

# **Written Testimony to the Joint Legislative Public Hearings On 2010-2011 Executive Budget Proposal - Human Services**

By Alexander Rapaport, Executive Director of Masbia soup kitchen network  
February 10, 2010

**Intro:** Although Masbia serves a couple hundred hot meals a night out of three facilities in New York City, Masbia doesn't spend money on collecting data, or doing statistical studies. Instead we will provide anecdotal information based on our firsthand experience.

## **Digging For Food**

Although this is by no means a new occurrence, over the last two years we have watched an increasing number of people desperate for food digging food out of dumpsters at supermarkets, fruit stores, and regular street corners. When the financial crises began, we released these photos to raise awareness about the rise of hunger, and were met with skepticism from people who thought they presented an exaggerated picture. Today, most people don't bat an eye at these images. They have become a reality for many people. Many local news outlets in Brooklyn have featured these pictures on the cover of their papers, alongside stories of a drastic rise in poverty. Attached here you will find copies of photos and news clippings.

## **Rise in the number of children**

Another way we can quantify the rise in hunger is by the number of children who began eating at our soup kitchens. In the third quarter of 2009, when all the Jewish high holidays fall, Masbia saw an increase of 50 percent from the same quarter in 2008 in the number of people who came to eat at our sites, and that increase was comprised largely of children. We had to buy high chairs for toddlers at all our sites to accommodate the rising number of children.

## **The Big Picture**

We are aware that the state government runs many programs that cater to the needy and hungry, such as Welfare, Food Stamps, WIC, Medicaid, etc. But soup kitchens provide something that none of these programs do. People don't seek help when a

crises begins, they seek it when they have no other option. So a mother who is the only breadwinner of a family, will not go for help when she loses her job, but when the last bit of cereal in her food pantry is used up. Without any food at home and all personal options exhausted, the enrollment period for government programs, ends up being a time of helplessness. That's exactly where soup kitchens come into the picture. Typically it's at the soup kitchen where people get information about how to enroll in social service programs and how to get the help that's available to them in addition to emergency meals.

Likewise, people who can't care for themselves, and find the enrollment process too much to handle, often end up eating at soup kitchens. For some, eating at a soup kitchen ends up being similar to getting non-emergency care at an emergency room when a patient has no medical insurance. That is to say, the people who need these social services most, usually can't overcome what it takes to enroll. Finding a way to ease enrollment and enhancing the support for soup kitchens would really help the neediest of the needy.

#### **A note about the Hunger Prevention and Nutrition Assistance Program**

Every start-up emergency food providing agency is eligible for an approximate \$10,000 grant of state money to buy food for the soup kitchen or food pantry they run. But the way contracts are administered limits the way money can be spent to one or only a few food distributors, making it a useless grant to those who need to buy Kosher food or other ethnic foods to service their respective clientele. This is money that would greatly benefit hungry New Yorkers, but as of now we can't use it. Some agencies have given up applying for those grants, saving their time and effort for something that could be put to use.

Currently the state doesn't deal directly with the small emergency food agencies, but contracts out the distribution of those grants region by region. A not-for-profit is in charge of the distribution, and it chooses a vendor that the agencies can order from. Having the redistributing not-for-profit be more flexible with their vendors to include vendors that would satisfy Kosher agencies, or assigning one not-for-profit that is responsible for redistributing to Kosher agencies, would benefit close to 100 registered Kosher emergency food providers across the state.

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Friday, January 18, 2008 • 11 Shevat 5768

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## To Give Or Not To Give?

By Chananya Weissman

It should be no secret that not everyone who solicits *tzedakah* (charity) is legitimate. After all, cheating has been around since the first rule was invented. Unfortunately, it is almost impossible for the average person to know if someone soliciting a handout or donation is legitimate or a faker.

This really is a problem. Unlike most *mitzvos*, the pure intention to give *tzedakah* counts for nothing whatsoever if the recipient is not legitimate; you don't get any credit just for trying or for having your heart in the right place. Indeed, the prophet Yirmiya prayed for his antagonists to stumble across fakers when they sought to give *tzedakah* so that they would not receive merits (*Bava Basra* 9A).

There are a variety of responses to the problem of fakers. Some people take what seems to be the most convenient approach and just give something to everyone who asks. This is extremely problematic. For one thing, if the giver wants this money to count toward his or her *ma'aser* (tithe), the recipient needs to be legitimate. Otherwise, as noted, the giver might as well flush the money down the drain.

But even if the money we give is beyond the minimum requirement of *tzedakah*, giving to those who are not legitimate takes away from those who really deserve it and also strengthens those who are unscrupulous, which only perpetuates the problem for everyone.

Generally speaking, we have the privilege to distribute our *tzedakah* dollars however we wish (though certain recipients and causes do take precedence over others). Nevertheless, we also have a responsibility to the community and our many needy brethren to see to it that our *tzedakah* dollars aren't wasted. Every dollar given to a faker is one less dollar available to someone who deserves it. Giving to everyone who solicits guarantees that each individual will receive less and that a substantial amount of money will be lost to fakers.

Some rationalize that it's worth it to give money to fakers just so their own children will learn to be charitable. Personally, I believe it

(Continued on Inside Back Page)

## Hamas Vows Revenge For IDF Gaza Strike

Combined News Sources

JERUSALEM – Israeli troops, tanks and helicopters raided northern Gaza on Tuesday in an effort to squelch incessant rocket fire from the area into southern Israel.

Among those killed in the attack, which according to Palestinian sources left at least 19 dead and scores wounded, was Hussam Zahar, the son of former Palestinian Authority foreign minister and senior Hamas leader Mahmoud Zahar.

Zahar charged Palestinian Authority President Mahmoud Abbas with having had a hand in his son's death.

Referring to Abbas by his nickname, Zahar said, "This is the hope of Abu Mazen and his col-

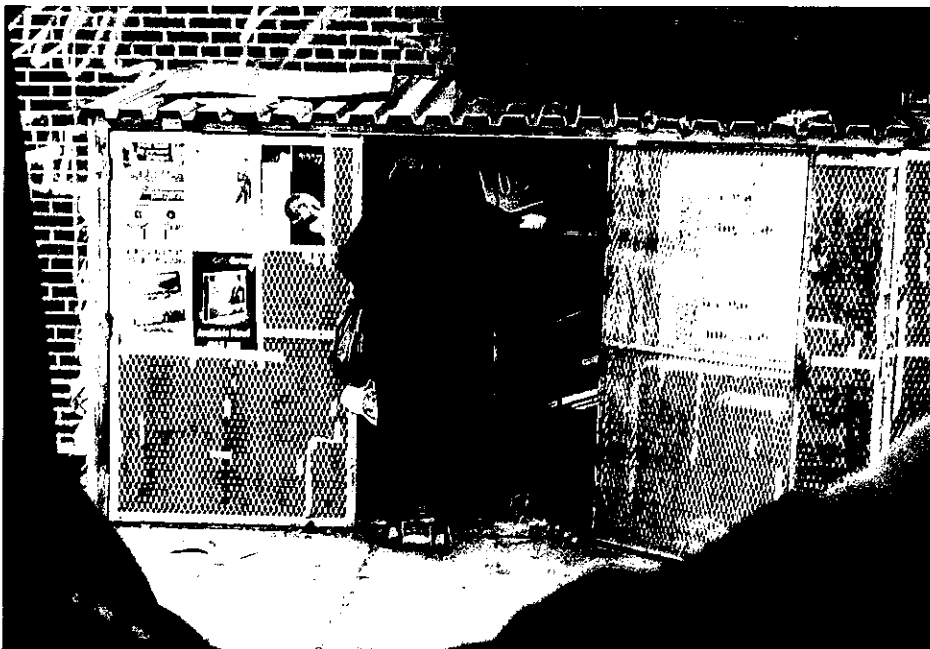
leagues, the collaborators with Israel and the spies of America."

Hamas, vowed Zahar, would retaliate "in the appropriate way. We will defend ourselves by all means. We shall respond to the crimes committed by the Israelis in the only language which they understand."

Although not officially a part of the Hamas-led government, Zahar is considered the organization's most prominent Gaza figure, with a profound influence on Hamas's military wing and on its politics in general. He has championed the movement's harder political line and is widely believed to be responsible for Hamas's coup in the Gaza Strip last year.

Zahar's eldest son, Khalid, was killed three years

(Continued on Page 2)



Orthodox Jewish woman looking for food in a New York City dumpster. Poverty is a persistent problem in a Jewish community too often defined only by affluence. See story, page 12.

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# HANUKKAH

# magazine

VOL. XII Issue 591  
20 Teves 5770  
JANUARY 6, 2009  
Parashas Shemos

## THE NEW FACE OF POVERTY: HOW THE ECONOMIC MELTDOWN HAS IMPACTED JEWISH FAMILIES

THIS IS NOT A STAGED PHOTOGRAPH  
BUT ONE ACTUALLY TAKEN AT A DUMPSTERS  
IN BORO PARK THAT IS FREQUENTED  
BY THE NEIGHBORHOOD POOR.





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**Testimony of Brighter Tomorrows, Inc.  
To the Joint Budget Hearing of the  
Senate Finance Committee and  
Assembly Ways & Means Committee  
On Human Services  
February 10, 2010**

We believe Governor Paterson's proposal to eliminate domestic violence funding from the 2010-2011 Office of Children and Family Services (OCSF) budget is a poor policy recommendation that will result in the underfunding of essential domestic violence services in New York State.

Of particular concern is the Governor's proposal to eliminate Title XX Adult Protective and Domestic Violence funding from the state budget. Although such funds would be completely federally funded, the risk of a cap is inevitable. Shifting the responsibility of reimbursement for necessary services to financially insecure local governments will have a catastrophic effect on the ability of domestic violence service providers to keep victims safe. In addition to this proposal, the elimination of Temporary Assistance to Needy Families (TANF) non-residential domestic violence funding will also damage the quality of services to victims. Such services provide preventative assistance to those not in need of emergency housing, which bears a lesser cost to the state than residential services. By removing this funding from the state budget, it sends a message that domestic violence victims cannot receive assistance until the situation becomes life threatening.

During times of economic uncertainty, we find there is an increase in the need for services. When comparing services rendered in 2008 to 2009, Brighter Tomorrows, Inc. assisted 25% more clients seeking orders of protection and saw a 35% increase in its transitional housing program inhabitants.

Brighter Tomorrows, Inc. has been keeping victims safe in Suffolk County since 1986 by providing emergency shelter to women and children, 24/7 hotline assistance, court advocacy, counseling programs and safety planning. It is feared that if funding on the state level is eliminated, the agency will not be able to continue providing these life saving and empowering services to victims of domestic violence.

We urge you to find alternative solutions to balancing the state budget without compromising the safety of countless victims of domestic violence across New York State.

Thank you for your consideration.

Respectfully Submitted,

Aileen Fitz  
Executive Director

Kaitlyn Pickford  
Director of Non-Residential Services

Long Island Regional Representative  
New York State Coalition Against Domestic Violence



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Area Agencies on Aging**

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**February 10, 2010  
2010-11 Joint Budget Hearing  
Senate Finance Committee and Assembly Ways & Means Committee  
Human Services Sub-Committee**

Testimony of  
**Crystal Carter, Director, Clinton County Office for the Aging & President, NYSAAAA  
Laura A. Cameron, Executive Director  
New York State Association of Area Agencies on Aging**

Good afternoon Senator Kruger, Assemblyman Farrell, and members of the Committee. My name is Laura Cameron and I am Executive Director of the New York State Association of Area Agencies on Aging. I am joined by Crystal Carter who is President of our Association. We extend our appreciation to Senator Ruben Diaz, Chair of the Senate Aging Committee, Assemblyman Jeffrey Dinowitz, Chair of the Assembly Aging Committee, and NYSOFA Director Michael Burgess for their leadership and support of programs and services to assist older New Yorkers.

Our Association represents the 59 Area Agencies on Aging (AAAs), also known as Offices for the Aging, throughout New York State. Area Agencies on Aging design, fund, and coordinate programs that maintain seniors in their homes, postponing the need for more medically intensive and costly health care services. The local planning process ensures that limited government dollars are utilized effectively and efficiently to deliver the appropriate level of services to seniors. The safety net that AAAs have been able to provide throughout the years is being challenged by the needs of a growing aging population that increasingly requires more intensive services.

While a great number of our older adults live independently, there are a growing number of older adults who have limitations, chronic illnesses and disabilities, particularly as life expectancies increase. Those age 85 and above, who are more likely to need Office for the Aging care and support services have already increased by 28% from 2000 to 2008; and are anticipated to grow by 41% by the year 2015 and 80% by 2030. Many require supportive services that help them remain safely at home which can avoid or delay more costly nursing home placement.

Governor Paterson's proposed budget recognizes the valuable role of non-medical community based senior services and caregiver supports play in the effort to rebalance and reshape New York's long-term care system. While the Executive Budget preserves funding for critical core programs, it does propose some reductions in funding for the three core programs coordinated by Area Agencies on Aging. In light of the fiscal climate, we are thankful that the reductions were kept to a minimum. However, the overall impact of cuts made over the last few years has resulted in reduced services for seniors and longer waiting lists at the local level.

Our Association believes the State Budget should focus resources on community-based critical care direct services to keep seniors at home and reduce Medicaid costs and nursing home placements. The core programs of EISEP, CSE, SNAP and caregiver support services keep seniors in the community, reduce Medicaid costs, and prevent nursing home placement. We ask the Legislature to reaffirm the value of support services provided through AAAs around the state, as follows:

### ***Restore EISEP to \$48,035,000 (+\$2 million)***

EISEP (Expanded In-Home Services for the Elderly Program) provides case management and home care services that enable the most vulnerable non-Medicaid seniors to remain safely at home.

Reductions in EISEP funding have resulted in waiting lists throughout the state. Without these cost-efficient services, many seniors will spend down to Medicaid, costing the state far more. By delaying institutional care and reducing Medicaid spending, EISEP saves taxpayers money and improves seniors' quality of life.

We extend our appreciation to the New York State Office for the Aging for working with our AAAs to provide increased flexibility in EISEP regulations to expend funds in a manner that acknowledges the varying needs of seniors in their community. The proposed revisions expands the definition of ancillary services and increases the maximum housing adjustment. NYSOFA is also working to draft regulations to allow consumer direction in the EISEP program.

### ***Restore SNAP to \$23,380,000 (+\$2 million)***

The Supplemental Nutrition Assistance Program (SNAP) provides nutritious meals and related services to frail, homebound seniors at high nutritional risk, enabling them to remain in the community. Increasing SNAP will have an immediate positive impact on seniors. Economic conditions have caused an increased demand for meals resulting in waiting lists for home delivered meals for seniors.

### ***Restore CSE to \$16,312,000 (+\$1 million)***

The Community Services for the Elderly program (CSE) provides non-medical community-based services to frail, low-income seniors helping them to remain at home. Services include personal care, home delivered meals, congregate meals, and adult day services. The program offers flexible service options to meet the unique needs of senior citizens.



***Increase HIICAP to \$3 Million (+ \$2,079,000)***

The Health Insurance Information, Counseling & Assistance Program (HIICAP) provides information to seniors on Medicare, Medicaid, managed care, EPIC, and other health insurance options and issues, and also assists Medicare beneficiaries to access needed health care and to apply for programs such as the Medicare Savings Programs.

Seniors using HIICAP are linked to the wide array of services provided by AAAs, potentially accessing additional services. Volunteers have historically been utilized as HIICAP counselors, but volunteers are resigning due to the time commitment and complexity of the health insurance programs. The Executive Budget includes a \$921,000 allocation for 59 Area Agencies on Aging, which isn't sufficient to maintain HIICAP statewide. We recommend that HIICAP be funded at \$3 million.

***Restore CSI to \$806,000 (+\$806,000) (eliminated in Executive Budget)***

The Congregate Services Initiative (CSI) provides services in congregate settings. Allowable CSI services are: information and referral, transportation, nutrition-related services, socialization/companionship, educational and cultural opportunities, counseling, support services for families/caregivers, volunteer opportunities, employment services information, and health promotion and disease prevention services.

## Impact of Reductions in funding to EISEP, SNAP and CSE

**\$5 million in cuts = 12,372 fewer seniors served**

		SFY 2009-10	Executive Budget SFY 2010-11			
	Seniors served annually	State funding	Proposed Funding	Reduction in funding	Projected seniors served (with reduced funds)	Difference
<b>EISEP</b>	49,927	\$48,035,000	\$46,035,000	-\$2,000,000 (-4.2%)	47,830	-2,097
<b>SNAP</b>	63,793	\$23,380,000	\$21,380,000	-\$2,000,000 (-8.5%)	58,371	-5,422
<b>CSE</b>	79,556	\$16,312,000	\$15,312,000	-\$1,000,000 (-6.1%)	74,703	-4,853
					<b>Impact =</b>	<b>- 12,372</b>
						Fewer seniors served

## Support Funding Levels in Executive Budget

### ***COLA Funds for CSE, EISEP and SNAP (\$14,707,000 in Executive Budget)***

The Association supports continuing and making permanent the Cost of Living Adjustment (COLA) for:

- Community Services for Elderly (CSE) program
- Expanded In-Home Services for the Elderly Program (EISEP)
- Supplemental Nutrition Assistance Program (SNAP)

The COLA has enabled Area Agencies on Aging to recruit and retain workers necessary to provide services to seniors. As energy and transportation costs increase, COLA funds help the AAAs maintain services.

## **NY Connects: Choices for Long Term Care Services**

The Association supports the NY Connects Program led by the New York State Office for the Aging. Established in 2006 and operational in 54 counties, NY Connects provides comprehensive and easily accessible information and assistance for consumers of all ages seeking long term care services. NY Connects helps consumers remain in community-based settings and avoid over utilization of institutional care. The Executive Budget continues funding at the same level as SFY 2009-10.

### **Closing**

In closing, investing state funds to maintain and expand AAA services is a cost-effective alternative to more medically intensive and costly health care services. A few dollars spent now can significantly delay, and in some cases prevent, admissions to nursing homes and subsequent Medicaid eligibility. Seniors and their families want to use their resources wisely and keep their loved ones at home for as long as possible. **These services are critical to older New Yorkers in order to remain safely and with dignity in their own homes.**

# NYS Association of Area Agencies on Aging - [www.nysaaaa.org](http://www.nysaaaa.org)

**NYS Office for the Aging: State Fiscal Year 2010-11: Executive Budget vs. Previous Years - Updated 1-20-2010**

<b>NYSOFA Budget (within the Health &amp; Mental Hygiene Budget Bill)</b> <b>Programs/Services/Grants (in order of funding in enacted Budget 2009-10)</b>	<b>2007-08 Enacted Budget</b>	<b>2008-09 Budget (3-31-2008)</b>	<b>2008-09 August 2008 Special Session</b>	<b>2008-09 Final Funds Available (incl. mid-year Adjustments)</b>	<b>2009-10 Executive Budget (12-16-08)</b>	<b>2009-10 Enacted Budget</b>	<b>2010-11 Executive Budget (1-19-10) vs. Enacted 2009-10</b>
1- EISEP	\$49,972,000	\$48,973,000	\$46,486,742	\$46,486,742	\$46,035,000	\$48,035,000	\$46,035,000 (-\$2,000,000)
2- SNAP (Supplemental Nutrition Assist.Prog.)	\$19,209,000	\$22,745,000	\$21,592,210	\$21,592,210	\$21,380,000	\$23,380,000	\$21,380,000 (-\$2,000,000)
3- CSE (Community Svcs for the Elderly)	\$16,621,000	\$16,289,000	\$15,485,498	\$15,485,498	\$15,312,000	\$16,312,000	\$15,312,000 (-\$1,000,000)
4- COLA - EISEP, CSE & SNAP	\$10,782,000	\$15,288,000	\$14,370,720	\$14,370,720	\$13,207,000	\$14,707,000	\$14,707,000
5- NORCs	\$ 2,200,000	\$ 2,156,000	\$2,035,547	\$2,035,547	\$2,027,000	\$2,027,000	\$2,027,000
6- Neighborhood NORCs	\$ 2,200,000	\$ 2,156,000	\$2,026,640	\$2,026,640	\$2,027,000	\$2,027,000	\$2,027,000
7- Mgd Care Consumer Assistance Program (Community HIICAP)	\$ 2,000,000 (DOH Budget)	\$ 1,962,000	\$1,844,280	\$1,844,280	\$923,000	\$1,767,000	\$1,767,000
8- Respite	\$ 1,274,000	\$ 1,249,000	\$1,207,120	\$1,207,120	\$1,207,000	\$1,207,000	\$1,207,000
9a- Senior Transportation Oper. Exp.	\$ 1,000,000	\$ 980,000	\$924,031	\$924,031	\$921,000	\$921,000	\$921,000
9b- Senior Transportation Legis Add On	\$ 1,000,000	\$1,000,000	\$940,000	\$752,000			
10- HIICAP (Health Insurance Info. Counseling & Assistance Program)	\$ 1,000,000	\$ 980,000	\$921,200	\$921,200	\$921,000	\$921,000	\$921,000
11- Social Model Adult Day Services	\$ 1,447,000	\$ 1,188,000	\$1,116,720	\$1,067,840	\$872,000	\$872,000	\$872,000
12- CSI (Congregate Svcs. Initiative)	\$ 866,000	\$ 849,000	\$805,664	\$805,664	\$725,000	\$806,000	0 (-\$806,000)
13- LTC Ombudsman Program	\$ 746,000	\$ 731,000	\$689,767	\$689,767	\$621,000	\$690,000	\$690,000
14- Elder Abuse Educ & Outreach	\$ 500,000	\$ 490,000	\$490,000	\$490,000	\$490,000	\$490,000	\$490,000
15- RSVP (39 local programs)	\$ 442,000	\$ 433,000	\$433,000	\$433,000	\$433,000	\$433,000	\$433,000
16- Caregiver Resource Centers	\$ 360,000	\$ 353,000	\$353,000	\$353,000	\$353,000	\$353,000	\$353,000
17- Enriched Social Adult Day Services Demonstration		\$ 500,000 Delay to 1/09	\$245,000	\$245,000		\$245,000	\$245,000
18- Community Empowerment		\$ 492,000	\$245,000	\$245,000	\$245,000	\$245,000	\$245,000
19- State match for federal grants	\$ 241,000	\$ 236,000	\$236,000	\$236,000	\$236,000	\$236,000	\$236,000
20- Regn Caregiver Ctrs of Excellence 21 a --Direct Respite for caregivers		\$ 275,000 \$ 200,000	\$230,000	\$230,000	\$230,000	\$230,000	\$230,000
21- Foster Grandparents	\$ 200,000	\$ 196,000	\$196,000	\$196,000	\$196,000	\$196,000	\$196,000
22- Patients' Rights Hotline (Statewide Sr Action)	\$ 64,000	\$ 63,000	\$63,000	\$63,000	\$63,000	\$63,000	0 (\$63,000)
LTCIEOP (LTC Insur Educ & Outreach)	\$ 3,000,000	\$ 2,940,000	\$2,771,607	\$2,771,607			
Geriatric In-Home Medical Care pilot + Geriatric Social Workers - add'l \$600,000 + Stony Brook Evaluation - add'l \$150,000	\$ 1,000,000 \$ 600,000 \$ 150,000	\$ 750,000	\$705,000	\$564,000			
Senior Transportation(Econ Sustainable)	\$ 250,000	\$ 245,000	\$245,000	\$245,000			
End of Life Care Initiatives	\$ 200,000	\$ 200,000	\$188,000	\$150,000			
Affordable Housing Pilot	\$ 2,030,000						
Family Caregiver Council	\$ 200,000	\$ 125,000					
Model Zoning & Planning	\$ 100,000						
Mature Worker Task Force	\$ 100,000						
NORC Health Indicators	\$ 90,000						
Web-based reporting		\$ 50,000					
Alzheimer's Advisory Coord. Council	\$ 225,000	\$ 50,000					
Study of the Senior Benefits Program	\$ 25,000						
Caregiving in NY Study (United Hosp. Fund)	\$ 10,000						
<b>TOTALS</b>	<b>\$120,104,000</b>	<b>\$124,144,000</b>	<b>\$116,846,746</b>	<b>\$116,430,866</b>	<b>\$108,424,000</b>	<b>\$116,163,000</b>	<b>\$110,294,000</b>



# **THE CAMPAIGN FOR SUMMER JOBS**

c/o United Neighborhood Houses (UNH), 70 W. 36<sup>th</sup> Street, 5<sup>th</sup> Floor, NY, NY 10018  
Neighborhood Family Services Coalition (NFSC), 120 Broadway #230, NY, NY 10271  
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**Gigi Li**  
**Co-Director**  
**Neighborhood Family Services Coalition**

**Testimony submitted to the New York State Senate Finance Committee and  
New York State Assembly Ways & Means Committee**

**Human Services Budget Hearing**  
**Re: Summer Youth Employment Program (SYEP)**

**February 23, 2010**

Good morning. My name is Gigi Li, Co-Director of Neighborhood Family Services Coalition (NFSC), and co-chair of the Campaign for Summer Jobs (CSJ). CSJ is a coalition of nearly 100 community-based and citywide organizations in New York City that focuses on the City's summer youth employment program. Following a change in federal legislation that eliminated dedicated funding for summer jobs, United Neighborhood Houses (UNH) and NFSC co-founded the CSJ in December 1999. Since then, the Campaign has worked tirelessly to advocate for State and City funds to ensure the availability of summer jobs for youth.

I would like to thank the Legislature for its many years of support to SYEP. This year, we will need your support again. On Monday, February 1<sup>st</sup>, CSJ held its 11<sup>th</sup> Annual Youth Action Day in Albany. In our morning speak-out, Speaker Silver, Senate Majority Leader Espada, and Assembly Labor Committee Chair Susan John spoke, addressing the crucial need for SYEP. In the afternoon, our 300 youth had 152 legislative meetings emphasizing the role that SYEP plays in their futures. Your commitment to SYEP in the past years has allowed the program to flourish, ensuring a meaningful and productive summer for the State's young people.

As you may know, the Governor's Executive Budget has zeroed out funding for SYEP. In the FY 2009-10 State Budget, \$35 million of TANF funds supported around 25,000 job slots statewide, about 17,000 of those jobs slots were in New York City. We urge that the 2010-2011 State Budget once again include \$35 million for summer jobs. A record 139,547 applications were received for New York City's 2009 SYEP, and we understand that demand for summer jobs was also strong in the rest of the state. In New York City, the State's funding was leveraged with City and Federal funding to total \$67.5 million. As a result, New York City's SYEP enrolled over 52,000 teens. Additionally, \$28.1 million in summer jobs stimulus funds was allocated to counties outside of the New York Metropolitan area, and supported 9,660 jobs.

In the past year, employment of 16- to 19- year olds fell by 8 percent, nationwide to 29.2 percent; the largest decline of any age group. In tough economic times like the one we're in now, it is more important than ever to invest in the future of our youth. For the younger applicants, SYEP will provide a first job experience, a first paycheck, and the first taste of financial independence. Wages earned help pay for clothes, school supplies, and other family expenses, which can stimulate the local economy where the young people purchase these goods and services.

Moreover, every year, young people gain valuable work experiences through SYEP, helping them prepare for future careers, while earning a paycheck and learning important life skills such as time management and budgeting. These skills will make our youth competitive in today's marketplace; thus making it possible for them to make meaningful contributions that will sustain a healthy economy. SYEP jobs are also essential for their communities. Thousands of youth throughout the State work in day camps, daycare centers, and community centers, allowing agencies to accept a higher number of enrollees during the summer months. Without SYEP youth, many families will be forced to look for alternative options this summer.

