



Breaking the Cycle of Homelessness
for Women and their Children

**Testimony of Win (formerly Women In Need, Inc.) for the New York City
Council Committee on Immigration Jointly with the Committee on
Governmental Operations
April 28th, 2023**

Introduction

Thank you to Chair Hanif and Chair Ung and to the esteemed members of the Committee on Immigration and the Committee on Governmental Operations for the opportunity to submit testimony. I am Dr. Henry Love, the Vice President of Policy and Planning at Win. Win is the nation's largest provider of shelter and services to families with children experiencing homelessness. We operate 14 shelters and nearly 500 supportive housing units across the five boroughs. Each night, more than 6,500 people call Win "home", including 3,600 children — in total, we house over 14 percent of homeless families with children in New York City.

The State of Homelessness and Immigration

Win has always welcomed immigrants to our shelters, and we are committed to ensuring a safe place to rest, heal, and recover for all New Yorkers in need, regardless of their immigration status. Currently, more than one third of our clients are immigrants. As the immigration crisis has grown in New York, so has the homelessness crisis. Our clients have overcome ineffable adversities in their journey to America, escaping gang violence and political and racial persecution. Before arriving at a Win shelter, one of our mothers was receiving continuous threats from the same gang that had already killed her partner. She told us, "They would tell me they were going to kill me with my children." Knowing what the gang was capable of, she left to save herself and her children from a violent death. For many clients, leaving their homes for America was a matter of life and death. However, without government intervention, most of these families will be reliant long term on the City for high-cost emergency shelter and resources, as they are unable to access housing assistance or other basic city, state, and federal safety net supports.

There must be a local, state, and national response to improve the outcomes of these families, who are eager to work and contribute to their communities. Win is asking that the city, state, and federal governments mobilize to expedite resources to New York City and to help organizations cover the costs that were incurred while providing services for which they do not receive funding. Additionally, we are supportive of proposed legislation to facilitate orientations for immigrant New Yorkers and to provide increased access to vital documents like IDNYC and Employment Authorization Documents. We have also seen the demand for legal services increase, and we echo the Council's call for access to representation for all individuals with immigration court cases. Finally, we are proposing commonsense housing policies like ending the 90-Day Rule and making the City Family Homelessness and Eviction Prevention Supplement



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(CityFHEPS) available regardless of immigration status to free up shelter capacity and pave a pathway to permanent housing for asylum seekers.

Dignified Receptions and Increased Access to Identification for Migrants

Within New York City, we must improve the experience for New Americans through all possible means. Currently, immigrants experiencing homelessness rely entirely on shelters and nonprofits to provide clothing, food, and vital resources. Since the summer, we have bought frozen chickens and refrigerators, while also providing cash for laundry and haircuts—items and services that other documented families can access on their own. We have also had our staff provide orientations and assemblies for immigrants, as they often arrive with no knowledge of city services, their rights, and their legal options.

There must be increased support for the direct-service providers working with immigrants so that families can continue to be welcomed with dignity. To begin, Win supports Res. No. 532 and joins the Council in calling on Governor Hochul to declare an emergency under Section 2-B of New York State Executive Law to direct funds, administrative resources, and services to aid asylum seekers forcibly transported to the City by the governors of other states. From the federal government, we ask the Federal Emergency Management Agency to award \$650 million in reimbursement and support Res. No. 365 sponsored by Council Member Brewer to prompt the United States Department of Health and Human Services to prioritize refugee settlement resources to New York City.

With these funding and resources, we ask the City to commit to reimbursing providers for the additional costs that were incurred by providing basic necessities not covered in their contracts and should create flexibility for providers to use money from unfilled staff lines to pay for the unique human capital needs related to the migrant crisis, such as critical translation services. Spanish speaking staff are stretched thin trying to meet the newfound needs of migrant families, and shelters need funds to employ additional bilingual workers who can provide trauma-informed care to Spanish speaking families and children.

There also needs to be a city solution to orient new arrivals. We are thus supportive of Int. No. 839 sponsored by Council Member Hudson to establish an Office of Refugee and Migrant Settlement that would coordinate short- and long-term access to relevant resources for immigrants, although we would like to see eligibility expanded to all interested immigrants. While there has been a large influx of asylum seekers in recent months, many of our long-term stayer families are also immigrants who would benefit from an Office of Refugee and Migrant Settlement. As one immigrant mother from Jamaica told us, “I’ve been here so long... My daughter was basically raised in the shelter system. I don’t want that for her.”

Win clients also frequently arrive at our shelters without any vital documents, since their identification is taken by U.S. Customs and Border Protection. IDNYC is an immediate solution to this problem, serving as identification and allowing access to city resources and institutions.



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We support Int. No. 790-A sponsored by Council Member Brewer to allow additional documents to establish eligibility and proof of identity for IDNYC and Int. No. 909 sponsored by Council Member Hanif to establish administrative improvements to the agency overseeing IDNYC.

