



David A. Hansell, Commissioner

Testimony to the New York City Council

Committees on:

Finance, General Welfare, and Juvenile Justice

May 22, 2019

"New York City Council Fiscal Year 2020 Executive Budget Hearing"

Good afternoon Chairs Dromm, Levin, and King, and members of the Committees on Finance, General Welfare, and Juvenile Justice. I am David Hansell, the Commissioner of the New York City Administration for Children's Services (ACS). With me are Felipe Franco, Deputy Commissioner, Division of Youth and Family Justice; Julie Farber, Deputy Commissioner, Family Permanency Services; and Elizabeth Wolkomir, Assistant Commissioner, Finance.

Since becoming the ACS Commissioner, just over two years ago, my focus has been on strengthening the work we do to protect children and support families. Using data, evidence-based and best practices, and technology, we have made these systems stronger and made many strides in the right direction. To build on these accomplishments, I know that we must continue to invest in the work we are doing to help the most vulnerable children, youth and families in New York City.

Child Welfare

Safety is our top priority at ACS, and we have strengthened all aspects of our child welfare work and enhanced our ability to keep children safe and support their families. We have reduced child protective caseloads, enhanced efficiency and effectiveness by providing new technological tools, strengthened our oversight and quality assurance processes, and enhanced training and professional development for staff.

This past year, nearly 20,000 families including more than 44,000 children received prevention services, while today there are approximately 8,300 children in

foster care. Comparing the most recent calendar year 2018 to 2017, ACS has seen child abuse and neglect reports, court filings, court-ordered supervision cases, and placements into foster care all decrease significantly.

ACS's continuum of prevention services has earned us a reputation as a national leader. This past October, ACS began rolling out new enhanced prevention services to support families receiving Court Ordered Supervision or at immediate risk of court involvement, diverting hundreds of families from court intervention. Just last month, ACS began to roll out "A Safe Way Forward," a new prevention demonstration project working with families experiencing domestic violence. This new program is the first of its kind in the country, as it will provide both prevention and clinical services to all members of families experiencing domestic violence, including the survivors, children and the person causing harm.

This summer, we will be issuing a new RFP for prevention services, which will build on our current system by focusing more heavily on evidence-based models and better allocating service models across the City in a way that expands access for families.

ACS is continuing to partner with our providers to ensure they have the resources they need to provide high-quality services to the children and families they serve. We engaged in a collaborative and fruitful process to address the staffing, training and programmatic needs of our prevention providers through the model budget process last year. More recently, we have taken steps to strengthen our homemaking program, which provides over one million hours of training and support to parents in

their home. To ensure adequate resources for these programs, ACS is processing contract amendments that will allow us to pay homemaking providers based on an approved line item budget for all allowable expenses, which will ensure that our providers receive more predictable cash flow to meet their expenses.

When our assessment of imminent risk of serious harm leads to a child's placement in foster care, ensuring the safety of that child is critical-- beginning day one. We have strenuous safety procedures in place to keep children safe in foster care and as they transition back to their families, and we are continuing to strengthen them. Because research shows that children in foster care have better outcomes if they are placed with relatives or other people they know, we have increased kinship placements from 31% of children in care at the end of FY 2017, to 38.5% in December 2018, and we are working to continue that progress.

To support these efforts, we are excited that the Mayor and the City Council recently came to an agreement that will provide ACS with \$7.8 million in FY20 to implement three recommendations from the Foster Care Task Force: \$3.3 million to increase kinship placements; \$2.8 million to improve family visiting for children in foster care; and \$1.7 million to support foster care agencies in preparing youth for the workforce. Chair Levin, I want to express my appreciation to you and Speaker Johnson for your relentless advocacy on this issue, and on behalf of youth in our foster care system generally. As we work to implement these recommendations, we also look forward to continued discussions with the City Council, the providers and the advocates about the Fair Futures proposal, which would provide educational supports to middle

school students in foster care and coaching for older youth in care and until they turn 26.

Providing high-quality care to children coming into foster care includes ensuring that children and youth are safe and well-cared for at the Children's Center and that their stay is as short as possible.

ACS recently conducted a thorough review of the needs of the children, as well as the operations at the Children's Center. We conducted an intensive case review of every child with special needs, and ensured that these children and youth were safe and healthy, and that their needs were being met. We hired a new Assistant Commissioner for Residential Care with extensive experience, and we are applying Deputy Commissioner Winette Saunders' expertise in youth programming, safety and security. We retained a consultant, Laura Velez, who brings extensive expertise as the former Deputy Commissioner for Child Welfare for the State.

The Children's Center provides a wide range of educational, recreational and socialemotional programs and we've added many new programs in the past two months,
including the Lower East Side Girls Club and the National Arts Club. Youth at the
Children's Center have applied for DYCD's Summer Youth Employment Program
(SYEP) and the upcoming New York City Council Foster Youth Shadow Day.

Because we believe that a therapeutic environment must be safe for young people and staff alike, we have enhanced security through an increase in the number of peace officers on-site who are trained in de-escalation techniques, additional security

cameras, as well as enhanced collaboration with the NYPD where appropriate to ensure safety in the external environment.

We remain focused on efforts to help older youth, in particular, move to other settings as quickly as possible. To do this, we added case planners to the Children's Center to focus on finding kin or other foster care placements, and we are doing proactive home finding for youth in detention who are likely to be discharged to the Children's Center. We are increasing the foster care system's ability to meet the needs of youth with complex challenges by creating 144 new therapeutic family foster care slots, adding more residential care capacity and collaborating with the Department of Health and Mental Hygiene (DOHMH) on interventions for high-needs youth.

Juvenile Justice

Since October 2018, ACS has been implementing the first phase of New York's historic Raise the Age legislation: all newly arrested 16-year-olds are now treated as juveniles, having their cases heard either in the Family Court or the Youth Part of Criminal Court, and if they are detained it is either in Crossroads Juvenile Detention Center or in one of our non-secure detention facilities. There are no longer any 16- or 17-year-olds on Riker's Island. And by October 2019, New York State will have fully raised the age, with 17-year-olds also being treated as juveniles in the justice system.

ACS has completed extensive renovations to our detention facilities and infused a therapeutic milieu, while adding extensive programming, educational and vocational options, into our detention and placement programs.

ACS's next step is to begin transitioning Youth Development Specialists (YDS) into Horizon. As required by the law, ACS and the Department of Correction are collaboratively operating the Horizon Juvenile Detention Center. ACS has hired over 425 YDS to date, on track to meet our goal of hiring approximately 700 YDS. ACS is set to assume full operational control of Horizon by January 2020. We began by bringing YDS to Horizon in April to observe operations, and then we will move to assume responsibility for security in planful stages so that the transition is seamless and orderly.

We have also been working with our Close to Home system providers to ensure they have the capacity and service array to implement Raise the Age. ACS has been working closely with MOCJ on projections of Close to Home capacity needs to accommodate the 16- and 17-year-olds who will be placed into Close to Home.

Child and Family Well-Being

ACS is committed to focusing on equity, helping strengthen communities and preventing families from becoming involved in the child welfare system. We do this through community and family engagement, public awareness campaigns, and subsidized early childhood education, as well as the promotion of equity strategies across ACS' work. Our Family Enrichment Centers, Community Partnership Programs and Child Safety Campaigns will continue to provide a two-generational, community-based approach to address trauma and meet the individual needs of communities.

New York City has made major investments in high-quality early care and education programs over the last decade. EarlyLearn is due to transfer to the NYC

Department of Education's (DOE) Division of Early Childhood Education this summer.

ACS will continue to administer the City's child care voucher system, making child care available to the most vulnerable families in New York City.

Budget Overview

ACS's proposed FY 2020 Executive Budget plan provides for expenses of \$2.66 billion, of which \$878 million is city tax levy. As with all City agencies, ACS received a PEG target-- ours was \$68 million over two years. ACS has met this target in the Executive Budget with reductions of \$42 million in FY19 and \$26 million in FY20. These reductions were almost entirely met through increasing revenue, including federal Title IV-E funds and decreasing costs associated with placing fewer young people in upstate OCFS facilities. This budget does include a \$2 million city tax levy reduction in funding for administrative expenses such as supplies, consultants, training and travel. ACS is working with OMB to implement this reduction across divisions.

I can report that through our work with OMB, we were able to identify savings that will not reduce any essential services or the number of critical frontline staff.

State and Federal Budget Concerns

While ACS has been able to find efficiencies without impacting programs, services or frontline staff, we remain concerned that historical state budget cuts and looming federal reductions threaten to undermine our efforts and successes to date.

While the State pulled back on its plan to eliminate all of the state's support for ACS's PINS diversion programs, the State's FY20 budget maintained the \$62 million cut to NYC's foster care funding, as well as the lowered reimbursement rate for child welfare services, which costs NYC about \$20 million each year. Furthermore, the State eliminated all support for the Close to Home program and required that counties remain under the 2% property tax cap to receive Raise the Age funding, which leaves NYC out.

This month, the state released preliminary new child care Market Rates, which increase the rates for child care. While the state budget included \$26 million for counties outside NYC to implement the new rate, NYC is not receiving any additional state funding.

