

New York City Council, Committee of the Whole

Oversight-Examining the City's Response and Delivery of Services to Migrants

December 20, 2022

My name is David Miranda, and I am the Senior Staff Attorney at Covenant House New York (CHNY.) I would like to thank the New York City Council for the opportunity to testify today. I am pleased to be here on behalf of our Executive Director of Covenant House New York, Julie Farber, and our entire Covenant House community.

At CHNY, we serve youth ages 16 to 24 who are experiencing homelessness. We are the nation's largest, non-profit agency specifically dedicated to serving homeless, runaway and trafficked youth. During this past year, CHNY served more than 1,600 young people in our programs. On a nightly basis, we provide shelter, transitional and supportive housing to approximately 350 young people, including LGBTQ youth and pregnant women and mothers with their children as well as survivors of human trafficking/commercial sexual exploitation. Our youth are primarily people of color and more than a third have spent time in the foster care system. Many of our young people have experienced abuse or neglect at the hands of parents or other caregivers, and a disproportionately high percentage of our youth struggle with the pervasive impacts of trauma, mental health issues, and substance abuse. We provide young people with food, shelter, clothing, medical care, mental health and substance abuse services, legal services, high school equivalency classes and other educational and job-training programs. All of these services help young people overcome the trauma of homelessness and abuse and move toward stability, security and a successful future free from exploitation.

Influx of Immigrant Youth

Since the current immigration crisis began, CHNY has served more than 70 migrant youth and currently more than 30 are residing with us. We are proud to be on the frontlines helping these vulnerable young people by providing food, safety, shelter, immigration legal services, mental health and medical care, among a variety of other services.

We testified at a NYC Council hearing in September 2022 that, while we are grateful to be able to help, the situation is stretching the available resources for all of us that work with runaway and homeless youth (RHY,) particularly in the area of immigration legal services. Since the last hearing, no additional funding has been provided by the city, state or federal governments, and the public and media spotlight has seemed to dim. Yet, the service needs have not diminished. In addition, although there have been many discussions about the needs of these new arrivals to our city by all levels of government and throughout the nonprofit community, there has been little specific attention paid to the unique developmental needs of youth and young adult migrants. Additionally, most of the early public discourse focused on the migrants' immediate needs, including food and shelter. Now that many of the migrants have been in NYC for several months, we must turn our attention to their long-term needs, especially housing.

Service Needs/Spanish Speaking Staff and Programming

Our Spanish speaking staff at CHNY are doing everything they can to help at all hours of the day and night. We have implemented Spanish speaking mental health groups and life skills workshops. We have started classes to familiarize our young migrants with New York City, including how to navigate the subway/transportation system and understand U.S. currency. The hearts of the Covenant House and wider RHY community have gone out to our young migrants. However, more resources are urgently needed in order to support targeted services that can be delivered by Spanish speaking staff.

Immigration Legal Services

After immediate needs are met, the most important need is legal services. Most of these young people are fleeing persecution (some for their LGBTQ+ status, others for their or their family members' participation in political protests) parental abandonment and

starvation. My role at CHNY is to provide direct legal representation for our youth. Since the closing of the Peter Cicchino Youth Project at the Urban Justice Center, I think I may be the only lawyer in NYC exclusively dedicated to helping young people experiencing homelessness.

Navigating city transportation and services is extremely difficult/overwhelming for youth in crisis. That's why I'm here-so youth can get help right where they live. Until recently, my caseload included public benefits, orders of protection, the collateral consequences of criminal convictions, name changes for trans youth and trafficking survivors and whatever other issues a youth experiencing homeless who drops by my office might have. These other cases are now talking longer as my attention has turned to dozens of immigration cases.

In other years, we would refer our small number of youth needing immigration legal services to community partners with an expertise in immigration law, such as the Door. However, the Door now has more than 300 immigrant youth on its waiting list, and no legal services agency in NYC that we are aware of is currently taking additional immigration cases. All immigration legal services providers in NYC are at capacity and are not accepting new cases.

Timeliness can be crucial in these cases as immigrants have only one year from entry into the US to claim asylum, and young people must have Special Immigrant Juvenile Status (SIJS) paperwork into family court before the age of 21, which many of the youth are quickly turning.

The City Bar Justice Center has generously stepped in to run immigration clinics at CHNY. Their model of training and supervising corporate lawyers to handle immigration issues will expand the number of young people who will be able to receive high quality, pro bono immigration legal services. I am proud not only to work at CHNY but also to be part of a homeless youth and legal services community that works together to properly care for and serve vulnerable newcomers. Yet, even with all of this help from community partners, the resources are far from sufficient. CHNY and our colleague organizations need additional resources for immigration legal services.

Need to Find Guardians

Not all of our migrant youth have strong claims to asylum. This is because unfortunately, federal law does not consider fleeing starvation or violence (other than persecution by the government) to be grounds for asylum. Many of our young migrants would be eligible for SIJS, as they have been abandoned by one or both parents. However, a guardian is required to support a SIJS applicant's claim. A guardian's obligation to youth over 18 is to act as a mentor and guide, which is something that young migrants could greatly benefit from. Unfortunately, very few of our migrant youth have been able to find guardians to support their SIJS claim.

Long term Housing

Now that some of our migrant youths have reached the maximum length of stay allowed in a crisis program, we have needed to turn our attention to long-term planning, with housing being the first priority. Unfortunately, most of these youth are not able to access various housing programs and vouchers due to being undocumented.

Transitional Housing (TH) programs, where youth can stay for up to two years, are currently the best option for undocumented youth who have reached the maximum length of stay in crisis shelter programs. However, there are limited TH beds in the RHY system, and they are only available until youth are 21. If we cannot figure out long-term plans, in addition to TH for these young migrants, our two choices are bleak – either discharging them to homelessness (which we try to avoid at all costs,) or having migrant youth remain endlessly in our programs, thereby taking up beds for other youth. We respectfully ask NYC to create a special housing voucher program specifically for migrant youth.

Ultimately, young people under the age of 25 have unique developmental needs that have been compounded by the trauma they have experienced in their home countries and on their treacherous journey to the US. Dedicated youth immigrant beds and services, especially immigration legal services, long-term housing programs and vouchers and appropriate translation and mental health services are urgently needed. Appropriate resources will enable these young immigrants to reach their full potential so they can both

legally stay and thrive in their new country. CHNY is on the frontlines of this crisis and here to partner with NYC. Additional beds and resources are necessary to meet the needs of this crisis, and to model to the world the right way to welcome abandoned youth and asylum seekers.

I again thank you for the opportunity to testify today.

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