

Testimony by the New York Legal Assistance Group (NYLAG)
Oversight – Food Access, Quality and Inspections at DHS Shelters
Before the New York City Council Committee on General Welfare

November 19, 2019

Chair Levin, Council Members, and staff, good morning and thank you for the opportunity to speak to the Committee on General Welfare on food access, quality, and inspections at DHS shelters. My name is Deborah Berkman, and I am a Senior Staff Attorney in the Public Benefits Unit and Shelter Advocacy Initiative at the New York Legal Assistance Group (NYLAG). NYLAG uses the power of the law to help New Yorkers in need combat social and economic injustice. We address emerging and urgent legal needs with comprehensive, free civil legal services, impact litigation, policy advocacy, and community education. NYLAG serves immigrants, seniors, the homebound, families facing foreclosure, renters facing eviction, low-income consumers, those in need of government assistance, children in need of special education, survivors of intimate partner violence, people with disabilities, patients with chronic illness or disease, low-wage workers, veterans, low-income members of the LGBTQ community, Holocaust survivors, as well as others in need of free civil legal services.

The Shelter Advocacy Initiative at NYLAG provides legal services and advocacy to low-income people in the shelter system. We work to ensure that every New Yorker has a safe place to sleep by offering legal advice and representation throughout each step of the shelter application process. Additionally, we assist and advocate for clients who are already in shelter as they navigate the transfer process, seek adequate facility conditions and resources for their needs, and we offer representation at fair hearings. Based on our experience working with individual adults and homeless families in the shelter system, the Shelter Advocacy Initiative at NYLAG appreciates the opportunity to offer the following comments on food access and quality within DHS shelters.

I- DHS Shelter Residents Have Insufficient Access to Food While in Shelter

Our first concern is the sufficiency of the food available to shelter residents. Community health is inextricably linked to adequate nourishment, and research supports the claim that food insecurity has significant health and economic consequences.¹ In adults, the medical implications of inadequate nutrition include, but are not limited to, diabetes, obesity, heart disease, depression, and fatigue.² In children, the consequences extend to low birth weights and delayed cognitive development.³ Such health concerns then can lead to lowered productivity and higher medical costs.⁴ In contrast, providing nutritious food, especially fresh fruits and vegetables, in underserved areas improves the community's health and, consequently, its economic vitality.⁵ Children who are well fed do better in school. Seniors with adequate food access need not make the choice between feeling nourished and purchasing other necessities. Families that are satiated thrive. As such, a

¹ <https://www.harvesters.org/Learn/How-Many-are-Hungry/The-Impact-of-Hunger>

² *Id.*

³ *Id.*

⁴ *Id.*

⁵ *Id.*

discussion of food access is not only about individuals, but also extends to a concern for our collective health and communal strength.

1. Meals Are Too Small

NYLAG clients frequently report that the meals they are served in shelter are too small to abate their hunger. They say they are only allowed to have one serving of each item per meal, and that the serving sizes themselves are very small. As a result clients are left perpetually hungry. As mentioned previously, such practices are inevitably damaging to the physical health of shelter residents; food insecurity is disproportionately linked to chronic diseases such as high blood pressure and diabetes.⁶

For children, the consequences are particularly devastating. Research shows an association between food insecurity and delayed development in young children; risk of chronic illnesses like asthma and anemia; and behavioral problems like hyperactivity, anxiety and aggression in school-age children.⁷ Hunger has a direct impact on children's academic achievement and ensuing economic prosperity.⁸ Inadequately feeding shelter residents

⁶ <https://www.feedingamerica.org/hunger-in-america/impact-of-hunger>

⁷ *Id.*

⁸ *Id.*

only further disenfranchises them. “Providing food” is not the same as providing *enough* food.

2. Residents Who Have Jobs Don't Have Access to Meals

Shelter residents with a job are often faced with an impossible choice: work or eat. NYLAG clients who are employed or have work assignments report difficulty accessing food served by their shelters. This is due to the fact that shelter meals are served at specific times and, if the residents are not present at those times, they cannot get a meal. Additionally, they cannot get a meal when they return to shelter, and are not allowed to take their meals early. Thus, if an employed resident wants to eat, he or she cannot go to work, and vice versa.