At the federal level, ACS remains concerned that our Title IV-E waiver, which allows ACS to use federal IV-E resources to support an innovative, flexible funding model for family foster care, expires in September. A preliminary evaluation shows the waiver has been successful, resulting in shorter lengths of stay for children in foster care, lower foster care re-entry rates for babies, and improvements in placement stability. Despite the fact that many jurisdictions have successful waiver demonstration projects, there is currently no legislative authority to extend these waivers.

Conclusion

Thank you for the opportunity to discuss the ACS Fiscal Year 2020 Executive Budget with you today. I am committed to ensuring that our work is not hindered by

budget cuts, and that ultimately, we provide children and families with the services and support that they need. I thank the Council for your leadership and steadfast support, and I look forward to our continued partnership. I am happy to answer your questions.



Testimony Of Jordan Dressler, Civil Justice Coordinator Before the New York City Council's Committee on the Justice System HRA's Fiscal Year 2020 Executive Budget May 22, 2019

Good afternoon, Chairman Lancman. Thank you for inviting me to appear before the Committee on the Justice System today to discuss the work of the New York City Human Resources Administration's (HRA) Office of Civil Justice (OCJ). My name is Jordan Dressler and I am the Civil Justice Coordinator and in that capacity I oversee the Office of Civil Justice. I am joined by Erin Villari, Executive Deputy Commissioner for DSS's Office of Finance, and OCJ's Executive Director, Jaclyn Moore.

OCJ is part of New York City's Human Resources Administration (HRA)/Department of Social Services (DSS), the nation's largest social services agency assisting more than three million New Yorkers annually through the Administration of twelve public assistance programs. Every day, in all five boroughs, HRA provides essential programs and supports to low-income New Yorkers. We work to ensure that our services and benefits provide low-income New Yorkers the assistance they need, through a wide range of supports, including Cash Assistance and employment services, the Supplemental Nutrition Assistance Program (SNAP/food stamps), Medicaid, eviction prevention and rental assistance.

In administering these programs, HRA is at the forefront of this Administration's efforts to combat poverty and address homelessness. Providing civil legal services for New Yorkers in need, in particular legal services for tenants, is a critical element in our "prevention-first" strategy to address homelessness and promote housing and neighborhood stability for tenants. The investments we have made in these important services are already having an impact: between 2014 and 2018, over 250,000 New Yorkers received legal assistance through the City's legal services programs for tenants facing eviction, harassment and displacement. In Fiscal Year 2018 – the first full year of implementation of New York City's groundbreaking Universal Access to Counsel legislation, which made New York City the first city in the nation to commit to providing access to free legal services for every tenant facing eviction in court – over 87,000 New Yorkers in over 33,000 households received legal assistance in eviction and other housing legal matters, a 40% increase over the fiscal year before.

As access to legal assistance has increased, residential evictions by city marshals – which once numbered almost 29,000 per year – have declined by 37% since 2013. In 2018, there were roughly 18,000 residential evictions by marshals, a decline of 14% compared to the year before. In all, an estimated 100,000 New Yorkers have been able to remain in their homes due to the decline in residential evictions since 2013.

Today in my testimony I will update you on the implementation of Universal Access, as well as provide updates on other key programs overseen by OCJ. This year will mark the fourth anniversary of the establishment of the Office of Civil Justice, which was created when Mayor de Blasio and the New York City Council amended the City Charter to create OCJ as a permanent office to establish, manage, oversee and monitor the City's civil legal services programs for low-income and other vulnerable New Yorkers facing legal issues involving the basic necessities such as housing, immigration status and government benefits. In testifying today about the work at OCJ providing legal services to low-income New Yorkers, I am happy to report that New York City continues to be a national leader in providing access to justice and fighting for a fair and equitable civil legal system for all.

Civil Legal Services at OCJ

In previous testimony, I have reported to this Committee about many of the City's historic achievements expanding legal assistance for New Yorkers. In Fiscal Year 2017, for the first time, New York City's overall investment of Mayoral and Council resources in civil legal services for City residents exceeded \$100 million. Fiscal Year 2018 marked the first time that Mayoral investment in programs providing free civil legal services exceeded \$100 million, including funding for the first phase of implementation of our Universal Access initiative. And in Fiscal Year 2019, with further Administration investments in legal assistance for tenants in need, OCJ reached another historic milestone when for the first time, City funding for legal services programs for tenants alone exceeded \$100 million.

The total legal services budget at OCJ for FY20 includes funding \$159.4 million, which breaks down as follows:

- \$128.3 million for legal services programs for tenants, which includes \$82.1 million for eviction defense legal services for low-income tenants in Housing Court including further implementation of Universal Access and \$46.2 million for legal services to protect tenants and combat harassment, which includes an additional \$11 million baseline investment in expanded legal services to keep New Yorkers in their homes, which OCJ is allocating that altogether will bring the Administration's total investment in legal services for tenants to \$166 million when Universal Access is fully implemented in FY22; and
- \$31.1 million for legal assistance programs for immigrant New Yorkers, which includes \$20.1 million in Administration funding for the Immigrant Opportunities Initiative (IOI) and \$2.3 million in immigration legal programs supported by Community Service Block Grant (CSBG) and City Tax Levy (CTL) funding, as well as \$8.7 million for legal and navigation services and outreach through the ActionNYC program operated in partnership with MOIA and CUNY.

In addition to the Administration's commitment to supporting civil legal services, I want to acknowledge the ongoing commitment of the City Council to expanding access to justice by funding legal services. In FY19, HRA is overseeing over \$26 million in discretionary funding added by the City Council for legal and educational services for low-wage workers; immigration legal defense services for detained individuals, unaccompanied minors, and families with children facing deportation; assistance for survivors of domestic violence and veterans; and general support for civil legal services providers.

Legal Services for Tenants

Providing quality representation and counsel for thousands of the City's low-income tenants facing eviction and displacement is a key component of our civil legal services programs, and the cornerstone of our tenant legal services is the Universal Access anti-eviction legal services initiative. In August of 2017, the Mayor signed historic legislation passed by the City Council that created the Universal Access program and that tasked OCJ with working in partnership with legal services provider organizations to ensure that every tenant facing eviction in Housing Court and NYCHA administrative termination of tenancy hearings would have access to legal services by Fiscal Year 2022. This is a bold and unprecedented effort.

We are grateful for the support of this Council, particularly for the leadership of Chair Lancman and Councilmembers Levine and Gibson – and for the partnership and dedication of our colleagues at legal services providers across the five boroughs that enable us to help tenants in need:

- Brooklyn Defender Services
- Brooklyn Legal Services Corporation A
- CAMBA Legal Services, Inc.
- Catholic Migration Services, Inc.
- Goddard Riverside Community Center
- Housing Conservation Coordinators
- Jewish Association for Services for the Aged
- Legal Services NYC
- Lenox Hill Neighborhood House
- Make the Road New York
- Mobilization for Justice, Inc.
- Neighborhood Association for Intercultural Affairs, Inc.
- New York Legal Assistance Group, Inc.
- Northern Manhattan Improvement Corporation
- RiseBoro Community Partnership, Inc.
- The Bronx Defenders

- The Legal Aid Society
- Neighborhood Defender Services of Harlem
- Urban Justice Center

As members of this Committee know, Universal Access provides for free legal representation in eviction cases to New Yorkers with household incomes at or below 200% of the federal poverty level (roughly \$50,000 for a family of four) and brief legal assistance for those making more. We have been implementing Universal Access in phases, with FY18 marking the first phase of Universal Access implementation. At full implementation, in FY22, we estimate that 400,000 New Yorkers in 125,000 households will be served under the program annually, at a projected cost of \$166 million per year.

Last fiscal year, OCJ-funded legal organizations provided legal services to approximately 26,000 households facing eviction in Housing Court and NYCHA administrative proceedings – 69,000 New York City tenants who were able to face the threat of eviction with the protection of a legal defender by their side. When lawyers have represented tenants in court, they have been successful in preserving the homes of thousands; in Housing Court eviction cases resolved by OCJ's legal services providers, 84% of households represented in court by lawyers were able to remain in their homes, not only saving thousands of tenancies, but also promoting the preservation of affordable housing and neighborhood stability.

Legal services like these that help tenants avoid unfair eviction is a cost-effective and commonsense response to address homelessness, and it promotes a fair and equitable justice system, particularly in the City's Housing Courts where tenants facing eviction have long faced an uneven playing field where the majority of landlords are represented by legal counsel but the majority of tenants are not. But that dynamic is changing; OCJ's implementation of Universal Access is leveling that playing field for tenants in Housing Court. In the last quarter of FY18, 30% of tenants appearing in Housing Court for eviction cases were represented by attorneys in court. This is a substantial increase from the representation rate for tenants of 1% in 2013 as reported by the State Office of Court Administration. In the neighborhoods targeted to receive increased availability of legal services during the first phase of Universal Access, the results have been even more striking; looking at the first 15 ZIP codes included in Universal Access, lawyers represented 56% of tenants appearing in Housing Court in their eviction proceedings in the last quarter of FY18.

