following order: Elizabeth Sutter, Key King [sp?],
6 Linden Hernandez [sp?], Alexander Perez and Naisha
7 Humphry [sp?]. And we are going to begin with
8 Elizabeth Sutter.
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10 SERGEANT AT ARMS: Your time will begin.

11 ELIZABETH SUTTER: Good morning to the
12 panelists and the committee. My name is Elizabeth
13 Sutter. I am 23 years old, and I'm urging Council to
14 pass Intro 2405. I, myself, was in DYCD shelters
15 roughly for three and a half years, almost four
16 years, and that experience was very much
17 traumatizing. I was once in DYCD shelters, then to
18 HUD, and-- and just-- this will just make it easier
19 to me to get this for youth because based off my own
20 experience, my own peers' experience. It's
21 traumatizing. It is belittling in a sense, and even
22 after my experience staying in these shelters, I
23 ended up back on the streets, back in the drop-ins,
24 back with staying with family friends, families, you
25 know, and I'm just being recently placed out of all

1 that time into my own home. And to me, being-- youth
2 having access within a DHS shelters through this
3 voucher, that's great, great opportunity. But youth
4 who are in DYCD shelters just deserve as much chance.
5 The systems are very similar, and just because youth
6 are in the DHL's [sic] does not make their experience
7 any more mature, any more of an importance, so I
8 please, please urge Council to pass this bill of
9 Intro 2045 so all of my peers do not have to worry
10 about where they're sleeping, where they could
11 possibly go if they're experience are invalid and
12 they can have permanent stability in housing.

14 COMMITTEE COUNSEL: Thank you so much,
15 Elizabeth. We're going to move now to Key King.

16 SERGEANT AT ARMS: Your time will begin.

17 KEY KING: Hello, I'm Key King. I'm--

18 SERGEANT AT ARMS: Key, you muted yourself
19 back.

20 KEY KING: I'm Key King, pronouns
21 she/her/they/them. I am a youth with lived
22 experience in DYCD shelters, and I believe that
23 homeless youth should have the same vouchers as any
24 other homeless person in DHS shelters because it is
25 the same experience and in a homeless youth shelter

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2 there's kind of only path that they can lead you
3 down, and it makes it very challenging, because not
4 every youth wants to go down that track. I left the
5 DYCD shelters numerous times to rent different rooms
6 throughout the City, and the CityFHEPS voucher can
7 also help youth throughout the city rent different
8 rooms instead of having to stay in the shelter
9 program. The time counted at the DYCD shelter should
10 also count as time as any DHS shelter because that is
11 the same circumstances, just a different age. Thank
12 you.

13 COMMITTEE COUNSEL: Thank you so much,
14 Key, for your testimony. We're going now to Lyndon
15 Hernandez [sp?].

16 SERGEANT AT ARMS: Your time will begin.

17 LYNDON HERNANDEZ: Good morning, can
18 everyone hear me?

19 COMMITTEE COUNSEL: Yes, we can hear you,
20 Lyndon.

21 LYNDON HERNANDEZ: Good morning, Council.
22 My name is Lyndon Hernandez. I'm 24 years old. I
23 represent the New York City Action Board. I want to
24 thank you all for holding this hearing and allowing
25 me the opportunity to speak. I'll be limiting my

1 testimony only to Intro. 2045 which would finally
2 give youth in the Department of Youth and Community
3 Development shelters access to CityFHEPS vouchers
4 which has been provided since 2016. I resided in
5 both DYCD and DHS shelters while being homeless and
6 also a parenting youth. I understood that in order
7 to be provided access to permanent housing and
8 vouchers such as CityFHEPS and SOTA [sic], you needed
9 to reside in a DHS facility. Prior to meeting the
10 mother of my child I was an individual first came
11 into contact with DHS shelter on 30th Street in
12 Manhattan. I was then transferred to Covenant House
13 and shortly after was placed in a transitional
14 independent living facility with DYCD. When I first
15 came back into contact with the DHS system was after
16 I met my spouse who had also been living at Covenant
17 House during the time where we both decided to get a
18 domestic partnership in order to be provided services
19 through PATH as a couple, where shortly after we were
20 expecting my son to be born. After months of working
21 with case management we finally got a permanent
22 housing option in New Jersey. Allowing vouchers to
23 be provided to youth in DYCD facilities would have
24 allowed me to have more sustainable housing options
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2 in a shorter amount of time, instead of having to
3 self-discharge from where I was residing to be
4 provided with better housing options that are only
5 offered through DHS facilities. The unfairness call
6 to youth in our city is the reason we still face a
7 homeless crisis, due to the lack of housing options
8 offered to youth residing in New York City. to allow
9 youth the opportunity to take time residing in DHS
10 and DYCD and allow those youth the same access to
11 vouchers others have access to would give the
12 opportunity for more youth to exit homeless and
13 provide a better community for all of our youth
14 today. I really appreciate your time.

15 CHAIRPERSON LEVIN: Mr. Hernandez, I'd
16 like to just ask where are you now? Where are you
17 living right now?

18 LYNDON HERNANDEZ: Currently, I'm living
19 with a relative who is at the moment threatening to
20 evict my living situation.

21 CHAIRPERSON LEVIN: And are you in New
22 Jersey or in New York?

23 LYNDON HERNANDEZ: Currently I'm in New
24 York City. I was residing in New Jersey but my lease
25 expired in June.

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2 CHAIRPERSON LEVIN: Okay. How's the
3 baby?

4 LYNDON HERNANDEZ: My son is currently
5 residing with his mother in New Jersey.

6 CHAIRPERSON LEVIN: He's doing okay,
7 though?

8 LYNDON HERNANDEZ: Yes.

9 CHAIRPERSON LEVIN: Very good. Okay,
10 thank you so much Mr. Hernandez to your testimony
11 [inaudible].

12 LYNDON HERNANDEZ: Thank you, Council.

13 COMMITTEE COUNSEL: Thank you again,
14 Lyndon, for your testimony. We're going to move now
15 to Alexander Perez.

16 ALEXANDER PEREZ: [inaudible] everyone.
17 My name is Alexander Ray [sic] Perez. I use he/king
18 and divine pronouns. I'm 28 years old, and I
19 appreciate you all for allowing this hearing and
20 welcoming me to speak. I'll be limiting my testimony
21 to Intro 2405, which would finally keep them in
22 Department of Youth and Community Development
23 shelters and access to CityFHEPS vouchers, which has
24 been promised since 2016. I testified in 2017 to
25 raise the age for youth receiving access to youth

1 shelters. I was 24, and I was terrified of the idea
2 of having to access the adult shelter system.

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4 However, I was told over and over again that this was the
5 only way, and I was told horrible stories about my
6 fellow youth about these adult shelters and the harm
7 that could happen specifically towards being queer,
8 Trans, and youth in these spaces. I testified because
9 I know how harmful having to access multiple systems
10 for young people can be, and it not only increases
11 harm and time on the streets, it is just plain
12 dangerous. Allowing youth to have access to these
13 vouchers can only-- just feels fair and reduces harm.
14 I urge the City Council to pass Intro 2405 so that
15 youth experiencing homelessness can finally have a
16 fair chance at getting stable and a permanent place
17 to live. Thank you.

18 COMMITTEE COUNSEL: Thank you very much
19 for your testimony, Alexander. I want to acknowledge
20 that Council Member Diaz has her hand raised.
21 Council Member Diaz we're going to take the last
22 panelist for this panel, and then we will turn to you
23 for questions of your statement. We now move to
24 Naisha Humphrey for testimony.

25 SERGEANT AT ARMS: Your time--

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2 NAISHA HUMPHREY: Good morning everybody.
3 I hope you all had a great weekend and this testimony
4 finds you well. My name is Naisha Humphrey. I am 22
5 years old, and today will be testifying on behalf of
6 Intro 2405 which will finally give youth in
7 Department of Youth and Community Development
8 shelters, access to CityFHEPS vouches, which has been
9 promised since 2016. Less is a child that has their
10 own. I am a homeless survivor. I have experienced
11 what it's like to be a homeless youth in New York
12 City, firsthand. I understand what it's like to be
13 susceptible to drugs and crime. Due to the dearth of
14 stability. Not knowing where you will go after you
15 age out of the DYCD shelter at 21 discourages youth
16 to return to a lifestyle that they were running away
17 from. There are great benefits for the city
18 community if Intro 2405 is approved, and it will
19 encourage youth to be more responsible and productive
20 because they have something to look forward to. If
21 there are more productive members of society, there
22 will be less crime and healthier mentally, because
23 people will have time to sit still and take a broad
24 analyzation of their own mental and physical health.
25 Having access to vouchers will help youth to have

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2 their own and they will be able to be grateful and
3 appreciative of what they have instead of looking at
4 their situation now as something that's just
5 unfortunate. They can look up and see the light.
6 Thank you all for your consideration, for hearing me
7 out, and for your compassion. Have a great day.

8 COMMITTEE COUNSEL: Thank you very much,
9 Naisha, and thanks so much to this entire panel. I
10 am now going to turn it back over to Chair Levin.

11 CHAIRPERSON LEVIN: Thank you very much
12 to this entire panel. It's remarkable that you all
13 are doing such amazing jobs in terms of your lives
14 despite having these major obstacles that have been
15 put in front of you, and trying to navigate this City
16 which can be tough for anybody to navigate, but you
17 have done a remarkable job, and I want to thank you
18 for your very moving testimony, very impactful
19 testimony. I think it's really important that we at
20 the Council here and the Administration hear about
21 your lived experience and understand that you know
22 that a commitment was made in 2016 to make CityFHEPS
23 available to youth who are aging out of the RHY
24 system as well as youth who are aging out of the
25 foster care system, and that the City up to now has

1 not honored that in any meaning [sic]. And that
2 now's the time that we have to do something, have
3 legislation to [inaudible] that, that these programs
4 are available to young people who are aging out of
5 their RHY [inaudible]. With that, I'm going to turn
6 it over to Council Member Diaz. I think she has a
7 [inaudible].

9 COUNCIL MEMBER DIAZ: Thank you, Chair
10 Levin. I want to thank the youth that spoke here
11 today. Having been an employee at a shelter system,
12 I fought for many of your battles as you came into my
13 shelter. So I know your stories personally.
14 [inaudible] saddened to hear that the system was
15 mistreating you, because at the end of the day,
16 that's what happens. Because your stories seem to
17 indicate you fell through the cracks, and that's not
18 what this system was created for. I'd like to ask
19 Mr. Hernandez a question, if you would allow me, in
20 reference to the voucher that was used to you could
21 be housed in Jersey.

22 LYNDON HERNANDEZ: I used the SOTA
23 voucher.

24 COUNCIL MEMBER DIAZ: Do you mind
25 sharing-- you were there for a year?

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LYNDON HERNANDEZ: Yes, ma'am.

COUNCIL MEMBER DIAZ: Were you pushed out of shelter--

LYNDON HERNANDEZ: [interposing] Well, not even-- not even a whole year, because when I resided in my apartment, three months later my house had caught on fire.

COUNCIL MEMBER DIAZ: It was caught on fire. Did you reach-- were you told you could reach back out to DHS for any-- for after care?

LYNDON HERNANDEZ: I wasn't provided--

COUNCIL MEMBER DIAZ: [interposing] Any assistance?

LYNDON HERNANDEZ: no assistance afterwards, no.

COUNCIL MEMBER DIAZ: And if I understood correctly-- if I understood correctly your family is now split?

LYNDON HERNANDEZ: Yes.

COUNCIL MEMBER DIAZ: Folks here today, you know, this is real talk. If we have adults that are struggling through the system, can you imagine what it is to be a 20-year-old young man who has lived through the shelter system, meets someone, has

1 a child, moves to another state to further
2 [inaudible]. We have to do better. DHS, you just
3 have to do better. Thank you my colleagues for
4 allowing you to testify today. Thank you, Mr.
5 Hernandez, for sharing your story.

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7 LYNDON HERNANDEZ: Thank you, Council.

8 COUNCIL MEMBER DIAZ: I'm done.

9 COMMITTEE COUNSEL: Thank you, Council
10 Member Diaz. I also want to acknowledge that we have
11 been joined by Council Member Brad Lander. I'm now
12 going to call our second panel for today. Our second
13 panel will include representatives from the
14 Administration for Children's Services and the
15 Department of Social Services, followed by Council
16 Member questions and then public testimony. I am now
17 going to call on Stephanie Gendell, Deputy
18 Commissioner of External Affairs at the
19 Administration for Children's Services, and Erin
20 Drinkwater, Deputy Commissioner of Intergovernmental
21 and Legislative Affairs at the Department of Social
22 Services to testify. Deputy Commissioners Gendell
23 and Drinkwater are also joined by several members of
24 the Administration who will be available for
25 questions and answers. I'm now going to administer

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2 the oath to the Administration. When you hear your
3 name, please respond once a member of our staff
4 unmutes you. Do you affirm to tell the truth, the
5 whole truth, and nothing but the truth before this
6 committee and to respond honestly to Council Member
7 questions? Deputy Commissioner Gendell?

