



**BROOKLYN
DEFENDER
SERVICES**

TESTIMONY OF:

Elia Johnson – Brooklyn Adolescent Representation Team

BROOKLYN DEFENDER SERVICES

Presented before

The New York City Council Committee on General Welfare

and the Committee on Youth Services

Oversight Hearing on

Safe and Accessible Shelters for Homeless Youth

and

Intros 1619, 1699, 1700, 1705 & 1706

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My name is Elia Johnson and I am an adolescent social worker with Brooklyn Defender Services (BDS). Our organization provides innovative, multi-disciplinary, and client-centered criminal defense, family defense, immigration, civil legal services, social work support and advocacy in nearly 40,000 cases involving indigent Brooklyn residents every year. I thank the New York City Council Committee on General Welfare and the Committee on Youth Services, and in particular Chairpersons Corey Johnson and Stephen Levin, for the opportunity to testify on issues related to shelter services for Runaway and Homeless Youth (RHY) in New York City.

As a member of the Brooklyn Adolescent Representation Team, I currently work with 50 BDS adolescent clients, ages 14-24. The Brooklyn Adolescent Representation team is made up of dedicated attorneys and social workers and represents over two thousand adolescents ages 13-24 annually. We are grateful for the opportunity to speak today about the ways in which that the Department of Youth and Community Development can better serve Runaway and Homeless Youth.

Homeless Youth and the Criminal Legal System

Public defenders in Brooklyn serve around 500 homeless 16- and 17-year-olds every year, a vast majority of whom are not being served by RHY providers because of the lack of services in Brooklyn. About half of the youth are made homeless by the criminal justice system when the court issues an order of protection against the youth for 90 days after a criminal allegation involving a domestic disturbance, making it illegal for the young person to return home.¹ The other half disclose to their defense team that they are living with friends or significant others because of a breakdown of the relationship with their parents.

Furthermore, RHY providers report that they already serve over 1000 youth per year (at facilities almost exclusively located in Manhattan) from Brooklyn. **We estimate that Kings County would need at least 300 crisis shelter beds to ensure that no Brooklyn youth was forced to sleep on the street, sleep on the train, couch surf, or trade sex for shelter.**

Instead of providing shelter and services for homeless youth, the City too often relies on the criminal legal system to handle this population's complex needs, at a heavy cost to taxpayers. A majority of youth surveyed by The Door in 2013 reported that they had been arrested. The cost of a single misdemeanor arrest in NYC is \$1750. This covers all police time including overtime pay for arresting officers and supervisors, all pre-arraignment jail costs, and all court expenses.² Detaining a person at Rikers Island for a year costs the City \$208,500 per year.³ This figure does not take into account the significant extra costs related to supervision and programming for adolescents incarcerated on Rikers. In contrast, RHY providers received \$35,886/youth crisis shelter bed in 2015. The actual cost to RHY providers is far higher than this 2015 reimbursement figure.

Furthermore, New York City's youth homeless crisis places an enormous burden on ACS to house youth in the foster care system. Even if a young person is taken into ACS custody, because of overcrowding at the Children's Center, some adolescents are currently being housed on Long Island away from their friends, families and schools until appropriate group or foster homes can be found. As this Committee is well aware, those group and foster homes are in short supply. Older teens may end up staying weeks or months at the Children's Center because it is so hard to find foster homes for them.

Youth Homelessness in New York City – Case Example

¹ As a matter of practice in Brooklyn, prosecutors regularly ask for and judges regularly issue a full order of protection in cases involving "domestic violence", even though these are normal disputes between teenagers and their parents. Full Orders of Protection, in effect, usually render our young clients homeless. In contrast, in New Jersey, when EMT's respond to a domestic disturbance involving a youth, they take the youth to the Emergency Room rather than arresting them. If NYC were to adopt this approach 250 youth in Brooklyn every year would avoid court-mandated homelessness.

