

TESTIMONY OF LEGAL SERVICES – NYC
Regarding the Executive’s 2013-2014 Budget
Public Protection



Legal Services NYC is an anti-poverty organization that seeks justice for low-income New Yorkers. For more than 40 years, we have helped our clients meet basic human needs and challenged the systemic injustices that keep them poor. LSNYC serves low-income people and communities throughout New York City. More than 20% of our 8.4 million residents officially live in poverty and more than 40% live below 200% of the federal poverty line. The impact of these low income levels is exacerbated by the City’s high cost of living. Our population is extremely diverse. With LSNYC’s large force of advocates, breadth of expertise and wide geographic reach, we serve a wide spectrum of low-income people from a vast array of communities and sectors. As the largest civil legal services program in the country, Legal Services NYC is unique because we combine a broad reach with deep roots in the communities we serve.

Without legal assistance, the problems faced by low-income people are often insurmountable. The Task Force to Expand Access to Civil Legal Services in New York has powerfully described the “crisis of the unrepresented,” illuminating the severe lack of available representation for poor New Yorkers. This reality is entirely consistent with Legal Services NYC’s experience as the country’s largest civil legal services program for the poor. The Task Force’s reports reflect that, *at best*, 20% of low-income New Yorkers’ “essentials of life” legal needs are being met: more than 90% of tenants are unrepresented in New York City eviction cases; 99% of consumers are unrepresented in debt cases; 93% of parents are unrepresented in child support cases; and 49% of homeowners are unrepresented in foreclosure cases.

Legal Services NYC applauds the Governor’s commitment to presenting a balanced budget while still addressing long-standing issues of concern to New Yorkers including gun control, minimum wage, unemployment insurance, and the rights of women. His public protection platform describes leveraging federal funds for disaster relief and planning, resources to ensure that new gun control legislation has maximum effectiveness, and new funds for alternatives to incarceration. As an organization that has served thousands of Sandy victims, is active in school advocacy, promotes the security of domestic violence survivors, and provides services that are essential to a stable, successful, life, we recommend that those proposals be implemented as set forth below.

Disaster Recovery: Ensuring the Protection of Low-Income Communities

The losses from Hurricane Sandy have hit New York’s poorest communities hardest. Thousands of low-income New Yorkers have lost their homes, face unaffordable repair and property restoration expenses and have simultaneously suffered job loss and prolonged unemployment. Communities of color, immigrants and low-wage workers are facing numerous obstacles in obtaining disaster-related aid.

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Since Sandy, our advocates and volunteers have assisted thousands of New York City residents challenge FEMA denials, navigate insurance claims, access Food Stamps and Disaster Unemployment, and address other immigration, housing and disability-related needs. We have advocated with tenants to ensure timely repairs of damaged rental properties and we have worked with a cross-section of agencies to get immediate cash assistance to those in desperate need. Our staff has conducted outreach clinics for small business owners, low-income taxpayers, homeowners and DV victims. We have also trained hundreds of social services staff, *pro bono* lawyers and law students on disaster-related benefits and developed a manual for disaster resources that has been distributed to thousands of residents throughout New York City.

As the State determines how disaster funds will be allocated, we urge:

- **Funding for Critically Needed Legal Services** for Sandy-affected residents in areas such as housing, education, food security and financial justice.
- **A Fair Allocation of Recovery Resources** to ensure a fair allocation of recovery resources for low-income communities throughout NYC.
- **A Rebuilding Plan that Protects and Expands Affordable and Safe Housing in Coastal Communities** to ensure that low-income communities ravaged by Sandy are not forgotten in the recovery process and long-term redevelopment in areas like Coney Island, the Jersey Shore and Far Rockaway.

School Safety, Mental Health Services, and Trauma-Informed Practices

The Governor proposes to deploy “school safety improvement teams.” A component of school safety is decreasing the number of children in crisis. Enforcement resources should be coupled with mental health resources for maximum effectiveness. In New York City, there is only one licensed child and adolescent mental health outpatient clinic slot for every 3-4 children & teens with diagnosable behavioral health problems. Untreated child and adolescent mental health problems lead to: academic failures, classroom disruptions, and substance abuse problems. On-site mental health teams would improve school safety and student achievement.

Support for Former Offenders

The Governor’s proposal to allocate \$11.4M in through a competitive process for alternatives to incarceration programs is laudable. We urge that core legal services serve as a key component in any program directed at former offenders. Former offenders need the same things that all people need to lead healthy and productive lives: shelter that is safe and affordable; stable family relationships; access to health care; and enough income to meet their basic needs. Legal services are needed to secure those basic needs for vulnerable populations. In addition, former offenders space unique barriers to success, some of which can be addressed through legal means, including: discrimination in employment, ineligibility for public housing, and consumer debt issues.

Stop Domestic Violence

Domestic violence is a major problem in New York City. Police respond to a quarter of a million domestic violence incidents *each year*. In less than five years, the Family Justice Centers in Brooklyn, Queens, and the Bronx have served more than 50,000 new clients. Teen dating violence has gone up 40% over the past decade. Poverty imposes additional barriers; financial dependence on abusers, long

waiting lists for temporary shelter, and job loss as the result of family violence all make safety hard to secure. Immigrant women often face additional cultural and language barriers. Low-income victims of domestic violence require legal representation to secure orders of protection and custody to keep themselves and their children safe. Legal help is also vital to secure child support, government benefits, a fair share of marital assets in divorce cases, and to eliminate debt incurred by the abuser. Despite unremitting need, there is no emphasis on resources for domestic violence in the Governor's proposal.

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