8 DEPUTY COMMISSIONER GENDELL: I do.

9 COMMITTEE COUNSEL: Thank you. Deputy
10 Commissioner Drinkwater?

11 DEPUTY COMMISSIONER DRINKWATER: I do.

12 COMMITTEE COUNSEL: Thank you. Deputy
13 Commissioner, Julie Farber?

14 DEPUTY COMMISSIONER FARBER: I do.

15 COMMITTEE COUNSEL: Deputy Commissioner
16 Alan Sputz [sp?]?

17 DEPUTY COMMISSIONER SPUTZ: I do.

18 COMMITTEE COUNSEL: Thank you. Chief
19 Medical Officer Angel Mendoza?

20 CHIEF MEDICAL OFFICER MENDOZA: I do.

21 COMMITTEE COUNSEL: Thank you. Senior
22 Assistant Commissioner for Detention Louis Watts?

23 ASSISTANT COMMISSIONER WATTS: I do.

24 COMMITTEE COUNSEL: Thank you. Assistant
25 Commissioner Randy Scott?

ASSISTANT COMMISSIONER SCOTT: I do.

COMMITTEE COUNSEL: Thank you. And finally, RHY Director Tracey Thorne?

DIRECTOR TRACEY THORNE: I do.

COMMITTEE COUNSEL: Thank you all. Deputy Commissioner Gendell, you may begin when the Sergeant at Arms cues you.

DEPUTY COMMISSIONER GENDELL: Good morning Chair Levin and members of the General Welfare Committee. I am Stephanie Gendell, the Deputy Commissioner for External Affairs at the New York City Administration for Children's Services. With me today is Julie Farber, Deputy Commissioner for Family Permanency Services; Dr. Angel Mendoza, Chief Medical Officer; Alan Sputz, Deputy Commissioner for Family Court Legal Services; and Louis Watts, Senior Assistant Commissioner for Detention Services. I want to first thank the youth for their testimony today. Their voices are essential for all of us to hear, so thank you for being here. We also appreciate the opportunity to testify about the four bills related to ACS that are being discussed today. We at ACS appreciate the City Council and the advocates' continued interest in the safety and well-

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2 being of the children and youth in the City's care
3 through both the child welfare and juvenile justice
4 systems, as well as in the services and supports we
5 provide to families. Given the role ACS plays in the
6 lives of children and families, an essential part of
7 our work is providing access and information to the
8 City Council, the Public Advocate, oversight agencies
9 including the State Office of Children and Family
10 Services, advocates, legal service providers, and
11 most importantly children and families. As a
12 cornerstone of this transparency, prior to the
13 pandemic, ACS regularly hosted elected officials,
14 advocates and others at our various programs and
15 sites. We look forward to enhancing this work as the
16 pandemic continues to subside, keeping in mind the
17 security, confidentiality and needs of the children
18 and youth. ACS also posts extensive data and other
19 information on our website, and meets regularly with
20 key stakeholders to share additional information. I
21 turn now to the bills being discussed today. Intro.
22 1304-2018 would authorize Council Members and the
23 Public Advocate to "inspect and visit at any time any
24 secure or non-secure detention facility, administered
25 in whole or in part by ACS." ACS operates two secure

1 detention facilities, Horizon in the Bronx and
2 Crossroads in Brooklyn. ACS also contracts with non-
3 profit service providers to operate seven non-secure
4 detention facilities. As of October 18, 2021, there
5 were 60 youth at Horizon; 79 youth at Crossroads and
6 25 youth in non-secure detention. Prior to the
7 pandemic, ACS hosted many scheduled tours of Horizon
8 and Crossroads for elected officials, and we also
9 included elected officials in our summer Freedom
10 School Harambee event, where elected officials read
11 stories and had the opportunity to dance with our
12 youth in detention. We always did this in a manner
13 that was safe for the youth, our staff, and our
14 guests, and in a manner that was intentional about
15 protecting the confidentiality of the youth in our
16 care. It is important to us that elected officials
17 and others are able to see our detention facilities,
18 meet our staff, see the programming offered, see and
19 meet the medical and mental health teams, and see
20 DOE's Passages Academy. We have worked very hard to
21 make our detention facilities as positive and
22 supportive as possible, and to give youth the
23 services and supports they need, and we certainly
24 want Council Members and the Public Advocate to see
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1 and experience this. Given our interest in ensuring
2 the safety and security of the youth in detention,
3 ACS has limited the number of people coming to the
4 facility throughout the pandemic, which has included
5 reducing the number of tours. This was done to
6 protect the youth and staff from the spread of COVID-
7 19 as much as possible. As the community spread
8 decreases and more and more New Yorkers have been
9 vaccinated, ACS has opened the facilities back up to
10 both in-person family visits and in-person
11 programming. We would be happy to schedule
12 opportunities for elected officials to visit our
13 sites in the coming months. State law does not allow
14 elected officials to make unannounced visits to
15 secure or non-secure juvenile detention facilities.
16 Horizon, Crossroads, and the non-secure detention
17 facilities are licensed and regulated by the state.
18 State regulations¹ for secure and non-secure
19 detention are quite specific as to which people are
20 permitted to make inspections or visits to juvenile
21 detention facilities, and elected officials are not
22 included in the regulations. Intro. 1992-2020 would
23 require ACS to create a pilot program to train at
24 least five percent of the frontline child protection
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2 specialists, CPS, in how to provide reasonable
3 accommodations that people with developmental,
4 intellectual and physical disabilities may require,
5 such as providing more time for case conferences and
6 casework contacts; special assistance with travel to
7 appointments; time management guidance; and referring
8 to classes available for parents with developmental,
9 intellectual or physical disabilities. Eighteen
10 months after the start of the pilot, ACS would need
11 to submit a report to the Council and Mayor about the
12 pilot and recommendations on how the program could
13 continue or be expanded. ACS appreciates the
14 Council, particularly Council Member Ayala who
15 sponsored the bill, for the interest in ensuring that
16 parents with developmental, intellectual or physical
17 disabilities, who are working with our CPS, are
18 receiving the services and supports most appropriate
19 for their needs. We agree that this is essential for
20 both the parents and children who come into contact
21 with the child welfare system. ACS currently
22 implements a model similar to what is envisioned in
23 the legislation. ACS provides all of our Child
24 Protection Specialists access to expert consultation
25 in intellectual, developmental and physical

1 disabilities. This includes medical consultants as
2 well as an ACS team that is specifically dedicated to
3 providing expert guidance to direct [inaudible] staff
4 working with families with Intellectual and
5 Developmental Disabilities. We refer to the unit as
6 DDU. Every DCP borough office has on-site
7 consultants providing CPS staff with expertise when
8 needed. The Clinical Consultants include a domestic
9 violence consultant, a Credentialed Alcoholism and
10 Substance Abuse Counselor, or CASAC, and a Medical
11 Consultant. The Medical Consultants are Nurse
12 Practitioners contracted through Health + Hospitals,
13 and part of their role is to provide expertise and
14 training regarding individuals with physical
15 disabilities. Medical Consultants also participate
16 in case conferences and help CPS understand and
17 implement the ways to minimize safety risks when
18 parents have disabilities. The ACS DDU, within the
19 Office of Child and Family Health, is a technical
20 assistance unit that can refer CPS to experts in
21 intellectual and developmental disabilities and are
22 available for consultation with CPS at any time. In
23 addition to providing consultation in individual
24 cases, the DDU staff are available to participate in
25

1 family team conferences, serve as a liaison between
2 the parent and the DD service provider, and maintain
3 connections with DD service providers throughout the
4 City. The ACS DDU also coordinates Parenting Skills
5 Classes that are specifically tailored for parents
6 with known or suspected intellectual and/or
7 developmental disabilities. Unlike the Office for
8 People with Developmental Disabilities, or OPWDD,
9 services funded by the state, parents do not have to
10 meet threshold eligibility requirements for these
11 ACS-funded services. Parents in this program are
12 also linked to other supports, including Health
13 Homes, whenever possible. The DDU can also assist
14 parents in getting assessed by our contractor for
15 OPWDD-provided parenting skills classes and then with
16 enrolling if they are eligible. The DDU also engages
17 staff, providers and communities in numerous ways
18 aimed at providing education about the best ways to
19 support those with intellectual, developmental and
20 physical disabilities through webinars, lunch and
21 learn sessions and resource fairs throughout the
22 boroughs. Finally, the ACS Workforce Institute
23 offers a training open to all ACS staff, entitled,
24 "Engaging Parents with Cognitive and Other
25

1 Reception Center, which has 15 beds to serve boys and
2 girls age 0-12; Mercy First Virginia Residence, which
3 is a 12 bed co-ed facility for youth ages 14 and up;
4 the Good Shepherd Services Shirley Chisholm Center
5 which is a 10 bed facility serving girls ages 14 and
6 up; and Heartshare [sp?] St. Vincents Fox Hills,
7 which is an eight bed co-ed facility for youth ages
8 14 and up. YRCs are settings where youth can be
9 engaged in a trauma-focused, strengths-based,
10 clinical assessment and case planning process that
11 will result in the implementation of a safe,
12 supportive, timely out of home placement or family
13 reunification plan. ACS also contracts for three
14 Rapid Intervention Centers, or RICs, which are not
15 pre-placement facilities, but provide respite and
16 residential care for youth in foster care who need
17 crisis stabilization and/or assessments. RICs
18 provide a short-term stabilizing and safe environment
19 where individualized assessments and strengths-based
20 treatment plans tailored to youth and family needs
21 are developed. The Children's Center is a 24/7
22 temporary foster care placement facility where we
23 provide care and support for some of New York City's
24 most vulnerable children and youth who enter foster
25

1
2 care due to abuse or neglect, or other family
3 disruptions. The Children's Center serves
4 approximately 1,230 unique children and youth each
5 year, from newborns up to age 21. Eighty percent of
6 the children are at the Children's Center for seven
7 days or less and 60 percent of the children are there
8 for less than three days. Just five percent of the
9 children are at the Children's Center for 30 days or
10 more. Additional monthly data regarding the
11 Children's Center is available on our web site in our
12 monthly Flash report. There you will see that for
13 Year to Date Calendar Year 2021, the average daily
14 population at the Children's Center was 62 children.
15 The Children's Center is staffed with child care
16 specialists, social workers, programming and wellness
17 staff, and engagement and visiting specialists.
18 There is also an on-site full-time pediatrician and
19 nursing staff, the ACS-Bellevue Mental Health Team,
20 and JCCA provides additional clinical services to
21 youth with high needs. ACS also contracts with Safe
22 Horizon to provide consultants specialized in
23 engaging youth who are at risk or who have victims
24 been of sex trafficking. In addition, we have on-
25 site Cure Violence Credible Messenger Mentors, Youth

1 Advocate Program Family Finders/Advocates, a CASAC
2 and ACS Peace Officers who help maintain safety. ACS
3 has taken a number of steps to improve the experience
4 of children and youth at the Children's Center,
5 including the creation of four additional programming
6 spaces for children to use for community meetings and
7 developmentally appropriate programming workshops and
8 recreation, and a multi-faith room which offers
9 children a private, quiet area to practice their
10 faith. Programming offers youth healthy prosocial
11 and emotional outlets, provides enrichment and
12 recreation, and helps reduce the impact of trauma.
13 This year, ACS doubled the number of programming
14 staff at the Children's Center. Children's Center
15 programming ranges from therapeutic art classes
16 taught from our community partners such as the
17 National Arts Club, Culture for One, and A Place to
18 Be programs that focus on life skills, music,
19 performing arts, fitness, healthy relationships and
20 safer sex, youth voice and empowerment, health
21 education, and much more. Staff also chaperone youth
22 to off-site activities such as NYC cultural
23 institutions, sporting events, college and employment
24 fairs, aquariums, and with the fall weather, for
25

1
2 example, apple picking two weekends ago and Fright
3 Fest at Great Adventure this past weekend. The team
4 also organizes events for children to learn about and
5 celebrate cultural events; for instance, in October,
6 the Children's Center held events to recognize LGBTQ
7 History, Spanish Heritage, and the Mid-Autumn
8 Festival. Over the past two summers, programming
9 also introduced the Children's Defense Fund Freedom
10 School model. This year, the Children's Center also
11 partnered with DOHMH and Zero to Three to develop and
12 deliver Compassionate Response training for all
13 direct care staff. Additionally, a new partnership
14 with Bridge Kids New York added a new training for
15 direct care staff regarding caring for children with
16 special needs. Intro. 2420-2021 would require ACS to
17 conduct quarterly random audits of a statistically
18 significant sample of foster care placement change
19 notices to document how often ACS failed to produce
20 the notice, how long it took to send the notice to
21 the attorney for the child from when the placement
22 change occurred, and whether it included all legally
23 required information, and if not, what was missing.
24 This bill requires quarterly reports of the quarterly
25 audits. ACS appreciates the importance of timely

1 notification to attorneys for children regarding
2 where children are placed and whether there is or may
3 be a change in the child's placement. ACS has a
4 process in place for this purpose. While placement
5 change notification requirements passed into law in
6 2020, ACS has been providing placement change
7 notifications since 2010. In 2010, ACS adopted a
8 policy requiring CPS and foster care agency case
9 planners to notify the attorney for the child of any
10 planned placement changes 10 days in advance of any
11 planned change or as soon as a decision is made to
12 change the placement, or no later than the next day
13 after an emergency move. In 2012, a new process was
14 implemented to improve this process by establishing a
15 mailbox for CPS and case planners to email our Family
16 Court Legal Services or FCLS division with
17 anticipated and actual placement changes. The FCLS
18 notification unit is responsible for taking the
19 emails from the mailbox, looking up the contact
20 information for the attorneys, and sending out a
21 notice to the appropriate attorney for the child.
22 Legal Aid and Lawyers for Children also set up a
23 central mailbox to receive the notices and distribute
24 to their staff. In 2020, the Family Court Act and
25