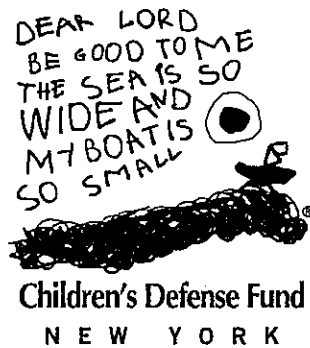
Thank you for the opportunity to testify before you today. We look forward to working with you in the upcoming months to secure sufficient funding for SYEP in 2010 and beyond.

Testimony of the Children's Defense Fund – New York  
Jennifer Marino Rojas  
Deputy Director

Human Services Budget Hearing

Before the New York State Senate Finance Committee  
and  
New York State Assembly Committee on Ways and Means

February 23, 2010



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[www.cdfny.org](http://www.cdfny.org)



Good Morning. My name is Jennifer Marino Rojas and I am the Deputy Director at the Children's Defense Fund – New York. I would like to thank Chairman Kruger and Chairman Farrell and the members of the Ways & Means and Finance Committees for rescheduling this hearing and giving us the opportunity to testify on the Executive Budget.

In times of challenge and uncertainty, like the one we are facing now, New York State needs leaders who are willing to be courageous and forward thinking. The Governor's Executive Budget for 2010 – 2011, which proposes to close the \$7.4 billion budget gap, includes some positive initiatives and in some cases protects critical children's services. However, the Governor missed important opportunities to achieve on-going savings by supporting innovative policies and programs that have proven effective in addressing the challenges of vulnerable children and youth.

To successfully address our state's budget crisis, there must be an investment in programs that will provide long-term savings as well actions that will help close the budget gap immediately, but these should not be balanced on the backs of children and vulnerable families. While the Governor's proposal makes an important statement by keeping some vital children's programs intact such as the children's health insurance program, there are several critical areas where services will be cut that will only increase the longer term costs to the state, such as the reductions to alternative-to-detention (ATD) programs, home visiting, after-school and summer youth employment. Without these programs, which are proven to reduce the need for future intervention and to improve outcomes for youth, the state will continue to squander millions of dollars on more intrusive interventions such as foster care and the incarceration of young people.

The Children's Defense Fund is engaged in a national campaign to dismantle the cradle to prison pipeline in New York that is robbing us of another generation of young people and costing the taxpayers millions. In New York we are strongly advocating and working towards a transformation of the state and city's juvenile justice systems and up front investments in early intervention and community-based prevention and family support programs that keep children out of the pipeline. That a black boy born in 2001 has a 1 in 3 lifetime chance, and a Latino boy a 1 in 6 lifetime chance of going to prison is a national disaster and says to millions of our children and to the world that America's dream is not for all. We are at an urgent moment of need and opportunity in New York and right now our leaders have the ability to change the outcomes for thousands of New York's youth.

The Children's Defense Fund (CDF) is a non-profit child advocacy organization that has worked relentlessly for 36 years to ensure a level playing field for all children. We champion policies and programs that lift children out of poverty; protect them from abuse and neglect; and ensure their access to health care, quality education, and a safe passage to adulthood. Supported by foundation and corporate grants and individual donations, CDF advocates nationwide on behalf of children to ensure children are always a priority.

### **Juvenile Justice**

The New York State juvenile justice system is not only broken, it is an expensive program that almost guarantees re-arrest and re-incarceration. At a cost of almost \$210,000 a year per youth, and a re-arrest rate of 75 percent within three years of release and almost 90 percent after ten

years of release, New York is funneling money into one of the surest pipelines to the adult prison system. Sadly, this system is disproportionately affecting youth of color from impoverished communities, primarily from New York City. Black children in New York City are 32 times more likely to be incarcerated than white children.

A portrait of the state run system paints a very stark picture:

- As of January 11, 2010, there were 1338 beds available in OCFS placements; 883 were filled.<sup>i</sup>
- More than 85 percent of the young people in the state youth prisons are children of color.<sup>ii</sup> African-American youth represented 60 percent of all OFCS placements in 2007.<sup>iii</sup>
- Misdemeanor arrests of Black youth in New York City increased 19.7 percent, and misdemeanor arrests of Hispanic youth in New York City increased 42.1 percent between 2005 and 2007 compared to an increase of 1.3 percent for White youth in New York City.
- Less than half (48.7 percent) of the youth in OCFS custody were convicted of a felony. The majority were convicted of misdemeanor offenses.<sup>iv</sup>
- Approximately 60 percent of incarcerated youth are 14 – 15 years of age; almost 10 percent are age 13 or younger.<sup>v</sup>
- 65 percent of girls and 46 percent of boys had prior child welfare involvement and 48 percent of girls and 24 percent of boys had prior foster care placements.<sup>vi</sup>
- 42 percent of girls who left the system were confirmed as perpetrators of abuse or neglect against their own children within 10 years of discharge.<sup>vii</sup>
- Nearly 24 percent of youth confined in OCFS facilities were identified as in need of special education.<sup>viii</sup>
- Over 55 percent of youth in OCFS facilities were screened as needing mental health services.<sup>ix</sup>
- Nearly 78 percent of the OCFS population was identified as needing treatment for substance abuse.<sup>x</sup>
- 75 percent of the youth in the state system are from the New York City area (60% from New York City), but the majority are placed in facilities in upstate New York.

A recent study of re-arrest rates for young people released from OCFS juvenile facilities found that nearly nine out of 10 boys and more than eight out of 10 girls were re-arrested by age 28.<sup>xi</sup> It is not surprising that a system that incarcerates primarily non-violent offenders hundreds of miles from home, and provides inadequate and inappropriate services and programming has such a failure rate.

On the local level, the overreliance on detention is also a problem. Because the state currently provides a 50% reimbursement rate for detention costs but does not provide a match for alternative-to-detention programs, there is a perverse incentive in favor of using detention even for youth who pose a low risk to the community. In New York City, despite the existence of community-based alternatives and a drop in juvenile felony arrests, detention admissions increased nearly 5 percent last year. Between 2003 and 2008, the city increased its spending on detention nearly 42 percent to \$84 million a year while spending only \$2.5 million on alternative to detention programs.<sup>xii</sup> Last month the Mayor announced the city's new commitment to reducing the use of detention and sending fewer young people to OCFS placements. This will only be possible if the state provides it fair share of support community based diversion and alternative-to-detention programs. **The Governor's budget proposal threatens the efforts of New York City to reduce the number of youth in detention and in state youth prisons.**

While we have been pleased with the direction of New York State over the past two years to confront the many challenges of the juvenile justice system head-on, there is much more that can and must be done and the Governor's budget proposal does not move in the right direction. By proposing to increase funding for detention and significantly decrease the available funding for alternative to detention programs the state is prioritizing the incarceration of children rather than providing more effective, and less costly community based treatments and services. This is completely contrary to the recommendations of the Task Force commissioned by the Governor to examine the juvenile justice system and will cost the state more money over time both in the costs of incarceration and the need for future intervention as a result of the failed programs.

### *Specific Budget Proposals*

The Governor's budget proposes a **\$4 million increase in detention** funding as a result of the increased use of secure detention and cost-of-living increases, while at the same time **decreasing funding for alternative-to-detention programs by \$11 million** (\$245,762 in state funds and \$10.75 million TANF funding). The proposal also fails to fund an additional **\$5 million** for community reinvestment/ATD funding.

- The already flawed funding structure that provides an incentive towards detention is only made worse by reducing the limited amount of ATD funding available to localities, while increasing the overall spending on detention. Effective ATD programs range in cost from \$2500 to \$17,000 a year, while detention costs almost \$600 a day – more than \$200,000 a year. These programs are also much more effective – with recidivism rates lower than 20 percent (compared to over 75 percent recidivism from the state facilities.) In the Mayor's State of the City, he announced the city's new commitment to reducing the use of detention and sending fewer young people to OCFS placements. This action will not only save the state money by significantly reducing the use of the more costly placements, but will also improve the outcomes for young people in the system and reduce the overall recidivism rates. Unfortunately, if the state continues to cut the necessary funding to safely maintain youth in the communities, this plan will not be successful and the need for the expensive and failing youth prisons will grow.

To successfully downsize the detention and youth prison population, the state must not only **maintain the current ATD funding at \$16 million (\$10.75 in TANF, \$275,000 in state funds and \$5 million in reinvested funding), but also invest the \$4 million increase proposed for detention funding towards new community-based prevention and diversion programs.**

- CDF-NY is pleased that the Governor continues to downsize the state run youth prison system by proposing to **eliminate 180 beds for a savings of \$2.9 million in FY 2010-2011** and we will continue to support the state's efforts to reduce the number of young people placed in these ineffective and abusive facilities. We strongly support efforts to ensure that all savings from the closure of state facilities be re-invested in community-based prevention and alternative programs.

It is also encouraging that the budget proposal **invests \$18 million towards the improvement of services in the state system**; however, we hope that the state will think differently about how this investment is used.

Instead of continuing to funnel resources into a system that is clearly broken and failing, the state should be looking at a true transformation of the entire system with a focus on community-based interventions, ATD and aftercare services. The system must be based on the needs of the young people and must employ practices and models that are proven to work. Youth should not automatically be sent away to upstate facilities, far away from their families where they cannot access the real supports they need. Instead, the norm should be that youth remain in their communities, either with their families or in smaller, community based facilities that provide a more therapeutic and effective model. This has been done in other jurisdictions with great success.

Missouri transformed their system decades ago from an abusive and ineffective system to one where less than 8 percent of the youth annually return to the system, and less than 8 percent end up incarcerated within five years. This was achieved through the creation of smaller more locally based facilities, investments in staff training, the creation of a family counseling capacity and an investment in community-based after-care services. Many leaders from New York have visited Missouri and have witnessed the amazing results first hand. We need to stop talking about Missouri and make New York a model for others.

**CDF-NY urges the state to use a portion of this \$18 million towards quality community based resources**, including mental health, ATD and aftercare services in the communities where the young people live. Without these resources youth will not be able to return safely to their communities, creating a false need for detention and incarceration. We do recognize that the state system needs support while this transformation takes place and an increase in staff and the addition of mental health services are critical for the young people currently in the system. We hope this \$18 million can be used most effectively to move towards a true change in the system and not just immediate actions that will not truly address the underlying problems.

The budget is one opportunity to take swift and strong action towards real change for not only the young people involved with the juvenile justice system but for all New Yorkers who have an interest in how public money is being spent.

### **Early Intervention and Prevention**

There are many ways to invest in children and to ensure they are on a pipeline to success. These strategies almost always cost less than later intrusive government intrusion whether it is in the child welfare, juvenile justice or public school systems. Unfortunately, the Governor's proposed budget includes significant cuts to programs that we know support families, get children ready to learn and succeed in school, and keep young people out of trouble. The proposed cuts to the home visiting, after-school and summer employment programs are short-sighted actions and will be more costly than the immediate savings achieved by these cuts. These cuts say that New York will only respond after a youth gets in trouble or falls behind in school, but will not provide the support needed to keep youth safe and prepared for the future.

### *Specific Budget Proposals*

- **The Home Visiting Programs** provide much needed support and intervention for at-risk families prior to a child's birth or soon thereafter. A recent study found that families enrolled in these programs are 50 percent less likely to be reported for abuse or neglect in the future and that this program decreases the chances of low birth weights for the children of African American and Hispanic women. Providing these services up front to vulnerable families saves the state money on future child protective investigations, possible foster care placement and health-related costs associated with low birth weight children, while also improving the child's growth and development as a result of growing up in a healthier and more supported environment.

**The Governor's budget proposal included a \$6 million cut to this program by eliminating all TANF funds. We urge the legislature to restore the home visiting budget to \$25 million in the final budget.**

- **The Advantage After-School Program** supports much needed quality after-school and summer programming. These programs are structured to provide academic, emotional and vocational skills to school-age youth, to reduce negative behaviors and to provide parents with a safe environment for their children. There is already a shortage of quality after-school programs in New York and reducing the budget of this program by \$10,911,637 will lead to more youth being disconnected and left in unsuitable situations while parents work. The reduction of after-school and summer programs will also lead to learning loss for students – especially those who may be struggling and require extra support and help after-school. By cutting funding for after-school, the state will be forced to spend more money on these youth when they get in trouble or fall behind in school.

**CDF-NY urges the legislature to put back the \$10,911,637 in TANF funding for the Advantage After-School Program.**

- **The Summer Youth Employment Program (SYEP)** will lose all state funding under the Executive Budget proposal – a total of \$35 million. This program, which provides 7 weeks of paid work experience, introduces young people to the working world and helps address the issue of unemployed and disconnected youth. It also provides financial support for low-income families. This program is especially important for vulnerable youth and youth involved with the child welfare, juvenile justice and homeless systems. The need for this program is great, and continues to grow as the job market struggles in New York. In New York City alone more than 139,000 youth applied for the program last year, and only 52,255 were actually able to be enrolled (this was an increase from the previous year due to funds from the American Recovery and Reinvestment Act). The SYEP program not only helps young people gain work experience, but also stimulates the economy and supports many small businesses and non-profit organizations that are struggling in the current economic climate. The elimination of state funding for this program will lead to thousands of youth remaining idle, inexperienced and unprepared for the future job market.

**CDF-NY urges the legislature to restore the \$35 million for SYEP in the final budget agreement.**

- **The Early Intervention Program** provides approximately 75,000 children under the age of 3 with critical supportive and preventive services to help them overcome and manage physical, developmental or other challenges. The Executive Budget will require providers to bill Medicaid and maximize private insurance reimbursements which will generate \$6.3 million in FY 2010-2011 and \$26.3 million in FY 2011-2012. In addition, the budget proposes a new fee structure for families above 250 percent of the poverty level that will achieve a savings of \$13.6 million in FY 2011-2012.

Historically this program has been free of charge for all families. Most troubling about the new fee structure is the requirement to document income and the failure to do so triggering the highest level of payment - \$2600 a year. Based on our experience with the enrollment in public health insurance programs, we know this requirement can be challenging and could result in many children going without the necessary EI services. Eligibility must continue to be based upon the needs of the child and not on the family's ability to pay or the responsiveness of their private insurance plan. While we assert that this program should remain free for all families, or at least all families below 400 percent of poverty, if a fee structure is implemented it must be more flexible and not place undue burdens on already vulnerable families.

### **Child Care**

The state's subsidized child care program is in crisis and has been for many years. While we are glad the Governor did not propose any reductions to the child care block grant, there remains a significant gap of approximately \$40 - \$50 million in the total amount of funding available compared to the last fiscal year.

There are many reasons why this gap exists – a decrease in federal funding, the historical lack of state funding, the increase in families on public assistance requiring child care, the Market Rate increases, and the overall increasing costs of providing child care. In a time when more and more families are in need of child care subsidies, the state must take action to ensure that the system can remain viable and that families do not lose this critical support. Erie County has already reduced their eligibility levels dropping almost 1,500 children from child care programs, and New York City continues to downsize its system and is serving almost 5,000 fewer non-public assistance children compared to 12 months ago.

CDF-NY urges the state to examine the child care system and provide the support necessary to ensure that no family loses their child care during this budget crisis.

### **Child Welfare**

CDF-NY is pleased that New York has created a subsidized kinship guardianship program that will help many children move to a permanent family status rather than remaining in foster care. While there is concern with the funding structure and the lack of additional funding for the counties to implement this program, the creation of a formal kinship guardianship program is a step in the right direction for New York State and will help many children achieve the permanency they deserve.

## **Conclusion**

In this time of challenge and uncertainty, the Children's Defense Fund – New York urges our state leaders to prioritize children and vulnerable families as you make your decisions on the state's budget. We hope that the final budget will be based on forward thinking and long-term savings and outcomes and not just on actions that will produce short-term budgetary savings but have negative long-term consequences.

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<sup>i</sup> New York State Office of Children and Family Services, Division of Juvenile Justice and Opportunities for Youth, *Weekly Population Summary Report*, January 11, 2010.

<sup>ii</sup> New York State Office of Children and Family Services, *Annual Report, 2007*.

<sup>iii</sup> OCFS Annual Report, 2007.

<sup>iv</sup> *Ibid.* NB: Misdemeanor offense include shoplifting, trespass, graffiti, loitering, petit larceny, possession or sale of marijuana, and resisting arrest.

<sup>v</sup> Vera Institute of Justice, *Widening the Lens: A Panoramic View of Juvenile Justice in New York State*, Dec 2008.

<sup>vi</sup> New York State Office of Children and Family Services, *Long Term Consequences of Juvenile Delinquency, Child Maltreatment and Crime in Early Adulthood*, April 2008. NB: The child welfare data was only available from 1992, so involvement with child welfare prior to 1992 is not captured in this study, which means these numbers could under-represent the actual prior child welfare involvement of the youth in the OCFS system.

<sup>vii</sup> *Ibid.*

<sup>viii</sup> Citizens Committee for Children of New York, *Keeping Track of New York City's Children*, 2008.

<sup>ix</sup> *Ibid.*

<sup>x</sup> Data provided by the New York State Office of Children and Family Services, "Selected Characteristics of Youth Entering and Leaving OCFS Custody Jan, 07-Mar. 07 or In Custody on March 31, 2007 and the Same Periods Last Year."

<sup>xi</sup> New York State Office of Children and Family Services, *Long Term Consequences of Juvenile Delinquency, Child Maltreatment and Crime in Early Adulthood*, April 2008.

<sup>xii</sup> New York City Independent Budget Office, *The Rising Cost of the City's Juvenile Justice System*, January 2008 (Revised; originally issued December 2007).

**Joint Legislative Hearing on the New York State Human Services Budget  
February 23, 2010**

**\*This testimony has been amended since submitted previously on February 10, 2010\***

**Prepared by Casey Dinkin, Manager of Advocacy and Communications  
Nutrition Consortium of NYS**

Thank you to Senator Kruger and the Senate Finance Committee, Senator Squadron and the Senate Social Services Committee, Assemblyman Farrell and the Assembly Ways and Means Committee, and Assemblyman Wright and the Assembly Social Services Committee, for having this hearing today, and for affording the opportunity to testify. The Nutrition Consortium is a statewide, nonprofit organization dedicated to alleviating hunger for residents of NYS. To do this, we focus on maximizing participation in governmental nutrition assistance programs, such as the federally-funded Food Stamp Program.

One of New York's cost effective, state-funded initiatives to increase access to nutrition assistance programs by eligible populations is the Nutrition Outreach and Education Program (NOEP). NOEP is federally matched dollar for dollar by the United States Department of Agriculture (USDA). NOEP serves 45 service areas throughout NYS—32 upstate counties, including Long Island, and 13 areas in NYC. NOEP provides outreach, education, and application assistance to help eligible individuals learn about and enroll in the federally-funded Food Stamp Program.

Last year, NOEP helped 27,000 households across NYS to enroll in the Food Stamp Program. Since food stamp benefits are 100% federally-funded, this brought more than \$65 million in federal food stamp dollars into New York State's economy.

In addition to its economic benefits to NYS, NOEP assists OTDA by being the "on the ground partner" in implementing and publicizing new initiatives such as [mybenefits.gov](http://mybenefits.gov), the Working Families Food Stamp Initiative, and the electronic food stamp application. As OTDA seeks to maximize the impact of its access and eligibility improvements, NOEP services ensure that community residents learn about, and benefit from, these initiatives.

In the 2010-2011 proposed budget, administration of NOEP has been transferred to OTDA from the DOH. NOEP funding, which was previously split between OTDA and DOH, has been transferred entirely to OTDA. Since both OTDA and DOH are longstanding and supportive partners of the Nutrition Consortium and NOEP, we believe that NOEP will continue to operate successfully with this transfer in administration and funding.

The Nutrition Consortium has been working with the Division of Budget, and the Legislature's analysts, to determine the impact of some differences in the way NOEP funding appears in the proposed budget, and ensuring that the same amount of program funding is available for services in 2010-2011.



Additionally, we are looking at a technicality in the state contract which may impact the total amount available. We are very appreciative of the Legislature's continued support, and look forward to working with you so that NOEP services are maintained at their current level. We also recommend that the state expand NOEP so that it can adequately serve NYS, including all upstate counties, and a significant increase in NYC. To do so would require a state investment of \$4 million, and would bring a projected \$186 million in federal food stamp benefits into NYS.

The Nutrition Consortium fully supports the state's \$504 million investment in food stamp administrative funding. With record increases in demand for food stamps, maintaining the program's infrastructure by providing an adequate number of caseworkers, technology, and support, is essential to meeting the increased demand for benefits.

We also recommend, as a cost savings measure, that the legislature pass bill A1681/S6291, which would eliminate finger imaging for food stamp applicants. There is no federal requirement for finger imaging of food stamp applicants, but the state can choose to allow it, and must pay for half of the associated costs. New York is only one of four states which utilizes finger imaging for food stamps. Finger imaging is not an effective way of preventing fraud, and has an unintended consequence of deterring eligible people from applying. Given the current budget deficit, NYS should pass legislation that eliminates this unnecessary and ineffective process, and save the state millions of dollars.

Thanks again for holding this hearing, and for the Legislature's continued leadership towards a New York State where all residents have access to adequate food and nutrition.

# New York Public Welfare Association

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## Testimony on the SFY 2010-11 Executive Budget for Human Services Joint Fiscal Committees of the New York State Legislature

Sheila Harrigan, Executive Director  
February 23, 2010

The New York Public Welfare Association is dedicated to improving social welfare policy so that it is accountable to taxpayers and protective of vulnerable people. Local departments of social services come face to face with poverty and large masses of people seeking their help every day. Counties and the State of New York share the same economic conditions that are forcing us all to cut back. In spite of the growing demand for assistance, the State has been withdrawing support. The last State budget eliminated all State funding for the administration of Food Stamps and Safety Net Assistance. The executive budget proposes eliminating all state funding for domestic violence services through changes under Title XX.

*Due to the harsh fiscal reality that we share with the State, we have three recommendations that are extremely important to social services, which do not require additional resources:*

### **Oppose the Kinship Guardianship Assistance Program Due to Lack of State Funding**

Under no circumstance should kinship guardianship assistance be placed under the Foster Care Block Grant as proposed. Kinship guardianship is not a type of foster care. It is a permanency alternative to adoption. It should be funded using the same federal, state and local share formulas that support adoption subsidies.

The NYPWA issued recommendations for implementing kinship guardianship assistance on April 9, 2009, drawing on the experience of local districts and other experts, including local social services commissioners who previously administered these programs in other States. While we would like to see this permanency option for families in the future, it must coincide with the State's ability to step up to the plate with its share of the funding and with a solid policy framework.

Other States fund kinship guardianship directly, without placing the burden on counties. It is misguided to say it is cost neutral when 100% of the fiscal liability would fall on local governments and none of it on the State. New York cannot predict the cost or size of this program by comparisons with other states that have a different level of utilization of relatives as caregivers within the foster care system. However, if the State is convinced that it is cost neutral, then the State should certainly be willing to bear its fair share of the financial risk.

There are two other critical components of the proposal which add to the cost of the program and which are contrary to the best interests of the child and are therefore totally unacceptable.

The first problem is that the language does not establish local department of social services (DSS) approval as a prerequisite for each kinship guardianship determination. This approval is essential to ensure that guardianship is not ordered for children who need ongoing services or who could be safely returned home or adopted. If this was the intent, then the bill needs to be rewritten. The language should make it clear that the judge cannot order guardianship unless the local DSS, who is the custodian of the child, agrees that this is the best option for the child and advocates to the court that the child's permanency goal be changed.

The second objection is that it allows this option after only six months in foster care. This is much too soon to make a decision that the child will never be returned home and that adoption is not the right option, especially for very young children. While the federal government sets six months as a minimum, twelve to fourteen months is a more reasonable timeframe.

### **Reject Proposal to Shift the State's Liabilities under the Medicaid Cap to Counties**

In keeping with the State's commitment to the local Medicaid cap agreement, we ask that you reject the proposed executive budget language that would shift the State's liabilities for federal penalties and disallowances to local governments. Local departments of social services have historically maintained a very high standard of eligibility review. In order to expand Medicaid enrollment, the state has eliminated finger imaging, resource tests and other aspects of Front End Detection Systems that avert fraud. All of these changes to Medicaid do not lend themselves to a comprehensive review of eligibility. It is entirely appropriate that the State be the entity that is held accountable to the Federal government for the policies that they have independently established for local social services districts to implement. In addition, the State Department of Health should strengthen its strategies for federal compliance by updating its administrative directives to correspond with current federal and state laws rather than relying on informal communications to convey policy changes.

### **Support Investing TANF Funds through the Flexible Fund for Family Services**

Social services districts have built-in fiscal incentives to spend TANF funds on the services that will be most effective in lifting people out of poverty and in complying with federal mandates in order to preserve federal funding. We ask the legislature to support the executive budget proposal for the Flexible Fund for Family Services (FFFS), which is the only vehicle that counties have to pursue these goals. In fact, many of the programs funded through the FFFS are State mandates, which were previously funded under separate line items in the budget. Redirecting any of these TANF funds away from the FFFS would create a domino effect leading to a wide range of program reductions affecting child welfare and employment services operated by many not-for-profit agencies. The funding of FFFS, along with the preservation of open-ended funding for preventive and protective services in the executive budget, enable districts to continue to serve families in need.

In summary, we are asking for your support for these three recommendations:

- Oppose the Kinship Guardianship Assistance Program Due to Lack of State Funding
- Reject the Proposal to Shift the State's Liabilities Under the Medicaid Cap
- Support Investing TANF Funds through the Flexible Fund for Family Services

New York State Joint Legislative Conference Budget Hearing  
on the 2010-2011 Executive Budget  
Albany, New York

February 10, 2010

Testimony On Behalf of the Nurse Family Partnership Program  
presented by:

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Good afternoon. My name is Renée Nogales. I am a Senior Program Officer at Public/Private Ventures, a national leader in creating and strengthening programs that improve lives in low-income communities. I am here today to ask for continued support of a program that truly strengthens New York families and communities—Nurse-Family Partnership.<sup>6</sup> As you make very difficult decisions about the budget, I ask that you maintain funding for Nurse-Family Partnership through the Community Optional Preventive Services program administered by the Office of Children and Family Services, as well as request ongoing funding of the \$5 million that was set aside for this program in the Office of Temporary and Disability Assistance's final budget last year.

I would like to start by asking you to visualize the impact of this program on our most vulnerable children. Research shows that for every 100,000 families served by Nurse-Family Partnership, 14,000 fewer children will be hospitalized for injuries in their first two years of life<sup>1</sup>; 300 fewer infants will die in their first year of life<sup>2</sup>; 11,000 fewer children will develop language delays by age two<sup>3</sup>; 23,000 fewer children will suffer child abuse and neglect in their first 15 years of life<sup>4-11</sup>; and 22,000 fewer children will be arrested and enter the criminal justice system through their first 15 years of life.<sup>10,12</sup> Applying these figures to the 6,031 families served in New York State, almost 850 fewer children must be hospitalized for injuries, nearly 1,400 children have been spared from child abuse and neglect, and over 1,300 have been spared from future involvement in the criminal justice system, thanks to Nurse-Family Partnership.

Nurse-Family Partnership pairs low-income, first-time mothers with a personal registered nurse who makes home visits to improve the health, well-being and economic self-sufficiency of each family. Home visits begin early in pregnancy and continue up to each child's second birthday. Nurses focus on stimulating positive life choices that yield economic benefits to taxpayers. In fact, over 30 years of scientifically-rigorous research have proven that Nurse-Family Partnership can break the cycle of child abuse and neglect, crime, poor health outcomes and government dependence. At the same time, it increases labor force participation; improves school readiness; saves substantial government resources; and benefits mothers, fathers, children and future generations. It has been identified as the most cost-effective program of its kind by the Washington State Institute for Public Policy<sup>5</sup>.

