



Free to
Be Youth
Project

Free to Be Youth Project

40 Rector St.
9th Floor
New York, NY 10006

Twitter:
@YouthprojectUJC

Instagram:
@freetobeyouthproject

TikTok:
@freetobeyouthproject

Testimony of Connie Ticho
Legal Intern at the Free to Be Youth Project
Urban Justice Center

Oversight: The Experiences of Black Migrants in New York City

New York City Council Committee on Immigration
Hon. Alexa Avilés, Chair

New York City Council Committee on Hospitals
Hon. Mercedes Narcisse, Chair

April 16, 2024

Introduction

Good morning. Thank you so much for the opportunity to speak with you today. On behalf of the Free to Be Youth Project (formerly the Peter Cicchino Youth Project) of the Urban Justice Center, I'd like to thank the New York City Council's Committee on Immigration and the Committee on Hospitals for convening this hearing. My name is Connie Ticho and I am a legal intern at the Free to Be Youth Project of the Urban Justice Center.

Free to Be Youth is dedicated to serving homeless and at-risk lesbian, gay, bisexual, transgender and queer (LGBTQ+) youth. We provide free legal services for individual LGBTQ+ young people up to the age of 24 and systemic advocacy for the LGBTQ+ youth community. The Project is housed at the Urban Justice Center, a non-profit law collective serving New York City's most disenfranchised poverty populations. Since 1994, we have been providing legal services to LGBTQ+ youth and young adults who are poor, living on the streets, in homeless shelters, in the juvenile justice system or in foster care. We regularly travel to drop-in centers where homeless youth congregate to offer our services. Our project has helped hundreds of LGBTQ+ youth with legal problems like applying for legal immigration status, fighting wrongful denials of disability benefits, changing their names, fighting terminations of their public assistance benefits, overcoming barriers to obtaining safe and stable housing, and being wrongly turned away from our City's homeless shelters.

Background

When Mayor Adams took office in January 2022 there was already a long-established crisis of homelessness in New York City. The majority of homeless individuals and families resided in the main municipal shelter system, run by the Department of Homeless Services (DHS), with many thousands of others scattered across four other municipal shelter systems, including runaway and homeless youth in the youth-specific system administered by the Department of Youth and Community Development (DYCD).

In the Spring of 2022, an increasing number of migrant individuals and families began to arrive from the southern border and elsewhere. By fall of 2022, the Adams administration had announced the creation of Humanitarian Emergency Relief and Response Center's (HERRC's), with the clear intent to circumvent the right to shelter guaranteed to class members of the [Callahan litigation](#) overseen by the Legal Aid Society and Coalition for the Homeless.

Indeed, from early on in his administration the Mayor [called for, and imposed](#), a separate shelter system for migrants, particularly single migrants. This separate shelter system was increasingly haphazard, with the Mayor, at points, deliberating the merits of placing individuals and families on cruise ships, and then opening massive tent structures on Randall's Island as well as on Floyd Bennet Field in Brooklyn. Rhetorically, the Mayor focused on the special needs of so-called "new arrivals" to justify the new shelter system, while simultaneously creating a system clearly intended to send a deterrence message for people considering coming to New York City. Black and African migrants – systematically disadvantaged across their migration – [faced particularly difficult circumstances](#).

As the crisis intensified, the Mayor increasingly turned to punitive and dramatic tactics, both rhetorically and materially, to both deter additional migrants and make already-present migrants feel uncomfortable and unsupported. The pinnacle of this was an unnecessary stunt – unnecessary because there were alternative resources the City could have used – whereby individuals awaiting placement at the Roosevelt Hotel intake center [were made to sleep on red hot concrete sidewalks](#) for nights in August of last year. For individuals witnessing this in-person or via pictures or footage, it was also clear that many of those left outside were Black individuals, often coming to the U.S. as refugees from nations in Africa. There is good reason to believe that part of the intent of this stunt, like the haphazard nature of the HERRC's, was to send a deterrence message to individuals fleeing other nations and migrations, and making their way or arriving in NYC, to the United States.

Queer youth that have recently migrated here have faced additional barriers to accessing safe shelter. In some cases, for example, HERRC's have been unsafe for them as they face the same kinds of discrimination and violence in these shelters as faced in the places, they left. There are no LGBTQ+ specific HERRC beds, and a scarcity of youth beds in general (addressed below). While DHS has agreed, as exceptions, to take some young queer migrants into safer, queer-specific DHS beds, this is an exception and not a rule and requires access to skilled advocacy, which most people, let alone recent migrants with limited English or understanding of the shelter rules are, do not have. As a result, some highly vulnerable migrant youths have ended up in dangerous situations in trying to survive the City's decision to both systematically turn them away from DHS beds and the dangers of the HERRC system.

Historically, many young Runaway Homeless Youth have relied on the youth-specific shelter system to help stay off the streets. However, there is no right-to-shelter for youth in New York City under 21 within the youth-specific shelter (DYCD) system, and very few beds for young adults from 21-24 years old. Eligibility for most youth beds ends upon an individual's twenty-first birthday. However, even for many young people under 21 there is often not an available bed, as there are only [753 residential beds](#) available for young adults under 21 years old, and only [60 beds for young adults between 21 and 24 years old](#). Since the mass waves of migration began in 2022, the RHY system has faced far greater need than it can adequately support, and the City has not adjusted its resources to support the growing homeless youth population, including migrants and refugees who face a myriad of risks that come with being young and street-homeless in New York City.