We are also seeing that increases in housing legal services are having an impact in the courts. In the Housing Court, the number of eviction cases filed continues to fall, with approximately 29,000 fewer eviction proceedings filed in 2018 than in 2013, a decline of 12%. At the same time, court statistics provided by the Housing Court reflect increased substantive litigation: the number of pretrial motions filed in 2018 was 19% higher than in 2014, while emergency orders to show cause – requests by tenants for eviction cases to be returned to the court calendar after a

judgment of eviction, to seek more time to pay outstanding rent or to raise new legal arguments newly identified – declined by 24% over the same period.

To implement the Universal Access program, OCJ has increased funding to over a dozen nonprofit legal services provider organizations. We have recently renewed our contracts with these providers to continue to provide these services citywide through Fiscal Year 2021, and these contracts include substantial increases in funding to enable additional professional hiring and program development in FY20 and beyond. At the same time, we are currently engaged in ongoing discussions with our providers about their longer-term needs for capacity growth and to maintain a high-quality level of service for an expanding group of New Yorkers, and we expect that there will be an opportunity for additional provider allocations from our baseline funding for these contracts in the coming months.

OCJ is working with legal provider partners and the New York City Housing Authority (NYCHA) to start providing on-site access for legal services for senior heads of household facing termination of their tenancies in administrative proceedings. This first phase, which will begin this summer, will serve as a model for the implementation of subsequent expansion of Universal Access in all NYCHA proceedings.

OCJ's tenant legal services initiatives also include the Anti-Harassment and Tenant Protection (AHTP) legal services program. AHTP was launched at HRA by the de Blasio Administration in 2015. AHTP funding has provided support for thousands of tenants to receive eviction defense legal services in Housing Court citywide, as well as resources for tenant-led litigation to prevent displacement. AHTP contracts for legal services for tenants were renewed for FY2019 for a three- year period through FY2021 and increased funding to provide these services in additional neighborhoods across the City. In addition, funding through the AHTP program also provides crucial support for housing and tenant legal services at the City's Family Justice Centers in accordance with the recommendations of the New York City Task Force on Domestic Violence.

We recently conducted an analysis of the AHTP program's achievements to date, and found that from October 2015 until June 2018, the AHTP program provided legal services to over 23,000 New York City households, including 60,000 New Yorkers. In about 50% of cases, households were represented in eviction proceedings in Housing Court, and in another 17% of cases, lawyers represented tenants in lawsuits in Housing Court to compel their landlords to make necessary repairs or petitioned the Court to appoint a building-wide administrator to ensure that critical repairs were made. We also found that in 84% of cases, lawyers assisted tenants living in rent regulated housing. In all, HRA's FY20 funding for civil legal services for City tenants facing eviction and displacement is approximately \$128 million, a more than twentyfold increase over the 2013 budgeted funding level for tenant legal aid.

Legal Services for Immigrant New Yorkers

OCJ also administers an array of legal services programs for immigrant New Yorkers in need of assistance. We work in close partnership with our colleagues at the Mayor's Office of Immigrant Affairs (MOIA) and with the legal services providers and community-based organizations (CBOs) to understand the legal needs experienced by immigrant New Yorkers, an immigration legal landscape that is changing rapidly, and often suddenly, in a climate in which the rights of immigrants are under constant attack by the Trump Administration.

In FY18, Administration-funded legal services programs including ActionNYC, the City's community-based immigration legal assistance program and entry point for New Yorkers seeking immigration legal services operated jointly by MOIA, HRA, and the City University of New York, the Administration's Immigrant Opportunity Initiative (IOI) program, and federal Community Services Block Grant-funded services provided legal representation, advice and assistance in approximately 18,000 cases, a substantial increase over the year before, including comprehensive legal screenings and providing legal advice; citizenship and permanent residency applications; Deferred Action for Childhood Arrivals (DACA) and Special Immigrant Juvenile Status (SIJS) applications; as well as asylum applications and removal actions. In FY18, the Administration increased its baseline funding commitment for immigration-related legal services programs to \$31 million, and with the Council's investment in legal services programs for immigrants facing removal and other legal needs, the City's total investment in legal assistance programs for immigrants stands at nearly \$50 million in FY19, up from \$2.1 million in Fiscal Year 2013.

The ActionNYC program provides free, safe and high-quality immigration legal services to immigrant New Yorkers in need, including free comprehensive legal screenings for possible forms of relief at locations across the City as well as Know Your Rights forums and other outreach efforts designed to widely disseminate accurate and reliable information about the immigration legal system, to reduce fraud, misinformation and confusion in the community. Including grants, administration and outreach, ActionNYC is funded at \$8.7 million.

At OCJ, the largest and most expansive of our immigration legal services programs is IOI. Through this program, which was first established through the award of discretionary funding by the City Council, networks of nonprofit legal providers and community-based organizations conduct outreach in immigrant communities across the city and provide legal assistance to primarily low-income immigrant New Yorkers in matters ranging from citizenship and lawful permanent residency applications, to more complex immigration matters including asylum applications and removal defense work.

Starting in Fiscal Year 2017, following an RFP and a competitive bidding process for multi-year contracts, the Administration increased our funding for immigration legal services through IOI. IOI was first funded by the Administration at \$3.2 million annually. Then, in recognition of the

need for additional quality legal representation for immigrant New Yorkers facing more complicated legal cases, through an agreement with the Council, IOI providers received supplemental Mayoral funding of \$2.7 million in FY17 to provide representation in 1,000 complex immigration cases, including asylum applications, Special Immigrant Juvenile Status (SIJS) proceedings, and U and T visa applications.

Baseline Mayoral funding for immigration legal services programs was dramatically increased for Fiscal Year 2018 and the outyears to include \$16.4 million in additional baseline funding to respond to the pressing need for representation in removal proceedings, support assistance with seeking alternate forms of immigration relief for Dreamers and other immigrant New Yorkers, as well as to meet the increasing challenges posed by a shifting landscape for federal immigration law and policy. With this investment, the Administration has been able to continue our support for legal representation in complex cases as well as increase the availability of free legal representation in removal proceedings, and we expect that this expanded support will be felt in the court and in the community as more and more immigrant New Yorkers are able to access these important services.

The flexibility of the IOI program has enabled the City to provide additional funding to a variety of legal services providers including community- and borough-based nonprofit law offices and groups. These partners specialize in providing legal services to vulnerable populations such as children and domestic violence survivors, as well as citywide legal services organizations, allowing for a rapid increase in much-needed service capacity. Particularly in light of the ever-changing federal immigration policy landscape, it is more important than ever to have a nimble structure that allows us to stand up legal services programs where they are most needed. The contracts with the IOI service provider consortia that HRA administers through OCJ allow for rapid deployment of funding, staff and resources to assist the immigrant community across the continuum of service, from brief legal counseling to full legal representation in cases like removal and asylum matters.

The IOI program's flexible funding structure is advantageous in that it allows us to respond to emerging and imminent needs in the community. For example, in FY19 through IOI, we were able to quickly distribute and implement through our network of legal providers partners \$16.4 million in Administration funding for legal assistance in removal cases and other complex legal matters like asylum and SIJS. This includes a dedicated \$4.1 million in Mayoral funding to help address the legal needs of unaccompanied youth here in New York City facing the threat of removal, including legal help for those children separated from their parents or loved ones at the southern border by the Trump Administration. This component of funding was finalized this fall following the rapid response to the border crisis and it has allowed us to partner with legal services providers to:

- Further increase capacity for legal defense in deportation proceedings for over 900 separated and unaccompanied immigrant youth;
- Increase funding for social work and case management resources to address the acute needs of these children; and
- Provide resources to address legal screening and risk assessment needs of family members seeking to be sponsors of separated children in facilities in the custody of the federal Office of Refugee Resettlement (ORR) in New York City, facilitating their release from ORR facilities.

OCJ recently finalized negotiations of the IOI renewal contracts with our provider partners, resulting in three-year agreements that will provide continued support and stability for this important imitative. These discussions enabled us and providers to review how our contracting structure needs to change to reflect the current realities of the immigration legal landscape in the era of Trump. Today, legal cases that once had predictable timelines now can drag on for literally years longer than planned, and avenues for relief change and sometimes doors to achieving or maintaining status can slam shut on immigrant New Yorkers, requiring the effort and ingenuity of the legal provider community. So, with these renewals, we have worked closely with partners and have agreed to a contract structure that places no limits on the scale or the duration of their legal representation, and which we believe acknowledges the work and dedication of the attorneys and staff of our legal provider partners in IOI.

In addition to IOI, HRA manages immigration legal services programs funded through federal Community Service Block Grants. With this CSBG funding, legal services organizations provide a range of services such as legal assistance to help immigrant adults and youth attain citizenship and lawful immigration status, as well as services targeted at groups such as immigrant survivors of domestic violence and human trafficking, low-wage immigrant workers at risk of exploitation and violations of their employment rights, and immigrant youth in foster care.