The first Nurse-Family Partnership program in the country started in Elmira, New York as a research pilot. It now operates in Monroe County, Onondaga County in all five boroughs of New York City, and nationally, in 28 states. Nurse-Family Partnership has served over 6,000 families in New York State since 2003 and currently is serving about 2,500 families.

Nurse-Family Partnership was implemented for replication and public investment only after it was rigorously tested in three randomized controlled trials, the type of research conducted by the Federal Drug Administration to test new medications. In each research demonstration, the program proved to be effective. Few social programs have made this degree of investment in rigorous research that is a hallmark of Nurse-Family Partnership. It is one of only 11 Blueprints for Violence Prevention programs nationwide that meet the highest standard of efficacy for reducing adolescent violent crime, aggression, delinquency and substance abuse.<sup>6</sup> The powerful program outcomes have also earned it the distinction of being named an "exemplary" program by the U.S. Office of Juvenile Justice and Delinquency Prevention<sup>7</sup> and a "social program that works" by the Coalition for Evidence-Based Policy.<sup>8</sup>

I would like to draw your attention to some of the specific program outcomes described in the document submitted with my testimony entitled, *Evidentiary Foundations of Nurse-Family Partnership*. Program outcomes include a 48 percent reduction in child abuse and neglect, a 32 percent reduction in subsequent pregnancies and an 83 percent increase in labor force participation of mothers.

Maintaining full funding for Nurse-Family Partnership is good economic policy. The Rand Corporation estimates a \$5.70 return on every dollar invested in the higher-risk population, with the bulk of government savings accruing in reduced health care, educational, social services and criminal justice expenditures.<sup>9</sup> As a result of your wise investment today, vulnerable children of New York can have a positive start in life that will translate into lasting social and economic benefits for generations to come.

During these challenging economic times, before making an investment of scarce public dollars, we must ask ourselves, “Is this a wise investment? Is there evidence that this program will actually *work*?” The answer is clearly “yes” in the case of Nurse-Family Partnership. Restoring New York State funding to support evidence-based home visiting programs like Nurse-Family Partnership is imperative for the future benefit of all New York’s children and families.

In closing, I would also like to ask that you give careful consideration to the testimony provided by my colleagues from the Healthy Families New York home visiting program. We stand with them in their request to restore their \$10 million-dollar budget cut, to bring their total budget to \$25 million. We truly cannot afford to eliminate the safety net that all home visitation programs provide to vulnerable families.

Thank you very much for the opportunity to speak before you today, and for your commitment to these important issues.

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<sup>1</sup> Kitzman H, Olds DL, Henderson CR Jr, Hanks C, Cole R, Tatelbaum R, McConnochie KM, Sidora K, Luckey DW, Shaver D, et al. Effect of prenatal and infancy home visitation by nurses on pregnancy outcomes, childhood injuries, and repeated childbearing. A randomized controlled trial. *JAMA* 1997 Aug 27;278(8):644-52.

<sup>2</sup> Carabin H, Cowan LD, Beebe LA, Skaggs VJ, Thompson D, Agbangla C. Does participation in a nurse visitation programme reduce the frequency of adverse perinatal outcomes in first-time mothers? *Paediatr Perinat Epidemiol* 2005 May;19(3):194-205.

<sup>3</sup> Olds DL, Robinson J, O'Brien R, Luckey DW, Pettitt LM, Henderson CR Jr, Ng RK, Sheff KL, Korfmacher J, Hiatt S, et al. Home visiting by paraprofessionals and by nurses: a randomized, controlled trial. *Pediatrics* 2002 Sep;110(3):486-96.

<sup>4</sup> Olds DL, Eckenrode J, Henderson CR Jr, Kitzman H, Powers J, Cole R, Sidora K, Morris P, Pettitt LM, Luckey D. Long-term effects of home visitation on maternal life course and child abuse and neglect. Fifteen-year follow-up of a randomized trial. *JAMA* 1997 Aug 27;278(8):637-43.

<sup>10</sup> Interview with Dr. David Olds [homepage on the Internet]. Nurse-Family Partnership; c2006 [cited 2007 Sep 5]. Available from: <http://www.nursefamilypartnership.org/resources/files/PDF/DavidOldsinterview1-24-06.pdf>.

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<sup>11</sup> Zielinski DS, Eckenrode J, Olds DL. Nurse home visitation and the prevention of child maltreatment: impact on the timing of official reports. *Dev Psychopathol* in press.

<sup>12</sup> Olds D, Henderson CR Jr, Cole R, Eckenrode J, Kitzman H, Luckey D, Pettitt L, Sidora K, Morris P, Powers J. Long-term effects of nurse home visitation on children's criminal and antisocial behavior: 15-year follow-up of a randomized controlled trial. *JAMA* 1998 Oct 14;280(14):1238-44.

<sup>5</sup> Aos, S.; Lieb, R.; Mayfield, J.; Miller, M.; Pennucci, A. Benefits and costs of prevention and early intervention programs for youth. Olympia, WA: Washington State Institute for Public Policy; 2004.

<sup>6</sup> Blueprints for Violence Prevention model program selection criteria [homepage on the Internet]. Center for the Study and Prevention of Violence; c2004 [cited 2007 Feb 1]. Available from: <http://www.colorado.edu/cspv/blueprints/model/criteria.html>.

<sup>7</sup> OJJDP Model Programs Guide [homepage on the Internet]. Office of Juvenile Justice and Delinquency Prevention. [cited 2008 March 24]. Available from: [http://www.dsgonline.com/mpg2.5/mpg\\_index.htm](http://www.dsgonline.com/mpg2.5/mpg_index.htm).

<sup>8</sup> Social Programs that Work [homepage on the Internet]. Coalition for Evidence-Based Policy. [cited 2007 Feb 1]. Available from: <http://www.evidencebasedprograms.org/>.

<sup>9</sup> Karoly, L. A.; Kilburn, M. R.; Cannon, J. S. Early childhood interventions: proven results, future promise. Santa Monica, CA: RAND; 2005.



# HOPE'S DOOR

*Embracing Life Free From Domestic Abuse*

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**An Open Letter to the Governor and NYS Legislature on Domestic Violence Priorities  
Written Testimony Submitted to Senator Carl Kruger, Room 913, LOB, Albany, NY 12247**

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I am writing to you regarding the safety and support needed by victims of domestic violence and their children – safety and support that will be seriously jeopardized if the Proposed Executive Budget for FY 10/11 is passed. I urge you to reconsider your priorities and to put the safety needs of victims front and center in your consideration of the state's budget. We are particularly concerned regarding the following:

1. **Elimination of the \$3M TANF:** The TANF funds are a key element in support of non-residential domestic violence services. Please note that only one in five victims coming to us for help accesses shelter services – four out of five victims need the comprehensive supports offered in our nonresidential program.
2. **The cost shift/reduction of Title XX money:** While the proposal calls for an increase to the cap and the maintenance of the domestic violence funding priority, the cost shift is actually an \$18 million reduction for local districts.
3. **Elimination of state funding** for the domestic violence/child protective service collaborations, leaving only federal funds available for their support.
4. **Elimination** of \$1.2 million in domestic violence funding from the Senate, which has supported domestic violence and civil legal services programs for victims.
5. **Elimination of General Fund dollars** being allocated to domestic violence programs and services in the State of New York.
6. **Elimination** of the Supportive Housing for Families and Young Adults program (SHFYA), which provides critical funding for services for underserved homeless families headed by domestic violence survivors.

As a domestic violence service provider in Westchester County, these cuts not only would adversely affect the thousand or more victims we serve each year but also would impede our work on abuse intervention and prevention. In our Love Shouldn't Hurt teen dating abuse intervention and prevention program, for example, we empowered 5,196 young people last year with potentially life-saving information on abuse – vital if we are to break the intergenerational cycle of violence.

We ask that you give thoughtful attention to the cost-effective and efficient work that agencies such as ours provide. Providing services now will not only reduce suffering and save lives but also will reduce future costs to communities.

We implore you to restore all funding and maximize the safety of victims of domestic violence and their children.

Sincerely,

CarlLa Horton, MPA  
Executive Director



**Testimony to the New York State Legislature  
Joint Hearing of the  
Senate Finance Committee and Assembly Ways and Means Committee  
February 9, 2010**

**2010-2011 Executive Budget  
Health/Medicaid**

The New York Association on Independent Living (NYAIL) is a statewide membership association for Independent Living Centers (ILCs), community-based organizations run by and for New Yorkers with disabilities. NYAIL is dedicated to improving the quality of life and safeguarding the civil rights of people with disabilities of all ages. Independent Living Centers (ILCs) are controlled and primarily staffed by people with disabilities and provide a variety of community-based services, such as peer counseling, independent living skills training, and assistance with medical needs, housing, education, employment and other necessary services that empower people with disabilities to live independent, fully integrated lives in their communities.

NYAIL recognizes the dire financial constraints the State faces this year and the difficult task it puts before the Legislature. We urge you, however, to avoid implementing proposals that would save the State money by cutting access to medically necessary services that support independence and community integration for people with disabilities. Now is the time the State must realize long term structural savings by reducing its investment in outmoded institutions and shifting funding to community-based services and supports, particularly consumer directed programs.

In November 2009, in response to Governor Paterson's Deficit Reduction Plan (DRP), NYAIL, the Center for Disability Rights (CDR) and the Consumer Directed Personal Assistance Association of New York State (CDPAANYS), called on the Governor and the Legislature to implement a variety of cost-saving proposals in long term care to avoid massive Medicaid cuts as proposed by the Governor. The recommended policy changes would help increase the independence and community integration of seniors and people with disabilities while saving the state upwards of \$287 million. The full proposal is available on our website at [www.ilny.org](http://www.ilny.org).

We urge the Legislature to consider these proposals, as well as NYAIL's reaction to the Executive Budget below, in finalizing the 2010-11 State Budget.

**NYAIL opposes the proposed cap on Personal Care Services exceeding a daily average of 12/hrs in a given authorization period.**

The 2010-11 Executive Budget includes a proposal that would require seniors and people with disabilities who need more than an average of 12 hours per day of personal

care services to switch to another program. This proposal previously extended to those enrolled in the Consumer Directed Personal Assistance Program (CDPAP). The cap on CDPAP, a less costly type of service would have forced many individuals requiring more than 12 hours per day of care, on average, into an alternate program that did not offer control over their own care and services. Governor Paterson's 21 day amendments to the 2010-11 Executive Budget included an exemption to the 12 hour cap on personal care services for services received through CDPAP. The cap remains in place for individuals receiving more than 12 hours per day, on average, of personal care.

While we are grateful to the Governor for exempting CDPAP from the 12 hour cap on personal care, we remain deeply concerned about the impact this proposal will have on people with disabilities currently living in the most integrated community settings. The proposal would require those individuals who require more than the average 12 hrs/day of care to switch to another option, including the Nursing Home Transition and Diversion (NHTD) Waiver, the Long Term Home Health Care program (LTHHCP), or Managed Long Term Care (MLTC). The problem is that the alternative programs are not viable options for the high needs individuals targeted by this proposal:

- The NHTD Waiver has been plagued with implementation problems that lead to long waits for enrollment. There are currently only 23 enrollees in the NHTD waiver in NYC, while 85% of the 5,000 individuals targeted in this proposal are from NYC. In addition, the waiver only has 5,000 slots, while there are 22,000 people currently in nursing facilities in New York that have indicated that they wish to return to the community.
- The LTHHCP has an individual cost cap of 75% of the cost of a nursing facility, which equates to about 8 hours of care per day. Therefore, the majority of people targeted in this proposal would not be eligible for the LTHHCP.
- Similarly, the MLTC plans receive a capitation rate which, even if increased, will not be sufficient to absorb the cost of 5,000 high-need individuals.

Requiring 5,000 individuals with disabilities to shift into one of these three programs will lead to disruption in services, long waits for enrollment, and will force many into unnecessary institutionalization. More importantly, DOH has not shown how this proposal will save the state money.

This proposal's \$30 million savings estimate is achievable only by cutting medically necessary services. Personal care is the least expensive form of home care, aside from CDPAP. Therefore, it is not possible for the State to achieve savings from this proposal unless individual hours are cut. DOH staff have stated that they expect individuals currently receiving 14 or 16 hours of care a day to choose to drop down to the 12 hours, to avoid having to switch to one of the alternative programs. However, individuals receiving over 12 hours of care per day have been approved for this amount of hours because it has been determined to be medically necessary. For many individuals, the proposed cap will limit independence and increase hospitalizations. For others, it will mean going into a nursing home as a result of not being able to obtain the supports and services needed to remain in the community. This cap threatens the civil rights afforded to people with disabilities, under the Americans with Disabilities Act and the Supreme Court's *Olmstead* decision, to live in the most integrated setting appropriate to their needs.

**NYAIL opposes the increased assessment of 0.7 percent on total home and personal care provider revenues.**

The Executive Budget includes an increased assessment on providers' (CHAAs, LTHHCP, LHCSAs, and CDPAP) gross receipts from .35% to 0.7% starting April 1, 2010. This is a cut in State investment in home care/personal care and a tax on providers who are already struggling to support people in the community.

**NYAIL opposes the elimination of the 2010 home and personal care trend factor.**

The Executive Budget has also proposed the elimination of the 2010 trend factor. This cut presents an even greater challenge for providers who are already struggling to operate by further reducing reimbursements. Several of NYAIL's member Independent Living Centers are currently operating on a 2007 base year.

**NYAIL opposes the proposed CHHA episodic payment reform.**

The 2009-10 Executive Budget proposed a reform to the CHHA reimbursement system, moving it from an hourly reimbursement to an episodic payment system. In response, the Legislature formed the Home Health Care Reimbursement Workgroup, which has met numerous times over the course of year to examine the proposed payment reform and its potential impact. A subgroup to this workgroup, which includes two consumer representatives, issued a report as an addendum to the formal Work Group Interim Report that outlines their concerns over the proposed episodic payment system for CHHAs. NYAIL echoes the concerns identified by this subgroup that the proposed episodic system has a built-in disincentive for home care agencies to serve people with significant disabilities.

This year's Executive Budget proposes this reform be implemented in 2012 to give DOH more time to correctly implement the system. We support this delay, along with the elimination of the restriction on subcontracting between CHHAs and LHCSAs, the exemption of children under 18 and "other discrete groups as determined by the Commissioner," and the small quality incentive pool included within the proposal. However, we remain opposed to the proposal of a new payment reform system. DOH should take the proper steps to identify why there is a significant regional disparity in the number of hours approved per person. In addition, DOH has classified eight NYC-based CHHAs that it has said are responsible for the significant increase in spending. DOH should address any issues raised by these eight providers before changing the entire reimbursement system.

**NYAIL opposes the elimination of the Medicaid and EPIC coverage that wraps around Medicare Part D.**

A pharmacy issue of major concern to NYAIL is the proposal that would eliminate the Medicaid and Elderly Pharmaceutical Insurance Coverage program (EPIC) coverage that wraps around Medicare Part D. When the Medicare prescription drug benefit took effect, many people faced barriers when attempting to access medications. Medicaid wraparound coverage was initially much more comprehensive than it is now. In recognition of the gains we have made in helping the elderly and disabled negotiate the complex Part D benefit, New York reduced the Medicaid coverage to four classes of

drugs: antipsychotics, antidepressants, anti-retrovirals (HIV treatment), and antirejection drugs (post-organ transplant surgery).

Similarly, the EPIC wraparound coverage has been scaled back as Part D coverage has improved. EPIC no longer functions as a payer of first resort on drugs covered by Part D. Instead, EPIC pays only when a Part D plan denies coverage, and EPIC staff is authorized to pursue Part D plans when they deny payment for EPIC members. EPIC has saved over \$7 million for EPIC members and the EPIC program in the last 18 months through pursuit of Part D plans. Of appeals initiated by EPIC staff, approximately 1,900 have been successful.

While DOH maintains that eliminating these already minimal wraparound programs would not affect many people, the protections they afford to the few they help are critical.

**NYAIL opposes eliminating the exemption for four classes of drugs from the preferred drug list.**

This year's budget would achieve a small savings by adding four classes of drugs - antipsychotics, antidepressants, antiretrovirals, and anti-rejection drugs - to the preferred drug list in order to obtain pharmaceutical manufacturer supplemental rebates. Though the budget does not propose to change the law as it relates to prior authorization for these four classes of drugs, we are concerned that this action brings the State closer to requiring the drugs be subject to prior approval. These drugs warrant guaranteed unrestricted drug access for the particularly vulnerable people who rely on them. While we support the State's effort to seek rebates, we strongly oppose subjecting any medications within the four classes of exempt drugs to prior approval and therefore recommend rejection of these proposals.

**NYAIL opposes early intervention proposals that decrease rates for home-based visits and establish parental fees.**

The Executive Budget would impose parental fees based on a sliding scale for early intervention services. Implementing such fees would serve as a deterrent for many parents to access these vital services, missing the small opportunity of intervention before the age of 5. Toddlers whose disabilities are not addressed early will require more extensive and expensive services later. New York State should not be shifting costs to parents of children with disabilities during this economic down turn.

The budget would also decrease rates for home-based visits while it increases rates for facility or clinical based services. This proposal would further decrease access to vital services for parents of children with disabilities, by diminishing one of the fundamental goals of early intervention services - to have services in the home so that the parents can be an integral part of the process, to learn from the therapists.

**NYAIL opposes requiring prior approval for physical and occupational therapy and medical supplies.**

This year's budget would restrict access to physical and occupational therapy and medical supplies, such as wheeled mobility products, shoes, diabetic needle supplies,

hearing aids and oxygen delivery systems. This means that people with disabilities who require such services to maintain their functioning or prevent development of secondary conditions might not have access to or have only delayed access to vital supports that underpin their independence. When less expensive services are denied, and functioning deteriorates and health is threatened, these individuals will end up requiring hospitalization and institutionalization at a far greater expense.

**NYAIL supports continued funding for the rental/housing subsidies for participants in the Nursing Home Transition Diversion (NHTD) and Traumatic Brain Injury (TBI) Medicaid waiver programs.**

The Executive Budget has proposed \$2.3 million for the NHTD waiver and continued funding for TBI waiver housing subsidies. People with disabilities live on low, fixed incomes and cannot afford the current costs of housing to live in the community independently. Access to affordable, accessible housing is critical to the success of these programs and the ability of people with disabilities to live in the community. New York State must continue to provide affordable housing options because the State would ultimately save money through housing subsidies, rather than paying for costly institutions.

**NYAIL supports the county long term care financing demonstration program.**

This year's budget would authorize five counties to participate in this pilot program, which would provide incentives for counties to reduce beds and ultimately close their county-operated nursing facilities and then redirect the funds toward enhancing community based services. NYAIL strongly supports this proposal as it presents progressive disability policy that will increase access to community based services for people with disabilities and older adults who wish to transition to or remain in the community. This proposal will ultimately save the state money, unlike other proposals previously mentioned that would lead to increased institutionalization for people with disabilities.

**NYAIL supports Medicaid streamlining initiatives for individuals using long term care.**

This year's budget proposed that individuals who receive Medicaid long term care services in community-based programs will be able to attest to their income, residency, and resources for recertification into the same program. Previous simplification efforts have excluded the aged, blind and disabled consumers. This is a long over-due measure.

Unfortunately, streamlining enrollment initiatives that were extended to the general Medicaid population in last year's budget, such as the elimination of the resource test, have still not been extended to the SSI population. SSI-related Medicaid beneficiaries continue to be subject to the resource test on the grounds that they are more expensive for the state to cover. However, the resource test is administratively cumbersome and rarely disqualifies people for coverage. New York should eliminate the resource test for SSI-related applicants and beneficiaries who live in the community.

**NYAIL recommends expansion of facilitated enrollment for Medicaid for SSI-related applicants, through community-based disability advocacy organizations.**

NYAIL recommends that the State expand the facilitated enrollment program for Medicaid to SSI-related applicants, through community-based disability serving organizations. For those without disabilities, the facilitated enrollment program is an invaluable resource for low-income individuals and families attempting to navigate the health insurance maze. However, the network is prohibited from preparing SSI-related Medicaid applications and lacks the expertise and the community connections to assist people with disabilities. This important navigational assistance should not be denied to those who would benefit most. Easing access to coverage in this way would surely decrease the cost of uninsured care borne by State taxpayers. The facilitated enrollment network should be expanded to include organizations that focus on the needs of people with disabilities, such as Independent Living Centers.

For more information, please contact Melanie Shaw, Executive Director, at 518-465-4650 or [mshaw@ilny.org](mailto:mshaw@ilny.org) .

## **C225 MTA Cuts Testimony**

**Alessi**

**February 2010**

I proudly represent the people of the 1<sup>st</sup> Assembly District, which includes Brookhaven, Riverhead, Southold and Shelter Island in Suffolk County.

I oppose the proposed service cuts by the Metropolitan Transportation Authority (MTA). The MTA plans on eliminating the two westbound and the two eastbound trains that travel between Ronkonkoma and Greenport. Every day, the trains carry on average nearly 200 commuters. In addition, the MTA plans on eliminating the four westbound and the four eastbound trains that serve the North Fork on weekends – except during the summer months.

These cuts would place an unfair and potentially devastating burden on Long Island families and businesses. The Long Island Rail Road (LIRR) provides vital transportation to Suffolk residents who depend on the lines to get to work. We need to retain employees and create much-needed jobs, not eliminate them.

Cuts to the East End of Long Island would be particularly unfair. The East End barely has MTA services as it is. In addition, the LIRR was conceived to provide transportation to and from Greenport. To remove the very line that the LIRR was created for is simply illogical.

The payroll tax – which I voted against – is levied on school districts and municipalities. The MTA now siphons vital funds from all Long Island businesses. Suffolk County pays \$97 million, which is in addition to the \$250 million the county already gives the MTA through taxes on mortgages, utility bills and retail sales. In return, the MTA makes impossible train schedules and threatens to eliminate crucial services.

Despite last spring's bail out, which cost Long Island taxpayers \$4 million, the MTA is still facing a \$400 million budget deficit. Regardless of its fiscal crisis, however, 8,214 MTA employees – more than 10 percent of its workforce – enjoy six-figure salaries. In some cases, overtime pay can be double – or even triple – an employee's base salary.

Jay Walder, the MTA chief, has a \$350,000 salary – which is \$40,000 higher than his predecessors' – and includes a "golden parachute" clause worth up to \$850,000 should he be removed from the position. With exorbitant salaries like these, it's no wonder the MTA is facing a \$400 million deficit.

That being said, I have some questions for Mr. Walder:

- If you – and other executives - lead by example and take a pay cut, you could probably avoid cuts that disproportionately hurt struggling working class residents. Is this something that you would consider?
- Will you do comprehensive reviews of overtime pay and find ways to reduce it?
- The payroll tax didn't raise enough revenue and it killed jobs. It was a disaster. What is your defense of the payroll tax?

- What do you plan on doing next, another tax and further service cuts?
- In light of the fact Suffolk residents are paying so much into the MTA system but receiving minimal services in return, would you support the creation of a regional transportation authority in the area?
- When will the MTA's blatant disregard for taxpayer dollars end?

During these tough economic times, Long Island families and businesses are already struggling to stay afloat. Yet, the MTA continues to expect the hardworking people of Suffolk to pay for its fiscal mismanagement. It's time the MTA takes responsibility for its reckless decisions.



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Marie Dolfi, ACSW, LCSW

February 10, 2010

Senate Finance Committee  
Room 423 Capital  
Albany, NY 12247  
ATTN: Kevin Reffler

Dear Finance Committee,

Please find enclosed my submission to the Human Services Hearing. My letter addresses the severe need for post adoption services as well as the fiscal benefits to NYS by providing these services. I would be happy to come in to talk to the Finance Committee if you would like additional information.

Regards,



Marie Dolfi

P.O. Box 401, Glenmont, NY 12077  
518-281-8884  
mdolfi@nycap.rr.com  
www.adoptioncounselingny.com

56 Bobwhite Drive  
Glenmont, NY 12077  
February 9, 2010

Dear NYS Legislators,

Post adoption services are essential to families and can **save New York State millions of dollars a year**. Information & referral to community services, respite, support groups for parents and children, parenting programs, counseling, and help line services are services that families receive while their children are in foster care and that are cut off when the family adopts. While most adoptive families will never need post adoption services, the families that do are thrown into crisis when they cannot find or afford these services in their communities. Children return to foster care or enter residential treatment centers when their families cannot manage them safely at home. Post adoption services will decrease the amount of time children spend in foster care and residential treatment. With residential treatment costing \$70,000/year per child New York State can save millions of dollars a year if post adoption services enable children to live with their families rather than the far more expensive residential treatment.

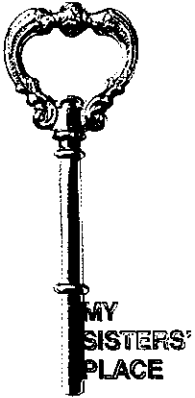
Adoption subsidies may cover some programs but generally do not help with respite and other needed services. Therapists (many of whom are Medicaid providers) are rarely trained on attachment issues, loss of birth family, trauma caused by years of abuse & neglect, and prenatal alcohol and drug exposure. Counseling needs to be provided by trained adoption professionals. Adoptive families whose children have severe emotional and behavioral problems need more than the traditional services provided by family and community. Respite can mean the difference between family stability and adoption dissolution. Respite is unavailable for most of the adoptive families in need.

Currently, NYS is funding a handful of post adoption program using TANF funding. The vast majority of NYS adoptive families do not have an accessible post adoption program. 6 million dollars is needed to adequately fund post adoption services in New York State. The Adoption and Safe Families Act encourages many families to adopt children who spent years in foster care, now these families have been abandoned with few if any post adoption services available. The cost of state wide post adoption services would be offset by an increase in adoptions from foster care, a decrease in the number of children who return to foster care and decreased use of residential treatment. Providing these vital services would also decrease the use of juvenile justice and special education services.

Adoptive parents are committed to their children. Families are looking for help to safely maintain their children in their home and services to meet their child's unique emotional needs. Post adoption services cannot wait for another year's budget. I urge you to make post adoption services a priority for New York State.

Sincerely,

Marie Dolfi  
Adoptive Parent  
Secretary, New York State Citizens Coalition for Children  
Board Member Adoptive Families of the Capital Region  
Advisory Board Member, Post Adoption Resource Center at Parsons



February 11, 2010

Senator Carl Kruger  
Room 913 Legislative Office Building  
Albany, New York 12247

**Re: My Sisters' Place Testimony for the Joint Legislative Public Hearings on  
the 2010-2011 Executive budget Proposal**

Dear Senator Kruger:

On behalf of the Board, Staff and most importantly the thousands of clients we serve each year, My Sisters' Place is proud to submit testimony for the Joint Legislative Public Hearings on the 2010-2011 Executive Budget Proposal by Governor David A. Paterson.

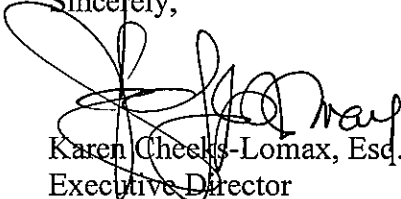
We are all cognizant of the most challenging times we are experiencing and are mindful of all that must be taken into account when making difficult choices on behalf of the residents of New York State.

Enclosed please find 40 copies of our testimony. We thank you and your colleagues for your thoughtfulness and clarity of purpose. We hope our testimony will provide valuable information for the budget process.

