

## PROPOSAL MEMORANDUM

### **Subcommittee #3**

Committee Chair – Nathaniel Fields

The sections of the Regulations that the Subcommittee #3 proposes changes to the Length of Stay category are as follows:

408.6(b)(1)(i)  
408.6(d)(1)&(2)  
452.9(d)(1)&(2)(i) &(ii)  
454.5  
455.4

Subcommittee #3 recommends modifying the above sections that specify a 90 day standard length of stay but also allow for a 45 day extension (beyond the 90 days) with justification for an additional 45 days. The Subcommittee recommends a regulation change that would **include a second 45 day extension for shelter services, with justification**. The concept of the second extension is that it would be closely monitored in collaboration with the local departments of social services to ensure that individuals and their dependent children, as applicable, have moved beyond the crisis period and can find safe and affordable housing.

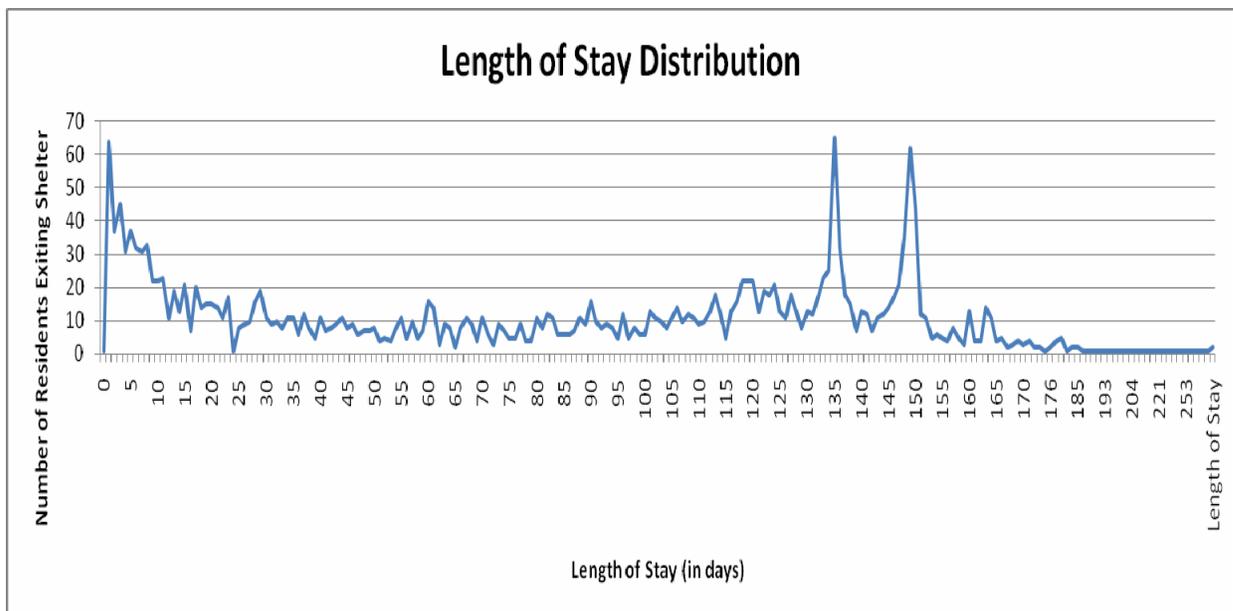
The existing State regulation, which imposes shelter stay limits of 90 days with the allowance of one 45 day extension, does not address circumstances that may necessitate a longer stay. Victims of domestic violence often enter the shelter with physical injuries and/or mental health issues (to include trauma), and these factors impact their ability to seek and obtain services outside the shelter before their time limit expires. This is of particular concern in NYC, where certain families that leave the shelter before permanent housing is obtained (due to existing time constraints) are transferred to the homeless shelter system which is ill equipped to support their ongoing service and housing needs related to domestic violence concerns. For these families, such factors may exacerbate family challenges, and account for a high percentage of families that return to the domestic violence shelter at a future point. Thus, the availability of a second 45 day extension enables the domestic violence shelters to use the additional time both to better prepare victims for discharge and to locate safe and affordable housing, may well reduce the domestic violence shelter recidivism rates.

Included below is a chart submitted by the Subcommittee #3 regarding length of stay patterns that occurred within NYC for the year 2008. Along with this chart, prepared by New Destiny Housing Corporation, Subcommittee #3 members submitted the following narrative:

The chart shows the distribution of the length of stay in shelter. Excluding the extreme outliers from the survey responses (those staying over 200 days) as well as the residents who left early (represented in the first spike), the average length of

stay of the residents in the emergency shelters is 101 days. The median value is 113. Based on the chart, the residents are likely to exit shelter early in their stay (reflecting the ambivalence clients can feel upon entering shelter) or at the 135-150 day mark which is when the resident's extensions typically run out. These spikes are indicative of larger issues raised concerning the feasibility of permanent housing placements for DV survivors before their shelter stays end.

The following chart reflects the completed Statistics for Advocacy surveys from the calendar year 2008. Thirty eight shelters were included in the study with an overall response rate of 87%. Existing State regulations limit domestic violence emergency shelter stays to a maximum of 135 days during which residents must locate permanent housing, address any family court procedures, receive counseling for their abuse and handle a plethora of additional tasks.



\* Some extreme outliers for longer lengths of stay are not reflected in this graph; the longest length of stay reported in this period was 503 days.

**Subcommittee #3 would like to address the following areas of concern at a later date** because there was not sufficient time through the Subcommittee process to deal with all areas of concern.

- Staff Qualifications
- Staff Ratios
- Staff Training
- Per Diem Payment

Subcommittee #3 would request that the months of July, August and September 2009 be used for meetings/comments, as well as to continue to work to develop additional recommendations or changes to existing regulations and/or policies.