The share of individuals and families seeking asylum who are migrating from African nations has [increased](#) from three-percent in FY21 to twenty-four percent in FY24. As the main municipal shelters have seen increases in migrants from west African nations, our office has also seen an increase in homeless youth in need of assistance [from nations](#) that include Guinea, Senegal, and Mauritania. The growth of homeless youth within the RHY age-range of 16-25 has been significant across New York City, [with a 75% increase in this population](#) between 2022 and 2023. In fact, according to the most recent federal assessment of homelessness nationwide, New York City continues to have the [largest homeless youth population](#) of anywhere in the United States.

Current Issues

Black migrants in New York City face a number of extreme hurdles that make settling here particularly difficult. We discuss these below.

Language access: Many of the migrants who come to New York City speak African dialects or French; many service providers do not have fluent speakers on site, and this can create significant gaps in service or support. For languages that are less commonly spoken in the United States, even access to remote translation through services like Language Line can often require extensive waits, and sometimes it is not possible to obtain remote translation services. As a result, these young people face unique barriers that could be resolved with increased resources.

Food access: Access to meals is limited for many migrants due to poverty, and they are nearly universally ineligible for SNAP (food stamps) due to restrictive federal rules. While RHY programs have done their best to assist youth with culturally appropriate meals, we continue to meet migrant young people who suffer from hunger. As has been [well documented](#), there is a correlation between young people's engagement in the street economy and survival work with a lack of access to food.

Shelter and housing support: Many migrants youth have had an extremely difficult time accessing stable and safe shelter, and for homeless youth and young adults this is exacerbated by the sharp age cutoffs in the system. Someone who is 20 years old one day, but turns 21 the next, loses access to RHY-specific shelters in just a day. For queer homeless youth who are migrating from oftentimes very dangerous situations, there is a deep need for resources that are made specifically safe and competent to serve them. Like the general DHS system, the HERRC system often presents specific dangers to LGBTQ+ young people.

The Recent Shelter Settlement: The [recent settlement](#) that removes access to DHS shelters for individuals who arrived in the U.S. after March 15, 2022, also creates severe time-limits on shelter access. For youth under 23 years old, they will be limited to a 60-day stay; for young adults 23 or over, they will be limited to a 30-day stay. Extensions will ultimately be subject to the discretion of City bureaucrats. By enforcing the limit on the right to shelter, City officials will be putting homeless youth in very serious danger. For queer and BIPOC youth, the risks are particularly high. Young people are at [increased risk for individualized violence](#), targeting by [police for survival](#) crimes, [sweeps](#) by municipal agencies, and [sex trafficking](#).

Legal support: The dearth of legal advocacy available to homeless youth in general is severe, and the need has grown persistently in recent years. Our program, for example, is the one of the main LGBTQ+-specific legal service providers for homeless young people in New York City. We have only a few staff members and cannot meet anywhere near the needs of the population we exist to serve. Additionally, DYCD programs are still without the ability to directly refer individuals applying for asylum to [the Asylum Application Help Center](#), keeping from many young people and service providers a key resource.

What City Government Can Do

It is important to recall that New York City is the wealthiest city in the world. Nearly 150,000 homeless people are sheltered in a shadow of almost unfathomable wealth (in addition to the many thousands of others who live in other types of homelessness, like hyper-precarious overcrowding and doubled-up situations). So, while it is the case that the growth of the homeless population comes with a price tag, the argument that the city cannot adequately fund shelter and other services is really a political and moral argument about how public expenditures should be made.

Shelter and Housing: Perhaps most importantly for homeless young adults, the City can begin to actually fund youth-specific shelter beds for young adults 21-24 years old, in line with the actual need. While we support a right to youth-specific shelter, in the absence of that the City must actually make sure young adults are able to access appropriate resources, most importantly a safe and affirming place to sleep at night.

The City must also begin providing housing resources to homeless youth, including migrant homeless young people. For years, the City has simply refused to provide homeless youth access to CityFHEPS rental subsidies. Despite the City's legal obligation to provide youth relying on DYCD resources access to these rental subsidies, the administration has not budged. As a result, young people stay homeless longer and end up in dangerous situations they never should've been pushed toward, because they lack consistently safe places to sleep at night.

For disabled young adults applying for supportive housing who receive Safety Net Assistance (SNA) and who are therefore considered to be a Person Residing Under the Color of Law (PRUCOL), there is a need to educate supportive housing providers on eligibility criteria. In fact, as part of the SNA cash grant, these young people have the ability to pay rent in subsidized housing. Contrary to a popular myth, many of these young people are eligible for subsidized supportive housing as long as it does not have a federal Section 8 subsidy attached to it.

Language Access: The City must provide sufficient funding for every RHY program to have access to sufficient translation services for all languages, and particularly the African dialects that are less commonly spoken in United States.

Food Access: The City must attend to the fact that hunger amongst homeless youth carries life-endangering risks for them. For the young people who are not eligible for SNAP due to restrictive federal rules, the City must create alternative support to ensure that no young person wants for culturally appropriate, nutritious food.

Legal Support: The dearth of legal services for individuals who have recently migrated to the U.S is severe and hits homeless youth particularly hard. We fully support the recommendations made by the Coalition for Homeless Youth, including:

- The City must immediately allow DYCD programs the ability to directly refer to the Asylum Application Help Center(s).
- Municipal legal services must be expanded to include full representation lawyers that specifically support youth in applying for Special Immigrant Juvenile Status (SIJS) applications.

- The Administration for Children's Services needs to coordinate further with DYCD to support the immediate transition of services for "Destitute Minor," in a way that respects youth choice and complies with the law.
- The City needs to strengthen their relationship with Foreign Consulates to ensure that Black migrants have access to supports to obtain lost or inaccurate vital documents.

Thank you for your time today, I look forward to answering any questions you may have.