Please call upon me for any additional information you may require.

Thank you.

Sincerely,



Karen Cheeks-Lomax, Esq.  
Executive Director

Cc: Terri Simon, Esq., Board Chair



## MY SISTERS' PLACE

One Water Street

White Plains, NY 10601

914.683.1333

[www.mysistersplaceny.org](http://www.mysistersplaceny.org)

Karen Cheeks-Lomax, Esq., Executive Director

### **Written Testimony—OCFS Hearing on the Proposed NYS 2010-2011 Budget**

My Sisters' Place, Inc. (MSP), the largest provider of residential and non-residential services for victims of domestic violence and their children in Westchester County, submits this written testimony in opposition to the proposed cuts to state funding of domestic violence (DV) services. New York State has relied on the expertise of agencies like MSP to help keep its most vulnerable residents safe and to provide them with options for breaking the cycle of abuse. Moreover, as a non-profit organization that has already experienced decreases in funding but increases in both operating costs and caseloads, MSP has been shouldering a huge financial burden in order to continue to meet the needs of abused women and children in our community.

### **Non-Residential Services**

The proposed cuts to Non-Residential Domestic Violence funding will have a devastating impact on the thousands of women and children of New York State who rely on these services to escape abuse at home and achieve safety and self-sufficiency. Consider the story of Mrs. A.:

Mrs. A., a woman with two daughters, was trying to hold onto a very abusive relationship because she thought it was best for the children to have two parents living together. Mrs. A was isolated from everyone and was told by her abuser that no one would believe her stories of abuse and that she would be deported back home if she came forward; he also told her that she would never see her children again. Mrs. A took the courageous first step of calling My Sisters' Place and met with a Counselor who gave her emotional support, information, and options she didn't know she had; she also created a safety plan. As a result, she was able to escape her abuser and now she and her daughters are in a much healthier and safer space, living on their own.

Mrs. A. is one of approximately 1,300 clients that My Sisters' Place serves annually in all of its community-based, non-residential counseling programs. While a handful of these 1,300 clients are referred to domestic violence shelters for safe refuge from their abusers, the majority of these clients will escape the abuse and achieve safety without spending a single night in shelter. Why? Because of the existence of community non-residential domestic violence services offering them housing, benefits, and safety options through the assistance of trained counselors and advocates.

The drastic cuts proposed to non-residential DV funding will give these victims and their children nowhere to turn for assistance. We know that, in the absence of real options, victims will be forced to stay with their abusers to keep roofs over their heads, to have food to eat, and to enable their children to stay in their schools. Additionally, in these troubled economic times, calls to our DV hotline have

increased by 16% and the number of counseling sessions our staff are providing have increased by 27%. These numbers represent real victims in crisis, and are the direct effect of options being more and more limited as households, agencies, and government all feel the economic squeeze.

To put this impact in budget terms, consider that DV shelter at MSP for a family of three (a mother and two children) costs the state and counties a total of \$26K-\$39K for stays between 90-135 days. By contrast, a Non-Residential Counselor, whose annual salary falls within the range above, can assist between 150-200 victims per year. **Non-residential programming for domestic violence victims makes good fiscal sense—it is an incredibly cost effective way for state and local governments to promote public safety and take care of these families in need.**

While we appreciate that the proposed state budget clearly recognizes the need and preserves funding for domestic violence emergency shelters, it critical that *domestic violence shelter and non-residential domestic violence services are offered in tandem to ensure that ALL victims have the option to leave.* This includes victims in acute crisis who need a safe refuge for immediate escape, and those who are able to break free on their own with the right support. Cutting the non-residential portion of this funding will destroy core programming that is essential to the mission of agencies like MSP throughout NYS. It will not only result in hundreds of layoffs of specialized domestic violence counselors statewide, but most important, it will keep victimized adults and children trapped in their homes, in continued danger of emotional, sexual, and physical abuse and even in some cases of dying at the hands of their abusers.

While the 62 counties of New York State should absolutely continue to play their part in supporting non-residential domestic violence services, we feel it is unconscionable to put the burden of determining how to fund these services entirely on the counties. It is imperative that New York State play a significant role in protecting its families from domestic abuse. Doing otherwise sends a strong and negative message to the rest of our nation and the world—that New York State does not care about its most vulnerable citizens and instead has chosen to balance its budget on the backs of battered women and children. For the clearest example of this kind of negative publicity, look no further than California.

### **CPS/DV Funding**

While the Child Protective Services/Domestic Violence collaborative projects are a fairly recent development in the scope of a domestic violence movement in its 35<sup>th</sup> plus year, 10 years of having these projects has taught OCFS, CPS, and DV providers that this work is not above and beyond the scope of our mission, but is vital to keeping families safe.

MSP's collaboration began in 2000 with initial funding from NYS OCFS and has expanded over the last 10 years through funding from both OCFS and the Westchester County Department of Social Services. Domestic Violence Counselors are co-located in all four Westchester County CPS district offices, teaming up with CPS staff to help assess families' risk for domestic violence and to provide counseling, advocacy, information, referrals, and other support services to victims and their children.

## Program Accomplishments

- As a liaison between CPS and the victim, MSP staff has played a critical role in building a level of trust with the victim that would enable staff to help explain the protocols and practices of CPS. This has often resulted in these parents beginning to trust that CPS could really assist them in leading safer lives.
- MSP counselors also assist CPS in these cases by helping find shelter for victims and their children; accompanying them to court for orders of protection, custody, and visitation proceedings; and making referrals for victims and their children to receive mental health counseling or to address other special needs.
- **Joint efforts at raising awareness have provided a critical opportunity for staff -- from both agencies -- to work together with the shared goal of helping families achieve safety and stability.** The development of stronger relationships between CPS staff and the MSP advocates has resulted in a greater number of requests for assistance on the cases with overlapping child protection and domestic violence issues year after year.
- Whereas the project served 45 victims in its first year, by 2004 that number reached 278 and by **last year (2008-09), the project served 811 clients.**
- As a result of this successful project, *MSP now has access to hundreds more victims than it used to and CPS staff has in-office support in place for helping parents and children achieve safety and stability.* This joint project has also been successful in assisting in helping the majority of the families served avoid child removals and, when removal has been deemed necessary by CPS, in assisting in the return of the children in some cases by helping the victim put safety measures into place.

Feedback from CPS workers on the assistance that the DV counselors provide is overwhelmingly positive. In the words of one CPS worker:

YE assists and usually remains involved in the many DV cases that come across my desk on a monthly basis. In one particular case, I could not convince the mother to request an Order of Protection against her husband to protect herself and her children. Due to YE's compassion and commitment...this mother has been empowered with the emotional strength to overcome her fear of changing her situation. I would like to thank her because in the process of assisting me in helping these families, I have also become more knowledgeable in the field of domestic violence.

Supporting both the Non-Residential Program and the CPS/DV collaboration serves a vital public purpose, as it is fiscally responsible—MSP staff provide services in a way that saves the county and the state time as well as resources. These services include safety planning, counseling, court accompaniment, shelter and safe housing placements, and referrals for other services. Helping families achieve safety also prevents costly hospital visits, evictions, homeless placements, and hours of work or school missed due to the violence. Ignoring these cost savings by cutting DV program funding would be pennywise and pound foolish. We ask that you please take into consideration the many ways these programs benefit the bottom line of the state's budget as well as the vulnerable thousands of New Yorkers who access these services. We cannot overlook the value of services that we know have saved lives.



Center for Independence of the Disabled, NY



Joint Legislative Hearings on the  
NY State Executive Budget 2010-11  
Senate Finance Committee  
Assembly Ways & Means Committee

Human Services Hearing  
February 10, 2010

Testimony By:  
Linda Ostreicher  
Director of Public Policy  
Center for Independence of the  
Disabled, NY

Center for Independence of the Disabled, NY



## **Testimony on the Governor's Proposed Human Services Budget for 2010-11**

The Center for Independence of the Disabled, New York (CIDNY) has been working for thirty years to ensure full integration, independence and equal opportunity for all people with disabilities, by removing barriers to the social, economic, cultural and civic life of the community.

We appreciate the opportunity to comment on two items in the proposed budget for the New York State Office of Temporary and Disability Assistance (OTDA) that would be particularly harmful to New Yorkers with disabilities. We have three recommendations:

### **ISSUE: POVERTY**

Many people with disabilities rely on public assistance because they have not yet applied for or qualified for disability benefits. Others cannot get disability benefits because they are unable to navigate the appeals process.

### **RECOMMENDATION: Restore full implementation of the 30 percent public assistance grant increase enacted last year.**

The Legislature enacted a budget last year that increased public assistance grants by 10 percent a year for three years. Last year the grants went up by the first 10 percent. The grants are supposed to go up another 10 percent in 2010-11 and the last 10 percent in 2011-12. The Governor proposes cutting the increases in half and stretching them out over 4 years, at 5 percent a year.

Public assistance benefits are so low that taking even a few dollars away keeps people from meeting essential needs. It is cruel and unnecessary to make welfare recipients wait an extra 2 years for the full increase, after so many years of no increases at all.

### **ISSUE: HOMELESS SERVICES**

Many people with disabilities are homeless or at risk of homelessness. They live in shelters, use services to prevent homelessness, or stay in crowded or dangerous living situations. When cuts are made to homeless services, the disability community is a major target. When disabled people fall through the cracks in the social service system, they often show up in hospitals and nursing homes, costing the state far more in Medicaid bills than any savings to OTDA from the proposed cuts.

**RECOMMENDATION: Reject the budget proposal to eliminate \$88 million from state payments to the operators of adult shelters**

The State proposes to eliminate state support for adult shelters. The State suggests that this will encourage operators of adult shelters to determine whether all applicants for shelter are eligible for "safety net assistance", the form of welfare available to adults without children.

The has not explained how making adults apply for welfare is going to replace state support for shelters. They talk about \$36 million that the shelters could collect from residents as "client contributions". They also assume that the shelters would receive most of the "safety net assistance" benefits for those residents newly found eligible. But there are large holes in the logic of this proposal:

- There is a state requirement, not yet enforced in New York City, that most residents with income over \$600 a month pay between 10 and 30 percent of it to the shelter as rent. Coalition for the Homeless has estimated that the small group of shelter residents with income high enough to pay rent, under the "client contribution policy" would have to pay \$1,286 per person per month for the shelter system to collect \$36 million. The client contribution policy requires much lower payments than \$1,286 per month.
- If a large number of residents of adult shelters become newly eligible for Safety Net Assistance, the city and state will have to pay the cost of that assistance. We do not have an estimate from OTDA of how many shelter residents would be found eligible for welfare, so we cannot tell if the total would be more than the \$88 million in shelter support the state plans to save.
- There will always be people at shelters who are found ineligible for welfare because they cannot locate documentation or perform the many other complex tasks required to successfully apply for welfare. The shelters would receive no support for their costs.

**RECOMMENDATION: Restore \$13.3 million in proposed reductions to programs addressing homelessness**

The Governor has proposed reductions to the Homelessness Intervention Program (\$1 million), the Supplemental Homeless Intervention Program (\$5 million), the Emergency Needs Housing Program (\$2 million), Supportive Housing for Families (\$5 million), and SRO Supportive Services (\$300,000). The proposed cuts range from about 13 percent to total elimination. If these programs are ineffective, we welcome diversion of their funding to more effective alternatives. However, CIDNY serves too many homeless New Yorkers living with mental illness, mobility impairments, diabetes, blindness, and any number and combination of other disabilities to accept any reduction to state funding to address the problem of homelessness.





**TESTIMONY**

**OF**

**AILIN CHEN**

**SENIOR POLICY ASSOCIATE**

**EDUCATION, JUVENILE JUSTICE AND YOUTH SERVICES**

**SUBMITTED TO THE**

**NEW YORK STATE SENATE FINANCE COMMITTEE**

**AND**

**NEW YORK STATE ASSEMBLY COMMITTEE ON WAYS AND MEANS**

**REGARDING THE**

**NEW YORK STATE EXECUTIVE BUDGET PROPOSALS FOR**

**HUMAN SERVICES**

**STATE FISCAL YEAR 2010-2011**

**February 10, 2010**

Good afternoon. My name is Ailin Chen and I am the Senior Policy Associate for Education, Juvenile Justice and Youth Services for Citizens' Committee for Children of New York (CCC). CCC is a 66- year old privately supported, independent, multi-issue child advocacy organization. CCC does not accept or receive public resources nor do we provide direct service or represent a sector or workforce. For 66 years CCC has undertaken public policy research, community education and advocacy activities to draw attention to what is or is not for working for children in New York and to advance budget, legislative, and policy priorities—all with the goal of ensuring that children are healthy, housed, educated and safe. I would like to thank Chairman Farrell and Chairman Kruger and members of the Assembly Ways and Means and Senate Finance Committees for this opportunity to testify on the Governor's Executive Budget for Fiscal Year 2010-2011.

It is clear that New York's troubled economy and staggering budget deficit demand long-term structural budget changes and not short-term fixes. That said, while all New Yorkers are reeling from the downturn, few are likely to be hit harder than poor children and their families. We must not allow this year's budget to eliminate the safety net that is needed to ensure a generation of vulnerable New Yorkers reach their full potential.

Governor Paterson's \$134 billion Executive Budget proposes to close a \$7.6 billion gap by raising revenue and reducing state expenditures. While the budget protects many essential programs for children and families, we urge you to negotiate an Adopted Budget that goes further to ensure that needed investments in programs that produce positive outcomes for children, are maintained in these difficult economic times.

**We urge the legislature to negotiate a budget that uses fairness as a guiding principle and considers the effectiveness of programs to make deliberative choices about where the expense side of the budget needs to be reduced. For example, instead of zeroing out all programs currently funded by TANF dollars (\$69 million), we urge you to look at those programs individually and restore those that are cost-effective and produce outcomes that will save the state money in the long-run—including home visiting programs, alternative to detention and incarceration programs, the Advantage After School Program, Summer**

**Youth Employment, child welfare preventive services, and homelessness prevention services. All of these programs have demonstrated that they are effective at preventing more costly interventions later such as special education, foster care, juvenile detention and the need to live in homeless shelters.**

Fairness also requires that the State's 2010-2011 Budget is not balanced by shifting costs to counties in general, and New York City specifically. Mayor Bloomberg has estimated that the Executive Budget would impose \$1.3 billion in cuts and New York City and lead to almost 19,000 layoffs to a workforce providing critical services to New York City residents. Please do not forget that this is a very difficult budget year not only for the State but for the counties as well - it is unfair and disingenuous for the State to balance its budget by shifting costs for essential services to the counties. CCC urges the State Legislature and the Governor to negotiate a budget that maintains a balance of shared responsibility so that counties are not forced to cut essential services. We strongly urge you to reconsider proposals that would eliminate New York City's AIM (the only county for whom this is proposed), shift \$51 million in mandatory summer special education costs, and shift \$55 million for adult homeless shelters.

We also ask the State Legislature to work with the Governor and Metropolitan Transportation Authority (MTA) to prioritize the restoration of state subsidies for free student MetroCards. Without this critical student resource, the 584,000 city students who receive free or half-fare MetroCards would all receive half-fare cards beginning next September and be responsible for paying the full fare in September 2011. This adds up to an additional expense of nearly \$700 per student in a school year.<sup>1</sup> This cut would disproportionately impact low-income students and families as well as families with multiple school-age children who may already be struggling to meet the ever-increasing cost of living in New York City. Most alarmingly, these cuts place students who are already at-risk for truancy and dropping out in greater jeopardy of being disconnected from the school system altogether, by taking away a basic resource that supports full attendance and positive school engagement.

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<sup>1</sup> In 2008, the cost of the student \$239 million MetroCard subsidy program was shared between the city and state at \$46 and \$45 million respectively. In 2009 however, the state share fell to \$6 million. "Students See Hard Future If Free Fares Are Ended." New York Times, December 17, 2009.

In addition, we urge you to support revenue-generating proposals, particularly those that will improve the health and well-being of New Yorkers. CCC strongly supports imposing an excise tax on sugar-sweetened beverages as a means to take a critical step towards addressing childhood obesity and the associated illnesses such as diabetes and heart disease. In addition, we support increasing the tax on cigarettes by \$1 per pack, which is estimated to prevent 100,000 children from becoming smokers. We also urge you to consider increasing the excise tax on beer, a beverage often marketed to youth and a contributor to alcohol-related illnesses and addictions.

Turning to proposals related to Human Services:

### **Juvenile Justice**

CCC supports New York State's continued efforts to improve the juvenile justice system, through right-sizing, improving conditions of care, and maintaining youth in their homes and communities whenever possible.

CCC supports the Executive Budget proposal to continue to right-size the system by closing and/or consolidating four additional OCFS operated facilities, saving state taxpayers \$2.9 million in State Fiscal Year 2010-2011 and \$15 million in State Fiscal Year 2011-2012, and maintaining the system at 81% utilization (versus the current 70%). CCC urges the Legislature and the Governor to consider reinvesting savings from facility closures into sorely needed community-based alternative to detention and incarceration programs.

CCC supports the proposal to invest \$18.2 million to improve the staffing ratios and health and mental health services in OCFS juvenile placement facilities. As documented by the Department of Justice, Citizens' Committee for Children, and other advocates, the current conditions of care are woefully inadequate at best, and at worst harmful to the children in the custody of New York State—and as such, New York State has an obligation to improve the conditions of care for these youth so that they can return to their communities poised to succeed in adulthood.



Yet these steps to align capacity with current population trends and improve the conditions of care for youth in OCFS facilities do not go far enough to ensure that we can successfully prevent children from entering this costly placement system in the first place. CCC is deeply disappointed to see that the Governor's Budget fails to maintain the State's commitment to juvenile justice reform by significantly reducing resources for the programs that have been proven effective at enabling young people to safely remain in their homes and communities without being re-arrested.

Specifically, the Executive Budget reduces the State's commitment to Alternative-to-Detention (ATD) and Alternative-to-Incarceration programs to a mere \$2 million by cutting \$15.75 million in funding from these programs (10.75 million in TANF funds for ATD and ATP programs and \$5 million for Community Reinvestment/Alternatives-to-Detention).

These proposed cuts run counter to best practice, research and recent reports<sup>2</sup> from a number of child advocacy organizations as well as the Governor's Task Force to Transform the Juvenile Justice System. All research and reports recommend protecting and enhancing funding for community-based alternatives and youth services in order to improve outcomes for court-involved youth. At a time when the state is facing enormous deficits, it is quite simply irresponsible to reduce resources for cost-effective community-based alternatives that produce lower re-arrest rates than state juvenile placement.<sup>3</sup>

We ask that the Legislature work with the Governor to restore the State's investment in community-based alternatives to avert the need for more costly government interventions. Closing facilities without a strategy to protect and increase investments in community-based

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<sup>2</sup> Inside Out: Youth Experience Inside New York's Juvenile Placement System. Citizens' Committee for Children, December 2009. A Need for Correction: Reforming New York's Juvenile Justice System. Child Welfare Watch. Vol. 18 Fall 2009. Getting Juvenile Justice Right in New York: Proven Interventions Will Cut Crime and Save Money. Fight Crime Invest in Kids. July 2009. Vera Institute of Justice. *Charting a New Course: A Blueprint for Transforming Juvenile Justice in New York State*. December 2009.

<sup>3</sup> Research has proven that youth are at greatest risk for delinquency between the hours of 3-6pm and that for every \$1 invested in youth services, \$140 are saved in future criminal justice costs. Fight Crime Invest in Kids. *New York City's Out-of-School Time Choice: The Prime Time for Crime or Youth Enrichment and Achievement*. 2008. Citizens' Committee for Children of New York. *Keeping Track of New York City's Children Eighth Edition*. 2008. While OCFS placement costs upwards of \$210,000 per youth annually and results in a re-arrest rate of approximately 80%, community-based alternatives-to-detention and incarceration can cost between \$5,000-\$17,000 per youth annually and report a 30% re-arrest rate on average. Vera Institute of Justice. *Charting a New Course: A Blueprint for Transforming Juvenile Justice in New York State*. December 2009.

programs will dramatically undermine New York State's ability to transform the juvenile justice system and improve youth outcomes.

### **Youth Services**

With regard to youth services, CCC is pleased to see that the Executive Budget includes \$3 million to begin to implement the Safe Harbor Act. While the Executive Budget proposal calls for these funds to be used for one or more long-term safe houses for sexually exploited girls, CCC urges the State to consider the use of some of these funds to create a short-term, crisis center where these youth can go when they first come to the attention of the agencies seeking to assist them. While long-term safe houses are a critical component of meeting the needs of sexually exploited youth, it is also necessary to have a therapeutic intake/crisis center where these youth can go to have immediate safety needs as well as medical and psychological needs, met..

CCC was very troubled by many of the other Executive Budget proposals related to youth services. Youth development programs are the very community-based programs that the Governor's Task Force on Transforming the Juvenile Justice System has cited as being effective in deterring delinquency and preventing re-entry into the juvenile justice system. These services must be protected from budget cuts.

First, CCC is extremely concerned that the State proposes to withdraw all support for the Summer Youth Employment Program (SYEP) by eliminating \$35 million in TANF funds. Not only does SYEP provide young people with their first job experiences, it also provides low-income families with much-needed additional income, which is spent in their local communities and generates tax revenue during these tough economic times. In 2009, while New York City received more than 130,000 applications, NYC was only able to serve approximately 52,000 young people with the assistance of one-time federal stimulus funds. The proposed zeroing out of TANF funds for SYEP would trigger a loss of 25,000 slots state-wide and 17,000 slots, in New York City making it even more difficult for localities to meet the needs of youth.

Similarly, CCC is concerned that the SFY10-11 Executive Budget proposes to reduce funding to the Advantage After-School program by \$11 million, which reduces total program funds by almost half and would eliminate 9,000 after school slots state-wide. We urge the Legislature to work with the Governor to restore funding for the Advantage After-School program back to \$30.50 million. This restoration is critical to the more than 400,000 New York City youth who remain unserved by out-of-school time programs.<sup>4</sup> Now more than ever, working families must be able to rely on after-school programs to keep their children safe and engaged in developmentally appropriate activities that support educational, social, and emotional growth.

### **Child Welfare**

CCC is pleased that the Executive Budget maintains its commitment to core child welfare services, including support for protective, preventive and foster care services, as well as the Bridges to Health (B2H) Medicaid Waiver Program, New York/New York III supportive housing program, and the modernization of the CONNECTIONS computer system.

CCC is extremely disappointed that the Executive Budget fails to maintain the State's support for various home visiting programs, such as Nurse-Family Partnership and Healthy Families New York, which are proven to be cost-effective in preventing more long-term costly interventions such as special education, hospitalizations, and foster care. CCC urges the legislature and the Governor to adopt a budget that restores home visiting funding to \$25 million, and restores the \$5 million cut to Nurse-Family Partnership and \$2.9 million cut to COPS (which also funds home visiting).

CCC is also concerned that the zeroing out of TANF-supported programs eliminates \$18.8 million for preventive service contracts, which includes funding for post-adoption services.

In addition, while CCC appreciates the Executive Budget's efforts to address child welfare policies through critical Article VII bills, CCC has concerns with some of the bills. First, CCC is fully supportive of subsidized kinship guardianship, and is hopeful that the state will pass

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<sup>4</sup> Citizens' Committee for Children of New York, *Using Out-of-School Time to Create Opportunities for New York City Youth: A Summary Report of Parent Survey, Focus Groups and Supply and Demand Analysis*. July 2004.

legislation to take advantage of new federal support for this permanency option. That said, we have concerns with the proposed bill itself. Notably, the proposed New York State mechanism to fund this permanency option is through the Foster Care Block Grant. This structure would provide little to no state support at the county level and it would divert funds intended for abused and neglected children who are in the custody of the counties to support children who have already achieved permanency. CCC strongly urges the state to fund the guardianship subsidy similar to how it funds adoption subsidy, while providing an incentive to counties to continue to pursue adoptions. Thus, instead of 75% state reimbursement of the non-federal share (as in adoption subsidy), CCC recommends 65% state reimbursement of the non-federal share for relative guardianship subsidies. In addition, CCC urges the Article VII Bill be amended to only permit children to achieve permanency through this option after the fact-finding proceeding is concluded—so that before a relative obtains permanent guardianship of a child, the court has first found that the child has actually been abused or neglected.

Similarly, CCC applauds the State's attempt to create efficiencies within the court system, by allowing for the use of electronic court appearances, but urges the State to amend the Article VII bill so that due process rights are protected, particularly for children. While appearing by telephone or web camera would be efficient for many foster parents and witnesses, CCC does not think it is appropriate for children who do not consent, for the dispositional hearing in a JD case, or for parents in termination proceedings who have not knowingly and freely consented. We ask that the Article VII bill be amended to include these protections.

### **Child Care**

The State's subsidized child care system has been in crisis for some time now. The minimal amount of state general fund support, the decrease in federal child care funds to New York (due to the young child factor), the increased Market Rate every two years, the requirement to serve all families on public assistance needing child care (without additional federal or state support), and the increased costs of providing quality care for children, have left the system desperately short of resources.

While the Executive Budget proposes to fund the Child Care Block Grant with the same \$508.2 million as last year, this will be \$40-\$50 million short of the total amount of state/federal support that was available in SFY09-10 because of counties that used their rollover funds from prior fiscal years. Thus, even though more families will need child care and more families will receive child care due to the increased number of families receiving public assistance grants (44,000 family increase last year), there will be less support to counties for child care and fewer resources available to provide care for the children of working poor households.

CCC urges the state to increase its general fund commitment to this critical, and often mandatory, service for families, by at least \$50 million so that counties can serve the same number of families this coming year as they are currently serving.

### **Income Support**

Given the economic downturn and the very difficult time low-income families are having maintaining food, shelter and other basic necessities, CCC opposes delaying the implementation of the public assistance grant increase. We urge the legislature to restore this reduction.

### **Homelessness**

The economic downturn has dramatically increased homelessness throughout the country, in New York State, and notably in New York City. Currently, 9,000 families with 16,000 children are residing in New York City's homeless shelters on any given day. Given that it is much more expensive to the state and localities when families become homeless and that the instability created by homelessness is harmful to the well-being of children, CCC urges the State to negotiate a budget that protects and enhances the services that prevent families from becoming homeless.

Thus, CCC supports the Executive Budget proposal to expand the Low Income Housing Tax Credit Program by \$4 million in aggregate credit towards taxpayers that develop qualifying housing projects for low-income New Yorkers. On the other hand, CCC opposes the proposals to eliminate state operating subsidy (\$3 million) for the New York City Housing Authority (NYCHA) and cutting \$1 million from the Homeless Intervention Program.

In closing, we ask the Assembly and the Senate to negotiate a budget with the Governor that protects our youngest New Yorkers from paying for this economic downturn for the rest of their lives. While we appreciate that very difficult choices about revenue increases and expense reductions that need to be made, we urge you to protect the services that will ultimately be less costly to the children of today and the taxpayers of tomorrow.

Thank you for the opportunity to testify.



National Alliance on Mental Illness

**NAMI**

**New York State**

**TESTIMONY DELIVERED TO  
SENATE FINANCE COMMITTEE  
& ASSEMBLY WAYS AND MEANS  
COMMITTEE**

**February 12, 2010**

**NAMI-NYS President  
Janet Susin**

The National Alliance on Mental Illness-New York State (NAMI-NYS) is the largest family and consumer grassroots organization in the country, with 56 affiliates and thousands of members in this state alone.

We offer support, education and advocacy for family members of those who have serious mental illness, as well as for those who are living with psychiatric disabilities.