1 Social Services Law were amended to create a
2 statutory requirement regarding placement change
3 notifications. Under the 2020 law, which went into
4 effect at the height of the pandemic, notices are now
5 also sent to the attorneys for the parents and to the
6 court. Notifications from the central mailbox are
7 not the only means by which attorneys and the court
8 are notified of anticipated and actual placement
9 changes. CPS, case planners and FCLS attorneys also
10 provide information on placement location and moves
11 to attorneys for children, parents' attorneys and the
12 court at court hearings, in court reports and in
13 other communication between parties throughout the
14 pendency of cases. Notices are sent to the ACS
15 mailbox from the Children's Center, the ACS Office of
16 Placement Services, the foster care providers and the
17 Division of Child Protection when there is an initial
18 placement, an anticipated placement change, and an
19 actual placement change. Notification of initial
20 placements was added to the statutory requirements in
21 September 2021 as part of the Family First
22 legislation. Prior to this statutory change, ACS
23 notified attorneys for children, parents and the
24 court of children of initial placements for children
25

1 leaving the Children's Center. Notices include the
2 docket number, child's first name and first letter of
3 last name in keeping with ACS information security
4 protocols, date of placement, agency with whom the
5 child is placed, the type of placement, meaning
6 kinship home, foster boarding home, or other
7 placement type, contact name and number for the
8 agency case planner, and the FCLS attorney. On
9 September 29, 2021, the Family First provisions
10 became effective in New York. Building upon the
11 existing placement change notification process, ACS
12 is now also required to provide notice of initial
13 placements as well as notice and then a motion to the
14 parties and the court whenever we believe that a
15 child may be placed in a Qualified Residential
16 Treatment Program or QRTP. ACS is using the training
17 opportunity that comes with Family First, to
18 reinforce to DCPA, the Office of Placement, the
19 Children's Center staff and our foster care
20 providers, that they must send the notification to
21 the placement change notification mailbox so that the
22 attorneys and the court can be notified promptly. In
23 conclusion, I want to once again thank the Council,
24 the advocates and the legal providers for their
25

1
2 interest in ensuring that the children, youth and
3 families served by ACS receive the highest quality
4 care. As a government agency charged with promoting
5 the safety and well-being of the City's children, we
6 agree that transparency and accountability are
7 essential. We look forward to discussing these bills
8 further with the Council and we are happy to take
9 your questions.

10 COMMITTEE COUNSEL: Thank you, Deputy
11 Commissioner Gendell. We are now going to turn to
12 Deputy Commissioner Drinkwater for testimony from the
13 Department of Social Services.

14 DEPUTY COMMISSIONER DRINKWATER: Good
15 morning, I want to thank the General Welfare
16 Committee and Chair Levin for holding today's hearing
17 and the opportunity to testify. My name is Erin
18 Drinkwater and I am the Deputy Commissioner for
19 Intergovernmental and Legislative Affairs at the
20 Department of Social Services. The committee is
21 reviewing several bills today impacting DSS and we
22 look forward to learning the sponsors' intent and
23 discussing them further. As we discuss these
24 proposals today, we request that the Committee
25 consider the impact that they would have on our

1 existing programs and services, particularly around
2 capacity, client safety, and improvements made to
3 date. With this in mind, we look forward to today's
4 discussion. Introduction 2379 would require the
5 Department of Social Services to create a domestic
6 violence shelter specifically designated for men. We
7 look forward to working with the sponsor to better
8 understand the bill's intent. DSS is the
9 administering agency for New York State's Office of
10 Children and Family Services domestic violence
11 shelters in New York City. Under State Law, we are
12 required to provide domestic violence shelters and
13 services to all who qualify regardless of gender
14 identity. In calendar year 2021 to date, the Human
15 Resources Administration Domestic Violence shelter
16 system has served 77 households headed by individuals
17 who identify as male. As drafted, the bill presents
18 challenges that could have a negative impact on the
19 capacity of our shelter system and the safety of
20 those we serve. First, regarding capacity, we are
21 obligated to provide domestic violence shelter and
22 services to all who qualify and creating a men-only
23 domestic violence shelter would limit access to
24 survivors who would, apart from their gender
25

1 identity, be eligible to enter this shelter,
2 consequently reducing our ability to help those in
3 need given the limitations presented by this
4 proposal. Regarding client safety, establishing this
5 type of shelter could exclude men who are not safe in
6 the proposed shelter's area due to borough
7 preclusions needed to be considered in placement
8 determinations. Multiple men-only shelters would
9 have to be created to address this safety concern,
10 which in addition to fiscal concerns associated with
11 expansion would be compounded by the low demand for a
12 men-only domestic violence shelter based on system
13 wide use by men. Lastly, the bill requires a report
14 analyzing the impact and effectiveness of such
15 shelter. Given federal requirements in relation to
16 client confidentiality, there would be additional
17 steps required for client data collection. We look
18 forward to working with the sponsor and advocates to
19 ensure that the domestic violence system continues to
20 serve clients irrespective of gender identity in
21 culturally competent and trauma informed approaches.
22 Introduction 1829 would preclude the Department of
23 Homeless Services from requiring a child's presence
24 at an intake when a family with children applies for
25

1 shelter, regardless of individual case circumstances.
2
3 To provide some background, before the pandemic, as a
4 result of the Mayor's 90-day review of homeless
5 services, DHS reformed the requirements for children
6 to be present during intake at PATH to streamline the
7 application process for families with children. The
8 intent of this reform, which applied to families
9 reapplying for temporary housing within 30 days, was
10 to preserve as much educational stability as possible
11 for children 0-17 years old by removing the
12 requirement to return to PATH with the adult head of
13 household for follow up appointments. We took this
14 reform further during the pandemic to ease the
15 shelter intake process for families with children.
16 Since the pandemic, families with children applying
17 for shelter must make an initial visit to PATH to
18 apply, but children are not required to accompany the
19 parent. Parents can use FaceTime or Skype to provide
20 PATH staff an opportunity to observe the children,
21 with follow up assessments being allowed in similar
22 fashion. While we have implemented these systemic
23 reforms-- while we have implemented these systemic
24 reforms and do not intend to reverse them, there are
25 particular individual case circumstances that arise

1 when having a child physically present at intake is
2 needed in the placement process. For example, to
3 confirm that the applicant actually has the children
4 in their care and custody when there is a concern
5 that they do not. DHS has made significant reforms at
6 PATH to ensure safety and welcoming environment for
7 all as families seek shelter. We have taken
8 particular focus in serving children who come to PATH
9 and have on-site play areas as well as a mobile
10 activity center intended to minimize the potential
11 trauma when applying for shelter. We look forward to
12 working with the sponsor on these matters.

14 Introduction 2405 is in relation to the eligibility
15 for rental assistance for runaway and homeless youth.

16 We appreciate the Council's support of the 12-month
17 pilot program the City launched in the summer to
18 connect youth to CityFHEPS rental assistance
19 vouchers. Given that the pilot just launched, the
20 City needs time to assess the impact of these
21 vouchers in connecting youth to housing and to
22 consider any adjustments needed. We look forward to
23 updating the Council on the progress of the pilot as
24 we consider this bill. Thank you for the opportunity
25 to present our testimony today. We look forward to

1 reviewing these bills and I welcome questions you may
2 have.
3

4 COMMITTEE COUNSEL: Thank you to the
5 members of the Administration for your testimony
6 today. I am now going to turn it over to Chair Levin.

7 CHAIRPERSON LEVIN: Thank you very much
8 to members of the Administration for your testimony.
9 I apologize everybody, I was-- there was an accident
10 on the subway this morning, and so I was finding
11 other ways of getting [inaudible]. I do appreciate
12 everyone's testimony so far. The first question is
13 on the RHY CityFHEPS bill. So, there was two pilot
14 programs. I mean, I guess we could take a step back
15 and say that initially when the CityFHEPS program
16 rules were promulgated, this would have been in 2018,
17 I believe-- 2017, 2018-- there was provisions that in
18 that-- in the rules that allowed for the Commissioner
19 of ACS and the Commissioner of DYCD to refer cases to
20 DSS to consider for a CityFHEPS voucher. How many
21 times did that happen with both ACS and DYCD?

22 DEPUTY COMMISSIONER GENDELL: I think I'm
23 unmuted but I-- Erin, are you going to take this
24 question, or do you want me--
25

1
2 CHAIRPERSON LEVIN: [interposing] This is
3 pri-- I'm talking about prior to the pilot, you know,
4 in the intervening time between--

5 UNIDENTIFIED: [inaudible]

6 CHAIRPERSON LEVIN: the promulgated rule
7 and the pilot. How many instances of referrals from
8 agency commissioners that's allowed in the rule?

9 DEPUTY COMMISSIONER DRINKWATER: Thanks,
10 sorry, I was having trouble with the mute button. I
11 don't have those numbers with me today. So the
12 number prior-- so after the streamlining, the
13 implementation of the rule, and prior to the pilot. I
14 don't have that.

15 CHAIRPERSON LEVIN: Yeah.

16 DEPUTY COMMISSIONER DRINKWATER: We can
17 certainly follow up. I don't know if, Stephanie, you
18 do have that number.

19 CHAIRPERSON LEVIN: DYCD has that--

20 DEPUTY COMMISSIONER GENDELL: I can
21 answer for ACS. We hadn't been following a specific
22 process of referrals until we started the pilot, and
23 I'm happy to give an update on the CityFHEPS pilot
24 for ACS if that's helpful. I realize it's not what
25

1
2 the bill's about, but I'm happy to update on the
3 pilot.

4 CHAIRPERSON LEVIN: Yeah, no, I'm-- I
5 mean, I'm really. Sorry, excuse me, Amenta Killawan
6 needs to chime in for a second.

7 COMMITTEE COUNSEL: Just, I just want to
8 chime in as a reminder the members of the
9 Administration if you can remain unmuted during this
10 entire segment. It'll just be easier on the back-end
11 to ensure that you can chime in as necessary. So if
12 you can please remain unmuted, all panelists from the
13 Administration, during this question and answer
14 period. And also a reminder to Council Members who
15 may have questions to use the Zoom raise hand
16 function, and we will call on you after the Chair has
17 finished his line of questions. Thanks, Chair Levin.

18 CHAIRPERSON LEVIN: Thank you, Counsel.
19 Yeah, so I'm trying to get a clear picture. I mean,
20 just to put all the parts on the table. We had
21 introduced this bill, or we had talked about
22 introducing this bill a long time ago, and we had
23 introduced the ACS bill, the companion ACS bill, a
24 long time ago. So it was always my intention to make
25 it clear in law that youth that are aging out of

1 foster care and youth that are aging out of DYCD, RHY
2 shelters, don't have to go into the DHS or DSS system
3 in order to qualify for a voucher. Like, simple,
4 straightforward, no kid that ages out of a system
5 should be having to go into another system designed
6 for adults to get access to the voucher. Simple,
7 straightforward. I didn't do the bill because it was
8 being addressed in the rule. The rule said that we
9 would allow referrals from the Commissioners, and
10 presumably that would then take place. So, I mean,
11 there's an intervening period between that rule and
12 when these pilot programs came out, that where that
13 rule was in place. The reason I did not do a bill
14 was because that rule is in place. And so it would
15 be really-- it's really important for me in
16 considering this legislation, to know how effective
17 that rule was. And so that's why that's in place.
18 Now, I guess I could-- I want to ask about the pilot
19 then. Can you-- can Director Thorne maybe speak to
20 the RHY pilot and how that's been going? How many
21 referrals have been made? How many youth have been
22 connected to a CityFHEPS voucher to date?

24 DIRECTOR THORNE: Hi, good morning.
25 Thank you so much for the question and also bringing

1
2 attention to this crucial resource. So far we are--
3 we've given 12 young people CityFHEPS shopping
4 letters and we have a lease package in the works as
5 we speak today.

6 CHAIRPERSON LEVIN: That's great. How
7 many-- under the terms of the pilot, how many--
8 what's the cope-- what's the scope of the pilot,
9 what's the scale?

10 DIRECTOR THORNE: The scale, we have 50
11 CityFHEPS shopping letters that are available to us,
12 and we are really emphasizing the flexibility of
13 CityFHEPS in terms of room rentals and which really
14 supports the needs of young adults and youth. And I
15 also just wanted to say that the increased rent also
16 improves the likelihood that young people will be
17 able to find apartments in New York City. So, yeah.

18 CHAIRPERSON LEVIN: I guess this is a
19 question for both ACS and DYCD. If you had a-- I
20 mean, is-- do you see any reason why you shouldn't
21 have access from aging out to these vouchers?

22 DEPUTY COMMISSIONER GENDELL: So I'll
23 just say at the starting point, I think it's
24 important to just make sure it's clear that no youth
25 from ACS is discharged to homeless. That was the

1 case during the pandemic, prior to the pandemic, and
2 it continues to be the case. We're always ensuring
3 that our youth have a permanent place to go when they
4 leave foster care, where we let them stay in foster
5 care after their 21st birthday. The pilot is very
6 new. So we were due to start in July, and we did
7 start in July and then we gave out five CityFHEPS
8 shopping letters in July, but then when the Council,
9 which we greatly appreciate and thank you for your
10 leadership on, of increasing the value of the
11 voucher. We wanted to ensure that our young people
12 had access to the higher rates of the voucher, and so
13 we gave out the remaining vouchers throughout
14 September. And so we currently have all 50 of the
15 shopping letters with young people pursuing housing
16 through CityFHEPS as well as continued to pursue
17 housing through other opportunities.