² Police Reform Organizing Project, Over \$410 Million Per Year: The Human and Economic Cost of Broken Windows Policing in NYC (2014), http://www.policereformorganizingproject.org/wp-content/uploads/2012/09/Over410MillionYear_docx_.pdf.

³ New York City Independent Budget Office, 2013.

Eric⁴ was arrested after an incident in his home with his half-sister. Eric, a young man who had been in foster care since the age of 3, had only recently reunited with his father. Unfortunately, as is common with children who have experienced significant trauma, Eric had a hard time adjusting to his new home, and the conflict in the home led to his arrest. Eric was arrested and arraigned in Kings County Criminal Court at night. The Judge issued a Full Order of Protection on behalf of his half-sister. He was released from arraignments at midnight with a metro card and nowhere to go.

Eric was legally barred from returning to the only home he knew in New York City. He had no other family. Eric left Kings County Criminal Court and wandered around downtown Brooklyn before he got on the subway. A policeman found Eric sleeping on the subway and took him to the ACS Children's Center. Eric spent a few days at the Children's Center before he was placed in ACS custody at Children's Village, which is in Dobbs Ferry, New York about 30 minutes outside of New York City. Due to the order of protection Eric cannot return home for the foreseeable future and will remain in ACS custody until he ages out or signs himself out.

Current RHY Capacity

There is a severe need for shelter options for adolescents in New York City. The New York City Department of Youth and Community Development runs a range of services for Runaway and Homeless Youth. Unfortunately, DYCD only has two crisis shelters that serve all youth under 21, Covenant House and Safe Horizon Streetworks Overnight, both in Manhattan. Covenant House, near Times Square, is the largest and has about 200 shelter beds and another 140 spots for longer-term residential stays. The shelter serves youth age 16-21 and turns away about 75 people a month.⁵ Safe Horizon, located in Harlem, offers only 24 beds. There are other limited crisis shelter options for LGBTQ youth, victims of sex trafficking, and pregnant and parenting young mothers.⁶ Unfortunately, the majority of our clients are teenage boys of color who do not meet these criteria. Drop-in centers exist in all of the five boroughs but do not provide short-term emergency housing to accommodate youth like Eric.

Right now, too many of our clients live in the streets, "couch surf" or sleep on the floors or couches of friends, neighbors or even strangers. Indeed, homeless youth are more likely to be arrested, engage in criminal activity to meet their survival needs, or engage in unsafe sexual relationships or the commercial sex trade because they need a place to sleep. A 2013 study by Covenant House and Fordham University found that 1 in 4 of the surveyed homeless youth became a victim of sex trafficking or was forced to provide sex for survival needs, such as

⁴ Name changed to protect his identity.

⁵ Mireya Navarro, "Housing homeless youth poses challenge for Mayor Bill de Blasio," NY TIMES, March 27, 2015, available at <http://www.nytimes.com/2015/03/28/nyregion/housing-homeless-youth-poses-challenge-for-mayor-de-blasio.html>.

⁶ Ali Forney has 32 beds for youth who identify as LGBTQ in Brooklyn, Covenant House has 22 mother and child beds at West 52nd St in Manhattan, and Inwood House in the Bronx has 8 beds for young women.

food or a place to sleep. Of these victims, about half reported that the number one reason they had been drawn into commercial sexual activity was because they did not have a safe place to sleep.

The City must do better to provide safe shelter space for youth in the communities that they live in so that they do not end up in these situations. Manhattan, which houses the only two youth crisis shelters in New York City is not safely accessible for youth in Brooklyn, Queens, Staten Island or the Bronx. We applaud members of the Committee on General Welfare and the Committee on Youth Services for the steps they have taken with each of the bills before the Council today, which will go a long way in improving access to housing for homeless youth. We also issue further recommendations for actions that the Council can take on this issue.