For many New Yorkers with serious mental illnesses, Medicaid is the lifeline for access to life-saving, recovery-fostering treatments, including medication.

In recent years, with your assistance, we have managed to preserve the Medicaid carve-out for antidepressant and antipsychotic medications. They are exempt from the preferred drug list, which requires prior authorization by a physician and can be very time consuming. It has been seen as a way of restricting access to medications.

We are deeply concerned that this year's budget proposes to bring these medications into the PDL in order to garner a small amount of savings from pharmaceutical manufacturers' supplemental rebates. While no prior authorization is required this year, this is one step closer to requiring prior approval to secure significant rebates in the future.

Preserving the protective carve-out must be guaranteed because these medications work differently for different people and for different population groups. They must be tailored to the individual to be effective. Prescribing decisions must be made by physicians and their patients, not by bureaucrats.

Switching medications requires time and care to insure the prescription of the right medication, at the right dosage, with the most tolerable effects. Possible interactions between new and old medications also have to be considered.

Narrowing of therapeutic options can set off a chain of unintended consequences for patients, their families and their communities, including the discontinuance of therapy, more hospitalizations and increased risks to self or others.

**Cost containment should not result in Care containment.**

Thank you so much for your attention. We are counting on you to help all those afflicted with serious mental illness to live meaningful lives.



**LOCAL 372  
NEW YORK CITY BOARD OF EDUCATION EMPLOYEES  
DISTRICT COUNCIL 37**

**AMERICAN FEDERATION OF STATE,  
COUNTY AND MUNICIPAL EMPLOYEES  
AFLCIO**

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**NEW YORK STATE SENATE FINANCE  
AND  
ASSEMBLY WAYS AND MEANS COMMITTEES  
MENTAL HEALTH AND HYGIENE BUDGET HEARING**

**FEBRUARY 3, 2010**

**TESTIMONY SUBMITTED BY  
VERONICA MONTGOMERY-COSTA  
PRESIDENT - LOCAL 372 AND DC 37, AFSCME, AFL-CIO  
VICE PRESIDENT - AFSCME**

**February 5, 2010**

Local 372 thanks Senator Kruger, Assemblyman Farrell and the committee members for this opportunity to express our concerns regarding the impact of the 2010 Executive Budget on OASAS and the Local 372 SAPIS (Substance Abuse Prevention/Intervention Specialists).

Local 372, DC 37 AFSCME represents 25,000 New York City Department of Education support service employees. Among these dedicated workers are 441 SAPIS, who work in 524 of the city's 1400 school sites, serving 1.1 million students.

The SAPIS to student ratio has declined at an alarming rate since 1971. This budgetary choice by legislators and administrators alike, continues to put our city's school children at increased risk of substance abuse and violence.

Last winter, when \$8million of OASAS funds were proposed to be redirected to CBOs, we brought our case to the legislature, and many members of this committee raised the issue of the continuance of SAPIS jobs. The DOE subsequently reversed their commitment not to lay off the Local 372 workers provided they received the money to pay the SAPIS.

Despite the reappropriation of the \$8million to the DOE for the SAPIS program, 54 SAPIS were laid off on October 2, 2009. The adopted DRP reduced the proposed cut for SAPIS by one half to \$1.5million.

**Don't give the Mayor the flexibility to double-dip our SAPIS allotment.**

Although the 2010 Executive Budget does not further reduce the number of SAPIS, the Mayor and Chancellor have found a way.

The Mayor and Chancellor are asking the legislature for more flexibility in spending, suggesting the consolidation of funding categories.

They publicly proclaim that since personnel takes up the largest portion of their budget, the best means of saving money are layoffs.

**Here's how the Mayor double-dips the State allotment.**

First, they take the State SAPIS allotment, then lay off enough vetted, experienced and qualified SAPIS to pay for an outside contract providing uncertified, unknown, less qualified prevention counselors. Now that contract is paid by the State.

Then, the SAPIS, funded by the state and laid off by the City cost the State in Unemployment, Welfare, Food Stamps and Medicaid. The City loses nothing and the State pays twice, as well as losing income tax revenues.

**The SAPIS allotment must be earmarked for SAPIS only.**

**Local 372 SAPIS are the best qualified for their work.**

Local 372 SAPIS received training in science-based counseling methods by the State — through OASAS. The majority of our SAPIS have 20 years of experience and are fingerprinted, vetted and have completed job-related college requirements. In fact, the State has, since 1971, evaluated the New York City prevention programs and rated them among the best in New York State.

Outside contractors from organizations, even those with boards of directors listing corporate stars from Wall Street — Good Shepherd, for example — may not do adequate background checks and may employ counselors with far less suitable qualifications

**Local 372 SAPIS are worth their weight in gold.**

Local 372 SAPIS (Substance Abuse Prevention/Intervention Specialists) are established active members of their school community. They are your constituents. The majority of SAPIS live, vote and pay taxes in their school community and are parents/grandparents/guardians of children in their neighborhood schools. SAPIS spend their wages supporting school community businesses.

**Cutting SAPIS vital services diminishes the quality of school life and**

**has consequences in the family life of the children, who are their life's work.**

SAPIS layoffs by the City seriously compromise our schools' first line of defense against alcohol, tobacco and substance abuse, intolerance, drug related violence, dropping out, teen pregnancy and HIV/AIDS. Particularly, in hard economic times such as these, cutting vital school life support services also has consequences for New York City families. Loss of these services puts our students' families at greater risk of child abuse, poverty, homelessness and dependence on the State.

**In Conclusion:**

Local 372 asks our State elected officials to insure that the Mayor cannot double-dip the SAPIS allotment and have the State pay for his addiction to outside contracting.

We urge that you take action to prevent SAPIS layoffs by the City for the benefit of your community and the children who depend upon us to do the right thing. We must work together to insure our children a safe, healthful and rewarding future.



**New York City Board of Education Employees**  
**125 Barclay Street, New York, N.Y. 10007 • (212) 815-1372 • Fax: (212) 815-1347**  
Affiliated with District Council 37, American Federation of State, County & Municipal Employees, AFL-CIO

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LABOR DONATED

February 5, 2010

Senator Carl Kruger  
Chair – Senate Finance Committee  
913 Legislative Office Building  
Albany, New York 12247

Chairperson Kruger:

Attached you will find Local 372, New York City Board of Education Employees testimony for the February 3, 2010 Mental Health and Hygiene Budget Hearing. I would like to submit my testimony for the record.

If you have any questions, please feel free to contact me at (212) 815-1372.

Thank you

Veronica Montgomery-Costa  
President – Local 372, District Council 37 and  
International VP of AFSCME

# 12% AND GROWING COALITION

## ASIAN PACIFIC AMERICAN COMMUNITY FIGHTING FOR A FAIR BUDGET

HUMAN SERVICES COMMITTEE  
JOINT LEGISLATIVE PUBLIC HEARING  
2010-2011 EXECUTIVE BUDGET  
FEBRUARY 10, 2010

### Testimony of the 12% and Growing coalition

Hello, we are Wayne Ho, Executive Director of the Coalition for Asian American Children and Families and Steve Choi, Executive Director of the MinKwon Community Center. We are here today on behalf of the 12% and Growing Coalition. The 12% and Growing Coalition is comprised of over 40 Asian led and serving organizations in New York City aiming for the State and City governments to have fair budgets that protect the most vulnerable Asian Pacific American New Yorkers. Coalition members employ thousands of New Yorkers and serve hundreds of thousands of New Yorkers.

#### COMMUNITY NEEDS

Nearly 85% of Asian Pacific American New Yorkers live in the New York Metropolitan area. Asian Pacific Americans are by percentage the fastest growing group in New York City, nearly doubling every decade since 1970 and making up nearly 12% of the population. In fact, New York City has the largest Asian Pacific American population of any U.S. city. Of the nearly 1 million Asian Pacific Americans in New York City, 73% are foreign-born, 17% are struggling with poverty, and 25% age 25 years and older do not have a high school diploma. **Despite these needs, the Asian Pacific American community does not receive a fair share of public and private resources.** The Asian Pacific American community receives only 0.24% of the City's social service contract dollars and only 0.38% of the City's foundation grant dollars. New York City has the largest number of Asian-owned businesses in the nation, generating over \$22 billion in receipts annually. Tourists from Asia conducting business and visiting family and friends in New York City have generated over \$100 million a year. Unfortunately, as the Asian Pacific American population in New York City has rapidly increased and has been an economic driver, the needs in the community have been met with inadequate financial resources and services. These needs are substantial barriers to education, health care, employment, civic participation, and other factors critical to becoming contributing members of this City and State.

With this economic downturn, a cut to our community will have detrimental effects because current resources already do not meet current needs. Cutting vital services will only exacerbate existing financial conditions by creating long term economic and human costs. Unfortunately, many vital programs targeting APAs are proposed to be cut and eliminated from the FY'11 budget.

**The Asian Pacific American community is united with other communities calling to ensure that our State and City governments support the most vulnerable in our communities.** Because the Asian Pacific American community already receives so little public funding, any budget cuts will disproportionately and negatively impact our community. The Asian Pacific American community demands that we receive our fair share in the State and City budgets to ensure that our community's needs are met. **Therefore, we put forward the following principles and priorities in how our State and City governments should address the economic situation.**

#### STATEMENT OF PRINCIPLES

- 1. The State and City should promote equity in their budget allocations.** Even in the midst of an economic downturn, the State and City can still make progress in reducing the inequitable distribution of the budget to the Asian Pacific American community. Instead of increasing existing funding, redistributing existing funding more equitably for the fastest growing community in New York will promote fairness and opportunity. Redistribution of the existing State and City budgets will ensure that Asian Pacific Americans – who make up a large portion of New York's workforce, taxpayers, and voters – receive their fair share of resources.
- 2. The State and City should address both the revenue and expense sides of the budget.** There are always two sides of the budget (revenues and expenses), and the State and City must focus on balancing the budget. Instead of

only cutting expenses, the State and City must find progressive ways to increase revenue. Increasing revenue is the only way to ensure much needed services remain intact while also achieving a balanced budget.

3. **The most vulnerable New Yorkers must be protected during these tough economic times.** Budget cuts should not disproportionately affect those New Yorkers with the greatest needs. According to the NYC Center for Economic Opportunity, Asian Pacific Americans have the second highest rate of poverty (25.9%) among all racial groups. Those struggling with poverty are also more likely to be recently arrived immigrants, limited English proficient individuals, children, and seniors. The State and City must preserve supportive services that promote the health and safety of our most vulnerable members. Investments in these services will avoid much costlier expenditures in the future.
4. **The State and City must support the economic vitality of the community.** Asian Pacific Americans are a largely immigrant community with many limited English proficient individuals. Many find themselves in jobs that lack stability and have limited upward mobility. Funding for programs like workforce development, small business development, ESOL, GED, adult education, public education, and child care should be preserved to allow New Yorkers to move toward economic self-sufficiency. Investment in these services will increase income tax revenues, encourage participation in the consumer economy, and reduce public charge expenses.
5. **The State and City should support small, community based organizations (CBOs) that serve emerging immigrant communities.** Small CBOs have the trust of their community members and have much more flexibility to respond to emerging needs. Vulnerable members of the Asian Pacific American community rely on these CBOs because they offer services that are culturally competent and linguistically appropriate. Investment in these CBOs will ensure that individuals facing cultural and language barriers will have equitable access to needed support services.

#### **BUDGET PRIORITIES**

The 12% and Growing Coalition advocates for budget priorities that support the following vulnerable populations:

1. **Children and Youth:** In New York City, 22% of all Asian Pacific Americans are under the age of 18, numbering at over 230,000. 1 out of 3 Asian Pacific American public high school students does not graduate on time or at all.
2. **Women:** Asian Pacific American women ages 15-24 have the highest rates of suicide and depression among all racial groups. Between 2000 and 2007, HIV/AIDS cases among Asian Pacific American women have increased by 205%.
3. **Seniors:** In New York City, the Asian Pacific American senior population grew by 150% since 1990. Asian Pacific American poverty rates among seniors (26%) are higher than New York City seniors in general (19%).
4. **Immigrants:** In New York City, 73% of all Asian Pacific Americans are foreign-born. 48% of all Asian Pacific Americans are limited English proficient, and 77% of Asian Pacific American seniors are limited English proficient.
5. **Low-Income Individuals:** In New York City, 17% of all Asian Pacific Americans are living in poverty, and 21% of all Asian Pacific American children are living in poverty.

#### **COALITION MEMBERS**

Adhikaar • Andolan - Organizing South Asian Workers • APEX • Arab American Family Support Center • Asian Americans for Equality • Asian American Federation • Asian Outreach Clinic, Child Center of New York • Asian & Pacific Islander Coalition on HIV/AIDS • Asian Youth Center of NY • Center for the Integration and Advancement of New Americans • Chhaya CDC • Chinatown Manpower Project • Chinese-American Planning Council • Chinese Progressive Association • Coalition for Asian American Children & Families • Council of Peoples Organization • Damayan Migrant Workers Association • Desis Rising Up and Moving • Family Health Project • Filipino American Human Services, Inc. • Greater Chinatown Community Association • Hamilton Madison House • Indochina Sino-American Community Center • Immigrant Social Services • Kalusugan Coalition, Inc. • Korean American Family Service Center • Korean American League for Civic Action • Korean Community Services of Metropolitan New York, Inc. • Korean Family Counseling and Research Center • MAAWS for Global Welfare, Inc. • Minkwon Center for Community Action • New York Asian Women's Center • New York Coalition for Asian American Mental Health • NYU Center for the Study of Asian American Health • NYU South Asian Health Initiative • SAKHI for South Asian Women • South Asian Council for Social Services • South Asian Youth Action • Turning Point for Women and Families • United Chinese Association of Brooklyn • United Sikhs

*List in formation (as of February 3, 2010)*

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**PERSONAL STATEMENT**

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**TO:** JOINT LEGISLATIVE BUDGET COMMITTEE  
**FROM:** CONCERNED TRYON BOYS FACILITY EMPLOYEE  
**SUBJECT:** HUMAN SERVICES HEARING- TRYON BOYS FACILITY  
**DATE:** 2/10/2010

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I have devoted 28 years of my life to Tryon Boys Facility and the youth that we serve and have served since the early sixties.

Over the last few years we at Tryon and all of the OCFS Facilities have endured riots, assaults, staff deaths, a resident death, staff injuries at an alarming rate, and unsafe conditions. This needs to stop! We at Tryon feel that we are being singled out unfairly because we spoke out about our conditions and reached out to several local and state politicians. At the same time we all came to work and did our jobs to the best of our capabilities even under adverse conditions and through injury.

I take it personally when I read the inaccurate barrage of negative press that we have been forced to put up with. We are a proud group of people who take our jobs seriously and try to do the best for the youths placed in our trust, regardless of race, background, and the challenges of changing behaviors that have been deeply rooted in our youths since birth.

We are not opposed to change the treatment model from the corrections model. In fact, we have done this for years with our youth, just without fancy names or diagnoses. We at Tryon care about our youth, regardless of what is printed in magazines and newspapers lately. We feel we do a great job changing lives at the youths of New York State.

Recently, OCFS is developing new treatment programs and behavior modification systems that once were run at Tryon boys and through our labor/management meetings were submitted to OCFS management for consideration as possible replacements for our current outdated systems that were not tailored to the needs and capabilities of our youth.

Having said this I am requesting that the closure of Tryon Boys be re-considered. Give Tryon a chance to flourish again and not be victim to personal agendas and the filtering of money downstate. Fulton County can not take this hit to our local economy of which is third highest in New York State in un-employment. After watching President Obama's State of the Union Address, his number one agenda focuses on creating jobs and boosting unemployment rates. Our given situation does just the opposite.

Thank you.





## NEW YORK STATE CITIZENS' COALITION FOR CHILDREN

Thank you for giving the NYS Citizens' Coalition for Children the opportunity to submit testimony to the Human Services Committee on February 10<sup>th</sup>, 2010.

“Post adoption services are for families who have a child who was adopted – privately, internationally or from foster care. Most children who are adopted do very well. However, some children have emotional, behavioral, medical, and educational problems as a result of the prior abuse and/or neglect they have suffered. Problems can be short-term or on-going and parents need help so that their child can live safely at home. Services can include support for parents over the telephone, a support group, respite, information & referral, or counseling by an adoption specialist.

NYS has funded some post-adoption services through TANF funds but these services will end in December 2010. And in addition, these services have not been available to all families because of the funding source. To get a sense of the scope of the problem, NYSCCC recently completed an on line survey. Four hundred and fifty-one NYS adoptive parents and professionals responded to the survey. Significant problems were noted by participants in accessing services and especially mental health services with providers who were knowledgeable about adoption and the impact of abuse and neglect on development. One parent wrote, **“No one understands what we face as adoptive parents. We are often ridiculed and treated as the ‘bad guy’ rather than our child receiving the much needed help.”** Many of these parents feel abandoned at a time they are desperate for help. It is a tragedy for the child, family and community when parents don't receive the services they need to keep their child safely at home. The full report is available at <http://nysccc.org/adoption/post-adoption-services/postadoptsurvey/>.

Funding these services saves money! When families don't get the support they need, the children in their care are at risk of coming into (or back into) foster care. Pat O'Brien, Executive Director of You Gotta Believe (an agency that recruits families for teens in NYC) notes that a significant number of children they place were adopted previously and returned to foster care.

To fix this problem, NYS needs to: (1) Track the number of children who enter foster care or residential treatment because their adoptive families are unable to care for them. (2) Create a line item in the NYS budget to provide post adoption services for all children in the State regardless of where they were adopted from or their families' income. Services should include an information and referral line, support groups, respite and training on adoption issues for service providers.

Funding for services could come from the Fostering Connections to Success and Increasing Adoptions Act of 2008: Adoption Assistance Program. Eventually, federal funds will be available for all children adopted from foster care, freeing up previously used state dollars. As the first step, in FY 2010 federal dollars will be available for adopted children and their siblings who are 16 years or older or who have been in care for more than 60 months. The freed-up state funds that will now be available should be used for post adoption services.”

56 Bobwhite Drive  
Glenmont, NY 12077  
February 9, 2010

Dear NYS Legislators,

Post adoption services are essential to families and can **save New York State millions of dollars a year**. Information & referral to community services, respite, support groups for parents and children, parenting programs, counseling, and help line services are services that families receive while their children are in foster care and that are cut off when the family adopts. While most adoptive families will never need post adoption services, the families that do are thrown into crisis when they cannot find or afford these services in their communities. Children return to foster care or enter residential treatment centers when their families cannot manage them safely at home. Post adoption services will decrease the amount of time children spend in foster care and residential treatment. With residential treatment costing \$70,000/year per child New York State can save millions of dollars a year if post adoption services enable children to live with their families rather than the far more expensive residential treatment.

Adoption subsidies may cover some programs but generally do not help with respite and other needed services. Therapists (many of whom are Medicaid providers) are rarely trained on attachment issues, loss of birth family, trauma caused by years of abuse & neglect, and prenatal alcohol and drug exposure. Counseling needs to be provided by trained adoption professionals. Adoptive families whose children have severe emotional and behavioral problems need more than the traditional services provided by family and community. Respite can mean the difference between family stability and adoption dissolution. Respite is unavailable for most of the adoptive families in need.

Currently, NYS is funding a handful of post adoption program using TANF funding. The vast majority of NYS adoptive families do not have an accessible post adoption program. 6 million dollars is needed to adequately fund post adoption services in New York State. The Adoption and Safe Families Act encourages many families to adopt children who spent years in foster care, now these families have been abandoned with few if any post adoption services available. The cost of state wide post adoption services would be offset by an increase in adoptions from foster care, a decrease in the number of children who return to foster care and decreased use of residential treatment. Providing these vital services would also decrease the use of juvenile justice and special education services.

Adoptive parents are committed to their children. Families are looking for help to safely maintain their children in their home and services to meet their child's unique emotional needs. Post adoption services cannot wait for another year's budget. I urge you to make post adoption services a priority for New York State.

Sincerely,

Marie Dolfi  
Adoptive Parent  
Secretary, New York State Citizens Coalition for Children  
Board Member Adoptive Families of the Capital Region  
Advisory Board Member, Post Adoption Resource Center at Parsons



**L E G A L**

**S E R V I C E S**

**INCORPORATED**

Testimony by

**MFY LEGAL SERVICES, INC.  
KINSHIP CAREGIVER LAW PROJECT**

to the

**New York State  
Joint Legislative Session  
on the Human Services Budget**

By

**Ramonita Cordero, Supervising Attorney  
Kinship Caregiver Law Project**

**February 10, 2010**

In New York State, kinship care is the state's primary child welfare system. Twelve times as many children are in the care of grandparents and other relatives than are in the formal foster care system. Tens of thousands of grandparents and others have stepped in to care for their related children when the children's biological parents were unable or unwilling to do so, providing a lifeline for 400,000 young New Yorkers.

Children in kinship care face the same challenges as children in formal foster care. Most of the kinship caregiving families in New York City are low income. Most receive no financial support at all for the children in their care. Only one in 12 children in the state eligible for TANF Child-Only support receives it, and the kinship families that have managed to get this subsidy for their children are the lucky few who have somehow managed to navigate an often unresponsive welfare system.

Kinship caregiving families deserve strong support from the state for taking on responsibility for raising children despite the economic hardship and emotional and physical strain involved. Countless studies have shown that children in kinship care have significantly better outcomes than children in foster care in unrelated families. Kinship caregiving families save the state hundreds of millions of dollars in foster care expenditures. In fact, if even a tiny percentage of children in kinship care were to move into the foster care system, the system would be quickly overwhelmed. Currently, New York States spends a very modest \$2.9 million to support a statewide kinship navigator system and 20 regional programs. This assistance reaches only a small fraction of families that need help. The current budget envisions severe cuts in the budget for the Office of Children & Family Services (OCFS) and eliminates close to \$2 million in TANF funding for kinship care services. At a time when kinship caregiving families are struggling to make ends meet in a depressed economy, they need more help, not less.

One area in which kinship caregiving families need more help is in navigating the legal system in order to get legal custody, guardianship or to adopt the children in their care and in order to receive benefits to which they are entitled. Unlike natural parents and foster care parents, they have no right to free counsel. MFY Legal Services' Kinship Caregiver Law Project provides much needed direct legal assistance that helps stabilize the kinship caregiving relationship and brings permanency and security to children. Forty percent of our cases involve caregivers who are seeking to adopt the children in their care. In 2009, the Kinship Caregiver Law Project helped 500 families, with assistance from pro bono volunteers from 30 private law firms in New York City. Eight months ago, when support from the Office of Court Administration ended, we were forced to lay off one of two staff attorneys. We now have no state support, but are receiving more calls for help than ever before. With 400,000 children in kinship care and their numbers growing, funding for kinship caregiving families needs to be increased, not cut.

The State's fiscal challenges this year are undoubtedly enormous. Yet even in this time of budgetary crisis, adherence to fundamental values of decency and fairness require policymakers to do their utmost to protect the most vulnerable members of society and those who are already caring heavy burdens with little help from government. Kinship caregivers and the children in their care receive so little support from government already. It would be unconscionable to enact the cuts the Governor has proposed.

Thank you for the opportunity to submit this testimony.

# MEDICARE RIGHTS

520 Eighth Avenue, North Wing, 3rd Floor  
New York, NY 10018  
212.869.3850/Fax: 212.869.3532

February 9, 2010

New York State Senator Carl Kruger  
Attn: Kristin Rezek  
913 LOB  
Albany, NY 12247

Dear Ms. Rezek,

Please find enclosed 40 copies of the Medicare Rights Center's written testimony submission for the Health/Medicaid hearing held on February 9, 2010. If you need any additional information, please do not hesitate to contact me at (212) 204-6227. Thank you for your assistance.

Sincerely,



Dina Wizmur  
Deputy General Counsel

# Written Testimony

New York State Senate and Assembly  
Joint Session on  
FY 2010-2011 Executive Budget for  
Human Services/Social Services  
February 10, 2010

Concern for Independent Living  
Ralph Fasano, Executive Director

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My name is Ralph Fasano and I am the Executive Director of Concern for Independent Living, Inc. Concern is a not-for-profit corporation that provides both housing and support services to over 500 individuals in over 200 sites in New York. Concern has been operating housing for persons with psychiatric disabilities for more than 24 years and we are the largest non-profit provider of housing for individuals and families with mental illness on Long Island. Concern's mission is to provide safe, affordable housing within the community to persons recovering from psychiatric and other disabilities and to low-income individuals and families; to offer supportive services; to foster independence, empowerment and recovery; and to reduce the stigma of mental illness to allow persons with psychiatric and other disabilities to live with independence, support and dignity.

## SHFYA

The funding Concern receives from the Supportive Housing for Families and Young Adults program is used to serve 37 families, totaling 123 individuals. With this funding we are able to provide services that have helped them develop life skills needed for both parents and children to become functioning and productive members of their community. These services have helped make it possible for these families to overcome their challenges and to remain successfully in permanent housing rather than cycle back into homelessness.

This program provides housing and services to families where at least one adult has been diagnosed with a psychiatric disability. With the SHFYA funding we are able to provide both case management services for the identified adult participants and specialized family services to address the needs of the family unit and the children within the homes.

All of the families served by this program have experienced extreme challenges and their needs are often overwhelming to them. With at least one adult member who suffers from a serious and persistent mental illness, there can be many negative forces that place stress on the entire family unit. Examples include poverty, substance abuse, prolonged periods of separation due to hospitalizations or removal of children from the home, interruptions to educational and vocational progress, and homelessness. Successful intervention requires a multi-pronged approach in order to address the various needs of the parents, the children, and of the family as a whole.

Without SHFYA funding Concern cannot maintain the Case Management staff required to oversee this program. Families served in this program will risk losing their housing

and their services. The loss of housing and services would be devastating, and could result in relapse, hospitalization and/or homelessness. If just a couple of the families in this program become homeless, the costs of this action will far outweigh the total amount of funding that is currently in place.

### SRO Supportive Services

The funding Concern receives from the Single Room Occupancy program is used to serve 137 individuals with psychiatric disabilities. With this funding we are able to provide both housing and services to program participants, including case management services, medication management services, representative payee services, and employment services. These varied services are integral to participants' recovery by providing service planning, medication management, advocating on participants' behalves, budgeting, and providing assistance in obtaining and sustaining employment, as well as other services.

This program provides an array of services to meet the varied needs of its participants. Like in our Family Program, these individuals have experienced extreme challenges including homelessness and some have a history of substance abuse, HIV/AIDS, domestic violence or other traumas. The services provided using the SRO funding brings these individuals closer to recovery and greater self-sufficiency.

Without SRO funding Concern cannot maintain the staff required to successfully oversee this program. Individuals served will risk losing their housing and their services. This loss would be devastating and could result in relapse, hospitalization, self-medication and homelessness.

It is important to note that the supportive services funded by both of these programs serve as matching funds for capital and rental grants from HUD and NYS. The loss of this funding puts us out of compliance with the contracts we have and jeopardizes the funding that was awarded for this housing.

Via Federal Express

February 9, 2010

Senator Carl Kruger  
913 Legislative Office Building  
Albany, New York 12247

Re: Common Ground Testimony Regarding SRO Support Services

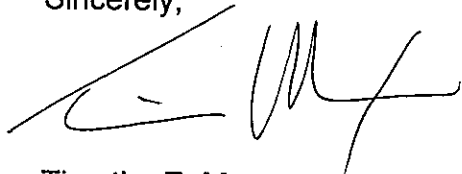
Dear Senator Kruger,

I respectfully submit the attached written testimony for review by the New York State Senate and Assembly Joint Session on FY 2010-2011 Executive Budget for Human Services/Social Services (meeting scheduled for 12 pm on Tuesday, February 10, 2010). We have enclosed forty (40) copies of the testimony for the Committee's review.