19 CHAIRPERSON LEVIN: Okay. And I
20 appreciate that. I mean, I think that-- and I
21 appreciate that no youth is aging out into
22 homelessness. Does ACS track over the course of like
23 five years after aging out whether young people end
24 up in the DHS system?

1
2 DEPUTY COMMISSIONER GENDELL: We
3 definitely track what's in Local Law 145 which I
4 think it was up to two years after they leave foster
5 care was pushed to five, and it's a very small
6 number. I don't know it off the top of my head, and
7 I don't know if Julie does, but it's a very small
8 number.

9 CHAIRPERSON LEVIN: Or if there was-- I
10 mean, I would-- housing insecure or unstably housed,
11 not just in the-- I mean, I know that you, you know,
12 young people are doubling up, are couch surfing.
13 Doubling up is fine if they have like a room [sic],
14 but couch surfing or, you know, staying with family
15 that might not be appropriate or safe.

16 DEPUTY COMMISSIONER GENDELL: Right.

17 CHAIRPERSON LEVIN: Or other, other type
18 of unsafe living circumstances.

19 DEPUTY COMMISSIONER GENDELL: I can see
20 if Julie wants to chime in, but I'll just say that we
21 work very hard and are very planful [sic] about all
22 of these discharges [inaudible]. I'll let-- I can
23 see Julie wants to chime in.

24 DEPUTY COMMISSIONER FARBER: Sure thank
25 you. Thank you, Council Member, for these questions,

1
2 and as Stephanie referenced, we do not exit young
3 people to homelessness. We are always working to
4 ensure that they have stable housing. We're very
5 pleased that we have all 50 of the FHEPS letters with
6 young people and they're working on finding
7 apartments with our support and support from the
8 foster care agencies. We also, as Stephanie
9 mentioned, we do collect data on young people that
10 show up in the shelter system. I know we do it after
11 one year, and maybe also after two years, and that
12 number is very, very small and also has been going
13 down over the last five or six years. We also, you
14 know, have staff here that support young people, even
15 when they have left the system, and we also
16 coordinate with DHS when we see young people, you
17 know, in the relatively rare occurrence when they
18 show up in the shelter system.

19 CHAIRPERSON LEVIN: Okay, so I'm just
20 going to-- there's a little bit of a disconnect for
21 me on this discussion, which is why-- what reason is
22 there possibly out there to not make vouchers
23 available to youth aging out of either the DYCD RHY
24 system or the foster care system? What reason could
25 there possibly be to say this is a bad idea? I just--

1
2 I can't even think of a reason why it's a bad idea,
3 even a theoretical reason.

4 DEPUTY COMMISSIONER FARBER: I mean, so I
5 think that, you know, DYCD and ACS talked about the
6 work that they're doing with the pilot, and part of
7 that pilot is to also, you know, look at that and
8 conduct an analysis following that pilot to
9 understand the impact of those vouchers, and I think
10 using that information will be very helpful moving
11 forward.

12 CHAIRPERSON LEVIN: Well, I don't have
13 time for that. I'm out of office in two months
14 [sic]. So I only have-- I only have-- I mean, you
15 know, it's not like we just started talking about
16 this. We started talking about this, you know, year
17 ago, three, four years ago. So, you know, I just
18 don't have the time. You know, I hope you understand
19 that. I just don't have the time to kind of further
20 analyze this. Again, I can't even think of a
21 theoretical reason, you know, why somebody aging out
22 shouldn't have immediate access to a voucher. I
23 can't even think of a theoretical reason. I mean, I
24 understand we have to-- you know, it's good to
25 analyze it, but like, again, we started talking about

1 this like years ago. The rule allowed for it to be--
2 I mean, I'm just being totally honest. I mean, like,
3 the City told me that when the-- the rule would take
4 care of things. Like that was the response I got at
5 the time. Don't do the bill because we have a rule.
6 The rule will address the issue. And you know,-- and
7 then there was like a gap between the rule and the
8 pilot program of like a couple of years, and we don't
9 even know how many referrals came in from the
10 Commissioners of DYCD and ACS. I don't know why we
11 don't know, but I just like, you know, I don't-- I'm
12 debating whether to channel my inner Lou Fiddler
13 right now, because you know, I could just imagine if
14 Lou was here right now, how absolutely routinely
15 upset he would be, you know, as the former Chair of
16 the Youth Services, and a big champion of RHY. And
17 to think that there's an option available that's just
18 not [inaudible]. It's out there but it's not
19 available unless you go into a DHS shelter meant for
20 adults, single adults, which may be in congregate in
21 the middle of a pandemic. So, I mean, I just-- if
22 there's any bills of mine that I think are just open
23 and shut cases, these are the bills. I'll turn it
24 over to any of my colleagues for questions they may
25

1 have. Council Member Diaz, do you have questions?

2 You're on mute.

3
4 COUNCIL MEMBER DIAZ: I apologize. I'm
5 working from home. One of the few times I do my iPad
6 is not my friend today. It just-- I want to-- rooms.
7 To me, rooms are not the most ideal place for an
8 individual to live. You're sharing space, and if our
9 youth could have lived in rooms with their family
10 there wouldn't be in the situation they are today.
11 Rooms are not the way to go. I hear rooms, rooms,
12 rooms. Chair Levin, it just leads to more conflict
13 and more discourse. We have to figure out-- if I
14 hear conversations with SRO, which at least you're
15 not sharing space. You share kitchen space, that's
16 one conversation, but to know-- we're so happy and
17 excited to know that we're exiting, which I see more
18 pushing our young people to live in a shared space,
19 that probably got them in this place to begin with.
20 So while I appreciate the conversation of trying to
21 make something happen, rooms is not a voucher that we
22 should be pushing. We should figure out a way--
23 stable homes, that they do not return back into the
24 system, whether it's the shelter system, DYCD. One
25 of our youth began our conversation. He hopped. He

1 was exited as a youth into a room, became a parent.
2 As a couple went into an apartment. Ended up in
3 Jersey, and is back basically on the streets. Rooms
4 are not an answer. Chair, I apologize [inaudible]
5 angry and antsy, but having worked the system for
6 thirteen and a half years, I come from a different
7 space, a different picture. Rooms is not the way to
8 go. And let's be clear, if the youth want to-- if
9 anyone that wants to get out of shelter, they'll
10 accept a room, but we have to assure that the leases
11 are real, they would do real inspections. So I'm
12 moving into a room to then leave the room because of
13 the discourse or the services that were supposed to
14 have been provided weren't provided, that's an issue.
15 I had someone that moved into a room and once she was
16 there was told she couldn't have a TV. That's
17 basics. Forget you're in COVID. Could you just
18 imagine? You're living in a room. You're sharing a
19 refrigerator. You're sharing your bathroom, all your
20 amenities and you can't have something basic as a TV?
21 We need to do better. And I'm gonna [sic] say on and
22 on throughout this hearing, we should do better.
23 With New York, millions and trillions of dollars are
24 spent on housing. Housing is a human right. Let's
25

1
2 not just push people so that our numbers look better.
3 Thank you, Chair.

4 CHAIRPERSON LEVIN: Thank you very much,
5 Council Member. Counsel, do you see any other
6 committee members with their hands up.

7 COMMITTEE COUNSEL: I do not, Chair.

8 CHAIRPERSON LEVIN: We were also joined
9 by Council Member Brad Lander. I'm not sure if Brad
10 is still here, but he has been here. I'll ask some
11 questions around some of the other legislation. For
12 Intro 2419, for ACS reporting requirements on the
13 Children's Center, have there been any recent
14 increases in the number of children at the Children's
15 Center, or has the numbers remained steady? I know a
16 couple of years ago they were high. How does that
17 compare to where it was in 2019?

18 DEPUTY COMMISSIONER GENDELL: It's
19 significantly lower than 2019, but it is a little
20 higher than the average. So, the average for 2021
21 was 52. Currently, as of Saturday had 78 children at
22 the Children's Center, Saturday, October 16th.

23 CHAIRPERSON LEVIN: Do you have a sense
24 of the ratio of staff, children to staff?

1
2 DEPUTY COMMISSIONER GENDELL: Yeah, the
3 ratio is one to three.

4 CHAIRPERSON LEVIN: And that's been
5 maintained despite, you know, increases or decreases
6 in the population?

7 DEPUTY COMMISSIONER GENDELL: Yeah, we
8 have the ability to bring in addition staff if
9 needed, people who work for ACS in other capacities
10 who have been trained to also work there who are
11 temps if ever we needed it based on the census so
12 that we can maintain the ratio.

13 CHAIRPERSON LEVIN: Do you keep detailed
14 data on length of stay of-- you know, in terms of--
15 obviously in the-- you do keep the data, but I mean,
16 do you aggregate it in a way that you can analyze and
17 understand what's causing increases and decreases?

18 DEPUTY COMMISSIONER GENDELL: Yeah, we
19 have a-- you know, we're always keeping track of how
20 many children are at the Children's Center and their
21 length of stay, and you know, most importantly, we're
22 always working to do everything we can so that
23 children are placed in the most appropriate placement
24 out of the Children's Center, whether that's
25 returning home to their family, going to a foster

1 home or in some instances a residential provider.
2 We're always looking to ensure they, you know, get
3 out of the Children's Center into the most
4 appropriate placement.
5

6 CHAIRPERSON LEVIN: And is that something
7 that you make public in any way right now, in terms
8 of average length of stay? Is there any other kind
9 of metrics from the Children's Center? Are you
10 publicly reporting on any of that?

11 DEPUTY COMMISSIONER GENDELL: So we
12 currently publicly report in the monthly flash that's
13 available on our website that we update each month
14 where we keep track-- we provide calendar year to
15 date monthly averages of children at the Children's
16 Center and some of the information that you're asking
17 about, length of stay. I also in my testimony talked
18 about some of the length of stay numbers including
19 that 80 percent of the young people and children are
20 there for seven days or less.

21 CHAIRPERSON LEVIN: I mean, one thing
22 that we're very concerned about are the outliers.
23 So, young people that are-- so do we have a sense of
24 how many young people right now have been there, for
25

1 after 20 days, and 55 percent of those were 11 or
2 older, and 45 percent were under.

3
4 CHAIRPERSON LEVIN: Sorry, can you-- 55
5 percent were over 11. So there's-- do you see a
6 disparity in terms of-- or what are you able to glean
7 from that data in terms of the relationship between
8 length of stay and either special needs status or
9 [inaudible].

10 DEPUTY COMMISSIONER GENDELL: I mean, I
11 think one of the things that's just important to keep
12 in mind as we think about the children coming in and
13 out of the Children's Center is it changes from one
14 day to the next. Since most of the children are
15 there for such a short time, there's constantly
16 different children that we would be talking about
17 each day. Luckily, not a lot of children, but
18 removals are way down, too. But you know, it's not
19 the same from one day to the next. I don't know if
20 Julie has anything she would want to add about the
21 trend data that you're asking.

22 DEPUTY COMMISSIONER FARBER: Yeah, so as
23 Stephanie mentioned, the numbers I have in front of
24 me says 60 percent, right, leave within three days,
25 80 percent within seven days, 90 percent less than 15

1 days. So the vast majority, obviously, of children
2 are leaving to placement relatively quickly. The
3 other thing that I know you're familiar with, Chair,
4 is that our first focus is on placing children with
5 kin. So, we're keeping many, many children out of
6 the Children's Center through those efforts. And so
7 at this point, of the children who are coming into
8 care due to abuse and neglect, about 50 percent of
9 those children are being placed with kin. So that is
10 a huge focus for us, and then obviously we are always
11 working to move children who can't be immediately
12 placed with kin. We continue to look for kin, and
13 then when kin really cannot be found, we work to
14 place them in the, you know, the foster home that
15 best meets their needs.
16

17 CHAIRPERSON LEVIN: I'm sorry, I'm just--
18 I do want to focus kind of on the children that are
19 kind of an outlier cases. Are there instances where
20 there are children that are there for longer than 60
21 days or longer than that? Ninety--

22 DEPUTY COMMISSIONER GENDELL: There are
23 sometimes, and you know, we're working always very
24 hard to find them the most appropriate.
25

1
2 CHAIRPERSON LEVIN: Are there any
3 children there now that have been there for longer
4 than 60 days.

5 DEPUTY COMMISSIONER GENDELL: Longer than
6 60 days?

7 CHAIRPERSON LEVIN: Yeah.

8 DEPUTY COMMISSIONER GENDELL: I would
9 guess so from the data I'm looking at, but I don't
10 have that for sure. So we'd need to get back.

11 CHAIRPERSON LEVIN: I mean, what are
12 circumstances that would cause a child to be there
13 for longer than 60 days, considering that 90 percent
14 are there for no longer than 14 days.