In addition to the Administration's commitment, I want to again acknowledge the ongoing commitment of the City Council, Speaker Corey Johnson and the Chair and this Committee to expanding access to justice by funding legal services. HRA also oversees immigration legal services programs funded through Council discretionary grants. This year, in addition to the Council's allocation for providers through IOI, OCJ has administered the New York Immigrant Family Unity Project (NYIFUP) providing legal representation for low-income detained immigrants facing removal at the Varick Street Immigration Court, and the Unaccompanied Minors Initiative (UMI) / Immigrant Children Advocates Relief Effort (ICARE) which was developed by the City Council in partnership with the Robin Hood Foundation and the New York Community Trust and provides unaccompanied immigrant and refugee children in New York City with counsel, the opportunity to apply for relief from removal. Many of these children

are eligible for a range of statutory protections, including asylum, for those fleeing past and future persecution; Special Immigrant Juvenile Status (SIJS) for children who have been abused, neglected, or abandoned; and U or T visas for those who have been victims of certain crimes or human trafficking.

Legal Services for Low Wage Workers

In the current fiscal year, OCJ's work has also included new initiatives providing legal assistance for low-wage workers facing violations of their rights in the workplace. In FY19, the Administration has allocated \$2 million and the Council has allocated \$500,000 in funding for outreach, education and legal services for working New Yorkers to protect and defend their rights in the workplace. Legal services organizations are assisting low-wage workers in employment-related cases ranging from advocacy regarding employee rights and worker exploitation, to lawsuits to recover unpaid wages and overtime pay, unemployment insurance and family and medical leave, unlawful employment discrimination, and employer retaliation. Implementation of this program began in FY2019 and nine legal services and worker advocacy organizations were contracted to provide assistance and education for approximately 1,900 working New Yorkers. The participating providers are:

- Legal Services NYC
- Make the Road New York
- Mobilization for Justice
- New Immigrant Community Empowerment
- New York Committee for Occupational Safety and Health
- New York Legal Assistance Group
- Renaissance Technical Institute
- The Legal Aid Society
- Urban Justice Center

We would like to acknowledge the Council's partnership and the leadership of Chair Lancman in this effort, and in particular for leading the charge in providing critical support to organizations to conduct outreach and legal education providing information to workers about their rights and the availability of legal services.

Conclusion

The City of New York is a national leader in supporting and championing civil legal assistance. We have made significant progress over the past few years in improving access to legal services for New Yorkers in need and we are committed to keep improving every year. Thank you for the opportunity to testify before you today and I look forward to your questions.



Testimony of Steven Banks, Commissioner Department of Social Services

Before the New York City Council General Welfare Committee The DSS Fiscal Year 2020 Executive Budget

May 22, 2019

Good Morning. Thank you Chairs Dromm and Levin and members of the Finance and General Welfare Committees for the opportunity to testify today about the Department of Social Services' Fiscal Year 2020 Executive Budget and our reforms to improve benefits and services for low-income New Yorkers.

My name is Steven Banks and I am the Commissioner of the New York City Department of Social Services (DSS). In this capacity, I oversee the Human Resources Administration (HRA) and the Department of Homeless Services (DHS). Joining me today are DSS First Deputy Commissioner Molly Murphy, HRA Administrator Grace Bonilla, DHS Administrator Joslyn Carter, DSS Chief Program Planning and Financial Management Officer Ellen Levine, and DSS Chief of Staff Scott French.

My testimony today will outline the major components of the DSS/HRA/DHS FY20 Executive budget, which reflects our continued efforts to improve our policies, programs, and operations to address income inequality, fight poverty and homelessness, and help New Yorkers in need get back on their feet with dignity.

We know we have more work to do, but we have made progress over the past five years, against a background of operating in a housing market with limited affordable options for our clients due to decades of underinvestment. However, our progress is imperiled by funding cuts from the State. When I testified before the Council at the Preliminary Budget hearing in March, we were fighting to prevent a cut to New York City's reimbursement for Family Assistance, funded by Temporary Assistance for Needy Families or TANF. Despite our efforts to eliminate this cut from the New York State budget, we are now facing a very real \$125 million cost shift for annual public assistance and family shelter funding to New York City. The City's Executive Budget accounts for this lack of support from the State along with other reductions in other agencies whose funding is included in the DSS budget. Nevertheless, we remain firmly committed to addressing the underlying structural barriers our clients face and improving the ways in which clients interact with our agency and access the benefits and services they need.

FY20 Executive Budget

HRA/DSS

The FY20 HRA/DSS Executive Budget is \$10.21 billion, consisting of \$7.92 billion in City funds – an increase of \$34 million in total funds and \$192 million in City funds from FY19. This increase is primarily due to one-time revenue adjustments in 2019, funding to address the State budget's cost shift to the City, an increase in City funds for cash assistance and rental subsidies, and collective bargaining adjustments in FY20.

As part of the Citywide savings plan, DSS/HRA will eliminate 379 vacant positions in FY19; in FY20 and the baseline, the reduction is 107 positions.

The primary new funding that is reflected in the FY20 HRA/DSS Executive budget is as follows:

- Addressing cuts in the State Budget: \$31 million in City funds has been added for FY19, and \$62 million in City funds has been added for FY20 and in the baseline to cover the new 10% City share of TANF-funded family assistance which is a cost shift from the State to the City.
- Cash Assistance: \$40 million in City funds was added for FY19, and \$35 million in total funds and \$75 million in City funds were added for FY20. This funding addresses an expected expense increase resulting from the HASA Ending the Epidemic (ETE) program, which provides enhanced HASA benefits for people with asymptomatic HIV; fewer sanctioned cases; and higher costs related to rental assistance, including the additional City share of the State FHEPS program.
- HRA IT: \$37 million (\$12.5 million in City Funds) was added for FY19 and \$38 million (\$26 million in City funds) was added for FY20 to support planned DSS/HRA IT projects to enhance client services.
- IDNYC: \$2.4 million (all City-funded) was added for FY20 and \$1.6 million for FY21 and the outyears to support enhancements to the IDNYC program.
- Initiatives included in the Preliminary Budget that are now reflected in the Executive Budget
 - o Fair Fares: \$106 million (all City-funded) was added for FY20 for the Fair Fares program. In the first phase of this program that was launched in January in partnership with the Speaker and the Council, over 136,000 New Yorkers have been notified of their eligibility, including extensive follow up outreach. More than 45,000 of these eligible participants have already enrolled in the program. Starting on April 1, 2019, eligible HRA clients can be informed of their eligibility and enroll online through Access HRA, and then receive their Fair Fares NYC MetroCard by mail without the need to come into an office to obtain this benefit. Clients are still able to enroll in person at one of the five enrollment centers or by mail. The Fair Fares program will expand this Fall through partnerships with the New York Housing Authority, the City University of New York, and Department of Veteran's Services to provide their eligible clients with the opportunity to enroll in Fair Fares. And when the public application launches in January 2020, lowincome New York City residents beyond HRA, NYCHA, CUNY and DVS clients will be able to apply online for Fair Fares.
 - o Implicit Bias Training: \$1 million was added for FY19, \$2.2 million for FY20, and \$1 million for FY21 to implement implicit bias training for all 17,000 DSS, HRA, and DHS

- staff. We have already launched de-escalation training and we are implementing antibias, trauma informed training this year.
- Body-worn cameras: \$330,000 was added for FY19 and \$100,000 for FY20 to provide HRA Peace Officers with body-worn cameras. Last year, we conducted a pilot program in which 40 DHS Peace Officers were trained in and wore body cameras in their daily work serving, supporting, and protecting New Yorkers in need as they get back on their feet. With the success of this DHS pilot program, this FY20 budget allocation will complement the funds previously designated for DHS to provide body-worn cameras to DHS Peace Officers to increase transparency and accountability as we continue to improve policing and safety for New Yorkers experiencing homelessness and seeking services from our agency.

Capital: the HRA/DSS ten-year capital plan for FY20-29 totals \$275 million (\$192 million City-funded), including: \$183 million for technology to streamline operations; \$88 million for facilities, maintenance and equipment; and \$4 million for vehicles.

Savings Initiatives: to support the FY20 budget, HRA/DSS will build on efficiencies that we have already achieved over the past five years, including repurposing 550 central administrative positions to front-line staffing in FY15 and integrating HRA and DHS in 2017 to streamline operations. Savings initiatives include headcount efficiencies, one-time revenues in 2019, transitioning the last City-operated domestic violence shelter to a not-for-profit operation, assisting eligible individuals to enroll in Supplemental Security Income (SSI) benefits instead of Cash Assistance, maximizing revenue from Federal grants, and other streamlining and administrative savings efforts.

DHS

The FY20 DHS Executive Budget totals \$2.12 billion, consisting of \$1.28 billion in City funds.

The FY20 DHS new needs include the following:

- Addressing cuts in the State Budget: Similar to HRA/DSS, \$31 million in City funds has been
 added for FY19 and \$62.6 million in City funds has been added for FY20 and in the baseline to
 cover the new 10% City share of TANF-funded family assistance which is a cost shift from the
 State to the City. Further, \$85 million was added in FY19 only as a federal funding adjustment.
- **DHS IT:** \$12.5 million was added for FY19 and \$11.5 million for FY20 (all City-funded) to support planned DHS IT projects to enhance client services.
- Security: \$11.4 million was added in FY20 and \$18 million for FY21 and the outyears to support shelter security reorganization initiatives.
- Initiatives included in the Preliminary Budget that are now reflected in the Executive Budget
 - Street Programming: \$25 million was added in FY19 and the outyears to fulfill the FY18 funding commitment for outreach services, drop-in centers, and safe haven beds.

