



Testimony of

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Before the

Committee on Justice System

Jointly with the Committee on Criminal Justice, Committee on General Welfare,

Committee on Public Housing and the Committee on Housing and Building

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My name is Kingsley Rowe. I am a forensic social worker in the reentry unit at New York County Defender Services. NYCDS is a public defender office that represents people in thousands of cases in Manhattan criminal courts every year. I have been helping people to reenter their communities after incarceration since 2006. In my current role at NYCDS, I support our clients leaving Rikers Island and other city jails. The largest challenge facing our clients is housing. I am pleased to testify today about steps that City Council should take to support returning citizens.

In addition to nearly 15 years of social work reentry experience, I am also a person directly impacted by the criminal legal system. I strongly believe that access to safe housing was crucial to my subsequent success and ability to gain my social work degree, pursue my chosen career, and start a family.

Unlike many of our clients, when I was released from my prison, I had a safe place to go. My father owns his own home and he invited me to come live with him while I got back on my feet. I had my own room and the support of my family as I entered the job market and went back to

school. Fortunately, unlike most New Yorkers returning from jail or prison, I obtained my associate's degree while incarcerated. This meant that when I returned home, I already had a leg up in my job search. I also applied and was accepted to New York University where I received my undergraduate and social work degrees. During my first year at home, I lived with my family rent-free. This gave me the peace and safety to reacclimate, find my footing, and ultimately pursue my goals. But for most of our clients at NYCDS, this option is not available to them.

Lack of Affordable Housing

The number one barrier to successful reentry in New York City is affordable housing. This is the biggest problem that I see with our reentry clients, and the problem that it most difficult for me to support them with. Almost all New Yorkers, aside from the wealthy, struggle to access affordable housing. Access is even more difficult for people returning from jail or prison who have no savings and a criminal record. Investing in housing for people returning from jail and prison is not just the right thing to do, it will also make all of our communities safer. When people have safe and secure housing, employment and education they are better equipped to avoid future criminal legal system involvement and pursue their own ambitions. Forcing homelessness, poverty, and exclusion from mainstream society on our returning citizens only makes it less likely that they will succeed. City Council can start addressing reentry and housing issues by putting in place policies that make housing more affordable for all New Yorkers, including rental subsidies, building new housing, and supporting and improving NYCHA housing.¹

Supportive Housing and ACT Teams

Supportive housing is permanent, affordable housing in which support services are offered on-site to help homeless, disabled and low-income people live independently in the community.² A 2015 study by Dr. Ross MacDonald and other doctors from NYC Correctional Health Services followed the people most frequently admitted to city jails and found that tailored supportive housing was the most effective way to stop the revolving door of incarceration for high-needs individuals.³ Yet supportive housing remains severely underfunded. It's estimated there are four potential new residents for every opening in supportive housing in our city.⁴ Assertive Community Treatment (ACT) Teams also play a crucial role in supporting high-needs New Yorkers but are not available to all of our clients who need them.⁵ New York City must increase the number of supportive

¹ See, e.g., Alex Schwartz, "The Daunting Math of Solving New York's Housing Crisis," The New School Center for New York City Affairs, Jan. 29, 2020, available at <http://www.centernyc.org/the-daunting-math-of-solving-new-york-housing-crisis>; NYU Furman Center, *Housing for an Inclusive New York: Affordable Housing Strategies for High-Cost New York*, available at <https://furmancenter.org/nyc-housing/housing-inclusivity>.

² Supportive Housing Network of New York, "Supportive Housing FAQs," available at <https://shnny.org/supportive-housing/faq/>.

³ Ross MacDonald et al, "The Rikers Island Hot Spotters: Defining the Needs of the Most Frequently Incarcerated," *105 Am J Public Health* 2262-8 (2015), available at <https://pubmed.ncbi.nlm.nih.gov/26378829/>.

⁴ Jarrett Murphy, "Housing for NYC's Most Vulnerable Under Scrutiny for 'Screening,'" *City Limits*, July 5, 2018, available at <https://citylimits.org/2018/07/05/debate-about-whether-nyc-housing-for-the-most-vulnerable-rebuffs-some-who-need-help/>.