15 DEPUTY COMMISSIONER FARBER: So, you
16 know, when we're placing a child we're considering a
17 lot of different factors. We're considering
18 geography. We're considering the child's needs.
19 We're considering clinical issues. there are some,
20 and you know, these are outliers, you know, as you
21 have said Council Member, but sometimes when young
22 people have a placement but don't want to go to their
23 placement, and so we're working, you know, with young
24 people in those situations, and of course, want to
25 value young people's perspective, particularly

1 teenagers, and so there are certain instances, you
2 know, such as that, but can contribute to longer
3 lengths of stay, but we're always working to find the
4 right match, the right fit, you know, the right
5 foster parents, if the child needs clinical and
6 therapeutic treatment in a residential program.
7 We're working to, you know, place a child in the
8 right place, and in the meantime when they're at the
9 Children's Center, as Deputy Commissioner Gendell
10 noted, there is a significant amount of programming
11 and clinical and therapeutic services in place at the
12 Children's Center.
13

14 CHAIRPERSON LEVIN: Right. I think that,
15 you know, it's-- but it's in-- it's not an
16 appropriate setting for a-- you know, it's never
17 meant to be a even medium term placement. It's there
18 to be temporary. So any-- I mean, I think that
19 obviously it's good to hear that the vast majority of
20 children are there for a short period of time. I do
21 worry about even if it's only, you know, small number
22 of children there that were there for longer periods
23 of time [inaudible] the lack of access to, you know,
24 socialization with other children, you know, longer
25 term relationships, familial relationships, you know,

1
2 just a home. You know, a home is really important
3 for a kid, and so--

4 DEPUTY COMMISSIONER GENDELL:

5 [interposing] We agree with you that we want children
6 to be in home-base settings as much as possible. I
7 do want to make sure the kids do have ample
8 opportunity and they are socializing. They're going
9 to school, and so I just want to make sure they're--

10 CHAIRPERSON LEVIN: [interposing] Sure.

11 DEPUTY COMMISSIONER GENDELL: just like
12 other children, both in the Children's Center and
13 going to school.

14 CHAIRPERSON LEVIN: Right. But even if
15 they're socializing with children in the Children's
16 Center and 90 percent of them are there for less than
17 14 day, you know, it's difficult to have any
18 meaningful ongoing relationships with another kid.
19 They're there for-- in any event, I'll move on.

20 [inaudible] one other question about-- we've heard
21 that the babies in toddlers wing is in quarantine.
22 How does that work in terms of quarantine?

23 DEPUTY COMMISSIONER GENDELL: Thank you
24 for asking that question. We take the health and
25 safety of the children at the Children's Center

1 [inaudible] very seriously. They're in quarantine
2 due to exposure to COVID. And I'm going to turn it
3 over to Doctor Mendoza to talk more about.
4

5 CHIEF MENDOZA: Yeah, so we-- once of
6 course, we follow all DOHMH guide-- and state
7 [inaudible] guidelines and CDC guidelines in terms of
8 quarantine and isolation. I'm glad to say that we
9 are just a day away from releasing the child who was
10 positive from isolation and just I believe four days
11 away from releasing the rest of the quarantine. We
12 also, while they're in quarantine they stay with
13 their quarantine groups. So they are interacting
14 with those who are in the same group. So we try to
15 keep them in that infection control "bubble" and they
16 are also engaged in different activities within the
17 bubble. They have visits, virtual visits with their
18 families as well, and as much as possible, we also
19 maintain other kinds of activities that we can while
20 they're still safe within that quarantine bubble. We
21 are so proud to say that we have had very, very, very
22 low cases of COVID-19 positivity rates at the
23 Children's Center. In fact, even when the city was
24 at high transmission rates, the Children's Center was
25 averaging in the low transmission rate, and we

1
2 continue to average low transmission rates. We feel
3 that this is because of our strict adherence to
4 infection control practices.

5 CHAIRPERSON LEVIN: Thank you [sic],
6 Doctor Mendoza. Sorry. I'm going to move over to
7 another piece of legislation, 2420, which would
8 require an audit report on foster care placement
9 notices. We've heard, and I'm wondering if this is
10 true, that ACS has a shortage of therapeutic foster
11 homes to meet the needs that are currently existing
12 in the foster care system.

13 DEPUTY COMMISSIONER GENDELL: Thank you.
14 I wasn't sure-- I didn't think that's what you're
15 going to ask about that legislation, but that's okay.
16 I'm now going to turn it over to Julie to answer.

17 DEPUTY COMMISSIONER FARBER: Sure. Thank
18 you very much for that question. So our foster care
19 providers are working very hard, as I mentioned, to
20 increase the proportion of young people who are
21 placed with kin, right? So that happens both by the
22 Division of Child Protection and then also by our
23 foster care agencies, and then at the same time
24 obviously the agencies are also focused intensively
25 on foster parent recruitment and support. And so

1
2 prior to the pandemic we drastically increased new
3 foster home recruitment across all different types of
4 foster care, including therapeutic foster care that
5 you asked about, Council Member. The pandemic did
6 have a little bit of an impact on foster home
7 recruitment, but I am very pleased that in this past
8 year we are now rising out of that impact and moving
9 back to foster home recruitment levels prior to the
10 pandemic.

11 CHAIRPERSON LEVIN: Can you speak to
12 maybe some of the challenges that you face in
13 recruiting foster parents for older youth or youth
14 with disabilities?

15 DEPUTY COMMISSIONER FARBER: Yeah, so we-
16 - the strategy that we use and that has really been
17 most effective in recruiting foster parents for older
18 youth and for children with special needs is focusing
19 on recruiting from existing experienced foster
20 parents. So we have foster parents to come in and
21 they are in what's considered sort of regular foster
22 care, and then there's therapeutic foster care and
23 specialized foster care. And while some foster
24 parents can be recruited directly from the community
25 to those higher needs groups, we have found that the

1
2 most successful approach for recruiting foster
3 parents for therapeutic and specialized is really to
4 focus on existing foster parents who have had some
5 experience and to support those foster parents to
6 transition to taking older youth and children with
7 special needs. And then the critical piece of the
8 work there is really around the support. It's not
9 just around the recruitment, but it's around the
10 support that is provided to foster parents. And so
11 there's a lot of work happening around both the
12 support that the foster care agencies are providing,
13 but also the support that the community of foster
14 parents are providing to one another. And so that's
15 really where we have found it is most effective in
16 where we're focusing our energies in terms of
17 recruiting and supporting foster parents for older
18 youth and young people with special needs.

19 CHAIRPERSON LEVIN: Have you considered
20 what impact raising the boarding rates for foster
21 parents?

22 DEPUTY COMMISSIONER FARBER: so,--

23 CHAIRPERSON LEVIN: [interposing]

24 DEPUTY COMMISSIONER FARBER: Oh, sorry,
25 go ahead, Chair.

1
2 CHAIRPERSON LEVIN: I'm sorry. Is that
3 entirely within your jurisdiction or is that an OCFS
4 [inaudible] work on with OCFS in terms of the
5 boarding rates?

6 DEPUTY COMMISSIONER FARBER: We have some
7 control over it. Obviously, state funding is a piece
8 of it, but as I think you know, Chair, the City far
9 out-spends the foster care block grant that the state
10 provides. So that's obviously an important piece of
11 the financing. But in terms of the payment rates
12 that are provided to foster parents are certainly a
13 piece of the puzzle, in addition to emotional
14 support, moral support, training, and so forth.

15 CHAIRPERSON LEVIN: Are you ever-- do you
16 ever face a situation where a child is placed in a
17 group setting simply for a lack of a foster home, or
18 group setting? Go head, sorry.

19 DEPUTY COMMISSIONER FARBER: Yeah, no, go
20 ahead Chair.

21 CHAIRPERSON LEVIN: Or I going to say or
22 group setting placements entirely due to the
23 appropriateness of the setting. Is there ever a
24 situation where a foster home is preferable, it's
25 just not available?

1
2 DEPUTY COMMISSIONER FARBER: So, we are--
3 you know, we have an entire function at ACS that
4 determines what's called the appropriate level of
5 care and whether a child needs a regular foster home,
6 a therapeutic foster home, a specialized foster home,
7 or do they need, you know, services and stabilization
8 in a residential program. And so those
9 determinations are made by that function, and
10 obviously that relates directly to the new Family
11 First Law that has gone into place, and so we now
12 have what's called the QI, qualified individuals, who
13 make those decisions and they are firewalled from the
14 folks who actually make the placements, and so the
15 focus is always on finding the most appropriate
16 placement according to what the level of care is that
17 has been identified. I don't know if-- I can see
18 that Stephanie wants to say something more about
19 Family First.

20 DEPUTY COMMISSIONER GENDELL: Sure, I can
21 do that. I think-- to answer your question, we are
22 always seeking to find the most appropriate placement
23 for children, but we now under Family First have
24 additional layers before a child would be in what's
25 now called a Qualified [sic] Residential Treatment

1 Program which is essentially our residential parent
2 providers. That qualified individual that Julie
3 mentioned require to use an evidence-based tool that
4 we've just implemented called a CASIE [sic] and they
5 also are-- they're required to speak with what's
6 called a Permanency Team which is the child, their
7 family, the child's lawyer, and other people involved
8 in the child's life, and they put that all together
9 to make the recommendation about whether or not
10 residential care or QRTP is the appropriate level of
11 care. That will now have an additional court review.
12 So, I think adding on the new Family First
13 requirements, had this ever been occurring before
14 should really prevent it from happening again. And
15 if we do have a young person in congregate [sic]
16 care, who the QI says that's not the right level of
17 care, we would no longer receive federal funding for
18 that [inaudible].

20 CHAIRPERSON LEVIN: So, that as a-- that
21 would be enough of a deterrent or enough of an
22 obstacle. Essentially, if it's not-- if it's not
23 determined you're staying under this evidence-based
24 framework as being an appropriate placement, then
25 there would be no federal reimbursement for--

DEPUTY COMMISSIONER GENDELL:

[interposing] That's correct. I don't know that necessarily the lack of federal funding would be the deterrent. We really were very focused on finding the most appropriate placement, and I think these enhanced processes [inaudible] both the assessment by the qualified individual and the court review are really what would provide the additional layers of ensuring who are residential care or youth who have therapeutic need to be there.

CHAIRPERSON LEVIN: Okay.

DEPUTY COMMISSIONER FARBER: And definitely. The staff who are making the level of care determinations and making the placements, they have no focus whatsoever on federal funding reimbursement. Their focus is entirely on the needs of the child.

CHAIRPERSON LEVIN: Right. So then-- I mean, I guess my question then would be are you saying that it never happens, or under the current Families First Law, it-- there's no circumstance where that would happen?

DEPUTY COMMISSIONER FARBER: I think that there is--

DEPUTY COMMISSIONER GENDELL:

[interposing] Should never.

DEPUTY COMMISSIONER FARBER: Right, well, it certainly should never happen. I think there is also the fact that, you know, there can be different viewpoints on, you know, the best possible setting for a young person which is also--

CHAIRPERSON LEVIN: [interposing]

DEPUTY COMMISSIONER FARBER: the benefit of having the QI. There's also the young person's view, the parent's view, the court's view, and so you know, it is not always sort of one way or the other. The other piece is that, you know, circumstances can change. Children's needs can change, and evolve. So, you know, obviously our focus is on placing children in the setting that will best meet their needs. We have, you know, very low rate in New York City of placement in residential care. It's about eight or nine percent of all kids in foster care, so it is not something that happens very often, and it is something that we are extremely focused on continuing to reduce. And of course you know, Council Member, that we are currently in the process of re-RFP-ing [sic], re-procuring the entire foster

1
2 care system, and a major focus of the RFP and the new
3 contracts is on increasing kin, increasing family-
4 based placement, only utilizing residential care for
5 time-limited treatment and for the purpose of
6 stabilization and returning ideally to parents and
7 families and/or returning the community to foster
8 parents.

9 CHAIRPERSON LEVIN: I apologize, I didn't
10 quite get this before, but do you-- is the
11 Administration or is ACS in favor of this piece of
12 legislation, 2420, or are there issues that you have
13 with it as a bill?

14 DEPUTY COMMISSIONER GENDELL: We are
15 happy to discuss the bill further.

16 CHAIRPERSON LEVIN: Okay. Neither one
17 way or another is that what you're saying?

18 DEPUTY COMMISSIONER GENDELL: Yeah, I
19 mean, I think there are, as we mentioned in the
20 testimony, some considerations we'd want to discuss,
21 and we're happy to do so.

22 CHAIRPERSON LEVIN: Okay. Okay. Thank
23 you very much. Commissioners, thank you. I'm going
24 to just ask about 1829 very quickly. That's the PATH
25 bill. Is there any reason why DSS would ever revert

1
2 to requiring children to be attending PATH in person?
3 For this bill, like what's the downsides of this
4 bill? This is-- it's a practice that we shouldn't be
5 having.

6 DEPUTY COMMISSIONER FARBER: Yeah, so we
7 don't have an intention of reverting back, but as-
8 written the bill categorically, you know, it would be
9 on the parent, the parent to bring their children in,
10 but there are times as mentioned in the testimony if
11 we're trying to work with the family to understand
12 that a child is in the custody of the head of
13 household, having that child present could be of
14 benefit.

15 CHAIRPERSON LEVIN: Would be amenable to
16 working with the sponsor to--

17 DEPUTY COMMISSIONER FARBER:
18 [interposing] Absolutely.

19 CHAIRPERSON LEVIN: see if there's
20 accommodations that could be written into the bill,
21 but that would largely codify the current practice
22 into law?

23 DEPUTY COMMISSIONER FARBER: Yeah, we'd
24 be happy to meet with the sponsor. I know, Chair,
25 that you and Council Member Diaz went to PATH not too

1
2 long ago, certainly saw some of the efforts made
3 particularly around, you know, children who are at
4 PATH and would be happy to offer the same to Council
5 Member Ayala [sic] and certainly work with her on the
6 bill.