Capital: the ten-year DHS capital plan for FY20-29 totals \$649 million (all City-funded), including \$181 million for homeless family facilities, \$424 million for single adult facilities, and \$44 million for technology projects and equipment purchases.

Savings Initiatives: to support the FY20 budget and continuing efforts to achieve savings, elimination of vacant positions in FY19 only, enhancing efforts to secure federal funding, transitioning a shelter that is partially operated by a not-for-profit to full not-for-profit operation, and reorganizing shelter security to enhance de-escalation.

Reforming Social Services Policies and Enhancing Access to Benefits Supported in the Executive Budget

We have worked over the past five years to reform policies and practices to enhance access to benefits and services for clients.

Most recently, we successfully advocated for a change in the State regulations that will eliminate finger imaging requirements for Cash Assistance clients. This change in policy will treat clients with the dignity they deserve, continue our efforts to fight against the stigma that some associate with receipt of our assistance and services, and eliminate an extra barrier for families and individuals to obtain much-needed benefits — many clients were forced to take a day off from work or find child care, just to complete an unnecessary administrative requirement. As we found when the State eliminated the finger imaging requirement for SNAP/food stamps clients several years ago, we already have other effective mechanisms in place to prevent and detect public benefits fraud. This regulatory change will allow clients to more easily access Cash Assistance, and is an important additional step to help us reduce incenter wait times by eliminating as many in-person appointments for Cash Assistance as possible and continuing to move Cash Assistance transactions online as we have already done for SNAP/food stamps.

Some additional examples of these reforms, which are supported in the FY20 Budget, include the following:

- Clients no longer have to "work off" their benefits in the Work Experience Program (WEP) at City
 and not-for-profit agencies completing tasks that would not prepare them for gainful
 employment we eliminated the WEP program and replaced it with new opportunities in
 subsidized jobs, more diverse internship and community service opportunities, and education
 and training programs to help clients move forward on a career pathway in jobs and sectors that
 are in demand.
- We successfully advocated for a change in State law to permit clients to count approved coursework at four-year college programs towards Cash Assistance work requirements and obtain college degrees to greatly enhance their ability to earn a living wage.
- We successfully implemented a pre-conciliation, conciliation and pre-fair hearing case review and conference process to avoid work requirement-related sanctions and advocated for a change in State law to give clients in New York City an opportunity to "cure" a work requirement violation at any time and avert a durational sanction. We also successfully advocated for a reduced State sanction period for SNAP/food stamps. That means clients do not have to lose their housing, go hungry or forego buying clothing for their children because of a sanction that lasts a prescribed period of time regardless of a client's willingness to meet their work requirements.
- We put in place new protocols to prevent unnecessary case closings, and State fair hearing challenges decreased by more than 47 percent as a result, clients have access to the benefits they need, and the City is no longer subject to a potential \$10 million annual State financial penalty for unnecessary hearings. To reduce the amount of unnecessary case closings, sanctions and hearings, before an adverse action is taken, we make sure that all required supportive services are in place, reasonable accommodations are honored, mailing addresses are correct,

- and notices are sent in the correct language. And now conciliation appointments are scheduled at CareerCompass and YouthPathways employment providers, rather than at Job Centers, so that we can re-engage clients immediately and avoid unnecessary extra appointments.
- We now make it easier for clients to continue their assistance if they submit required documentation within 30 days of a case closing and ensure that missing paperwork doesn't cause someone to lose their benefits.
- We stopped the practice that required all homeless clients to travel to a single HRA Job Center in Queens now clients can seek assistance at a Job Center in their home borough.
- We changed the practice that required all seniors to travel to a single HRA Job Center in Manhattan now seniors can receive services at a Job Center in their home borough.
- In 2017, we worked with the Urban Justice Center's Safety Net Project to implement the
 Universal Receipt. This provides individuals who complete a visit at a Job or SNAP Center with a
 document that indicates the nature and date of the visit or contact, and a copy of this receipt is
 also available in Access HRA. This receipt process is now codified into Local Law as a result of
 legislation sponsored by Speaker Johnson.
- We have transformed the process for Cash Assistance to reduce unnecessary office visits; clients
 can now submit recertification questionnaires online, and submit documents from a
 smartphone. Through the ACCESS HRA app, clients can open an account to gain access to over
 100 case-specific points of information for Cash Assistance and SNAP in real-time, including
 application and case statuses, upcoming appointments, account balances, and documents
 requested for eligibility determinations and clients can make changes to contact information,
 view eligibility notices electronically, request a budget letter, and opt into text message and
 email alerts.
- We improved Access HRA with a client benefits portal so that SNAP applications and recertifications can all be done online without having to go to an HRA SNAP office – now SNAP clients conduct 87 percent of applications online and documents can be submitted via our mobile app on a smartphone – 43,000 documents were submitted via the mobile app in April alone.
- We instituted On Demand, a practice where SNAP eligibility interviews are now conducted at the client's convenience and time preference by phone, instead of a rigid four-hour window, to help clients access the benefits they need to purchase food. The percentage of completed telephone eligibility interviews increased from 29 percent in 2013 to 97 percent as of 2019.
- We created a Provider Portal, which with client authorization and a memorandum of understanding with HRA — enables community-based organizations to view a client's case record in order to help the client with document submission, various case inquiries, and application and recertification requirements.
- We began accepting a federal waiver, without which clients who are classified as Able-Bodied
 Adults Without Dependents (ABAWDs) were limited to SNAP/food stamps benefits for only
 three out of 36 months if they could not find work for at least 80 hours a month in areas of high
 unemployment and we are continuing to fight back against the Trump Administration's efforts
 to make it more difficult for these clients to obtain the food they need to feed themselves and
 their families.
- We instituted a centralized rent arrears processing unit to ensure that rent arrears payments are issued by the required due date.
- We streamlined the system for making New York City Housing Authority (NYCHA) rent payments
 electronically, rather than the old practice of paper checks and we are developing a similar
 payment system for private landlords. Moreover, using ACCESS HRA, clients can now confirm

- that the rent was paid to their landlords pursuant to a reform now codified in State law to provide such confirmation. This makes the process easier for clients and gives them one less thing to worry about as they pay their rent.
- In 2014, 90 clients per year received reasonable accommodations in settling the 2005 Lovely H. class action lawsuit, we began working with expert consultants to develop tools to assess whether clients need reasonable accommodations as the result of physical and/or mental disabilities there are currently more than 51,000 clients who have one or more reasonable accommodations.
- Working with Speaker Johnson when he was a Council Member and Housing Works, we ended a
 counterproductive policy that required clients with HIV to wait until they were diagnosed with
 AIDS to receive HASA assistance. Now, clients have better access to the services and housing
 assistance they need.

Reforming Homeless Policies and Services Supported in the Executive Budget

As we have reported previously, homelessness increased 115 percent in our city from 1994 to 2014 – while some 150,000 rent-regulated apartments were lost and rents increased nearly 19% and income increased by less than 5% in recent years. Through our comprehensive efforts, we have finally broken the trajectory and we have begun to reverse the trend. We know we have much more work to do, but these are the results that are beginning to take hold:

- Keeping the shelter census flat over two years for the first time in a decade, with the census now starting to come down;
- Doubling down on preventing homelessness evictions are down 37% since 2013;
- Providing more permanent housing enabling 115,000 children and adults to move out of shelter or avoid shelter altogether;
- Bringing people off the streets and out of the subways since HOME-STAT began in April 2016, our street teams have helped more than 2,000 people come off the streets and subways and remain off; and
- Transforming the City's approach to shelter closing more than 200 substandard shelter sites
 and siting 43 new borough-based shelters to offer help as close as possible to the anchors of life
 like schools, jobs, health care, houses of worship and family and support networks.

Funding in the FY20 Executive Budget will build on the progress we have made in implementing the four key pillars of the Mayor's *Turning the Tide* plan:

First Pillar - A Prevention First Approach

PROGRESS: EVICTIONS DOWN 37%

- We have provided emergency rent arrears benefits to over 50,000 households each fiscal year since FY15 – over a quarter million grants to households since 2014 – helping rent-burdened New Yorkers at risk of eviction stay in their homes.
- We have expanded free legal assistance for New Yorkers in danger of eviction, increasing funding for legal services for tenants exponentially, from roughly \$6 million in 2013 to \$166 million at full implementation in FY22 evictions have dropped by 37% and more than 100,000 New Yorkers were able to stay in their homes from 2014 through 2018.

 We are phasing in over five years the funding necessary to provide universal access to legal services for all New York City tenants facing eviction in Housing Court or NYCHA termination of tenancy cases – a first-in-the-nation initiative of the Administration and the Council that will benefit more than 400,000 New Yorkers annually at full implementation in FY22.

Second Pillar - Rehousing to Alleviate Homelessness

PROGRESS: 115,000 NEW YORKERS REHOUSED

We stepped in to fill the gap after the City and State cancelled the Advantage rental
assistance program by creating new rental assistance programs as well as reinstating
rehousing programs. Together, these initiatives have helped 115,000 children and adults
move out of shelter or avert shelter altogether since 2014, with the majority exiting
shelter into housing.