If you have any questions or need any further information, please contact me at (212) 389-9330 or [tmarx@commonground.org](mailto:tmarx@commonground.org).

I appreciate your assistance with this matter.

Sincerely,



Timothy E. Marx  
Executive Director  
Common Ground Community

enclosures



COMMON

GROUND

505 Eighth Avenue, 15<sup>th</sup> Floor  
New York, New York 10018

Tel: 212.389.9318  
Fax: 212.389.9311

**New York State Senate and Assembly  
Joint Session on  
FY 2010-2011 Executive Budget for  
Human Services/Social Services  
February 10, 2010**

**Testimony of  
Common Ground Community  
Timothy E. Marx, Executive Director  
Regarding SRO Support Services**

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**Introduction and Summary**

Thank you Chairs Wright and Squadron for the opportunity to submit testimony on behalf of Common Ground Community concerning the impact of the Governor's proposed cut to SRO Support Services funding for the FY 2011 budget. Common Ground is one of the state's and nation's largest developers and providers of supportive housing for the formerly homeless and those with special needs. We own or manage nearly 2,200 units of housing – nearly all of which is permanent supportive housing - across New York City and on the Montrose campus of the Veterans Administration, and three more buildings are in rent-up or are scheduled to open in 2010 for an additional 525 units. (See attached overview of Common Ground housing.)

Common Ground recognizes the difficult fiscal circumstances the state is confronting and appreciates that hard choices must be made. We also are thankful for the significant leadership and support that state government has provided on a long-term and bi-partisan basis that has allowed the state to become a national leader in the development of supportive housing as a cost effective and compassionate solution to homelessness for our most vulnerable citizens. Supportive housing is a compassionate response to homelessness because it combines quality housing with support services that allows people to rebuild their lives; it is cost effective and less expensive than other alternatives such as mental health or medical facilities that rely on Medicaid. One study conducted by the University of Pennsylvania has demonstrated that supportive housing reduces reliance on crisis services by as much as \$16,000 per unit per year.

The state SRO Support Services program is a critical element to the success of supportive housing in New York. We and our social service partners utilize the SRO Support Services program to provide social services, education and employment/self-sufficiency programming, and security for our tenants and the communities surrounding our buildings. Without the program, homelessness and expenditures on crisis costs such as emergency rooms and mental health will increase, and hundreds of millions of dollars of capital investment by the state and others will not be fully utilized for its intended purpose. We urge you to maintain the state's investment in this critical program.

The remainder of this testimony provides more detailed information on how the program is used and the potential impact of the proposed cuts.

## **The Uses of and Results Achieved with SRO Support Services in Common Ground Buildings/Programs**

Common Ground and our social service partners, the Center for Urban Community Services and BronxWorks (f/k/a Citizen's Advice Bureau), rely on SRO Support Services funding at six of our existing buildings/programs, and we are relying on it as well for three projects that are currently in development or in the process of being rented-up. The program funds three critical elements of supportive housing. The first is security. Maintaining high quality, trained security staff has resulted in almost no significant incidents of violence at any of our sites in our nearly 20 years of operation. The presence of security staff at our sites also results in increased confidence among our neighbors regarding the safety of our buildings located in their communities. The second are the social services such as intensive case management provided by our social service partners for tenants with special needs such as severe mental illness and chemical dependency. The third are tenant services for items such as financial literacy and employment/self-sufficiency services.

The SRO Support Service program is a key element of the success of Common Ground supportive housing:

- Average eviction rates of less than 1%
- Average rates of exits for any negative reason of 1.5%
- Housing stability of 95% (measured as the percentage of tenants who remain in our housing from year to year)

In addition, Common Ground and our partners have increased efforts to house people directly from the streets. These efforts have been a key contributor to the 47% reduction in the number of street homeless in NYC from 2005 to 2009 as documented by the 2009 Department of Homeless Services HOPE Count results.

These results are not an abstraction. For example, one of our residents at The Prince George, a Common Ground building that receives SRO Support Services funding, had been homeless on and off for twenty years including living in Prospect Park (Brooklyn) for the last two years of his homelessness. When Common Ground's Street to Home outreach team found him there, he was receiving no benefits and was suffering from debilitating medical conditions that compromised his ability to both walk and see. This individual moved into The Prince George in May 2008 and, through the support and services offered by our staff, is now receiving a stable source of income (SSI), regularly attends physical therapy, has been equipped with a cane and has even been fitted with a full set of dentures. Most recently, this resident reconnected with his five year old daughter, whom he had not seen in two years. Similar success, we believe, will be achieved by tenants of The Brook, our 190 unit development that is now just opening in the Bronx and accepting tenants. One such tenant, who also spent twenty years living on the streets, in drop-in centers and in safe havens in the Bronx, received the keys to his apartment at The Brook - his first real home in two decades - on January 20, 2010. We know that, with the support and services we offer there, this new resident can and will stabilize his life and reconnect to the community.

## The Impact of SRO Support Service Cuts

Six Common Ground sites currently receive \$2,578,574 of SRO Support Services funding. We also anticipate receiving an additional \$607,920 of SRO Support for three sites that are currently in construction or in the rent-up phase – specifically, The Brook's 190 units in the Bronx, The Lee's 263 units on the lower East Side of Manhattan, and The Domenech's 72 units in Brooklyn. Our understanding is that the proposed cuts to the SRO Support program include a 13% reduction for our six existing sites as well as *total elimination* of funding for The Brook, The Lee and The Domenech. Such cuts would result in \$943,134 total lost revenue to Common Ground and our partners.

The three projects in construction or in rent-up represent a total combined capital investment in construction and permanent capital of \$177 million from private, federal, state and city sources. Over \$32 million of this investment is from New York State sources. Additionally, New York State allocated tax credit private equity investment of \$19 million for these projects. These investments were made on the assumption that extremely low-income special needs and homeless populations would be housed. Failure to provide adequate support services would significantly frustrate these investor expectations.

If cuts to the program do occur, we would work with our partners to minimize the impact on our most vulnerable tenants and clients, the communities we serve and our staff who are so committed to this important work. However, the more severe the cuts, the deeper the impact would be on our tenants, the community and the staff that serve them. The positive and cost-effective results Common Ground has obtained for approximately 7,500 New Yorkers over almost 20 years demonstrate that the investments of the state and so many others in supportive housing has transformed people, buildings and communities. There are thousands more New Yorkers and communities that could benefit from supportive housing. Now is not the time to stop doing what is working for vulnerable New Yorkers and for taxpayers. Rather, now is the time to make tough decisions by maintaining and enhancing investments in what works.

### Conclusion

I appreciate the opportunity to offer this testimony. We urge you to restore the SRO Support Services program and expand it to meet additional needs. I would be happy to respond to any inquiries that Committee members may have, and invite you to contact me to visit a Common Ground building or program. I can be reached at [tmax@commonground.org](mailto:tmax@commonground.org) or 212.389.9318.

Thank you.

Attachment

# HOUSING OVERVIEW

## NEW YORK HOUSING

THE TIMES SQUARE



**Permanent Housing**

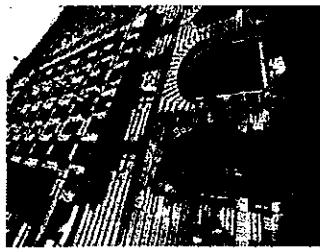
Common Ground's first residence and the largest supportive housing project in the nation.

- 652 Units
- Manhattan, NY
- Mix of low-income working persons and formerly homeless single adults
- Center for Urban Community Services (CUCS) provides on-site support services
- Listed on the National Register of Historic Places
- Received 28th Bard Award for Excellence in Architecture.
- Received The Rudy Bruner Award for Excellence in the Urban Environment
- \$50 million project



Opened 1991

THE PRINCE GEORGE



**Permanent Housing**

Common Ground restored the Prince George Hotel to create permanent supportive housing.

- 416 Units
- Manhattan, NY
- Mix of low-income working persons and formerly homeless single adults
- (CUCS) provides on-site support services
- Restored Prince George Ballroom event space
- Partnership with Community Supported Agriculture program brings fresh, organic, affordable produce to tenants
- Recipient of the 2003 World Habitat Award
- \$40 million project



Opened 1999

THE AURORA



**Permanent Housing**

Owned by The Actors Fund and managed by Common Ground, The Aurora provides housing to formerly homeless individuals and low-income working professionals, many in the arts and entertainment industry.

- 178 Units
- Manhattan, NY
- Elderly, low-income working professionals, and people living with HIV/AIDS
- The Actors Fund provides on-site support services
- On-site, free medical clinic



Opened 1996

THE CHRISTOPHER



**Permanent Housing**

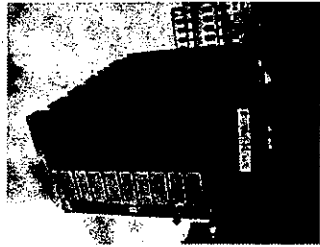
The Christopher is home to Common Ground's first Foyer program. Run by Good Shepherd Services, The Foyer provides housing and support services to youth aging out of foster care or housing needy.

- 207 Units, 40 Foyer Units
- Manhattan, NY
- Mix of low-income working persons and formerly homeless adults, as well as youth in Foyer program
- CUCS provides on-site support services
- Site of the former Robert McBurney YMCA
- \$32 million project



Opened 2004

THE SCHERMERHORN



**Permanent Housing**

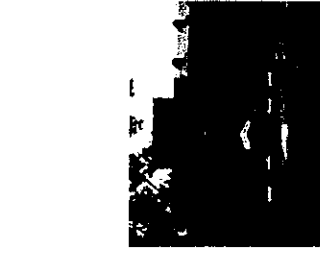
The Schermerhorn is Common Ground's first new construction project and first building in Brooklyn.

- 217 Units
- Brooklyn, NY
- Mix of low-income working adults who are or were employed in the arts and entertainment industry and formerly homeless adults
- The Actors Fund and CUCS provide on-site support services
- On-site community theater
- Part of larger redevelopment plan for downtown, Brooklyn
- \$59 million project



Opened 2009

MONTROSE VETERANS RESIDENCE



**Transitional Housing**

Montrose provides transitional housing for veterans, and offers the support they need to get their lives back on track.

- 96 Units
- Montrose, NY, located on Hudson Valley VA Campus
- Common Ground provides on-site support services including assistance with re-establishing contact and relationships with family, finding work, saving for an apartment, and securing a home of their own in the community
- \$876,000 project



Opened 2008

THE ANDREWS



**Transitional Housing**

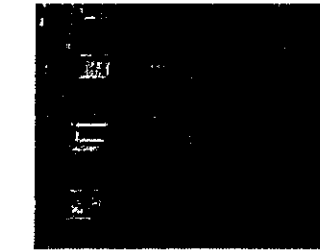
A reinvention of the "flophouse", The Andrews provides private, safe, clean and affordable short-term accommodations to chronically homeless adults.

- 146 Units
- Manhattan, NY
- 80 Safe Haven units reserved for street homeless
- 38 units for homeless veterans
- 28 units for housing needy persons
- Partnering with the Architectural League of New York, Common Ground held an architectural competition for the design of the units.
- \$14 million project



Opened 2009

JAMAICA SAFE HAVEN



**Transitional Housing**

The Jamaica Safe Haven provides short-term housing, where residents work with case managers to find and prepare for permanent housing.

- 60 Units
- Queens, NY
- The Safe Haven offers small private rooms with communal bathrooms and living spaces, meals, and links to critical supports like medical care and individualized case management.
- Common Ground leases the building



Opened 2008

# HOUSING OVERVIEW

## CONNECTICUT HOUSING

SCATTER SITE

THE BROOK

THE LEE

THE DOMENECH

HEGEMAN AVENUE

THE BETTY RUTH  
AND MILTON B.  
HOLLANDER  
FOUNDATION  
CENTER

CEDARWOODS



**Permanent Housing**  
The Scatter Site program provides individualized case management to clients living in subsidized rental apartments across New York City.

- 78 apartments in The Bronx, NY
- 41 apartments in Brooklyn, NY
- 4 apartments in Queens, NY
- Each Scatter Site client is assigned a manager who helps identify support services in the community

**Opened 2006**

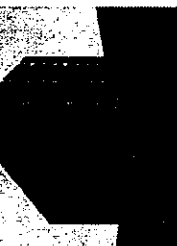


**Permanent Housing**  
The Brook is Common Ground's first residence in The Bronx.

- 190 Units
- The Bronx, NY
- 120 units for formerly homeless adults, including those with special needs
- 70 units for low-income single adults from the South Bronx
- 2,400 SF community space
- \$43 million project

- LEED Certified Silver
- High performance condensing boilers
- Ventilation and lighting systems that maximize natural light and solar heat
- Water-saving fixtures
- Low toxicity materials
- Green roof

**Under Construction**



**Permanent Housing**  
The Lee will be home to Common Ground's second Foyer Program, and it's first residence to receive a LEED Silver rating.

- 263 Units
- Manhattan, NY
- 104 units for formerly homeless adults with special needs
- 104 units for low-income working adults from the Lower East Side
- 55 Foyer units
- \$59 million project

- LEED Certified Silver
- Ventilation and lighting systems that maximize natural light and solar heat
- Drought-resistant landscaping
- Water-saving fixtures
- Green roof

**Under Construction**



**Permanent Housing**  
The Domenech is Common Ground's first housing for seniors.

- 72 Units, with 40% reserved for homeless seniors with special needs
- The remaining units serve low-income seniors in the Brownsville area
- Brooklyn, NY
- \$24 million project

- LEED Certified
- Highly insulating translucent walls
- Green roof
- Low toxicity paints and materials
- High efficiency condensing boilers
- Water-saving fixtures to reduce water usage by up to 40%

**Under Construction**



**Permanent Housing**  
Hegeman Avenue will provide affordable housing for formerly homeless and low-income individuals in Brownsville, Brooklyn.

- 161 Units
- Brooklyn, NY
- 100 units reserved for formerly homeless individuals
- 61 units reserved for individuals at or below 60% of area median income
- \$37 million project

- LEED Certified Silver
- Low environmental impact construction
- Green roof
- High efficiency mechanical systems and lighting
- Water-saving fixtures

**Development Pipeline**



**Permanent Housing**  
The Hollander is the first LEED Certified green residential building in CT and the first affordable housing development for families in downtown Hartford.

- 70 Units
- Hartford, CT
- Completion 2009
- 13,000 SF commercial space
- \$18 million project

- High performance windows
- High performance condensing boilers
- "Smart" heating and cooling systems
- High efficiency light fixtures
- Green roof
- Recycling chute access on every floor
- Locked bicycle storage room

**Opened 2009**



**Permanent Housing**  
Cedarwoods will be the first LEED Certified affordable housing development in eastern CT. 10% of units will be set aside for veterans.

- 56 Units
- Willimantic, CT
- Completion 2011
- \$14 million project

- LEED Certified
- "Smart" heating and cooling systems
- Ventilation and lighting systems that maximize natural resources
- High efficiency light fixtures
- Drought-resistant landscaping
- Locked bicycle storage room
- Recycling chute access on every floor

**Development Pipeline**



*Where violence ends and hope begins*

**President**  
Richard Demato

**Vice President**  
Barbara Olton

**Treasurer**  
Nicole Behrens

**Secretary**  
Nina Gillman

**Members At Large**  
Helen Barer

Joy Bunson

Ann Chwatsky

Eileen Ekstract

Cindy Feinberg

Hon. Bruce M. Kaplan

Katherine Ryden

Bethany Shene-Becker

Arlene Slavin

Kathleen Tait

Dan K. Wassong

**Honorary Directors**

Judith Ackerman \*

Leonard Ackerman

Lynn Epstein \*

Stuart Epstein

Dorothy Herman

Robert Kyle (1930-2003) \*

Harvey Silverman

Karen Silverman

\* Emeritus

**Executive Director**  
Jeffrey A. Friedman

February 8, 2010

Senator Carl Kruger  
Room 913 LOB  
Albany, NY 12247

Dear Senator Kruger,

On behalf of the Retreat, I am submitting our written testimony in regards to the 10th Joint Legislative Public Hearings on the 2010 – 2011 Executive Budget Proposal meeting. Unfortunately, due to the predicted weather forecast for Wednesday, we will not be able to attend the hearing in person.

Sincerely,

Jeffrey Friedman  
Executive Director





*Where violence ends and hope begins*

## **Proposed Executive Budget for FY 10/11 Will Decimate Domestic Violence Services on Long Island**

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Richard Demato

**Vice President**  
Barbara Olton

**Treasurer**  
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\* Emeritus

**Executive Director**

Jeffrey A. Friedman

My name is Jeffrey Friedman, Executive Director of the Retreat. For over two decades, the Retreat has been the only community-based, not-for-profit agency that provides direct domestic violence services and support for victims of domestic crimes on eastern Long Island. With people losing their jobs and being foreclosed from their homes, family violence has been on the rise and domestic violence service requests at the Retreat have increased nearly 40% in the most recent 12-month period. Simultaneously as demand for our services has been accelerating at a record-breaking pace, organizationally, we have seen dramatic funding cuts from our local government, in addition to a substantial drop in private donations.

The Proposed Executive Budget for FY 10/11 is essentially a complete elimination of all state funding for domestic violence services and will have a catastrophic effect on the women and children of our community. If enacted, Governor Patterson's proposed budget will place thousands of Long Island's women and children in harms way.

The Governor's proposed budget contains the following critical elements:

1) Elimination of State Funds in the following areas: a. TANF – \$3 million dollars in TANF funds previously available for non-residential services has been zeroed out. b. Child Protection/Domestic Violence Collaborations – elimination of state funding for these collaborations. 2) Significant cost shift/reduction: a. Title XX – All state funding will be eliminated leaving only federal and local dollars. This cost shift is actually an \$18 million reduction for local districts. b. General Fund – There will be no General Fund dollars being allocated to domestic violence programs and services in the State of New York.

For the Retreat, the only community based domestic violence services organization on Eastern Long Island, these cuts would be deep and have great impact. The following services would be drastically effected and/or eliminated due to funding cuts: A) Crisis Hotline — The 24/7 hotline provides: education, crisis intervention, and instant linkage of abused and/or threatened individuals to local and statewide resources such as shelter and emergency health services. In 2008, the Retreat responded to 1,580 hotline calls. B) Legal Advocacy — Trained Retreat staff members accompany victims to court year-round and assist in the important process of obtaining orders of protection. Additionally, Advocates provide guidance and emotional support through stressful custody issues. In 2008, the Advocacy program



13 Goodfriend Drive, East Hampton, NY 11937

24 Hour Hotline (631) 329-2200 Administrative Office (631) 329-4398 Fax (631) 329-2944

[www.theretreatinc.org](http://www.theretreatinc.org)



served 534 clients and provided 6,317 units of service. [A “unit of service” is any separate, distinct instance of interaction with a client or member of the general public who benefits from our work.] C) Counseling — Individual and Group counseling is provided to adults and children year-round. Counseling sessions focus on empowerment. Group counseling sessions combine education about abuse with mutual support to alleviate feelings of isolation. In 2008, the Counseling program served 186 clients and provided a total 2,492 units of service.

We understand that New York has been hit hard by the economic crisis, but to decimate the state’s domestic violence budget at a time when the women and children of our community are most vulnerable is unacceptable. We cannot expect to overcome budget shortfalls on the backs of abused women and children.

As you are aware, domestic violence is a matter of life and death for hundreds of thousands of women and children in New York. There simply is no excuse for domestic violence resources to fail to assist victims in need. Without agencies like the Retreat, these victims have no place to turn and no safety net.

The Retreat feels and acknowledges the impact of the nation’s economic downturn and the tough choices that are coming with it. Our leadership team, including our Board of Directors, has recognized that, in this era, every penny counts even more. Even with the significant staffing cutbacks we implemented 2009, our staff and board continue to energetically contribute many long hours in dedication to our mission. As just one example, a Retreat team member recently discretely assisted a battered woman at 4AM at a train station so that the woman could be escorted safely to a hospital and then to our emergency shelter. Our team assured that she was not alone. With the funding cuts proposed, I am not sure that organizations like the Retreat can continue to survive and provide critical crisis services to abused women and children.

Martin Luther King, Jr. said, “ If you lose hope, somehow you lose the vitality that keeps life moving, you lose that courage to be, that quality that helps you go on in spite of it all. Everything that is done in the world is done by hope.” What the staff does at the Retreat is to provide hope for mothers and their children. Our staff shows the people we serve that they can have a life free of violence and abuse. They show them they can be in loving nurturing relationships.

Please keep that hope alive for our women and children. I urge all community leaders to reexamine the state budget and restore funds to continue to help the abused women and children of our community. Thank you for your time and serious consideration of this matter.



**The New York City Coalition of  
Non-Residential Domestic Violence Service Providers**

*c/o Domestic Violence Project \* Urban Justice Center  
123 William Street, 16th Floor, New York NY 10038*

Co-Chairs

*Madeline Garcia Bigelow, Esq.  
646.602.5610  
[mbigelow@urbanjustice.org](mailto:mbigelow@urbanjustice.org)*

Lucia Riveccio, LCSW  
646.315.7633  
[lriveccio@EGSCF.org](mailto:lriveccio@EGSCF.org)

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February 8, 2010

The Honorable Carl Kruger  
New York State Senate  
Chair, Finance Committee Chair  
Room 913, Legislative Office Building  
Albany, New York 12247

The Honorable Herman D. Farrell, Jr.  
New York State Assembly  
Chair, Assembly Ways and Means Committee  
Room 923, Legislative Office Building  
Albany, NY 12248

**Re: WRITTEN TESTIMONY  
RESTORATION OF \$3M HUMAN SERVICES TANF DOMESTIC VIOLENCE  
SERVICES FUNDING**

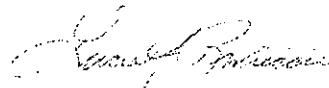
Dear Senator Kruger and Assembly Member Farrell, Jr.,

I'm writing to submit testimony to Joint Fiscal Legislative Committee concerning TANF funding for domestic violence programs. We can be reached at the above numbers and email addresses with any questions.

Sincerely,



Madeline Garcia Bigelow, Esq.,  
Director  
Urban Justice Center's Domestic Violence Project  
Coalition Co-Chair



Lucia Riveccio, LCSW  
Director  
Edwin Gould Services for Children & Families -  
STEPS to End Family Violence  
Coalition Co-Chair

Attachment

cc:

The Honorable Tom Duane  
New York State Senate  
Room 430, State Capital Building  
Albany, New York 12247

The Honorable Shirley L. Huntley  
New York State Senate  
Room 803, Legislative Office Building  
Albany, New York 12247

The Honorable Daniel L. Squadron  
New York State Senate  
Room 946, Legislative Office Building  
Albany, New York 12247

The Honorable Inez D. Barron  
New York State Assembly  
Room 441, Legislative Office Building  
Albany, New York 12248

The Honorable Jonathan L. Bing  
New York State Assembly  
Room 744, Legislative Office Building  
Albany, New York 12248

The Honorable Alec Brook-Krasny  
New York State Assembly  
Room 428, Legislative Office Building  
Albany, New York 12248

The Honorable Nelson L. Castro  
New York State Assembly  
Room 921, Legislative Office Building  
Albany, New York 12248

The Honorable Marcos A. Crespo  
New York State Assembly  
Room 749, Legislative Office Building  
Albany, New York 12248

The Honorable Vanessa L. Gibson  
New York State Assembly  
Room 646, Legislative Office Building  
Albany, New York 12248

The Honorable Charles D. Lavine  
New York State Assembly  
Room 325, Legislative Office Building  
Albany, New York 12248

The Honorable Vito J. Lopez  
New York State Assembly  
Room 943, Legislative Office Building  
Albany, New York 12248

The Honorable Alan N. Maisel  
New York State Assembly  
Room 528, Legislative Office Building  
Albany, New York 12248

The Honorable John J. McEneny  
New York State Assembly  
Room 648, Legislative Office Building  
Albany, New York 12248

The Honorable Crystal D. Peoples-Stokes  
New York State Assembly  
Room 619, Legislative Office Building  
Albany, New York 12248

The Honorable Matthew Titone  
New York State Assembly  
Room 938, Legislative Office Building  
Albany, New York 12248

The Honorable Keith L.T. Wright  
New York State Assembly  
Room 844, Legislative Office Building  
Albany, New York 12248

## TESTIMONY BEFORE THE JOINT FISCAL LEGISLATIVE COMMITTEE ON THE NEED TO RESTORE \$3M INTANF DOMESTIC VIOLENCE SERVICES FUNDING

Assembly Member Farrell, Senator Kruger, and distinguished members of the Joint Fiscal Legislative Committee, our names are Madeline Garcia Bigelow, Esq., Director of the Urban Justice Center's Domestic Violence Project and Lucia Riviuccio, LCSW, Director of the Edwin Gould Services for Children & Families - STEPS to End Family Violence. We are the co-chairs of The New York City Coalition of Non-Residential Domestic Violence Service Providers ("NYC DV Service Providers") and are testifying on behalf of the thirteen below-signed New York City-based non-residential domestic violence service provider coalition members<sup>1</sup> who receive funding through the New York City's Flexible Fund for Families through Temporary Assistance to Needy Families ("TANF") administered by the Office of Temporary and Disability Assistance ("OTDA").

**These New York City's Flexible Fund for Families through TANF non-residential domestic violence funds are set aside by New York State to provide critical and life-saving non-shelter domestic violence services in New York City. We urge you to restore the \$3 million dollars in funding that Governor David A. Paterson cut from the 2010-2011 Executive Budget proposed on January 11, 2010.<sup>2</sup>**

Our 13 organizations have provided domestic violence services to some of our most vulnerable neighbors in New York City and State for decades, and are considered experts on domestic violence service provision within New York City, New York State, the United States and internationally. Programs funded through OTDA include counseling, legal, case management, and other non-shelter services to victims of domestic violence and their children. **Failing to serve domestic violence victims costs money—every \$1 spent on domestic violence services saves \$10 in future costs.** These cuts would result in the severe reduction or shutdown of State-funded domestic violence services, and would decimate our ability to provide services to the State's most at-risk victims and their children.

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<sup>1</sup> These programs and individual representatives are: **Barrier Free Living**, Paul B. Feuerstein, President/CEO; **Edwin Gould Services for Children & Families - STEPS to End Family Violence**, Lucia Riviuccio, LCSW, Director; **F·E·G·S Health and Human Services System's Center for Women and Families**, Kathy Rosenthal, LCSW, Vice President, Family Services and Long Island Regional Operations; **HELP R.O.A.D.S.**, Hayley Carrington-Walton, Program Director; **Jewish Board for Family and Children Services**, Sheilah D. Mabry, LCSW-R, Director, Bronx Domestic Violence Services, Genesis; **The New York Asian Women's Center**, Julie Kim Richards, L.C.S.W., Director of Client Services; **The New York City Gay and Lesbian Anti-Violence Project**, Sharon Stapel, Esq., Executive Director; **Queens Legal Services**, Brian Dworkin, Esq., Director, Family and General Practice Units; **Safe Horizon** Michael Polenber, Vice President, Government Affairs ; **Sanctuary for Families**, Beth Silverman-Yam, Clinical Director & Dorchen Leidholdt, Esq., Legal Director; **The Seamen's Society for Children and Families**, Jessica Amyotte, Supervisor, Safe Passage, Director, Food Card Program; **The Urban Justice Center's Domestic Violence Project**, Madeline Garcia-Bigelow, Esq., Director; **The Violence Intervention Program**, Cecilia Gastón, Executive Director. We only discuss the impact on New York City. We understand that the New York State Coalition Against Domestic Violence (NYSCADV) will be presenting testimony on the cuts state-wide.