7 CHAIRPERSON LEVIN: Just for the record,
8 Council Member Diaz and I went to PATH. It was not--
9 it was sparsely attended. I mean, it was-- there was
10 a not a lot of-- there were not a lot of families
11 there. It was on a, you know, a weekday morning.
12 You know, that's-- there's probably a number of
13 reasons why that's the case, but obviously we--
14 that's a good thing. We don't want to see more
15 families [inaudible]. Okay, I appreciate the-- I'll
16 convey this to Council Member Ayala.

17 DEPUTY COMMISSIONER FARBER: Wonderful.

18 CHAIRPERSON LEVIN: And we'll see if we
19 get somewhere on this bill. Okay, that's it for me.
20 I know that there's other pieces of legislation that
21 Council Member Ayala sponsored, and I-- and she can
22 speak with the Administration offline about that as
23 well, but I also want to acknowledge Council Member
24 Salamanca joined. And put it to my colleagues once
25 more, if anyone has any questions before we move on

1 to public testimony. Alright, seeing none, I want to
2 thank members of the Administration for your
3 testimony this morning. I appreciate you taking the
4 time, and I think this is probably my last hearing,
5 not the last hearing in general, but the last hearing
6 where we're considering legislation. So, from here
7 on out it's going to be hard-hitting oversight
8 hearing between now and the end of the year.

9
10 DEPUTY COMMISSIONER GENDELL: Sounds
11 great Chair.

12 DEPUTY COMMISSIONER FARBER: Thank you,
13 Chair.

14 CHAIRPERSON LEVIN: Thank you, and it's
15 good to see you all, and you know, maybe one day
16 we'll be able to do that in person, but I don't know
17 if that's going to happen. So, for now, we're just
18 going to have to be content with the Zoom hearing.
19 Okay. Thank you all. I'll turn it back over to
20 Committee Counsel Killawan to call up the first
21 public panel. Thank you.

22 COMMITTEE COUNSEL: Thank you, Chair
23 Levin. We have now concluded the Administration's
24 testimony and are going to turn to additional public
25 testimony. I want to again remind everyone that I'm

1
2 going to call up individuals in panels. Once your
3 name is called a member of our staff will unmute you
4 and you may begin your testimony once the Sergeant at
5 Arms sets the clock and gives you the cue. All
6 testimony will be limited to three minutes, and
7 please remember that there is a few seconds delay
8 when you are unmuted before we can hear you. Please
9 wait for the Sergeant at Arms to announce that you
10 may begin before starting your testimony. And our
11 next panel, which will be comprised of public
12 testimony, in the order of speaking will be Jamie
13 Powlovich, Anna Blondell, and Julia Davis. We are
14 going to begin with Jamie.

15 SERGEANT AT ARMS: Your time will begin.

16 JAMIE POWLOVICH: Good morning. My name
17 is Jamie Powlovich and I'm the Executive Director of
18 the Coalition for Homeless Youth. Thank you to Chair
19 Levin for holding today's hearing. I'll be limiting
20 my testimony to Intro 2405, which CHY is in full
21 support of. Despite many broken promises, youth in
22 the DYCD system still do not have equal access to
23 CityFHEPS vouchers. I would like to outline the
24 history that has led to the need for this bill. In
25 April 2016, the first promise of voucher access for

1
2 homeless youth was made when the Mayor released his
3 review of homeless service agencies and programs
4 report. This promise was echoed in February 2017 and
5 the Turning the Tide on homelessness in New York City
6 report which stated, "In 2017, the City will expand
7 these rental assistance programs to include for the
8 first time youth living in DYCD youth shelters at
9 risk of entering DHS shelters." Fast-forward to
10 April 2017 at the General Welfare Oversight Hearing
11 regarding reforms to homeless services one year
12 later. When Commissioner Banks testified regarding
13 DYCD youth getting access to vouchers that it, "is
14 expected to be finalized in the summer of 2017."
15 During questioning Chair Levin asked Commissioner
16 Banks, "When do you expect that the first young
17 person will have a voucher in hand?" To which
18 Commissioner Banks responded under oath, "in the
19 fall." In Fiscal Year 17 1,804 youth exited the DYCD
20 shelter system into homelessness. In September 2017
21 at the Youth Services Oversight Hearing, DYCD
22 Commissioner Chung testified under oath that, "We are
23 working with HRA to help eliminate young eligible
24 youth apply for access link housing subsidies." This
25 was untrue, as DYCD youth never have access to LINC

1 vouchers. In June 2018 the Mayor announced the
2 creation of the New York City Youth Homelessness
3 Taskforce. In Fiscal Year 18 another 1,466 youth
4 exited into homelessness. In January 2019 the
5 taskforce released its report that has still not been
6 acknowledged by the Administration that commissioned
7 it which included the recommendation to "determine
8 and implement the eligibility and community referral
9 process for homeless youth residing in DYCD programs
10 to access CityFHEPS." In March 2019 when CHY asked
11 DYCD what the status of getting access to CityFHEPS
12 for runaway and homeless youth was, they responded
13 via email that, "We have had some very productive
14 meetings with HRA and are close to finalizing."
15 However, in April 2021, CHY obtained a copy of an MOU
16 that DYCD signed with HRA on October 4, 2019 that
17 would force DYCD residents to go into DHS shelters
18 prior to being found eligible for CityFHEPS vouchers.
19 In Fiscal Year 19, another 1,235 youth--

21 SERGEANT AT ARMS: [interposing] Time
22 expired.

23 JAMIE POWLOVICH: exited into
24 homelessness.

1
2 CHAIRPERSON LEVIN: You can continue
3 Jamie.

4 JAMIE POWLOVICH: Thank you. In July
5 2019, the Mayor again announced that the city was,
6 "working with the DYCD to connect certain eligible
7 young people transitioning out of DYCD shelter and
8 entering DHS shelter with CityFHEPS rental
9 assistance." In Fiscal Year 20 and Fiscal Year 21
10 another 2,430 youth exited into homelessness. Since
11 initially promising youth in DYCD shelters access to
12 vouchers in 2016, 6,935 youth have remained homeless,
13 that we know of. That is almost 7,000 missed
14 opportunities the city had to change the outcome for
15 youth experiencing homelessness. We urge you to pass
16 Intro. 2405. Thank you.

17 CHAIRPERSON LEVIN: Jamie, can I just ask
18 you-- so, not all of those young people aged out into
19 the DHS system, but very few, if any, are aging out
20 into a stable housing situation, correct?

21 JAMIE POWLOVICH: So, the numbers that I
22 quoted are from FOIL data as well as the Local Law 86
23 reports when they were started being produced, and
24 they incorporate young people that were discharged
25

1
2 from shelter into shelter or shelter onto the
3 streets. So remained homeless.

4 CHAIRPERSON LEVIN: So you laid out in
5 much clearer fashion than I did what we were trying
6 to get at. Why do you think this has been the case
7 for so--

8 JAMIE POWLOVICH: Well, I think to put it
9 frankly, it's because people don't like to share,
10 right? I think it has to do with money and that we
11 consider folks homeless based on the systems that
12 they're a part of and the money that's being spent in
13 those systems instead of actually considering
14 homelessness as an experience and a trauma, and then
15 making resources available to everyone that meets
16 that definition.

17 CHAIRPERSON LEVIN: So, Council Member
18 Diaz has questions for DHS, so I'm going to turn it
19 over to her, but I'm going to ask you for a favor for
20 us here, is if you can continue to over the coming
21 months, coming weeks really, make as much noise about
22 this issue and this bill as you can. We'd greatly
23 appreciate it. I think that we need to make this. We
24 need everybody in this city to understand what's
25 happening. Collectively channel our inner Lou

1
2 Fiddler's [sic] and, you know, kind of like do this
3 in his honor. It'd be a good thing. Imagine-- maybe
4 I'll actually reach out to his family [inaudible], so
5 that we could recruit them, but it's-- you know, it's
6 an outrage. There's this option available. It's now
7 at a market rate, so they're actually usable vouchers
8 now. And you know, we could-- it is-- it's the right
9 thing to do [inaudible]. If we could work together
10 and really make some noise at this point it would be
11 great.

12 JAMIE POWLOVICH: Definitely. We're
13 happy to make noise, and I just want to thank you
14 again for all of your leadership with this issue.
15 Since as far back as I can remember, you've never
16 missed an opportunity at a hearing or another forum
17 to advocate for young people to get vouchers. So
18 thank you.

19 CHAIRPERSON LEVIN: Thank you, Jamie.
20 Thanks. I'll turn it over to Council Member Diaz,
21 and then I have to actually step out for a few
22 minutes because I'm joining another hearing, but I'm
23 here and I'll be back, but I'm going to turn it over
24 to Council Member Diaz.

25 SERGEANT AT ARMS: Your time will begin.

1
2 COUNCIL MEMBER DIAZ: Thank you. My
3 questioning is for Deputy Commissioner Drinkwater.
4 Are you still on?

5 DEPUTY COMMISSIONER DRINKWATER: Yes, I'm
6 here.

7 COUNCIL MEMBER DIAZ: Hi. Good. Thank
8 you again for taking your time to be with us today.
9 In your statement you mentioned there was 77 men
10 under the domestic violence--

11 DEPUTY COMMISSIONER DRINKWATER:
12 [interposing] That's correct.

13 COUNCIL MEMBER DIAZ: category [sic] of
14 domestic violence?

15 DEPUTY COMMISSIONER DRINKWATER: There's
16 77 households that include a head of household that
17 is male or a single adult that is male.

18 COUNCIL MEMBER DIAZ: The report I have
19 as of March 21st, we had 171 in a same category. I'm
20 interested in knowing how did the numbers decrease so
21 quickly.

22 DEPUTY COMMISSIONER DRINKWATER: Which
23 report are you referencing?

24 COUNCIL MEMBER DIAZ: I was given a DHS
25 report. I have to go back to my notes. I'll send you

1
2 the report itself, but I was given-- so I'm working
3 from home. I'm multitasking.

4 DEPUTY COMMISSIONER DRINKWATER: No
5 problem.

6 COUNCIL MEMBER DIAZ: It was--

7 DEPUTY COMMISSIONER DRINKWATER:
8 [interposing] Yeah, I just-- I don't want to comment
9 on a report-- if it's a DHS report--

10 COUNCIL MEMBER DIAZ: [interposing] Yes,
11 yes, yes.

12 DEPUTY COMMISSIONER DRINKWATER: I'm
13 referring to the HRA domestic violence shelter system
14 and there were 77 in calendar year 21 year-to-date,
15 77 male head of households or single adult men.

16 COUNCIL MEMBER DIAZ: I'm going to send
17 you what was sent to me a couple of months ago.
18 Because if I'm correct, it's the same reporting
19 mechanism that DHS uses, that's where the data was
20 taken from.

21 DEPUTY COMMISSIONER DRINKWATER: Yeah,
22 I'm happy to look at it. Just to make clear--

23 COUNCIL MEMBER DIAZ: [interposing] Okay.
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COMMITTEE ON GENERAL WELFARE

DEPUTY COMMISSIONER DRINKWATER: If this is-- I'm referring to the HRA domestic violence shelter system, not DHS.

COUNCIL MEMBER DIAZ: Okay, thank you.

DEPUTY COMMISSIONER DRINKWATER: DHS doesn't administer the DV system.

COUNCIL MEMBER DIAZ: I understand. Thank you. Now, you mentioned that there would be perhaps a federal compliance issue.

DEPUTY COMMISSIONER DRINKWATER: Correct. So there is very strict requirements under federal guidelines as it relates to information that can be shared from survivors who are receiving services. And so in terms of the reporting requirement that's reported in the bill, it's one additional layer that we would need to take into consideration as we're exploring the bill.

COUNCIL MEMBER DIAZ: Great. I did some research over the weekend and it seems that Texas, in Dallas, they were able to figure out a way to work with men. It seems to be the first state that has addressed the issue for domestic violence and men in particular. So I'd like to work on that so we can figure out how to do that. And then you mentioned

1 about the safe zones. I see no difference than we
2 place the family or an individual's when it comes to
3 safe zones. And if it means we have to have more
4 than one shelter-- we have five boroughs. I'm open
5 to having more than one shelter, specifically to work
6 with individuals identifying as men.
7

8 DEPUTY COMMISSIONER DRINKWATER:

9 Understood. Thank you.

10 COUNCIL MEMBER DIAZ: Thank you. That

11 was all my questions.

12 DEPUTY COMMISSIONER DRINKWATER: Thank

13 you Council Member.