Third Pillar - Transforming the Approach to Providing Shelter

PROGRESS: SHRINKING DHS's SHELTER FOOTPRINT BY 30%

- Our plan calls for shrinking the DHS shelter footprint by 45 percent by ending the use of 360 "cluster" shelter and commercial hotel locations citywide while opening a smaller number of 90 borough-based shelters across the five boroughs.
- Through these strategies, in just two years we've reduced the shelter footprint by 30 percent citywide, getting out of more than 200 shelter sites that did not meet our standards, including already ending use of nearly two-thirds of the units in the Giulianiera cluster program and to help us do so, in April we completed the conversion of cluster units to permanent housing at 17 sites (21 buildings overall) that has enabled 1,100 homeless children and adults to be permanently housed with rent-stabilized leases and upgraded apartment conditions in buildings that are now owned by reputable not-for-profit housing groups.
- As we phase out the old haphazard, band-aid approach to providing shelter that built up over the past 40 years, we have sited 43 new high-quality borough-based shelters, 23 of which are already open, offering families and individuals the opportunity to get back on their feet closer to their support networks and the communities they called home.
- At the same time, while we have held the overall DHS census flat for the last two years
 for the first time in a decade with the census now beginning to come down, we've also
 made progress driving down the number of families with children experiencing
 homelessness and residing in shelter, with the average number of individuals in those
 families declining by about 2,500 so far this fiscal year compared to the same period in
 FY15.

Fourth Pillar - Addressing Street Homelessness

PROGRESS: MORE THAN 2,000 NEW YORKERS OFF THE STREETS

- In 2016, we launched HOME-STAT, the most comprehensive street outreach program in the nation, with outreach teams canvassing all five boroughs 24/7/365, engaging New Yorkers experiencing homelessness and encouraging them to accept services and transition indoors.
- Thanks to a doubling in our funding for and the size of those outreach teams and tripling our Safe Haven and stabilization beds, our HOME-STAT program has helped more than 2,000 individuals come off the streets and subways and into transitional and permanent settings and continue to remain off the streets and subways.

With all of these components of the Executive Budget for DSS/HRA/DHS, we look forward to continuing our important partnership with the Council to overcome the State budget cuts for our agency and to keep improving the essential programs on which many New Yorkers rely.

Thank you for the opportunity to testify today and we welcome any questions you may have.

Department of Social Services Executive Budget Testimony

Steven Banks, Commissioner May 22, 2019



REFORMS

ADDRESS POVERTY REDUCE INCOME INEQUALITY

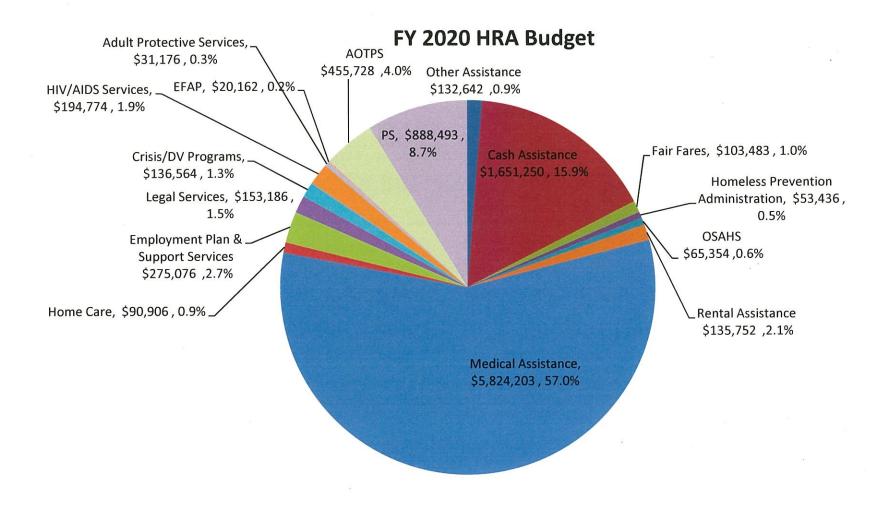
PREVENTION
FIRST
FOCUS

TRANSFORM
THE APPROACH
TO HOMELESS
SERVICES

State Budget Cuts

- Operating in a housing market with limited affordable options for our clients due to years of underinvestment.
- Decades of underinvestment is exacerbated by the \$125 million State cut in annual public assistance and family shelter funding to New York City.
- The City's Executive Budget accounts for this lack of support from the State along with other reductions in other agencies whose funding is included in the DSS budget.

FY 2020 HRA/DSS Budget





FY 2020 HRA/DSS New Funding

- Addressing cuts in the State Budget: \$31 million in City funds has been added for FY19, and \$62 million in City funds has been added for FY20 and in the baseline to cover the new 10% City share of TANF-funded family assistance.
- Cash Assistance: \$40 million in City funds was added for FY19, and \$35 million in total funds and \$75 million in City funds were added for FY20 to address additional client entitlements.
- HRA IT: \$37 million (\$12.5 million in City Funds) was added for FY19 and \$38 million (\$26 million in City funds) was added for FY20 to support planned DHS and DSS/HRA IT projects to enhance client services.
- **IDNYC**: \$2.4 million (all City-funded) was added for FY20 and \$1.6 million for FY21 and the outyears to support enhancements to the IDNYC program.

FY 2020 HRA/DSS Budget Issues

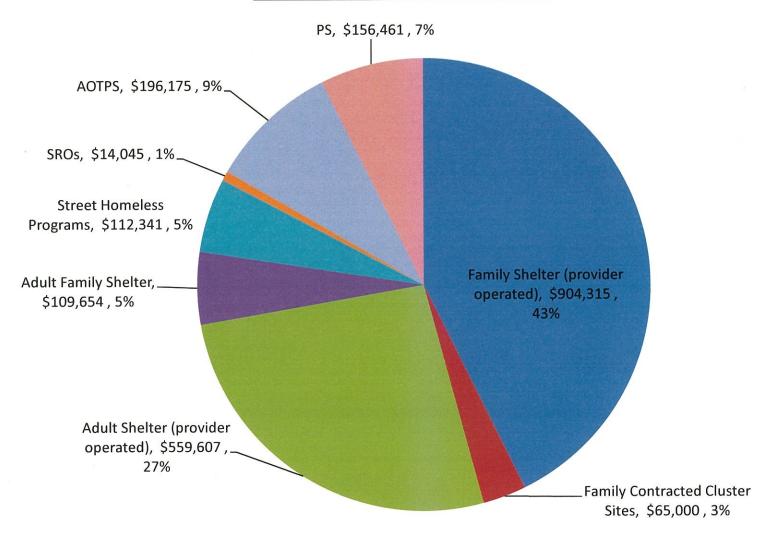
- Fair Fares: \$106 million (all City-funded) was added for FY20 for the Fair Fares program.
 - More than 45,000 of eligible participants have already enrolled in the program.
 - In January 2020, low-income New York City residents beyond HRA,
 NYCHA, CUNY and DVS clients will be able to apply for Fair Fares.
- Implicit Bias Training: \$1 million was added for FY19, \$2.2 million for FY20, and \$1 million for FY21 to implement implicit bias training for all 17,000 DSS, HRA, and DHS staff.
- Body-worn cameras: \$330,000 was added for FY19 and \$100,000 for FY20 to provide HRA with body-worn cameras.
 - This budget allocation will increase transparency and accountability as we continue to improve policing and safety for New Yorkers experiencing homelessness and seeking services from our agency.

FY 2020 HRA/DSS Budget Issues

- Capital: the HRA/DSS ten-year capital plan for FY20-29 totals \$275 million (\$192 million City-funded), including: \$183 million for technology to streamline operations; \$88 million for facilities, maintenance and equipment; and \$4 million for vehicles.
- Savings Initiatives: to support the FY20 budget, HRA/DSS will build on efficiencies that we have already achieved over the past five years, including repurposing 550 central administrative positions to front-line staffing in FY15 and integrating HRA and DHS in 2017 to streamline operations.

FY 2020 DHS Budget

FY 2020 DHS Budget (\$s in 000s)





FY 2020 DHS/DSS New Budget Priorities

- Addressing cuts in the State Budget: Similar to HRA/DSS, \$31 million in City funds has been added for FY19 and \$62.6 million in City funds has been added for FY20 and in the baseline to cover the new 10% City share of TANF-funded family assistance. Further, \$85 million was added in FY19 to account for changes in eligibility for New York State funding.
- **DHS IT:** \$12.5 million was added for FY19 and \$11.5 million for FY20 (all Cityfunded) to support planned DHS IT projects to enhance client services.
- **Security:** \$11.4 million was added in FY20 and \$18 million for FY21 and the out years to support shelter security reorganization initiatives.

FY 2020 DHS/DSS Budget Issues

- Capital: the ten-year DHS capital plan for FY20-29 totals \$649 million (all City-funded), including \$181 million for homeless family facilities, \$424 million for single adult facilities, and \$44 million for technology projects and equipment purchases.
- Savings Initiatives: to support the FY20 budget and continuing efforts to achieve savings, DHS draws revenue from savings initiatives in headcount efficiencies, enhancing efforts to secure federal funding, transitioning a shelter that is partially operated by a non-profit to full non-profit operation, and reorganizing shelter security to enhance de-escalation.