We support each of the following bills:

Intro. 1700-2017 - Expand Appropriate Shelter Access for all Runaway and Homeless Youth: We believe that by appropriately tracking the number of RHY in New York City DHS and DYCD will have a better understanding of the true need for shelter services and will therefore take action to allocate funding for youth shelters in each of the five boroughs that are easily accessible by public transportation. The bill also adds a new section to the NYC codes requiring DYCD to provide shelter services to all runaway and homeless youth who request such shelter from the department. This reform is long overdue. It is devastating for service providers like us who literally have nowhere to send our clients in need of a safe place to sleep. Mandating that DYCD find a way to house these youth is a critical first step in ensuring that DYCD providers have sufficient capacity to serve runaway and homeless youth.

Intro. 1699-2017 - Expand the Length of Stay for Runaway and Homeless Youth We support extending the amount of time that young people can stay in shelters to 60 or 120 days, as it often takes at least that long to obtain more permanent housing. We believe that this will allow adolescents to remain in a safe place until a more long-term option can be reached instead of being forced to leave after 30 days, which is the current policy at Covenant House. Often this forces young people to return to unsafe situations or the streets.

Intro. 1705-2017 - Streamline DHS Intake/Assessment for Runaway and Homeless Youth: We believe that streamlining the process for intake and assessment from short-term shelters into DHS facilities is critical to ensuring that young people are able to access long-term and permanent housing. This will decrease the revolving door of young people entering short-term crisis centers and then leaving after the allocated time period with no long-term or permanent solution.

Intro. 1706-2017 - Raise the Age for Runaway and Homeless Youth: As a social worker who works with adolescents, I hear every day from my adolescent clients that they do not want to go into shelters with adults because they do not feel safe in those spaces. Young people under the age of 25 are fundamentally different from adults, as proven by numerous studies on brain development. By raising the age to 24, adolescents in their early twenties will now have a safe place to sleep with people their own age.

Additional Recommendations

1. Support the opening of RHY crisis shelters in all five boroughs.

Kings County alone needs at least 300 crisis shelter beds to ensure that no Brooklyn youth is forced to sleep on the street, sleep on the train, couch surf, or trade sex for shelter. Right now there are only a handful of crisis shelter beds in Brooklyn and they are only for youth who identify as LGBTQ. The vast majority of runaway and homeless youth must seek crisis shelter beds in Manhattan where they are too often turned away for lack of beds. Runaway and homeless youth have been made homeless by failures of the education system, juvenile and adult justice systems, the foster care system, and adults who have failed to properly care for them. The City can and must address the youth homelessness crisis by opening youth crisis shelters in Brooklyn, the Bronx, Staten Island and Queens.

2. The City must provide reimbursement for capital investments to RHY service providers to allow them to open crisis shelters in the outer boroughs

We have been told that RHY providers are unable to open new crisis shelters in boroughs like Brooklyn because the City currently does not fund capital investments. The City should assist RHY providers to locate and secure bed space in Brooklyn as landlords are often reluctant to lease to shelter providers. Even better, the City could renovate existing City buildings such as old hospitals or schools for this purpose and then issue RFP contracts for use of these spaces. Additionally, DYCD's RFPs should include funding for capital expenditures, a current barrier to instituting new beds under the existing DYCD funding scheme. Finally, the RFP should reflect the actual cost of running a crisis shelter bed, as opposed to the current inadequate reimbursement rate. This number must include the provision of wraparound support services for youth housed at the crisis shelter. The availability of high-quality services is critical to the ability of New York's homeless youth to break the cycle of homelessness and court involvement.

Conclusion

We applaud the City Council for taking these important steps to provide housing for adolescents in New York City. We encourage the City Council to further ensure that everything is being done for RHY in New York City by establishing and funding crisis shelter housing for youth in every borough of the City by incorporating capital investments costs into the RFP process.

Thank you for your time and consideration of this important issue. If you have any questions, please feel free to reach out to Andrea Nieves, BDS Policy Team, 718-254-0700 ext. 387 or anieves@bds.org.