14 COUNCIL MEMBER DIAZ: You're welcome.

15 COMMITTEE COUNSEL: Thank you, Council

16 Member Diaz. We are now going to turn back over to

17 our public testimony. We're going to call on Anna

18 Blondell and Anna will be followed by Julia Davis.

19 Over to Anna.

20 SERGEANT AT ARMS: Your time will begin.

21 ANNA BLONDELL: Thank you, Chair Levin

22 and City Council. My name is Anna Blondell. I am a

23 Staff Attorney with the Legal Aid Society Juvenile

24 Rights Practice. Our office represents children at

25 the center of child welfare matters in Family Court

1
2 and many are children placed in foster care and held
3 in temporary placement facilities. Legal Aid has
4 submitted joint testimony with the Coalition for the
5 homeless on the shelter-related bills before the
6 council and seeded our testimony time to the young
7 people with lived experience who have testified so
8 powerfully in support of the CityFHEPS bill before
9 you today. But I want to speak to you regarding two
10 bills, Intro 2419 and 2420 and to demonstrate why
11 they would create transparency and improve the
12 experience of children in foster care. On Intro
13 2420: As ACS just testified, ACS is already
14 obligated by law, regulations, ACS policy to notify a
15 child's attorney before the child is moved through
16 the foster care system, but attorneys for children
17 almost always receive notice after ACS has already
18 removed the child. For instance, ACS giving notice
19 at a court hearing or in a court report is too late.
20 The child has already been moved. I'll give you just
21 one example of how this hurts children in care. We
22 represent five-year-old boy who has been thriving in
23 a foster home for a year. This fall, his foster
24 mother needed to enroll him in school so that she
25 could go back to work. She wanted to continue to care

1
2 for this boy, but no one at the agency was helping to
3 enroll him in school, and so with her back against
4 the wall, she put in her notice asking for him to be
5 removed. Our staff was not notified by ACS, but
6 luckily we found through the attorney for the parent,
7 and we moved rapidly to intervene. We helped enroll
8 the child in school quickly, preserved the placement,
9 and this five-year-old boy did not need to be moved
10 through the system, and that is it. It sounds
11 incredibly simple, but it was deeply significant for
12 this five-year-old child. Advance notice, as already
13 required, allows us to do our job, assist our clients
14 and avoid needless disruptions. Without timely notice
15 countless children have been denied needed advocacy.
16 This happens daily and children are unnecessarily
17 traumatized. Data on the length of placement at the
18 Children's Center and other temporary placement
19 facilities, Intro 2419, is equally critical, as there
20 are too many kids held for too long without adequate
21 care. ACS testified before City Council this June
22 that at least 153 children have been held at the
23 Children's Center for over 20 days, and while the
24 Children's Center census did plummet at the beginning
25 of the pandemic, they're back to pre-pandemic levels.

1
2 In August there was an average of 83 children at the
3 Children's Center per day. There were 78 children at
4 the Children's Center this Saturday. We have clients
5 right now, some as young as four years old, who have
6 been in the Children's Center for months, certainly
7 over 60 days and who have had multiple quarantines
8 after exposure to COVID. There is no excuse for this
9 excessive reliance on temporary placement facilities.
10 The proposed bill would mandate comprehensive
11 reporting, providing the City Council--

12 SERGEANT AT ARMS: Time has expired.

13 ANNA BLONDELL: I have just a few more--

14 CHAIRPERSON LEVIN: [interposing] You can
15 go ahead and finish.

16 ANNA BLONDELL: Thank you, Chair.

17 CHAIRPERSON LEVIN: [inaudible]

18 ANNA BLONDELL: The proposed bill would
19 mandate comprehensive reporting, providing City
20 Council and other stakeholders with the data
21 necessary to ensure that children aren't languishing
22 at temporary placement facilities instead of homes
23 where they belong. We ask you to review our written
24 testimony and are happy to address any questions.

25

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2 COMMITTEE COUNSEL: Thank you very much,
3 Anna, for your testimony. We will now turn to Julia
4 Davis.

5 JULIA DAVIS: Good after--

6 SERGEANT AT ARMS: [interposing] Your time
7 will begin.

8 JULIA DAVIS: Good afternoon Chair Levin
9 and members who are joining us today. Thank you for
10 holding this hearing. Thank you for revisiting all
11 this much-needed legislation. I'm Julia Davis. I'm
12 the Director of Youth Justice and Child Welfare at
13 the Children's Defense Fund New York. We advocate
14 for young people across the state and in the city and
15 detention is a special issue for us, in part because
16 our Freedom Schools operate in juvenile detention in
17 New York City. We support 2419 which is the bill
18 that our colleagues from Legal Aid just discussed
19 with regard to information about children who are
20 staying at the Children's Center, and we stand with
21 the Coalition for Homeless Youth and Legal Aid on
22 2405. I want to focus for a moment on the bill that
23 we haven't spent a lot of time on today, which is
24 1304 which allows City Council Members and the Public
25 Advocate to visit youth detention centers in the

1 city, and I focus on this today just so that we
2 remember what's going on in detention. During the
3 spring we saw an enormous-- spring of 2020, we saw an
4 enormous decrease in the number of kids in detention.
5 That is not the case today. We've seen a 25 percent
6 increase in the number of kids in secure detention in
7 the City, and that is in part due to the slow-downs
8 in the courts. I raised this with you because it is
9 so important for you all to be in the facilities.
10 It's an important component of oversight. This is an
11 important constituency, as well. Young people are
12 spending much longer in detention. What was a year
13 ago, an average of about two months, is now close to
14 three months. This really changes the dynamic of
15 what young people need, not only those who are
16 detained, but also their families. So, as City
17 Council moves forward with this bill and others, I
18 urge you to use this as an opportunity to visit with
19 young people, their siblings, their parents, their
20 families, and center these young people in particular
21 in the responses that the city creates for COVID
22 recovery. Young people in detention need to be the
23 center of all of your work. This bill is one
24 opportunity to make that connection to be in these
25

1 spaces with young people and to know more about what
2 they need to thrive and to move forward. so I want
3 to thank you all today and remind you that detention
4 is not only an issue for young people, it's an issue
5 of freedom, and it is also a critical issue related
6 to racial disparity. Ninety-four percent of young
7 people in detention in the city today are black and
8 Latinx. This is a crucial group of young people that
9 need to hear you and see you and need to have you in
10 the buildings. Thank you very much for the
11 opportunity to testify today.

12 CHAIRPERSON LEVIN: Thank you, Julia.

13 COMMITTEE COUNSEL: Thank you so much to
14 this entire panel for your testimony. I am now going
15 to call up our next panel. Our next panel will be in
16 the following order: John Sentigar, Nadia Swanson,
17 and Deborah Berkman, and we are going to begin with
18 John Sentigar.

19 JOHN SENTIGAR: Thank you. Good
20 afternoon. My name is John Sentigar, and I am a
21 member of the Advocacy Team at Covenant House New
22 York where we serve youth experiencing homelessness
23 ages 16 to 24 years old. I'd like to thank the
24 Committee on General Welfare and Chairperson Steven
25

1 Levin for the opportunity to submit testimony today.
2 I am limiting my testimony to Intro. 2405. You heard
3 earlier from Jamie Powlovich about the city's
4 repeated promises to reform homeless services to
5 accommodate youth getting access to vouchers, but
6 this has still not happened. Time and time again our
7 dedicated and experienced aftercare housing managers
8 struggle to find housing options for young people who
9 are about to leave our transitional housing programs,
10 even when the client has met all of their individual
11 and program goals. This creates a bottleneck in our
12 programs, as a young person in our shelter won't be
13 able to move into a TIL until there's a bed
14 available. But we won't release that bed until we
15 can be sure that the young person exiting our TIL has
16 an appropriate place to stay. This needs to change
17 and this is why Covenant House New York is in full
18 support of Intro. 2405. While the pilot program
19 initiated the summer that provides 50 CityFHEPS
20 housing vouchers to youth is a good start, it's
21 nowhere near enough. Covenant House New York will
22 ideally be provided 10 of those vouchers for youth in
23 our programs, but as of today, or this week when I
24 checked, we've already had 43 youth sign up for this
25

1 assistance. So this means we'll have to turn many of
2 them away and determine another plan for them. In
3 Fiscal Year 2020, only 29 of the 2,791 young people
4 discharged from a DYCD shelter moved in to
5 unsubsidized housing. Many had no other option but
6 to become homeless. The city needs to provide more
7 funding to help administer these programs, and while
8 we are grateful that these 50 vouchers made
9 available, it amounts also to a lot of additional
10 staff time without additional funding. Ultimately,
11 youth experiencing homelessness in New York City need
12 much more than 50 vouchers from the city. Meaningful
13 change needs to take place. Time spent in a youth
14 shelter must be counted towards time spent as
15 homeless by the DSS. Youth homelessness is an
16 epidemic and it is at crisis levels in New York City
17 and across the country. Young people definitely need
18 access to affordable and sustainable housing, and the
19 numbers clearly affect this. Counting their time
20 spent in a youth shelter towards eligibility for
21 CityFHEPS will be an essential tool in making that
22 happen. It does not make sense that because a young
23 person is accessing services through a different city
24 agency, one that specializes in developmentally

1 appropriate services they should be denied a major
2 pathway to achieving housing stability. I'd like to
3 thank you for the opportunity to testify today. We
4 know the city has difficult decisions to make, but
5 young people experiencing homelessness are already
6 marginalized and the current economic realities make
7 it even harder for them to break free from poverty.
8 Passing Intro. 2405 will go a long way towards
9 ensuring homeless youth in New York City are better
10 able to obtain independent and permanent housing.
11 This change to benefit young New Yorkers facing
12 homelessness will ensure positive outcomes and
13 promote positive systemic change in the face of a
14 continuing homeless crisis. Thank you.

16 CHAIRPERSON LEVIN: Thanks so much.

17 COMMITTEE COUNSEL: Thank you, John, for
18 your testimony. Going to turn now to Nadia Swanson
19 who will be followed by Deborah Berkman. Over to
20 Nadia.

21 NADIA SWANSON: Good morning. My name is
22 Nadia Swanson and I'm the National Technical
23 Assistance and Advocacy Consultant at the Ali Forney
24 Center. Thank you to the Committee and Chair Levin
25 for this hearing and for this committee's ongoing

1 support of youth experiencing homelessness in New
2 York City. The Ali Forney Center and myself are in
3 full support of Intro. 2405, a bill which will
4 provide runaway and homeless youth in DYCD shelters
5 access to FHEPS. As a member of Coalition for
6 Homeless Youth, we support their testimony as well.
7 I specifically want to thank the youth who spoke
8 earlier. The Ali Forney Center is the nation's
9 largest and most comprehensive service for LGBTQ
10 youth experiencing homelessness. We believe that
11 housing is a human right and that youth should never
12 need to experience homelessness, let alone have increased
13 barriers to accessing permanent housing. We know
14 that youth, especially LGBTQ+ young people experience
15 immense amounts of trauma when needed to access DHS
16 shelters. I know the longer you stay in the shelter
17 system, it greatly increases the risk of
18 decompensation [sic] which makes them less likely to
19 be able to thrive independently. We need to be
20 giving youth permanent housing as quickly as possible
21 after accessing homeless services. Young people's
22 experiences in DHS are so damaging that AFC [sic]
23 youth do not even consider going to DHS in order
24 to get a voucher, creating a several year-long delay
25

1
2 to accessing permanent housing. At AFC we serve over
3 2,000 youth a year, and in the last 10 years of our
4 agency, we only know of a few young people that were
5 successful in obtaining a voucher through DHS. In
6 2017, Mayor de Blasio promised youth access to
7 vouchers, and we're still waiting. There's no reason
8 why time in DYCD shelter should not count as time
9 spent in a shelter for a voucher, but it does for
10 supportive housing. Not all youth qualify for
11 supportive housing and deserve support to stability.
12 As a city we need to be doing everything in our power
13 to reduce the amount of trauma and violence that face
14 LGBTQ youth and denying them access to CityFHEPS
15 vouchers for their time spent on the street or in
16 DYCD shelter with a direct link to the violence they
17 ultimately face. By passing this Intro 2405 you'll
18 be giving all youth the ability to thrive
19 independently, prevent and heal from trauma, and
20 reach their individual goals beyond survival. Thank
21 you.

22 COMMITTEE COUNSEL: Thank you very much,
23 Nadia. We will turn now to Deborah Berkman for
24 testimony.

25 DEBORAH BERKMAN: Thank you.

SERGEANT AT ARMS: Your time will begin.