Reforming Social Services Policies and Enhancing Access to Benefits

- We successfully advocated for a change in the State regulations that will eliminate finger imaging requirements for Cash Assistance clients.
 - This change in policy will treat clients with the dignity they deserve, continue our efforts to fight against the stigma that some associate with receipt of our assistance and services, and eliminate an extra barrier for families and individuals to obtain much-needed benefits.
 - This regulatory change will allow clients to more easily access Cash Assistance, and is an important additional step to help us reduce incenter wait times by eliminating as many in-person appointments for Cash Assistance as possible and continuing to move Cash Assistance transactions online as we have already done for SNAP/food stamps.



Reforming Social Services Policies and Access to Benefits

- We eliminated and replaced the Work Experience Program (WEP).
- We successfully advocated for a change in State law to permit clients to count approved coursework at four-year college programs towards Cash Assistance work requirements and obtain college degrees to greatly enhance their ability to earn a living wage.
- We successfully implemented a pre-conciliation, conciliation and pre-fair hearing case review and conference process to avoid work requirementrelated sanctions and advocated for a change in State law to give clients in New York City an opportunity to "cure" a work requirement violation at any time and avert a durational sanction. We also successfully advocated for a reduced State sanction period for SNAP/food stamps.

- We put in place new protocols to prevent unnecessary case closings, and State fair hearing challenges decreased by more than 47 percent.
- As a result of preventing unnecessary case closings, the City is no longer subject to a potential \$10 million annual State financial penalty for unnecessary hearings.
- We now make it easier for clients to continue their assistance if they submit required documentation within 30 days of a case closing and ensure that missing paperwork doesn't cause someone to lose their benefits.

- Homeless clients can now seek assistance at a Job Center in their home borough.
- Now seniors can receive services at a Job Center in their home borough.
- In 2017, we implemented the Universal Receipt to provide an individual who completes a visit at a Job or SNAP Center with a document that indicates the nature and date of the visit.
 - A copy of this receipt is available on Access HRA and this receipt process has been codified into local law as a result of legislation sponsored by Speaker Johnson.
- We have transformed the process for Cash Assistance and clients can now submit recertification questionnaires online, submit documents from a smartphone, and gain access to over 100 case-specific points of information for Cash Assistance and SNAP.

- We improved Access HRA so that SNAP applications, recertifications, and renewals can be done online—now SNAP clients conduct 87% of these transactions online and documents can be submitted via our mobile app on a smartphone.
- We instituted On Demand, and now SNAP eligibility interviews are conducted at the client's convenience by phone and the percentage of completed telephone eligibility interviews increased from 29 percent in 2013 to 97 percent in 2019.
- We created a Provider Portal, which enables community-based organizations to view a client's case record in order to help the client with document submission, various case inquiries, and application and recertification requirements.

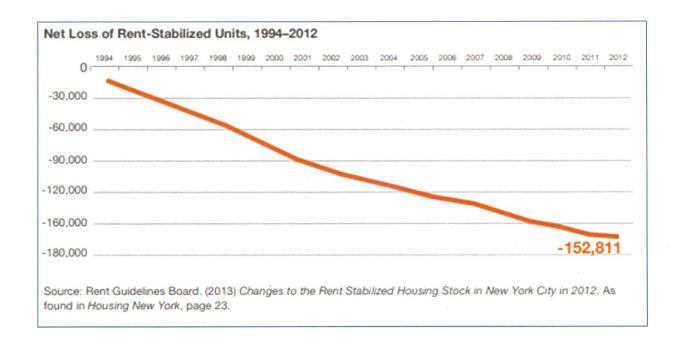
- We began accepting a federal waiver, without which clients who are classified as Able-Bodied Adults Without Dependents (ABAWDs) were limited to SNAP/food stamps benefits for only three out of 36 months if they could not find work for at least 80 hours a month in areas of high unemployment.
- We instituted a centralized rent arrears processing unit to ensure that rent arrears payments are issued by the required due date.
- We streamlined the system for making New York City Housing Authority (NYCHA) rent payments electronically, rather than the old practice of paper checks — and we are developing a similar payment system for private landlords.

- Using Access HRA, clients can confirm rent was paid to their landlords pursuant to a reform now codified by State law.
- In 2014, 90 clients per year received reasonable accommodations in settling the 2005 Lovely H. class action lawsuit, we began working with expert consultants to develop tools to assess whether clients need reasonable accommodations as the result of physical and/or mental disabilities — there are currently more than 51,000 clients who have one or more reasonable accommodations.
- We ended a counterproductive policy that required clients with HIV to wait until they were diagnosed with AIDS to receive HASA assistance. Now, clients have better access to the services and housing assistance they need.



The Rise of Homelessness

 Homelessness increased 115 percent in our city from 1994 to 2014 while some 150,000 rent-regulated apartments were lost and rents increased nearly 19% and income increased by less than 5% in recent years.



Reforming Homeless Policies and Services Supported in the Executive Budget: Results

- Keeping the shelter census flat over two years for the first time in a decade, with the census now beginning to come down.
- Evictions are down 37% since 2013.
- Providing more permanent housing and enabling 115,000 children and adults to move out of shelter or avoid shelter altogether.
- Bringing people off the streets and out of the subways we have helped more than 2,000 people come off the streets and subways and remain off.
- Closing more than 200 substandard shelter sites and siting 43 new boroughbased shelters to offer help as close as possible to the anchors of life like jobs, schools, health care, houses of worship and family and support.



Addressing Homelessness

BRING PEOPLE IN FROM THE STREETS

REHOUSING

PREVENTION

of the PLAN

TRANSFORM THE SYSTEM



First Pillar: A Prevention First Approach

- We have provided emergency rental assistance to over 50,000 households each fiscal year since fiscal year 2015.
- We have expanded free legal assistance for New Yorkers in danger of eviction and increased funding for legal services from roughly \$6 million in 2013 to \$166 million at full implementation at FY22.
- Evictions have dropped by 37% and more than 100,000 New Yorkers were able to stay in their homes between 2014-2018.
- We are phasing in over five years the funding necessary to provide universal access to legal services for all New York City tenants facing eviction in Housing Court or NYCHA termination of tenancy cases
 - a first-in-the-nation initiative of the Administration and the Council that will benefit more than 400,000 New Yorkers annually at full implementation in FY22.



Second Pillar: Rehousing to Alleviate Homelessness

- We stepped in to fill the gap from the cancellation of the Advantage program by the City and State through the creation of new rental assistance programs as well as reinstating housing programs.
- These reforms have helped 115,000 move out of shelter or avert shelter since 2014, with the majority exiting shelter into housing.



Third Pillar: Transforming the Approach to Providing Shelter

- Our plan calls for shrinking the NYC DHS shelter footprint by 45 percent by ending the use of all 360 "cluster" shelter and commercial hotel locations citywide while opening a smaller number of 90 borough-based shelters across the five boroughs.
- In just two years, we've reduced the shelter footprint by 30 percent citywide, getting out of more than 200 shelter sites that did not meet our standards.
- In April we completed the conversion of cluster units to permanent housing at 17 sites (21 buildings overall) that has enabled 1,100 homeless children and adults to be permanently housed with rent-stabilized leases and upgraded apartment conditions in buildings that are now owned by reputable not-for-profit housing groups.



Third Pillar: Transforming the Approach to Providing Shelter

- We have sited 43 high-quality borough-based shelters, 23 of which are already open.
- We've made progress driving down the number of families with children experiencing homelessness and residing in shelter
 - The average number of individuals in those families has declined by about 2,500 so far this fiscal year compared to the same period in FY15.



Fourth Pillar: Addressing Street Homelessness

- In 2016, we launched HOME-STAT, the most comprehensive street outreach program in the nation, with outreach teams canvassing all five boroughs 24/7/365, engaging New Yorkers experiencing homelessness and encouraging them to accept services and transition indoors.
- Thanks to a doubling in our funding for and the size of those outreach teams and tripling our Safe Haven and stabilization beds, our HOME-STAT program has helped more than 2,000 individuals come off the streets and subways and into transitional and permanent settings and continue to remain off the streets and subways.



Thank you!



Hearing before the New York City Council
Committee on Finance jointly with the Committee on Parks & Recreation and
Subcommittee on Capital Budget
Oversight: Fiscal Year 2020 Executive Budget
May 22, 2019

Testimony By: Mitchell J. Silver, FAICP, Commissioner

Good afternoon, Chair, members of the Parks Committee, Chair Gibson, members of the Subcommittee on Capital Budget, and other members of the Council. I am Mitchell Silver, Commissioner of the New York City Department of Parks and Recreation, and I am joined here today by a number of our senior staff, including First Deputy Commissioner Liam Kavanagh, Deputy Commissioner for Capital Projects Therese Braddick, and Matt Drury, our Director of Government Relations.

I'm pleased to give you another update on the status of NYC Parks, the steward of 14 percent of New York City's land mass and manager of nearly 4,500 individual properties, ranging from parks and playgrounds to community gardens and Greenstreets.