<sup>2</sup> *2010-2011 Executive Budget Briefing Book*, p. 86: "**Discontinue Temporary Assistance for Needy Families Funding of Certain Programs.** Due to the rising public assistance caseload and its associated costs, initiatives historically financed with Federal dollars from the \$2.4 billion Temporary Assistance for Needy Families (TANF) block grant are not funded. Such initiatives include the Summer Youth Employment program, Supportive Housing for Families, the Emergency Homeless program, **Non-Residential Domestic Violence**, CUNY/SUNY Child Care, Community Solutions to Transportation, and the Wage Subsidy program. (2010-11 Savings: \$69 million; 2011-12 Savings: \$69 million)" *Emphasis added.*

## **HISTORY OF TANF NON-RESIDENTIAL DOMESTIC VIOLENCE SERVICES FUNDING**

Domestic violence is has been recognized as a social and public health issue in New York State. New York's human services programs promote the safety and well-being of the State's most vulnerable citizens. Programs funded through OTDA include New York City's Flexible Fund for Families through TANF domestic violence services to victims of domestic violence and their children, which fund the 13 programs offering this testimony. New York State, through its Office for Children and Family Services (OCFS), mandates provision of non-residential services to victims of domestic violence, which services are funded by this TANF money.<sup>3</sup>

## **COST OF DOMESTIC VIOLENCE**

Studies suggest that \$1 invested in domestic violence services saves \$10 in future costs.<sup>4</sup> These funding cuts would result in an increased demand for state-funded services, costing the state more money to address the harm caused when domestic violence services are not available. In a study of the cost-benefit analysis of VAWA funding from 1994-2000, researchers found that the original funding of 1.6 billion dollars led to a net averted cost due to domestic violence service provision<sup>5</sup> of 14.8 billion dollars.

### *Medical Costs*

Center for Disease Control studies published in 2003 placed the annual estimated direct health care costs associated with domestic violence to be around \$4.1 billion, with another \$1.8 billion in productivity losses associated with injuries and death.<sup>6</sup> On average, a DV victim incurs \$1775 more in annual medical costs than persons who are not victims of DV.<sup>7</sup>

### *Workplace Costs*

According to the Centers for Disease Control (CDC), domestic violence victims lose a total of nearly eight million days of paid work a year—the equivalent of more than 32,000 full-time jobs. In addition, domestic violence costs American businesses more than \$4.1 billion a year in health care-related services for victims and an additional \$727.8 million in productivity losses, according to the Family Violence Prevention Fund. Those victims who do lose their jobs because of the domestic violence may become dependent on state-funded public benefits programs.

## **IMPACT ON INDIVIDUAL PROGRAMS**

Despite static funding levels, NYC DV Non-Residential Service Providers have responded to the enormous need for services. Last year, from October 1, 2008 to September 30, 2010, **NYC DV Non-Residential Service Providers provided more than 39,000 victims of domestic violence with social**

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<sup>3</sup> 18 NYCRR §462 et seq.

<sup>4</sup> K. Anderson Clark *et al*, *A Cost-Benefit Analysis of the Violence Against Women Act of 1994*, Violence Against Women, Vol. 8. No. 4, 471-428 (2002). The averted costs were calculated as savings from direct property losses, medical and mental health care, police response, victims services, lost productivity, reduced quality of life and death.

<sup>5</sup> *Id.*

<sup>6</sup> *Costs of Intimate Partner Violence Against Women in the United States*. 2003. Centers for Disease Control and Prevention, National Centers for Injury Prevention and Control. Atlanta, GA.

<sup>7</sup> *Domestic Violence and the Workplace*, a 2002 Partnership for Prevention publication citing data from the Family and Intimate Partner Violence Prevention Team of the CDC, National Center for Injury Protection (available at: <http://www.tpchd.org/files/library/c9df481abc6a4b5d.pdf>, last visited Feb. 7, 2010).

services and more than 13,000 victims of domestic violence with legal services and answered more than 383,500 hotline calls during that time period. From 2002 to 2010, service provision under this funding increased more than 50% despite no increase of funding. **If this funding is not restored to the budget, at least 108,500 victims of domestic violence - and likely more based on the recent upward trend in domestic violence - will go without vital services and access to safety for themselves and their children.**

Thirteen programs would lose more than 15 counselor/advocates and at least 4.5 attorneys.<sup>8</sup> For at least two programs this loss of funding would essentially cause them to close their doors. **Many of us provide services specific to particularly underserved, hard-to-reach communities, including disabled victims; immigrant groups including Haitian, Latina/o, Asian, Bengali, Japanese, Gujarati, and Korean victims; Arabic speaking victims; lesbian, gay, bisexual, transgender, queer and HIV-affected victims; and trafficked women.** For some victims, these programs are the only accessible programs in the City. For monolingual Lao and Thai speakers, for example, The New York Asian Women's Center is the sole agency providing domestic violence services in their languages. The loss of a single counselor would represent the loss of services in New York City and State capable of reaching these populations. For many clients, the loss of these services would mean continuing to suffer domestic violence and an increased risk of death due to domestic violence.<sup>9</sup>

Additionally, OCFS mandates the provision of non-residential services for victims of domestic violence<sup>10</sup> and the Governor's proposal to zero out this TANF funding would put the burden of funding this legal mandate on localities who have little or no resources to do so, putting both the State and localities in violation of the law.

#### **CURRENT SERVICES PROVIDED BY NEW YORK CITY NON-RESIDENTIAL DOMESTIC VIOLENCE SERVICE PROVIDERS**

The global recession has meant a significant increase in the incidence of domestic violence. Three out of four shelters have experienced an increase in women seeking assistance from abuse—a startling 72% increase in the Northeast region of the United States.<sup>11</sup> Seventy-three percent of the shelters attributed the rise in domestic violence to “financial issues” and 49% to “job loss.” The State of New York in particular has seen significant increases in domestic violence, with not only an increase in hotline calls in the last couple of years, but also a 20% increase in the number of applicants for public assistance who reported danger due to domestic violence and a 17% increase in the number of Family Violence Option waivers granted to applicants under the Temporary Assistance Program (OTDA).<sup>12</sup> There has also been a

<sup>8</sup> See Appendix 1.

<sup>9</sup> See Appendix 2. Almost one-third of female homicide victims that are reported in police records are killed by an intimate partner. Federal Bureau of Investigation, *Uniform Crime Reports* “Crime in the United States, 2000,” (2001). In 70-80% of intimate partner homicides, no matter which partner was killed, the man physically abused the woman before the murder. Campbell, et al. (2003). “Assessing Risk Factors for Intimate Partner Homicide.” *Intimate Partner Homicide*, NIJ Journal, 250, 14-19. Washington, D.C.: National Institute of Justice, U.S. Department of Justice.

<sup>10</sup> 18 NYCRR §462 et seq.

<sup>11</sup> Mary Kay Ash Charitable Foundation Survey, May 12, 2009 (available at [http://www.pcadv.org/Resources/MaryKay\\_Beauty\\_That\\_Counts\\_Release.pdf](http://www.pcadv.org/Resources/MaryKay_Beauty_That_Counts_Release.pdf), last visited Feb. 7, 2010).

<sup>12</sup> New York State Office for the Prevention of Domestic Violence, *New York State Domestic Violence Dashboard Project, Data 2008*, (available at: <http://www.opdv.state.ny.us/statistics/nydata/2008/nys2008data.pdf>, last visited Feb. 7, 2010).

terrifying increase in domestic violence homicide rates in New York State -- a 25% increase in New York State in 2008 (New York State Office for the Prevention of Domestic Violence).

Not surprisingly, New York City's domestic violence services—both shelter and non-residential—which were already stretched to their limits, have felt the impact of the increase in domestic violence since the recession. This NYC DV Non-Residential Service Providers funding supplements the already taxed New York City Services. There are only 2,144 domestic violence shelter beds in New York City, not nearly enough to cover the need we face. According to the Mayor's Office to Combat Domestic Violence (OCDV), in 2008, the New York Police Department responded to 234,988 domestic violence incidents in 2008; this averages over 600 incidents per day. In addition, NYPD's Domestic Violence Unit conducted 72,463 home visits in 2008, a 93% increase since 2002. Since its opening, the Brooklyn Family Justice Center has seen astounding numbers of victims coming through their doors—currently an average of 1,600 people seek services there each month. In 2008, the City's Domestic Violence Hotline answered 134,903 calls, averaging 370 calls per day, and early data suggests a sharp increase in hotline calls in 2009. With limited shelter space, the vast majority of victims of domestic violence in New York City receive services from non-residential service providers, including the 13 programs highlighted in this testimony.

#### **PROPOSED CUTS ARE 25% OF NEW YORK CITY'S 4.5M BUDGET FOR THESE SERVICES AND CANNOT BE REPLACED BY TITLE XX FUNDS**

In New York City, HRA funds \$4.5M in non-residential domestic violence services each year; \$1.25M of these funds come from New York State TANF funds, which the Governor proposes to de-fund. Funding levels have stayed static for more than a decade while service provision has increased dramatically; the 13 programs discussed herein have consistently done more with less. The Governor is proposing that these State funds to New York City be supplemented by Title XX federal funds that counties receive for Adult Protective Services, some Domestic Violence services and daycare. The Governor is proposing that the localities use the local discretionary Title XX funds to supplement the loss of TANF funding.<sup>13</sup> This Title XX local discretionary funding is money the localities already allocate to critical direct services work and the Governor's plan would force localities to choose between funding existing programs already funded with Title XX local discretionary funds and supplementing the loss of TANF funding; either choice will leave localities unable to fund all programs. This is, essentially, borrowing from Peter to pay Paul, and will not prevent the de-funding of critical non-residential domestic violence services.

#### **CONCLUSION**

Without this funding, the reality is that many victims of domestic violence in New York City will go without services and some will be killed by their batterers. With cutbacks or shutdowns of non-shelter programs at our agencies, many that do reach out will instead seek help through emergency rooms, need representation through 18(b) state-funded attorneys, or lose jobs and become dependent on public benefits—and state-funded costs for these services will increase sharply. **We urge you to restore the \$3M in Human Services TANF OTADA funding immediately to prevent this tragedy.**

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<sup>13</sup> *2010-2011 Executive Budget Briefing Book*, p. 87: **Utilize Federal Funds to Support the Adult Protective/Domestic Violence Program.** Currently, local social services districts are allocated \$103 million annually in Federal Title XX funding. The State requires that \$66 million of this total be used to offset State and local Adult Protective and Domestic Violence (AP/DV) costs. The Executive Budget would shift the remaining \$37 million in Title XX funds, which are currently allocated to the districts for local discretionary services, to the AP/DV program in order to reduce State and local costs. In doing this, the State would generate \$18 million in savings and the direct cost to local social services districts of providing mandated AP/DV services would be reduced by \$19 million. (*2010-11 Savings: \$18 million; 2011-12 Savings: \$18 million*)

Very truly yours,

**Barrier Free Living**, Paul B. Feuerstein, President/CEO

**Edwin Gould Services for Children & Families - STEPS to End Family Violence**, Lucia Riviuccio, LCSW, Director

**F·E·G·S Health and Human Services System's Center for Women and Families**, Kathy Rosenthal, LCSW, Vice President, Family Services and Long Island Regional Operations

**HELP R.O.A.D.S.**, Hayley Carrington-Walton, Program Director

**Jewish Board for Family and Children Services**, Sheilah D. Mabry, LCSW-R, Director, Bronx Domestic Violence Services, Genesis

**The New York Asian Women's Center**, Julie Kim Richards, LCSW, Director of Client Services

**The New York City Gay and Lesbian Anti-Violence Project**, Sharon Stapel, Esq., Executive Director

**Queens Legal Services**, Brian Dworkin, Esq., Director, Family and General Practice Units

**Safe Horizon**, Michael Polenberg, Esq., Vice President, Government Affairs

**Sanctuary for Families**, Beth Silverman-Yam, Clinical Director & Dorchen Leidholdt, Esq., Legal Director

**The Seamen's Society for Children and Families**, Jessica Amyotte, Supervisor, Safe Passage, Director, Food Card Program

**The Urban Justice Center's Domestic Violence Project**, Madeline Garcia Bigelow, Esq., Director

**The Violence Intervention Program**, Cecilia Gastón, Executive Director



## APPENDIX 1 THE IMPACT OF CUTS ON STAFFING

**Barrier Free Living** Non-Residential Domestic Violence Program offers victims with disabilities case management; short- and long-term individual counseling; advocacy with medical, legal, financial, law enforcement and child welfare issues; safety planning; occupational therapy; and referrals to outside services. Services are offered in English, Spanish, American Sign Language, Italian, French, and Haitian Creole. This impact of these cuts would mean a loss of a social worker and 1 1/2 case managers.

**Edwin Gould Services for Children & Families - STEPS to End Family Violence** provides non residential services including Individual, Counseling, Group services, Advocacy with Concrete Services, Court Advocacy, Crisis Intervention, Safety Planning, Legal Advice & direct representation, Legal case management and training to community members, ACS caseworkers, foster care agencies, court personnel and other community-based agencies. STEPS staff speaks Spanish, French, Italian, Arabic, and ASL and is one of the only programs offering teen-specific services. The funding cuts would mean a loss of 2 advocates (including one of the only Arabic speaking DV advocates in NYC) and 1.5 attorneys (1 full time and 1 part time).

**F·E·G·S Health and Human Services System's Center for Women and Families** provides a predominantly immigrant population of domestic violence victims/survivors with a comprehensive array of culturally and linguistically sensitive services including: crisis and long-term counseling, advocacy, interpretation and translation services, with linkages provided to family and immigration legal services. Without this funding we will lose one bi/multicultural .8 FTE LMSW.

**HELP R.O.A.D.S** located in East New York and serves Brownville, Bushwick, Bedford Stuyvesant, Williamsburg and Green point, which are disenfranchised population struck by violence, poverty and lack of services. Our services are bilingual and culturally sensitive and include: crisis intervention, counseling, support groups, parenting and domestic workshops, advocacy, referrals, aftercare, translation, children and teens services. The impact of these cuts would mean a loss of 2 Domestic Violence Counselors.

**Jewish Board for Family and Children Services' Bronx Domestic Violence Program** is a non-residential domestic violence program that offers victims and survivors of domestic violence individual and group counseling, safety planning, referrals, advocacy, domestic violence awareness presentations to service providers and community organizations, providing services in Spanish and two-thirds of clients are Spanish Speaking. These cuts would mean a loss of 1.25 counselors.

**The New York Asian Women's Center** provides direct services, including a 24 hour multilingual hotline, intensive counseling, crisis intervention, case management, advocacy assistance, translation/interpretation, entitlement assistance, and education/employment assistance to Asian victims of domestic violence. With the Asian language proficiency that each of our counselors bring to the agency, we can serve the Asian community in over a dozen Asian languages. With the loss of any given counselor, our language capacity decreases and vulnerable populations lose access to Non Residential Domestic Violence services. For example, without our counselor who speaks Lao and Thai, those two distinct communities have no organization where they can receive services in their languages.

**The New York City Gay and Lesbian Anti-Violence Project** provides direct services, community organizing and public advocacy, including a free and confidential 24 hour Bilingual English/Spanish hotline, crisis intervention, safety planning, counseling, advocacy and referrals to lesbian, gay, bisexual, transgender and HIV-affected victims of domestic violence and training to thousands of first responders, including the New York Police Department, District Attorney's Offices, victim services organizations and

hospitals, within New York City and New York State. Without this funding, we would lose two counselor/advocates, representing one-third of our direct services staff.

**Queens Legal Services** provides legal and support services, including advice and representation in family offense, custody, visitation, support and divorce cases in Family Court, Supreme Court, and the Integrated Domestic Violence Part of the Criminal Court, immigration cases, 24 hour hotline, crisis intervention, safety planning, counseling and advocacy to victims of domestic violence. Without this funding we would lose 1 attorney position or 1 social worker position plus part of an attorney position

**Safe Horizon** has, for the past 30 years, been at the forefront of helping victims of crime and abuse in New York City. The organization was founded in 1978 with the mission to provide support, prevent violence, and promote justice for victims of crime and abuse, their families and communities. We offer a range of services at nearly 70 sites across the five boroughs that help move more than 250,000 victims of violence from crisis to confidence each year. Funding from TANF covers the activities performed by our staff located in our Queens Community Program, Queens Family Court and the Queens Integrated Domestic Violence Court. Services include information and referral, advocacy, counseling and community outreach. Community outreach includes presentations at schools, community groups, and hospitals. With these cuts, Safe Horizon would lose at least one social worker.

**Sanctuary for Families' Bronx Community Office** provides integrated clinical, legal, and economic stability advocacy, including a hotline from Monday through Friday 9am-5pm, to victims of domestic violence and sex trafficking, as well as child victims/witnesses of family violence in the Bronx. Services are available in English, Spanish, Bengali, Japanese, Gujarati and Korean. These cuts would mean a loss of one MSW social worker and one attorney.

**The Seamen's Society for Children and Families** is a non-residential domestic violence program; the only one like it on Staten Island. We provide long term and short term DV counseling, advocacy and referrals to domestic violence survivors in Staten Island; both English and Spanish speaking. These cuts would result in the loss of at least 2 workers in the program, essentially causing the program to be unable to exist at all, as a caseload would be at least 50 clients a caseworker with the loss of two staff persons.

**The Urban Justice Center's Domestic Violence Project** provides psychosocial and legal assessments and services through a collaborative and holistic framework. Services provided are open to any victim of domestic violence, irrespective of gender, sexual orientation, religious, cultural or economic status. We provide these services city-wide with free legal direct representation services to Bronx, Queens and Brooklyn residents. The cuts would mean a loss of at least one advocate and one attorney.

**The Violence Intervention Program's Bronx Non-Residential Program** offers hotline, crisis counseling, safety planning, advocacies, referrals, accompaniments, support groups. VIP is known for its work with the Latino community but we serve women of all nationalities. The impact of these cuts would mean a loss of 2 Family Workers or a Woman's Counselor.

## **APPENDIX 2**

### **IMPACT THAT THESE SERVICES HAVE ON CLIENTS**

**Barrier Free Living** worked with Ms. E who was referred by the Brooklyn District Attorney's Office after her husband was arrested for assaulting her. As with many victims, Ms. E struggled with numerous issues. BFL addressed these issues through intensive counseling, safety planning and advocacy with intersecting agencies. As a direct result of BFL's advocacy, Ms. E received an emergency transfer, succeeded in having rent arrears waived and was awarded a final order of protection through the criminal court system. Today Ms. E reports that she is safe and healthy, and has not seen or heard from her abuser. She continues to have contact with her social worker via telephone.

**Edwin Gould Services for Children & Families - STEPS to End Family Violence** served Marta who arrived at STEPS one day in June 2008, frantic because her husband served her with divorce papers and she couldn't afford an attorney. Marta had a long history of abuse at the hands of her husband including an incident where he kicked her repeatedly resulting in the miscarriage of her child. Although she had him arrested and had received a two year order of protection, Marta felt vulnerable in addressing the divorce action because she was without legal status in this country, couldn't work, and does not have a support network in this country. Her abuser had petitioned the court to expel her and her son (from a previous union) from the marital home. STEPS intervened by drafting an Order to Show Cause (emergency motion) for her in which she requested that the court dismiss the divorce complaint, that it allow her and her child to remain in the marital residence until he found her other accommodations that he would have to pay for, that he continue her medical health coverage, and that he pay her \$200.00 per week as maintenance. Today, the husband has had to continue medical coverage, Marta and her son are still in the marital residence and the husband is paying all expenses. STEPS litigation prevented Marta and her child from moving into shelter and relying on NYS assistance.

**F·E·G·S Health and Human Services System's Center for Women and Families** worked with TMK a 42-year-old woman from Mali with three children ages 5 to 16. MK was reportedly a victim of domestic violence in her country of origin as well as a victim of rape, genital mutilation, and torture. F·E·G·S's Center for Women and Families provided trauma counseling, assisted MK in getting medical care for symptoms related to her genital mutilation, assisted MK in getting legal immigration representation to file a political asylum petition, wrote an affidavit to support her political asylum petition, gave her referrals to food pantries and public assistance for her U.S. born son, provided a linkage to a refugee resettlement program, and assisted her in getting into shelter. F.E.G.S advocacy and thorough assistance has resulted in MK being granted political asylum, receiving Work Advantage voucher, obtaining full-time employment as a home health aide and accessing an affordable apartment for herself and her children.

**HELP R.O.A.D.S.** worked with Ms G., a 54 year old African Caribbean woman with one child, was referred to HELP R.O.A.D.S through NYPD local precinct. Ms. G's abuser had battered her for 14 years, resulting in significant emotional, physical, and verbal abuse. Like many abusers, he leveraged her immigration status in order to maintain control and dominance in the relationship. HELP R.O.A.D.S. extensive counseling and therapy provided Ms. G with the necessary confidence and support structure to feel empowered enough to seek relief from the abuse. After advocating with local counsel to represent Ms. G on her immigration matter, HELP R.O.A.D.S. further assisted by drafting the critical affidavit of support for her immigration matter. Today, Ms. G has legal immigration status and has secured housing for herself and her child. HELP R.O.A.D.S.' services made a life free from violence a reality for Ms. G.

**Jewish Board of Family and Children Service's Bronx Domestic Violence Program** provided services to K.J., a 34 year old African American woman of Caribbean descent, referred by HRA Office of Domestic Violence and Emergency Intervention Services. KJ was trapped in an abusive relationship for seven years. Like many victims, KJ is undocumented and her immigration status is used by the abuser to

maintain control. KJ has struggled with crippling debt amassed by her abuser and the real fear of eviction from her home since housing was only in the abuser's name. KJ's unimaginably difficult issues seemed almost insurmountable. However, with the careful assistance and strenuous advocacy, JBFCS secured mental health services to address the impact of the violence and legal services to address divorce, immigration, and housing issues. JBFCS has provided the supportive structure and necessary counseling to assist KJ in successfully interfacing with all the professionals involved in her representation. JBFCS also provided necessary documentation for legal proceedings to allow the court to understand the full weight and circumstances of KJ's current situation. As a direct result of JBFCS advocacy and support, KJ has found critical relief from crushing debt incurred by her abuser and is securing an apartment.

**The New York Asian Women's Center** reports: the consequences of continued abuse without access to Non Residential Domestic Violence services could have been dire for our Mandarin-speaking client, Ms. Z. Thankfully, with the support of her New York Asian Women's Center Chinese counselor, she was able to win her family court case and obtain child support from her abuser. She was also able to file for Crime Victims Board compensation and recoup the financial losses that she incurred as a result of the abuse. For another client who only spoke Japanese, there also was no easy escape to the on-going violence she faced. She had no legal status and no job or other financial means to become independent from her abuser. With the help from her Japanese counselor and her Queens Legal Services lawyer, she obtained Lawful Permanent Residence through VAWA, and then later her green card and lawful employment.

**The New York City Gay and Lesbian Anti-Violence Project** worked with Arlene, a transgender woman in her 20s from Puerto Rico. She met her batterer in a club at the age of eighteen. Soon after they began living together, the batterer raped and beat Arlene, isolated her from her friends and family and restricted her every move. When he left the house, he would lock Arlene up in a back room of the house so Arlene couldn't leave. One day, despite the fear, she pulled the air conditioner out of the wall and crawled out the window. Arlene fled to New York City where she was alone and living on the street until an acquaintance gave Arlene a phone number to Safe Horizon. Arlene called Safe Horizon and they referred her to the New York City Gay & Lesbian Anti-Violence Project (AVP). Arlene called AVP and was provided with immediate support through hotline counseling and safety planning, and, after vigorous advocacy, was placed in a safe shelter. Arlene continues to receive domestic violence and sexual assault counseling at AVP and group support, medical treatment, therapy and hormone therapy at Community Health Network in the Bronx. She was also given assistance with opening a Public Assistance case and is now receiving food stamps and a monthly cash allowance. She recently received a housing voucher and is looking forward to living on her own after she leaves the shelter system.

**Queens Legal Services** represented an Ecuadoran woman in custody and family offense matters in the Family Court, and with obtaining a U-visa. After emigrating from Ecuador, the client resided with her paramour and child in Queens. The abuse began with him calling her vulgar names and belittling her, then escalated to physical attacks on a weekly basis, including hitting her about the body, dragging her, kicking her and threatening to kill her. Queens Legal Services helped her obtain an order of protection and an order of custody. In addition, a U-visa application was submitted on her behalf and recently approved by CIS along with employment authorization. Queens Legal Services represented a woman from Trinidad in custody and family offense matters in the Family Court. After the birth of their child, the client's boyfriend began to abuse the client, calling her worthless and saying she was "nothing." The boyfriend's mother soon joined the household and joined in the verbal attacks. The abuse escalated into physical violence and the boyfriend began pushing her into walls, beating her about the body, kicking her and threatening to take the child from her. Queens Legal Services helped her obtain an order of protection and an order of custody.

A **Safe Horizon** Social Worker provided services to a 19 year old woman that had been abused by her boyfriend over a number of years and who appeared in the Queens IDVC. She was facing eviction, had a

young child, felt unsupported by her family, and was fearful that the abuser would return to hurt her. The Social Worker provided the client with court orientation, advocacy with court staff and court accompaniment. The Social Worker and the client also worked together to assess her safety and develop strategies to increase her safety. The Social Worker advocated on her behalf and was able to identify an emergency domestic violence shelter that could accept her and her child. The Social Worker worked with HRA to help correct a mix-up with the client's food stamp allocation and worked together with the Self-Sufficiency Coordinator, located at the Family Justice Center, to connect her to appropriate resources.

**Sanctuary for Families (Bronx)** worked with E.C. who received clinical and legal services at SFF. She was a victim of severe domestic violence at the hands of her husband. He once punched her in the mouth so hard that he knocked teeth out of her mouth. As a result of the horrific abuse she endured, she suffered from symptoms of post traumatic stress disorder and came close to taking her life several times. She received extensive counseling services at BCO to help her cope with the trauma and its affect on her life. E.C. expressed her deep appreciation of the services and level of support she received at BCO. She shared that she was able to value herself more and feel more confident in making healthy decisions. She felt that she is able to be more assertive, as well as take steps to improve her relationship with her adult children. E.C. filed for divorce from her husband, an airplane mechanic for a major airline, in 2005. E.C. relies on public assistance to survive, and oftentimes had insufficient money to pay her rent. After protracted proceedings, her case settled in 2009. E.C. obtained her divorce on the grounds of cruel and inhuman treatment and a settlement, which included substantial maintenance payments and a share of her husband's pensions. E.C. is now volunteering at another community based agency, seeking to help and inspire others that are in the position she herself had been in.

**The Seamen's Society for Children and Families'** worked with Client B.S. age 50, strictly Spanish speaking, saw our program in a brochure at the Staten Island Public Assistance office. She had an extremely abusive husband who held her captive and wouldn't give her any food. Her husband eventually wanted her to leave and drove her to leave and threatened to take her 10 year old son. She began counseling at Seamen's April 08. She participated in individual counseling and received advocacy and referrals from one of our caseworkers. This particular client is a fine artist and now she is waiting for immigration papers; started school to learn English, and is now working on an art career! Her husband condemned this behavior and would not let her pursue this career and tried to deport her. Through our legal advocacy she has full custody of her son and an order of protection. Our program provided her with counseling, support and education to make independent decisions based on the needs of her son and herself. Seamen's also worked with Client M.H. is a 34 year old survivor with 3 children who came to us because her children were removed and foster care agency referred her for DV counseling. She was initially homeless and children were in foster care. Our caseworker advocated on her behalf many times with her FC agency, as her children were receiving inadequate care. The support of her workers helped her gain trust with our program, therefore participating in DV counseling and education. She currently lives in a Section 8 apartment with her children and without her abusive husband.