⁵ Assertive Community Treatment (ACT) teams include mental health and substance use professionals and, at times, peer specialists. ACT teams typically meet with clients six times per month in their home or community to provide long-term behavioral health treatment, including medication. See Mayor's Office of ThriveNYC, Assertive

housing beds and ACT Teams available to support the most vulnerable New Yorkers. Even in a fiscal crisis, we must continue to fund existing beds and bring more beds online.

Reentry-specific Housing

NYCDS clients who do not qualify for supportive housing or other specialty housing are in some ways even worse off than clients who do. For the average person leaving Rikers Island who does not have an SMI or substance use disorder, there is no safe transitional housing available outside of the city's notoriously troubled shelter system. Returning citizens without these specific needs still require additional support – the kind of support that I benefited from during my return. Fortune Society's Academy (aka The Castle) is the model for supporting people returning from jail and prison.⁶ But there is simply not enough reentry housing in New York City, particularly for people without SMI or substance use issues. The City Council must invest in more.

Phones Upon Release from City Jails

A related but equally critical problem for NYCDS clients leaving Rikers is access to a cell phone. These days a cell phone is necessary for anyone looking to find a job, housing, or access education. Now because of COVID-19, more aspects of life have gone virtual, making it even more crucial for our clients to have a phone. They need phones with video capability to attend court appearances or classes, do telehealth visits, attend AA meetings, and submit paperwork.

During the early days of the pandemic, the Mayor's Office of Criminal Justice provided free phones to people being released from city jails. These phones were a lifeline for our clients while the city was on lockdown, allowing them to access services and stay in contact with their defense teams. Yet when the new fiscal year began in July 2020, the MOCJ funding for phones dried up. Clients who are being released now are not receiving free phones. This makes it difficult to impossible for me to contact clients who don't have a family member or friend from whom they can borrow a phone.

Solving the city's housing crisis is not likely to happen in the next six months. But City Council can reinstate funds to ensure that every person leaving a city jail is provided a free phone to facilitate their re-entry, as they were given during the height of the pandemic. Ideally the phones should be smart phones preloaded with zoom and Microsoft teams (the app used by the courts) to allow people to use the phones in lieu of in-person court appearances or in-person mental health or other social service appointments. It costs the City \$460 to incarcerate a person for a single day on Rikers. An entire year of city jail incarceration costs more than \$337,000 per person. For less than \$100, we can put a phone in the hands of every person leaving jail to facilitate their reentry and hopefully prevent future incarceration. The free phones program piloted by MOCJ from March-June of this year was a success. The City Council should fully fund this program going forward.

Community Treatment Teams, available at <https://thrivenyc.cityofnewyork.us/program/assertive-community-treatment-teams-act>.

⁶ Learn more about all of Fortune Society's reentry services, including The Castle, at www.fortunesociety.org.

Recommendations

NYCDS offers the following recommendations to facilitate a successful reentry for people leaving city jails:

1. Work with public defenders, the NYPD, the Mayor's Office, the District Attorneys' Offices and community groups to decrease arrests, eliminate pretrial detention in most circumstances, and support alternatives to incarceration programs. We can eliminate or significantly reduce reentry housing needs by sending fewer people to jail or prison.
2. Fully fund supportive housing, ACT Teams and reentry housing programs like The Castle to ensure that people returning from jails and prisons have a safe place to live.
3. Pass all 7 housing related bills that were on the agenda before the Committees on General Welfare and Civil & Human Rights in September 2020. Those bills include: Intros. 2020-146, 2020-1020, 2020-2018, 2020-1339, & 2020-2047; T2020-6576 and T2019-4051. You can read our complete testimony in favor of those bills on the NYCDS website.⁷
4. Ensure that every person leaving city jails is provided a free cell phone to facilitate their reentry.

If you have any questions about my testimony or New York County Defender Service's re-entry work, please email me at krowe@nycds.org.

⁷ Testimony of Yamina Sara Chekroun, NYC Council Committees on General Welfare and Civil & Human Rights, Sept. 15, 2020, available at <https://nycds.org/wp-content/uploads/2020/09/NYCDS-Council-Testimony-9.15.20.pdf>.