During the Preliminary Budget hearing, I presented the Council with a thorough overview of the work taken on by the agency, and today we'll offer a briefing on the Mayor's Executive Budget for Fiscal Year 2020. The Mayor's latest Executive Budget provides NYC Parks with an operating budget of \$540 million. The FY20 Executive 10-Year Capital Plan provides a total Parks Capital budget of \$5.22 billion. As the Mayor has noted, the budget is cautious and conservative. The Administration is aware of the uncertainty coming out of Albany and Washington and is adjusting to those new realities. Despite that, I believe that the current budget allocation gives us the resources we need to provide the amenities and services that park goers love and enjoy. Additions to the Capital Budget include over \$25 million in funding for playground state of good repair and synthetic turf maintenance; another \$25 million in HVAC upgrades to Parks facilities; and more than \$36 million in reconstruction efforts of Parks storehouses and offices, enabling these buildings to last for decades, and ensuring personnel maintain a strategic presence in the surrounding parks. These allotments support our ability to maintain and improve our facilities and guarantee that our parks continue to serve the public.



initiatives like Parks Without Borders, Cool Pools, and Movies Under the Stars, or through the dedication of our Urban Park Rangers, who this year celebrate their 40th anniversary! These are testaments to an agency that is evolving with the times, remaining true to our mission, but continuing to evolve as we look forward to the future.

Thank you for allowing me to testify before you today and for your dedication to providing great parks and open spaces for all New Yorkers. We look forward to continue working with the Mayor and the City Council to create an equitable and sustainable park system. Now, I would be happy to answer any questions that you may have.



Green Map System

292 East Third St, #1A New York, NY 10009 USA Tel: +1 212 674 1631

> Wendy E Brawer Director web@greenmap.org

GreenMap.org Think Global, Map Local! To: City Councilmembers

Subject: NYC Community Tree Canopy

May 21, 2019

I'm Wendy Brawer, a 30 year resident of the Lower East Side who has promoted the local environment and charted NYC's progress toward sustainability since 1992. Now, I'm working to bring new vitality to my own Sandy-scarred district and invite you to take meaningful action on the climate emergency with an active street tree planting and stewardship program that benefits the entire city!

Given the urgent need to build social resiliency, capture carbon, reduce heat island effect and improve the quality of our air, water, health and habitat, in fall 2018, I began campaigning for street trees and stewardship and drafted a resolution.

In February 2019, Manhattan CB3 voted in support of my LES Community Tree Canopy Resolution. It's below or at http://bit.ly/CB3trees19. As of mid-March, Parks has said yes to the first 1,000 trees! This announcement is a step in the right direction, especially given the dramatic loss of mature trees in and around East River Park as the ESCR gets underway in 2020.

Today, all over the world, cities and countries are planting trees to help forestall the effects of climate chaos. As you probably know, atmospheric carbon dioxide recently reached 415 parts per million for the first time. Every neighborhood needs more trees in New York City!

This call to action can build great social resiliency with your support. It relies on NYC Parks Department and existing tree stewardship and gardening groups to immediately begin building Community Tree Canopies by gathering resources and training volunteers, identifying empty tree pits and locations in other green spaces and parks; remediating the soil, and planting new trees along with smaller native shrubs and flowers within the tree guards; and then maintaining the Canopy and its data, all hand in hand with people, young and old, guided to love and care for this Canopy, long into the future. Even if the tree planting can't happen until Fall, stewardship should start this season.

Now, I am calling on you to encourage and support this Resolution, and bring it to your own district. Please use your power, staff and resources to motivate and support the City agencies, in particular NYC Parks Department Stewardship and Forestry divisions (and their Brigade program), Department of Youth and Community Development (and SYEP and GAP horticulture programs), the Mayor's Office of Sustainability, and other governmental agencies to work with the citywide Trees NY and Tree Trust of the City Parks Foundation, the Lower East Side Ecology Center, LUNGs, Solar One, LESEN, the many existing gardening and environmental, school and civic groups to get the NYC Community Tree Canopy underway in 2019! 163,000 CB3 residents and hundreds of pollinators, birds and other species will thank you.

The best time to plant a tree? Twenty years ago. The second best time? Today. Chinese proverb

Under <u>Stewardship</u> on Parks' website, several communities have Street Tree Care events listed. A gathering of Parks, Tree, stewardship and volunteer groups should be convened. A partnership of stakeholders can take cues from the ethos of LES community gardeners, and together, we can green our streets from the tree pits up, increasing oxygen and fresh breezes while building up this diverse community's overall capacity to thrive.

#participatorygreening! The Community Tree Canopy concept resonates with the Mayor's OneNYC and the 80 x 50 Plan as well as the UN's 2030 Sustainable Development Goals. Tree Stewardship fits the Green New Deal as well as the Circular Economy model of designing out waste and pollution, keeping products and materials in use and regenerating natural systems thusly:

- Trees absorb pollution including CO2 and conserve energy
- Trees can live decades and their leaves, fruit, all materials break down into rich soil
- Regenerative aspects include stormwater capture, beautiful habitat and cooling shade

This green culture campaign is in no way a tradeoff for the loss of park or garden access in our changing city - every community and resident are vulnerable in this coastal city and we desperately need socially resilient green infrastructure!

Let's promote the NYC Community Tree Canopy and make it a model for adaptation that facilitates a massive, multi-year tree planting action campaign that engages teams of tree stewards, Parks staff, students and residents to support afforestation and long-term care and respect for street trees.

The trees we plant today will shade New Yorkers in 2219! Let's move on this important commitment to future generations, as well as to all who dwell in NYC today.

Wendy Brawer

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Contact me at Green Map System, 212-674-1631 web@greenmap.org



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD 3

59 East 4th Street - New York, NY 10003
Phone (212) 533-5300
www.cb3manhattan.org - info@cb3manhattan.org

Alysha Lewis-Coleman, Board Chair

Susan Stetzer, District Manager

William T. Castro, Manhattan Borough Commissioner New York City Department of Parks & Recreation Arsenal West 24 West 61st Street, 5th Floor New York, NY 10023

Dear Commissioner Castro,

At its February 2019 monthly meeting, Community Board 3 passed the following resolution:

TITLE: To Support the Proposed LES Community Tree Canopy Initiative and Urge the Department of Parks and Recreation to Work with Community Organizations to Spearhead the Program

Whereas, Community Board 3 has many empty tree pits and a general lack of healthy trees and green space which impacts the air quality, heat island effect and the livability of the community; and

Whereas, local residents suffer from asthma and other illnesses due in part to particulates and other pollutants from vehicles, buildings, power plants; and

Whereas, there is a pending City plan for the multi-year closing of the East River Park, CB3's largest park; and

Whereas, NASA recently confirmed that global climate change has resulted in the last five years being the hottest years since record keeping began; and

Whereas, there is general acknowledgment that one of the best ways to combat urban climate change impacts is with street trees that mitigate temperature extremes, energy usage and vehicle-generated carbon emissions; and

Whereas, there are few other investments that return so much of value to society than street trees; and

Whereas, the Department of Parks and Recreation to work in collaboration with civic and community stewards, to plant hundreds of trees and smaller native shrubs and plants that will create a green canopy that strengthens resilience and capacity, sequesters storm water and carbon while pumping out oxygen and cooler air; and

Whereas, we encourage the Department of Parks and Recreation, by selecting trees that are less likely to induce severe allergies to the substantial portion of the population, and are resilient and adaptable to changing harsh climate conditions and by selecting trees that also support insects that pollinate plant life, that are food indigenous to birds and help decompose plant detritus; and

Whereas, reworked tree pits would include enriching infertile areas, tree pit guards to protect new trees and bioswales for increased storm water reclamation and rain absorption; and

Whereas, given the lessons learned with "million trees" plantings, the Department of Parks and Recreation could build into contractor agreements legally binding maintenance requirements to water and care for the trees for a full two-year period;

Therefore be it resolved, that CB3 supports the concept of the LES Community Canopy and urges the Department of Parks and Recreation to spearhead the immediate engagement with the network of stewardship organizations and proponents, to survey existing trees and tree pits and widening other spaces where an expanded variety of species can be planted, and implement an accelerated planting and caring program for street trees throughout CB3, prioritizing the most tree canopy deficient areas and developing an inclusive, engaged process for involving residents, experts and staff.

Please contact the community board office with any questions.

Sincerely,

Alysha Lewis-Coleman, Chair

Community Board 3

Trever Holland, Chair

Parks, Recreations, Waterfront,

& Resiliency Committee

cc: Steve Simon, Department of Parks and Recreation

Elizabeth Martinez, Department of Parks and Recreation

Office of Councilmember Carlina Rivera

Office of Councilmember Margaret Chin

Office of Manhattan Borough President Gale Brewer

Office of NYS Assemblymember Yuh-Line Niou

Office of NYS Assemblymember Harvey Epstein

Office of NYS Assemblymember Deborah Glick

Office of NYS Senator Brian Kavanagh

Office of NYS Senator Brad Hoylman

Wendy Brawer, Green Map System

THE COUNCIL THE CITY OF NEW YORK

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