**The Urban Justice Center's Domestic Violence Project** worked with LD who suffered severe domestic violence over the span of a ten year relationship with her abuser. As with so many victims of domestic violence, LD had severed relations with her abuser many times only ending in reconciliation. Following each act of reconciliation, LD suffered more prolonged and sever incidents of abuse. LD was referred to us through a community based organization. LD described a recent incident of domestic violence where her abuser strangled the client and cut her with a knife. The client's children, one of whom was the child of the abuser, were present in the home during the most recent incident. As a result of our partnerships, we worked closely with the district attorney's office and also represented LD on a contested family court matter. Given the abuser's criminal history, the legal case was fairly straightforward. However, given LD's history of attempting to leave the abuser, it was of utmost importance for our clinicians to seize this opportunity to provide LD with more nuanced and long term safety planning. Each time LD returned to

her abuser, the violence escalated. Furthermore use of a weapon and strangling are also two lethality indicators. We knew extensive safety planning would be crucial to the client's safety. Included in our advocacy with LD, we assisted her in changing her numbers, avoiding neighborhoods where his family and close friends lived, registering her orders of protection with any and all local precincts, and keeping her address confidential. In addition, we were also able to encourage her to engage in long-term counseling for herself and her child. Counseling would not only help her deal with the trauma but hopefully also allow her to end the cycle of domestic violence with the abuser.

**The Violence Intervention Program** worked with Guadalupe, who tells her own story: I lived for twelve years with my abuser. I wasn't allowed to go to school, have friends, or get help. My husband physically, emotionally, verbally and sexually assaulted me. One day, when I was pregnant with our child, we got into an argument and he got so angry he hurt me. When I got to the hospital I was too afraid to tell them my husband had caused the bruises. I thought he could change, so I stayed. I tried to leave a couple of times, I even went into a shelter, but then I decided to give him another chance. Things did not change and his abuse got worse, but I was afraid to get help because I was that one who had let him come back home. When I finally realized that he would never stop hurting me, I called the VIP hotline where I found counselors who supported me and helped me get an order of protection and a lawyer. I am still in counseling and recently I have been able to speak out about my abuse at community events and even on Spanish television.



**New York State  
Office of Children & Family Services**

**Commissioner Gladys Carrión, Esq.  
Testimony to the New York State Legislature's Joint Budget Committee  
Wednesday, February 10, 2010**

Thank you Chairmen Kruger and Farrell and distinguished members of the Legislature for providing me with this opportunity today to speak with you about the Office of Children and Family Services' 2010-11 Executive Budget and its impact on the programs and services we provide. I would also like to use this opportunity to update you on significant upcoming challenges.

In the face of an \$8.2 billion budget deficit, and long term structural challenges, the 2010-11 Executive Budget contains some very difficult choices in each and every program area. Governor Paterson's leadership in addressing the State's financial problems head on and putting the State on the road to fiscal and economic recovery is consistent with the outstanding leadership he has demonstrated since he became Governor. The proposed Executive Budget recommends statutory mandate relief proposals for providers and local government, structural budget changes, and the maximization of federal funds. Despite the worst economic period since the Great Depression, the proposed budget provides needed support for core services.

The OCFS budget will: continue uncapped and uncut support for critical child welfare services and functions, provide funding to address serious problems, authorize an important new kinship/guardianship program, provide new mandate relief for our local partners and authorize utilization of technology to deliver benefits and services more efficiently. Finally, there are significant difficult decisions especially to those programs previously supported with Federal TANF funding.

As you are likely all aware I have been championing a juvenile justice reform agenda since my arrival at OCFS to transform our system from a correctional to a therapeutic model. The type of youth in our system with serious mental health and other treatment complexities has increased dramatically in the past few years and greatly challenges the existing facility treatment program. The Governor's Juvenile Justice Task Force chaired by President Jeremy Travis of John Jay College reviewed our residential and community based system and recommended a series of reforms be undertaken which are consistent with many of my professional judgments. In addition, after spending time visiting, reviewing records, interviewing staff and youth and monitoring four selected facilities, the United States Department of Justice issued a findings letter in August 2009 which mandates the State to reform and enhance services for youngsters in State operated residential facilities. The letter requires swift and urgent actions by the agency with regard to protection from harm, provision of mental health services, independent investigation, and safety issues.

Based on the recommendations of the Task Force as well as what we believe will be necessary to address issues related to the Department of Justice investigation, coupled with a profound recognition of a need to improve our care and treatment, the 2010-11 Executive Budget includes a critical investment

of an additional \$18.2 million in the system to include 169 new permanent positions for the juvenile justice division. This includes funds for 13 community re-entry positions. The agency is developing a multi year strategic plan to undertake significant improvement efforts by adding resources to phase in a new comprehensive strength-based, treatment model entitled the New York Model. The plan also boosts critical direct care staffing and provides for the retraining of existing staff and supports changes in the operation of our residential system. All of this is, of course, subject to DoJ approval.

We continue to experience a reduction in the number of youth placed in OCFS facilities by family court judges. This is due in large part to the successful efforts by local social services districts and juvenile probation departments, including NYC, Onondaga, Seneca and Westchester counties, in utilizing alternatives to residential care that divert youth to community-based programs and to Family Court judges relying less on placement in OCFS facilities.

In addition, the Executive Budget, consistent with the Juvenile Justice Task Force recommendations, continues the rightsizing of residential facilities to reduce unneeded bed capacity by eliminating 180 beds and 251 permanent positions. The reduction of Lansing Residential Center from 50 to 25 beds, the combination of the Annsville and Taberg residential facilities into one 25 bed program and the reduction of the Tryon Boys program will save more than \$14.6 million when fully annualized in 2011-12. As statutorily required, the staff at these three facilities will have one full year to be placed in other OCFS or other state facilities. OCFS will make every effort to place all impacted staff in alternative jobs and minimize the potential for layoffs. Even with the reduction of these beds the State youth residential program will be at approximately 75% of capacity and still retain the ability to expand if necessary. These rightsizing efforts will not impact program or community safety.

There are a number of extremely important and large resource commitments in the area of child welfare services. Child welfare services financing will continue to provide open-ended entitlement funding to support preventive and child protective services at the reimbursement rate of 63.7% state share projected to total \$701.9 million, an increase of \$77.2 million. This is a critical investment in making essential services provided by our local social service districts and private not for profit organizations, available.

The Foster Care Block Grant is recommended to remain at the \$436 million level and will continue to provide counties with a clear incentive for reducing the number of children in foster care while better meeting the needs of children in care. Under the Block Grant, as in the past, any savings realized may be reinvested the following year in locally designed child welfare and foster care prevention and aftercare services.

An important new initiative included in the Executive Budget is the inclusion of legislation for a new kinship guardianship assistance program. The funding for this program will be supported by the Foster Care Block Grant. Consistent with recently enacted Federal legislation, our proposal would provide a new permanency option for children who have been in foster care with a relative guardian. Elements of the plan include:

- Requirement that the child be in foster care at least six months with the prospective relative guardian;
- Determination by the local social services district that kinship guardianship is in the best interest of the child.
- Return home and adoption are not appropriate goals for the child;



- Child demonstrates a strong attachment to the prospective guardian and the guardian has a long term commitment to the child;
- Written agreements entered into with Local Social Services District; and
- New kinship guardianship assistance payments at the same level as adoption subsidy level

National research has demonstrated that the implementation of the new kinship guardianship program and permanency option can yield cost savings and promote long term family stability in contrast to out of home placement. In the design of this legislation, we have consulted with national experts. I look forward to having a more complete discussion of this important new option with you and your staffs during the upcoming Legislative review process.

A continuing challenge to all New Yorkers is the ability to adequately provide adoption services so that vulnerable children may be able to secure the permanency in families that they so richly deserve. To that end, Governor Paterson has recommended \$210.1 million for adoption subsidies, an increase of \$4.1 million to support the current growth of the adoption subsidy caseload.

The Executive Budget recommends \$72.49 million, an increase of more than \$41 million, to provide Medicaid services for the neediest children in foster care. The Bridges to Health Program (B2H) improves the foster care system's capacity to meet the children's mental health, developmental and medical needs in order to keep more children in family-based care rather than higher level institutional programs. For 2010-11, the program will continue expansion to its full operating level of 3,305 slots. The last year of the program's phase-in will allow OCFS, along with its partners the Health Care Integration Agencies and local social services districts, to expand the program to currently unserved regions of the State.

With your concurrence and ongoing support, we have made serious progress in reforming CONNECTIONS. As a former user, I know first-hand its impacts upon the front-line caseworker. I am pleased to report that the CONNECTIONS transformation effort has made major steps forward in the past year. We have utilized the previously enacted bond funding to purchase and begin replacement of aging hardware infrastructure. Our business and technical teams have implemented changes and continue to work on and devise important improvements to the existing CONNECTIONS software geared to enhance the caseworker experience. In addition, we are rapidly proceeding toward the next transformational component, a web-style system.

The Executive Budget provides an additional \$19 million in bond financed funds to continue the needed support of our activities related to the ongoing modernization of the system. CONNECTIONS is vital to delivering child welfare services to the children and families of our state. With these funds, we will build upon the transformation successes and will provide an application that is easier to navigate; will be more efficient to use; and will provide information exchange capability with external partners, such as the courts and medical providers. By promoting continued improvement in the efficiency of child welfare case management, local caseworker staff will have more time to spend with children and families in need of assistance.

Turning to child care, total funding to support child care subsidies and quality activities has been recommended at last year's level of \$901.2 million. State support reflects an increase of \$1.8 million to offset a similar decrease in federal support. Significantly, the Executive Budget "lines out" support for child care TANF at last year's level rather than including funding in the Flexible Fund for Family Services.

Last year, New York State received an ARRA funding allocation which added more than \$48 million in quality activities and subsidies for each of two Federal fiscal years and permitted the State to stabilize funding to local Social Services Districts. We are currently working with the Governor's DC Office to support President Obama's recent call for another increase in Federal child care funds. The President proposed an additional \$1.6 billion in child care funds effective October 1, 2011.

As you may remember, there is an Executive Order authorizing union representation of home-based child care providers in New York State. After discussions with union representatives from the United Federation of Teachers (UFT) and the Civil Service Employees Association (CSEA) to implement the provisions in the Executive Order, we are pleased to announce that an agreement has been reached with each of these two unions. This budget includes specific appropriations to support these agreements. In addition, legislation is being recommended to authorize the unions representing home based child care providers to collect fair share payments from providers who choose not to join.

OCFS is continuing to develop QUALITYstarsNY, a comprehensive initiative to ensure that our young children – the 1.5 million New Yorkers under age six – have the opportunity for high quality early learning experiences. This progress was made thanks to the unprecedented collaboration with the diverse stakeholders in the system of early care and education. Child care providers, advocacy groups, child care resource and referral agencies, union representatives from CSEA and UFT, the NYS Education Department and the Council on Children and Families – all contributed to the creation of standards that define levels of quality for this new initiative. Pilot work is beginning to be implemented in this area.

In addition, OCFS has recently released a Request for Proposal which will start the process for the development of a statewide time and attendance tracking system. Funded utilizing ARRA support, the new system will provide greater effectiveness, consistency, fraud prevention and efficiency in overseeing child care service across the State. We anticipate having created the new system and expending the funds by the Federal deadline of September 30, 2011.

The Governor's Executive Budget also proposes a series of mandate relief and technology initiatives that were developed with the input of local social services districts and represent many initiatives to operate government more effectively and efficiently. Included in the Article VII proposals are:

- Permit county planning activities to be better synchronized and streamlined;
- Reform the current process of court ordered investigations that impacts how local social services are able to prioritize investigatory efforts;
- Authorizes the use of electronic benefits for adoption and foster care payments reducing monthly mailing out of checks; and
- Provides authorization for courts to allow electronic testimony of youth, witnesses and respondents in certain family court proceedings assuming family court agreement; thereby reducing travel time and costs.

In addition to these efforts, we will be exploring a series of regulatory changes including efforts to:

- Reduce duplicative day care regulations;
- Allow municipalities to reorganize youth bureaus where desirable;
- Ease caseworker contact requirements by allowing parent advocate contact to count toward regulatory contacts; and

- Permit districts to send back to the Statewide Central Register cases incorrectly assigned to them.

The Budget also contains extremely difficult choices regarding elimination of Federal TANF funding for various services and programs. While the affected programs are of value, the reductions are necessary due to the increased use of TANF funds to support the growth of the temporary assistance caseload. In addition, there were a series of other recommendations for elimination or reduction. These decisions were difficult, but necessary in order to preserve funding for our most central obligations. The 2010-11 Executive Budget also provides increases for detention, youth services, and targeted prevention programs.

OCFS continues to decrease its use of temporary staff. We are keenly aware of costs associated with temp staff. We utilize medical temp staff, including nurses and physician's assistants, when necessary to provide for the safety and physical well being of the youth we serve.

Let me focus on the rights and accomplishments of our young people. I would be remiss if I did not share with you today some of the successes that have been achieved by youth in our care and other system-wide changes that will impact the quality of life of New York's children and families.

The Office of the Ombudsman continues to dedicate its staff resources to better improve services to youth. Staff has been strategically deployed throughout the state in Rensselaer, New Windsor, New York City, Buffalo and Syracuse. This regional placement enables ombudsmen to gain familiarity with the residents in a specific facility, as well as the issues raised by the youth in residential care. OCFS has been proactive in its interaction with residents, making over 233 facility visits in 2009. The total number of new cases opened in 2009 was 5,675 as compared to 4,630 in 2008. The Office of the Ombudsman has also established an informational web page that provides quarterly statistics and contact information.

In recognition of the importance of continuing education and how it can assist youth in making a successful transition into adulthood and the workplace, OCFS has collaborated with various community colleges and post-secondary institutions to provide our youth opportunities to take college courses and earn credits toward a college degree. The college coursework is designed so that the offerings meet the requirements of State University of New York institutions, which require academically rigorous and comprehensive standards. In 2009 98 youth were enrolled in 6 different courses. Fifty-five % of the grades were A's and B's. Four young men have already earned 12 college credits. This initiative is predicated upon our strong belief that post-secondary education provides youth more opportunities to enter the workforce with marketable skills. We will continue to pursue educational improvements including working with the State Education Department to remove barriers to academic success. We appreciate your help and advocacy on these issues.

In addition, we made effective use of federal summer youth stimulus funds to create job training opportunities for our youth in residential and community based care during the past summer. We provided skills based jobs for over 400 OCFS youth and 556 foster care youth in the summer of 2009. This partnership with the State Department of Labor was a major breakthrough. These programs provided valuable job preparation and training skills for our future workforce.

Despite the difficult economic times, I want to update you on the status of several innovations we are undertaking in the agency to support improved local practice.

We have been working very closely with the Administration for Children's Services (ACS) on Improved Outcomes for Children (IOC) initiative for several years. IOC is an innovative approach to working with families utilizing the nationally recognized family team conference technique; thereby speeding decision-making and ensuring families are engaged and actively participating in their child's future. It has been clear to all involved that the practice changes that were being proposed have the potential to significantly improve families' lives if implemented well.

In 2007, legislation was enacted that put NYS on par with 30 other states in allowing for an alternative Child Protective Service response, called the Family Assessment Response Program, which utilizes a non investigatory decision-making and engagement approach to working with reported families. It is a promising technique for addressing certain alleged child protective reports in a more family-engaging and service oriented manner. Family Assessment Response focuses on assessing families' needs and providing supports and does not require a determination as in a traditional CPS investigation. New York State has joined over 30 states in implementing an alternative, non-investigatory response. Also known as dual track or differential response, the focus is on assessing families' needs and providing supports and does not require a determination as in a traditional child protective service investigation. Fourteen counties (Onondaga, Westchester, Tompkins, Orange, Chautauqua, Erie, Suffolk, Washington, Essex, St. Regis, Columbia, Chemung, Cattaraugus and Allegany) have begun working with families in this way. Five additional counties will begin training and implementation in 2010. While the initiative is still in the early phase of implementation, reports from the counties are very positive. Caseworkers indicate that families have been very receptive to the alternative approach and that they, as caseworkers, are experiencing a real sense of satisfaction in engaging families in this manner.

Also, OCFS is replicating an innovative human services casework model used in Massachusetts called the Teaming-Model, whereby case decisions are made through a group supervision process. The goal is to lessen caseworker isolation and burnout, enhance the quality of decision-making and increase responsiveness of services to families. To date, seventeen counties are receiving training in this model, with a plan to expand the training to additional counties. Despite the difficult economic times, we are still supporting innovation.

I am also pleased to report that the Commission for the Blind and Visually Handicapped (CBVH) staff and its community partners who provide vision rehabilitation services, supported over 330 state residents, who are legally blind, to find or maintain employment. Commission consumers have found meaningful employment opportunities as social workers, nurses, ministers, attorneys, customer service representatives and custodians. The continuing economic challenges we confront have not deterred the Commission from setting even higher goals for this year, including a thirteen percent increase in employment for those on the Commission's caseloads. The Commission received three American Recovery and Reinvestment Act (ARRA) grant awards totaling \$6.5M, which will help us meet that goal. We are confident that, with exciting new plans, including expansion of services into minority and underserved communities and federal stimulus funding projected to develop as many as 160 new employments opportunities over the next two years. The Commission and its consumers will continue to have even more opportunities for gainful employment and independence this year.

In closing, I appreciate the opportunity to speak with you today. The times are difficult. I welcome, however, the opportunity to work with you and your staff to discuss the specifics of the proposed budget and mandate relief actions. Working together, despite the tough fiscal times, we can make improvements on behalf of all children, families, and vulnerable adults. Thank you.

**Testimony to  
Joint Legislative Hearings on the 2010-2011 Executive Budget Proposal**

**February 10, 2010**

**Pamela C. Johnston  
Executive Director  
VIBS Family Violence and Rape Crisis Center  
(Victims Information Bureau of Suffolk, Inc.)**

Founded in 1976, VIBS Family Violence and Rape Crisis Center was one of the first non-profit organizations established to provide services to victims of domestic violence and sexual assault in New York State. The original goal of the founding volunteers was to create a rape crisis hotline, but when this new hotline was flooded with calls from battered women, the mission was enlarged to embrace the prevention of family violence. Since that time, VIBS has provided counseling and advocacy to hundreds of thousands of abused women and their children. The Governor's proposals to eliminate critical state funding for non-residential domestic violence programs would signal an abandonment of decades of New York State's commitment to preventing abuse in the family, and it would leave thousands of victims vulnerable to continuing abuse.

Suffolk County residents are fortunate to have a Department of Social Services and county government that has demonstrated its commitment to preventing domestic violence. The county provides critical funding to help support four agencies, including VIBS, to serve victims of domestic violence. Suffolk is a very large county both geographically and by population. Annually the Suffolk County Police Department responds to over 35,000 domestic violence incidents, not including incidents in the East End or villages that have their own police. In 2009 VIBS provided individual and group counseling to 686 victims of domestic violence, therapeutic interventions to 129 children who witnessed or were harmed by family violence, and advocacy and court

accompaniment to 970 survivors. The Governor's budget recommendation would cut those numbers in half – *if* the agency survives such severe cuts in core services. The proposed cuts will affect VIBS in the following ways:

- TANF: The \$3 million in TANF funding previously available for non-residential domestic violence programs will not be available. For many years now VIBS has spent approximately \$47,000 annually to assist the most destitute of our clients, those who are in danger of having to go on public assistance, those who cannot pay their bills, those who are a step away from homelessness, those who arrive at our office with hungry children. *This loss will be similarly felt across the state.*
- Child Protection/Domestic Violence Collaborations: The loss of state funds for these program would set back a decade of progress by an innovative and effective partnership between VIBS and Suffolk County Child Protective Services. Through cross training and the creation of protocols, we are able to provide effective interventions to protect the parent who, because of her own victimization, struggles to make sure the children are safe, both physically and emotionally. These innovative programs statewide mark significant progress in protecting both children and adults. *The loss would be a terrible setback in Suffolk and throughout the state.*
- Title XX Shift: The Governor's proposal will eliminate state funding from the formula counties use to fund non-residential domestic violence programs, leaving only local funds and federal dollars, resulting in a loss of \$18 million for local districts. For VIBS and many other programs

across the state, this would be the most catastrophic loss of all. Since its inception, this funding from Suffolk County has funded our core domestic violence services (hotline, counseling and advocacy) and is our largest and most comprehensive grant. *Again, this will affect domestic violence victims across the state.*

Domestic violence programs save lives, prevent these crimes through education and services, and help survivors rebuild their own lives and the future of their children. Our Assembly Members and Senators in Suffolk County attend our annual Commemoration gathering at the memorial tree in Hauppauge, observing October as Domestic Violence Awareness Month. This tradition began following a cluster of domestic violence homicides in the late eighties. The victims were women like April LaSalata, who had survived savage attacks by her husband until, after just one night in jail, he finally killed her. They were women like Arlene Miller, whose husband killed her, baby in arms, as she waited at a bus stop on the SUNY campus in Stony Brook. These cases and others like it were part of a groundswell of reforms of state laws and procedures to protect victims of domestic violence. Similarly there was a commitment to fund programs to help victims take control of their lives and build safe futures for themselves and their children.

I ask our legislators from Suffolk and from across New York State to keep the promises and commitments you have made for many Octobers, at so many commemoration ceremonies.

Please do not let domestic violence programs slip through the budget.



**Edward A. Diana**  
County Executive  
**Robert T. Miniger, Chair**  
Workforce Investment Board

## EMPLOYMENT & TRAINING ADMINISTRATION

**Stephen Knob**  
*Director*  
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18 Seward Avenue, Suite 103  
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Senator Carl Kruger  
Legislative Office Building  
Room 913  
Albany, New York 12247

February 4, 2010

Dear Senator Kruger,

Thank you for the opportunity to speak to you today on behalf of the State University of New York's Bridge Program. Certainly, we all understand the depth and severity of the budget crisis facing the State of New York, and the complexity and difficulty that the State Executive and Legislative officials face in closing the budget and deficit gap.

The extraordinary high number of individual unemployed and the rising public assistance caseload present a huge financial challenge for the State. However, there are human service programs that are currently being funded that definitely need to continue during this deep recession.

The SUNY Bridge Program is one of these crucially needed programs. It is well documented that low income populations suffer the most during times of high unemployment and take the longest to recover and return to work. The Bridge Program targets the TANF population and delivers a comprehensive array of education and job training activities that lead directly to economic self-sufficiency.

In Orange County, the Bridge Program is structured to provide upfront testing, evaluation, assessment, and job readiness training for newly opened TANF cases. Bridge is the essential first step in the road to economic independence for TANF customers. Most of the population are young, single parents lacking book skills and experience, and in urgent need of basic education. Without Bridge job training services, TANF customers will never be able to compete for gainful employment or escape poverty. The negative consequences for eliminating Bridge result in both a human services and a financial dilemma. A disadvantaged population with no where to go and increasing costs for a state that is already in the midst of a deep budget crisis. We cannot disregard the needs of the population most in need of help.

The Bridge program in Orange County is jointly managed by both the Orange County Workforce Investment Board and Orange County Community College. The Bridge staff is physically co-located at the Workforce Investment Act's One Stop Career Centers. The WIB TANF Employment Staff are also co-located at the One Stop Centers. The co-location and functional alignment of these three primary workforce system partners; WIA One-Stop, TANF employment, and Bridge result in maximizing job training services within a well planned and coordinated streamlined continuum of services. In addition to those core services; transportation, child care, case management, and mentoring services are also co-located on-site at the One-Stop Centers.

Bridge enrollment and placement results have been extremely high for over five years, well exceeding planned expectations. In 2009, the Bridge program in Orange County was 125% above enrollment, 117% above Placement, and 120% above Retention goals. In addition, Bridge has delivered special initiative training programs that have been very successful including a Certified Nurse Assistant program in 2009 and 2010; and a medical office program. The medical office training program generated significant Full Time Equivalent program income for SUNY Orange County Community College.

The Bridge program model leads to TANF quality job placements, increased earnings, economic self-sufficiency, and additional income revenues for the SUNY system. The Bridge program is essential to the health and well-being of our TANF population as well as the financial stability of our Local County and New York State. We are sincerely requesting that the State Executive and Legislative Branch re-instate Bridge funding and allow us to continue to elevate the disadvantaged population out of poverty.

Thank you for your time and attention.

Sincerely,

Patrick DiCesare  
Deputy Director  
Orange County Employment and Training Administration



New York State Assembly Committee on Social Services  
Public Hearing – Impact of 2009-2010 State Budget  
Office of Temporary and Disability Assistance  
Programs and Services, December 15, 2009

Testimony – Carole Coppens, Executive Director, YWCA Binghamton and Broome County

I am here this morning to speak on behalf of 6 YWCA's in the Northeast Regional Council YWCA who currently have contracts with OTDA for SRO Support Services. The YWCA's are:

1. Rochester & Monroe County: Jean Carroll, Executive Director  
175 N. Clinton Ave., Rochester, NY 14604
2. Northeastern New York: Rowie Taylor, Executive Director  
44 Washington Ave., Schenectady, NY 12305
3. Syracuse & Onondaga County: Joan Durant, Executive Director  
120 E. Washington St., Syracuse, NY 13202
4. Greater Capital Region: Sherry Rounds, Executive Director  
21 First Street, Troy, NY 12180
5. White Plains & Central Westchester: Maria Imperial, Executive Director  
515 North Street, White Plains, NY 10605
6. Binghamton & Broome County: Carole Coppens, Executive Director  
80 Hawley St., Binghamton, NY 13901

The total annual contract amount for these 6 YWCA's is \$1,012,000.

A 13% reduction would mean the loss of 7 full time staff, case managers and security.

We all use the SRO Support Services funds to care for homeless women with severe mental illness coupled with chemical dependency and alcohol addiction. Many are victims of domestic violence.

Through the services provided by the SRO funds, women learn new life skills, find and retain employment, leave public assistance and become productive citizens.

Of equal or perhaps even more importance is that the SRO Support Services Funding provides cash match for federal grants, specifically HUD McKinney-Vinto Homeless Assistance Funding. There are no other sources for the cash match. The impact here is significant and could potentially mean having to close programs that operate with HUD contracts.

Written Testimony from Mr. SM:  
Tenant at Common Ground's  
The Christopher- 202-212 W. 24<sup>th</sup> Street NY, NY

1. WHY SRO FUNDING IS NEEDED:

I remember those days when I was out on the street homeless and drunk. I think what if I didn't live in an SRO now. Would I have done anything good with myself? If this housing wouldn't exist I would probably still a drunk and homeless. I would end up going to the hospital all the time when I needed to see a doctor and I would still be living in and out of shelters. If my SRO didn't exist what else would I have left. Plus, they need these services in the city to help others like me.

2. HOW SROs and SRO services have POSITIVELY impacted their lives:

My SRO is the first place I can call home. It has helped me reconnect with my life. Especially being previously an alcoholic. It has reconnected me with wanting to live in the world. Having my own apartment has been empowering while having my own address has been liberating. Having a place to live has helped me reconnect with my family and my family is grateful that I am safe, stable, and sober. I am now an active member in CUCS' advocacy committee and look forward to maintaining a healthy and positive lifestyle.

Mr. SM  
SRO Tenant of The Christopher