Access to Legal Representation and Improved Immigration Court Proceedings

Legal assistance is imperative for asylum-seeking families, who must submit asylum applications and work authorization forms to be eligible for safe employment and benefits. Our clients want to work legally and support themselves independently; however, it has been almost impossible for families to find affordable and trustworthy legal help for their immigration cases. For one of our clients, a Garifuna refugee from Honduras, it took nearly one year to find a pro bono attorney to take on her asylum case. This delay is extremely concerning for immigration cases, as asylum claims must be submitted within a one-year deadline of an individual arriving in the United States. Families who arrived here in the past year are at risk of having their asylum cases timing out, and immigrants eligible for asylum are denied status only because they lack an attorney or legal advocate to oversee their case.

To help these families, Win has started our own in-house Legal Empowerment for Asylum-Seeking and Displaced families Pilot (L.E.A.D.). The program conducts a series of legal clinics and provides additional resources to support asylum-seeking clients through the US immigration process, and is a partnership between Win, the legal non-profit NYLAG, and the immigration law firm Fragomen, Del Rey, Bernsen & Loewy. So far, through the L.E.A.D. Pilot Program, Win has helped over a hundred families with their asylum claims and started them on their path to legal status. However, there is still work to be done.

However, the many asylum seekers not living at Win shelters are still in need of legal services. The government should be providing legal representation to uphold the integrity of the law and assure fair proceedings. The City can and should lead the charge to increase the availability of immigration attorneys for those in need. At the state level, we echo the Council's call on the New York State Legislature to pass and the Governor to sign [A.170/S.999](#), also known as the Access to Representation Act, which establishes the right to legal counsel in immigration court proceedings and provides for the administration thereof. Similarly, in Congress, we support the Fairness to Freedom Act, [H.R. 2697](#), [S. 1187](#) to provide counsel at government expense to children and vulnerable individuals in any immigration proceeding. For children who have to go through the legal process alone, we join City Council in calling on the United States Congress to pass and the President to sign the Children's Safe Welcome Act of 2022 [S. 4529](#) which would require counsel for children in immigration proceedings and prohibit children being separated from their guardian while in custody.

To further expedite the immigration process, we ask for Congress to pass the Asylum Seeker Work Authorization Act, [H.R. 1325](#), to amend the required and arbitrary wait time (EAD clock) for asylum seekers to access work authorization from 180 to 30 days and for the United States



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Citizenship and Immigration Services to quickly clear the backlog of I-765 applications for employment authorization, Res. No. 307-A. For our clients and community members who are working without documentation, we need to preserve their ability to do so safely. We support Int. No. 569-S sponsored by Chair Hanif to publish and make available an immigrant workers' bill of rights and agree with Res. No. 459 to call upon the New York State Legislature to pass, and the Governor to sign, [A.568/S.1802](#) prohibiting municipalities from requiring all employers to check prospective employees' work authorization and prohibiting employers from checking the employment authorization status of an existing employee or an applicant who has not been offered employment.

Immediate and Long-Term Housing Solutions

The immigration crisis is a homelessness crisis, and we need immediate and long-term solutions to house aspiring Americans. Our shelter capacities are at less than 1 percent, and there is an urgent need for available beds for the thousands of migrants that are expected to arrive in New York City and seek emergency shelter in the coming months. By repealing the 90-Day Rule, which senselessly requires families to remain in shelter for an arbitrary 90 days before they can even apply for rental assistance, New York can immediately help increase shelter capacity and prioritize moving families who are eligible for vouchers out of the system. The City Council should pass Intro. 878 sponsored by Deputy Speaker Ayala to eliminate the 90-day rule.

Finally, we also want to call attention to the fact that the City has the jurisdiction to expand additional housing subsidies and resources to migrant families. Our immigrant clients deserve long-term solutions and pathways to permanent housing. Currently, immigrant families are denied subsidies to which other residents are entitled. "If I weren't an immigrant, my experience in shelter would be much better," said one of our noncitizen clients. "The reason is because an American born child is worth more than an immigrant—they can't compete with an American child; they don't have the same opportunities." Presently, these vulnerable families and children are ineligible for rental assistance vouchers, a denial that is exacerbating the capacity crisis and trapping noncitizens in transitional housing shelters. We believe that New York City has the authority to act unilaterally and should expand CityFHEPS to all households in need, regardless of their immigration status.

Conclusion

The current immigration crisis is a global phenomenon that requires a coordinated effort between the city, state, and federal governments. I am here today on behalf of the hundreds of asylum-seeking families living at Win shelters to ask for the passage of the proposed immigration reform. Providers need additional resources so that we can support our clients, and these families need access to legal support, work authorization, and housing benefits so that they can have an equal chance of realizing the American dream: "If I were to speak to politicians," said one of our clients, "I would ask that they especially help the families with kids, because our children will



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provide tax dollars for this country, and we have just and studious children. If you give us the opportunity to work, to live independently, our children will give their expertise and earnings to this country.” Please help these children and others establish themselves as the next generation of New Yorkers.

Thank you.