This is further complicated by the fact that recipients of cash public assistance are not awarded the “restaurant allowance” supplement if they reside in a shelter that serves meals. As such, job hours preclude residents from accessing food at their shelter, but their public assistance also leaves them without a means to purchase food. New policies need to be put into place whereby residents who work or have other commitments can be provided with food at times that work with their schedules. Working shelter residents should not be punished with hunger for being employed.

3. Residents are Not Permitted to Bring in Outside Food

The problem of DHS shelter resident hunger is further amplified by shelter policies that prevent residents from bringing in outside food. When residents miss meals and are prevented from bringing in and/or storing outside food, they are left with no meal options. This is particularly harmful for residents with health issues or disabilities that need to eat between meals for their wellbeing or to safely take medication. While residents can be granted reasonable accommodations, the reasonable accommodation process can take months to approve and requires the active cooperation of the resident's health care provider. A system must be put into place wherein residents can eat outside the shelter's scheduled meal times.

II- The Quality of The Food DHS Serves is Poor

Another major concern for NYLAG clients who are shelter residents is that the food that is provided in shelter is of poor quality. NYLAG clients consistently complain that the food they are served is not healthy and does not meet their nutritional needs. Further, clients with medical conditions and disabilities needing special diets are rarely accommodated. This only exacerbates the challenges of being nourished in shelter.

1. The Food Is Very High in Sodium

NYLAG clients report that the meals provided are very high in sodium. Clients do not want to eat very salty food both because the taste is unpleasant and because of the health risks associated with consuming too much salt. Too much sodium in the diet can lead to high blood pressure, heart disease, and stroke.⁹ Additionally, research shows that a high sodium diet can cause calcium loss, often at the expense of bone mass.¹⁰ Clients who depend on their shelter for food should not be forced to eat meals that are detrimental to their health. Lower-sodium alternatives should be provided to DHS residents.

2. The Food Contains Very Few Fresh Fruits and Vegetables

⁹ <https://www.hsph.harvard.edu/nutritionsource/salt-and-sodium/>

¹⁰ *Id.*

NYLAG clients report the food they are served is most often pre-packaged and that they rarely encounter fresh fruits or vegetables. A diet rich in vegetables and fruits can lower blood pressure, reduce the risk of heart disease and stroke, prevent some types of cancer, lower risk of eye and digestive problems, and have a positive effect on blood sugar levels, which can help keep appetite in check.¹¹ A new study reports that low fruit and vegetable consumption may be responsible for millions of deaths from heart disease and stroke each year worldwide.¹² In fact, the study estimates that 1 in 7 cardiovascular deaths are caused by not eating enough fruit, while 1 in 12 are caused by not eating enough vegetables.¹³ These numbers only account for deaths that deficient diets can cause— not the wider impact that heart disease and stroke can have by way of poor health, chronic pain and disability.¹⁴

3. The Food Does Not Meet the Medical Needs of the Residents

¹¹ <https://www.hsph.harvard.edu/nutritionsource/what-should-you-eat/vegetables-and-fruits/>

¹² <https://www.everydayhealth.com/heart-health/not-eating-enough-fruits-vegetables-contributes-cardiovascular-death/>

¹³ *Id.*

¹⁴ *Id.*

Many NYLAG clients have medical conditions and disabilities that require a special diet, the most common of which is diabetes. While DHS has historically taken the position that the food it provides can accommodate any diet, NYLAG clients rarely, if ever, are provided food that meets their needs. As a result, these clients have to choose between going hungry or eating food that they know will make them ill. These are unacceptable options. A system to meet the needs of residents with special diets must be put in place as soon as possible.

In conclusion, the implications of food insecurity are multifaceted. While hunger and malnutrition have significant health consequences, they also directly impact our communal economic vitality and children's academic achievement. The food currently served at DHS shelters is both of poor nutritional quality and inadequate. The stringent scheduling policies in place for DHS meals unfairly penalize shelter residents who work, cutting them off from access to the food they need. If it is the goal of DHS to protect and care for homeless New Yorkers as they seek permanent housing, then DHS must provide food service that matches these goals. Shelter residents deserve proper nourishment. Being adequately fed and receiving shelter should not be mutually exclusive.

We thank the Committee on General Welfare for the work it has done to facilitate shelter for vulnerable New Yorkers, and for taking this opportunity to continue to improve the conditions for shelter residents. We hope we can be a resource for you going forward.

Respectfully submitted,

New York Legal Assistance Group