DEBORAH BERKMAN: Chair Levin, Council Members and staff, good morning. Thank you for the opportunity to speak to the Committee on General Welfare. My name is Deborah Berkman, and I'm the Coordinating Attorney of the Shelter Advocacy Initiative at the New York Legal Assistance Group or at NYLAG. The Shelter Advocacy Initiative provides legal services and advocacy to low-income people in and trying to access the shelter system. Based on my experience working with families and young people experiencing homelessness, I appreciate this opportunity to testify about the dramatically positive impact Intros Number 1829 and 2405 would have on my client's lives. I'll start with Intro 1829. Since the COVID crisis began, DHS has been temporarily allowing families with children to apply for shelter at PATH without the children being present, but as you know, has indicated that this may not be a permanent change. Prior to COVID-19, families with children applying for shelter would spend 10 to 20 hours in PATH every time they applied. Having a policy that mandates children spend 10-20 hours in an office necessarily precludes them from

1 regularly attending school, and it's been well-
2 established that students experiencing homeless test
3 well behind our housed peers. Forcing these children
4 to be present at PATH [inaudible] disparity, and
5 we're not talking about one missed day of school.
6 Many of my clients are deemed ineligible for shelter
7 based on administrative issues with their
8 applications and they have to apply again and again.
9 prior to COVID, reapplying would entail restarting
10 the process from the beginning having the entire
11 family including the children go back to PATH and
12 spend another 10-20 hours completing a new
13 application for shelter, typically identical to the
14 prior application, and then waiting on-site for a new
15 temporary shelter placement. So, some of my client's
16 children would miss a day of school every 10 days and
17 that would force them to fall further and further
18 behind housed children. This is unacceptable
19 hardship for children how are experiencing
20 homelessness, and missing school is only part of the
21 problem with having children be present at PATH.
22 Many of my clients reported that while waiting at
23 PATH Families were provided very little if any food,
24 and that there are no outlets to charge their phones
25

1 or other devices so their children could be kept busy
2 while they waited. They were also warned not to
3 leave, less they would lose their places in line, and
4 none of these factors create an appropriate
5 environment for children. Additionally, applicants
6 for family shelter have to provide extremely detailed
7 accounts of why they can't currently stay at any of
8 the places they've lived for the last two years. And
9 [inaudible] sensitive topic such as domestic violence
10 or domestic abuse. Most of my clients don't want
11 their children to have to hear about these disturbing
12 and painful personal experiences, and they shouldn't
13 have to. And I just want to take a moment to address
14 whatever the Commissioner Drinkwater said about
15 having to make sure that there being instances where
16 PATH staff has to make sure that the parent is in the
17 custody. If the policy has been in place for 18
18 months and that hasn't been the case, why would that
19 be the case in the future? Moreover if the child is
20 not actually in the custody of the applying parent,
21 it will become immediately obvious once a family
22 shelter placement is made because that child won't
23 show up at the placement. So it just doesn't make
24 sense what-- that reason. I also want to support
25

1 Intro. 2405. It's an extremely necessary step that
2 NYLAG strongly supports, preventing young people from
3 --
4

5 SERGEANT AT ARMS: [interposing] Time
6 expired.

7 DEBORAH BERKMAN: I'm sorry, can I just--

8 CHAIRPERSON LEVIN: [interposing] You can
9 go ahead and finish, yeah, of course. Thank you.

10 DEBORAH BERKMAN: Thank you so much.

11 Preventing these young people from obtaining vouchers
12 just increases the amount of time that they have to
13 experience homelessness and it lengthens their
14 shelter status. In a policy that prevents young
15 people from achieving housing stability while
16 allowing older adults to do so can only be considered
17 arbitrary and it disadvantages those who need those
18 protections most. And it also-- requiring young
19 people to transfer into single adult shelter which
20 has a higher risk of violence just to have the chance
21 of permanent housing adds additional trauma to their
22 already difficult lives. So, NYLAG whole-heartedly
23 endorses Intro. 2405. Thank you.

24 COMMITTEE COUNSEL: Thank you very much
25 Deborah, and thank you for this entire panel for your

1 testimony. I'm now going to call up our next panel.
2 Our next panel will be in the following order, Jimmy
3 Meagher and Josepha Silva [sp?], and we are going to
4 begin with Jimmy. Oh, I see that Council Member Diaz
5 has her hand raised. Over to Council Member Diaz.
6

7 COUNCIL MEMBER DIAZ: Thank you again for
8 the opportunity. My question is to Ms. Nadia Swanson.
9 Hi, it's in reference to the 2010 E application. You
10 mentioned that not all within your population
11 qualify. Can you give me an example as to why-- what
12 category they're not meeting?

13 NADIA SWANSON: Yeah, so normally it
14 would be having to have serious persistent mental
15 health diagnosis, HIV, other serious chronic medical
16 condition. And so usually we can do PTSD or
17 something like that, but it's not always accepted.
18 So, someone who doesn't have a serious persistent
19 mental health diagnosis might not qualify for the
20 supportive housing.

21 COUNCIL MEMBER DIAZ: My understanding is
22 that if we could prove that they were displaced
23 within the last five years, no high school diploma,
24 mental illness, displacement-- that falls down under
25 mental illness. I'm just really curious as to why

1
2 you're applications are being denied after me knowing
3 so many applications that go through.

4 NADIA SWANSON: Yeah, it's a great
5 question. I'm not sure--

6 COUNCIL MEMBER DIAZ: [interposing] Yeah,
7 yeah.

8 NADIA SWANSON: [inaudible] like, but it's
9 not happening. Yeah.

10 COUNCIL MEMBER DIAZ: We have to look at
11 the psycho/socials.

12 NADIA SWANSON: Yeah.

13 COUNCIL MEMBER DIAZ: That are being
14 submitted. Feel free to give me a call after this
15 today. Maybe I'd like to have more conversation with
16 you with your process, because your population to me
17 meets that category, generally.

18 NADIA SWANSON: I want to clarify. Many
19 do, right? Like we get a lot of people that qualify
20 for supportive housing, but there's some that just
21 fall through that crack, right, who might not have a
22 strong enough history. Maybe they haven't been with
23 us for, you know, too long, or--

24 COUNCIL MEMBER DIAZ: [interposing] But
25 for a year, okay.

1
2 NADIA SWANSON: They've hit a year but
3 they want a stronger diagnosis. There's just like
4 other factors that they keep-- they'll shoot back,
5 but we do get a lot of people placed in supportive
6 housing.

7 COMMITTEE COUNSEL: Thank you, Council
8 Member Diaz, and thank you Nadia for responding to
9 Council Member Diaz's questions. I'm now going to
10 call up Jimmy Meahger.

11 SERGEANT AT ARMS: Time starts now.

12 JIMMY MEAGHER: Good afternoon and thank
13 you for the opportunity to testify today. My name is
14 Jimmy Meagher. My pronouns are he/him/his, and I'm
15 policy Director at Safe Horizon, the nation's largest
16 nonprofit victim services organization. Safe Horizon
17 offers a client-centered trauma-informed response to
18 250,000 New Yorkers each year who have experienced
19 violence or abuse, and we are increasingly using a
20 lens of racial equity to guide our work with clients,
21 with each other, and in developing the public
22 positions we hold. Safe Horizon has programs across
23 New York City's five boroughs where we provide
24 critical support and services to victims and
25 survivors of all forms of violence and abuse. Across

1
2 all of our programs, whether they serve survivors of
3 domestic violence, family violence, trafficking,
4 etcetera, one of the top needs for our clients has
5 always been and continues to be housing. I'm here
6 today to enthusiastically endorse two critical pieces
7 of legislation, Intro. 2405 which will provide RHY in
8 the DYCD shelter system access to CityFHEPS rental
9 assistance program and Intro. 1829 which would
10 preclude DHS from requiring that every member of a
11 family be present at its intake center when that
12 family seeks placement at a shelter. Both bills
13 right unjust policies that have harmed the young
14 people we serve and show care and understanding to
15 the most vulnerable members of the communities. So,
16 first, Intro. 2405. Our Street Work Project works
17 with homeless and street-involved young people up to
18 age 25 to help them find safety and stability. Many
19 homeless young people face a day to day struggle to
20 survive which can lead to physical and emotional
21 harm. Homeless youth may have experienced family
22 abuse, violence, rejection, and instability that led
23 to their homelessness. We welcome these young
24 folks, help them navigate complex systems, and
25 provide essential resources at our drop-in centers,

1 at our overnight shelter, and through our street
2 outreach teams. This work can be incredibly
3 challenging, but also rewarding. Street Work did not
4 pause during this pandemic, rather, our dedicated
5 team continued to respond to homeless and at-risk
6 young people in need of shelter, services, and
7 understanding. Street Work has been doing this
8 community-based work for decades. We know that young
9 people experiencing homelessness need and deserve
10 housing and economic justice, that is why we support
11 Intro. 2405. We support policies that will make
12 permanent, safe, and affordable housing accessible to
13 young people experiencing homelessness and unstable
14 housing. For years we and our community of service
15 providers have encouraged the City to count time in
16 youth shelters as homeless time for the purpose of
17 eligibility for housing resources and vouchers.
18 We've been advocating that our clients have equal
19 access to the same housing resources as other
20 homeless New Yorkers. This bill is critical,
21 necessary, and the right step for its connecting RHY
22 to stable housing. And for Intro 1829, our programs
23 offer information, referrals, and advocacy for
24 shelter and permanent housing. Our clients tell us
25

1 all the time how difficult and challenging the intake
2 process for shelter is. Entering shelter can be
3 extremely disruptive, and we join advocates and
4 unhoused New Yorkers in demanding that we make this
5 process as trauma-informed, simple, safe, and--

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7 SERGEANT AT ARMS: [interposing] Time
8 expired.

9 JIMMY MEAGHER: I just have one-- two
10 more sentences.

11 CHAIRPERSON LEVIN: Please go ahead and
12 finish.

13 JIMMY MEAGHER: Thank you. We demand
14 that we make this process as trauma-informed, simple,
15 safe, and undisruptive as possible. Ordinarily, DHS
16 requires that children under the age of 21 be present
17 with their adult family members at the facility that
18 processes shelter applications. This bill would
19 allow these families to complete the application
20 process without disrupting children's schooling or
21 other daily activities. The City currently exempts
22 children from PATH due to the pandemic. This bill is
23 an opportunity to make permanent this temporary
24 change so that families have flexibility and children
25 no longer have to experience the stress and trauma of

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2 going to PATH. Pass this bill. Thank you for the
3 opportunity to testify today.

4 CHAIRPERSON LEVIN: Thank you, Jimmy.

5 COMMITTEE COUNSEL: Thank you very much
6 Jimmy. And I apologize for getting your last name
7 wrong. I think it's the second time that I've done
8 that. I am now going to turn it over to the Josefa
9 Silva.

10 SERGEANT AT ARMS: Time starts now.

11 JOSEFA SILVA: Thank you. Good
12 afternoon. Thank you for the opportunity today to
13 speak in support of Intro. 1829, which would preclude
14 DHS from requiring parents to bring their minor
15 children to the intake center known as PATH who may
16 apply. As we've heard, this bill will make permanent
17 DHS' current exemption of children from the center.
18 My name is Josefa Silva, and I'm the Director of
19 Policy and Advocacy at WIN, New York City's largest
20 provider of shelter and supportive housing for
21 families with children. I'm testifying today because
22 of the heart-wrenching accounts that we hear from
23 families at WIN about their experiences [inaudible]
24 intake center. We'd like to thank Council Member
25 Ayala for listening to families who have experienced

1
2 homelessness and for responding with action and
3 intention to alleviate some of the hardship [sic]
4 they face. I'm going to begin by saying something
5 that we already know, but that is important context
6 for families experiences PATH. In order to access
7 shelter, families have to apply to DHS, and they have
8 to prove that they have nowhere else to stay. For
9 families with minor children, that very intrusive and
10 very high stakes process of applying begins by going
11 to PATH, located in the Bronx. Families have
12 described going through PATH as grueling and harsh at
13 best, and most often described it as being punitive
14 and re-traumatizing. Before COVID-19, DHS required
15 parents to bring their children when they applied for
16 the first time. As we understand it and heard today,
17 this requirement was in place to allow DHS to certify
18 the family composition and to assess children for
19 unmet needs. We don't believe that these reasons
20 justify requiring children to be present at PATH.
21 Both of these things have always been done when a
22 family arrives at shelter, and in 2021 these reasons
23 are even less justified. As we know, DHS is moving
24 to conducting assessments remotely and the needs of
25 children and families have been met effectively and

1 safely since then. The truth is that the needs of
2 children are best met [inaudible] being a child
3 [inaudible] similar environments, not at PATH. And
4 after eh academic and social distancing that children
5 have gone through, we cannot revert to pre-pandemic
6 practices that disrupted relationships and routines,
7 and that forced children to miss school. The current
8 exemption of children from [inaudible]. The
9 Administration has not indicated any intention of
10 returning to pre-pandemic practices, but they have
11 not agreed to make them permanent either. That's why
12 we ask you to support Intro. 1829 and allow it to
13 pass. This would make the current practice permanent
14 and will protect children who experience homelessness
15 in the future from a harmful and archaic
16 administrative requirement. I'd also like to add that
17 [inaudible] supports Intro. 2405 so you can access
18 CityFHEPS without entering DHS shelter. We'd like to
19 thank Chair Levin for his leadership in ensuring with
20 the understanding that we all had years ago with
21 regard to fair, streamlined access to CityFHEPS is
22 actually important [sic]. Thank you very much.

24 CHAIRPERSON LEVIN: Thank you, Josefa,
25 thank you.

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2 COMMITTEE COUNSEL: Thank you, Josefa,
3 for your testimony. And thank you, Chair Levin. At
4 this point we have now heard from everyone who signed
5 up to testify today. We appreciate all of your time
6 and presence. If we inadvertently missed anyone who
7 would like to testify, please use the Zoom raise hand
8 function now and I will call on you in the order in
9 which your hands are raised. Seeing no one else, I
10 would like to note that written testimony which will
11 be reviewed in full by committee staff may be
12 submitted to the record up to 72 hours after the
13 close of this hearing by emailing it to
14 testimony@council.nyc.gov. Chair Levin, we have
15 concluded public testimony for this hearing.

16 CHAIRPERSON LEVIN: Thank you so much,
17 Counsel Killawan, to all the staff in the hearing
18 today, committee staff, our Sergeant at Arms, and my
19 colleagues, Council Member Diaz, thank you. And to
20 my other colleagues that had legislation, Council
21 Member Ayala, in this package today, and we hope that
22 we can get these bills passed into law. we have--
23 you know, we have a short time frame to do it, but
24 this is important, and I think the testimony from the
25 young people who have had lived experience, from

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Jamie and John detailing clear data, exactly what
the-- what happens to young people when they age out
of the DYCD systems. It's really incumbent upon us
to do something here and just to pass this
legislation. So, I want to thank you all, and I look
forward to working with you, and let's get this done.
With that, this hearing is adjourned.

[gavel]

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COMMITTEE ON GENERAL WELFARE

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date November 10, 2021