

Testimony by the New York Legal Assistance Group (NYLAG)
Oversight - Broadband and the Digital Divide
Before New York City Council Committee on Technology
and the Subcommittee on Zoning and Franchises
October 13, 2020

Chairs Holden and Moya, Council Members, and staff, good afternoon and thank you for the opportunity to testify to the Committee on Technology and the Subcommittee on Zoning and Franchises on internet access in the Department of Homeless Services (DHS) shelter system. My name is Deborah Berkman, and I am a Coordinating 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 offer representation at fair hearings.

NYLAG clients are dramatically impacted by the lack of Internet access in shelter.

I- Clients Without Internet Access Are Effectively Barred from Transitioning to Permanent Housing

The goal for every person and family in the DHS shelter system is to obtain permanent housing, and not having internet access is a major barrier to reaching that goal. NYLAG clients experiencing homelessness without internet access lack the ability to search for any housing online and, as a result, are totally dependent on their housing specialists. Rarely, however, does one of my clients obtain an apartment from a lead provided by their housing specialist. Rather, most clients who have successfully transitioned out of shelter have done so by looking for housing opportunities on their own. And the primary way they do so is to search for an apartment online. Moreover, many apartment lessors will only accept applications online, and depend on email to deliver documents and information. Clients experiencing homelessness who don't have access to internet are at an extreme disadvantage in this regard. While there is tremendous push from the City to get its citizens out of city shelters and into permanent housing, the City has not given the

homeless the tools they need to leave the shelter system, resulting in longer stays in shelter prior to finding permanent housing.

II- Clients Experiencing Homelessness Who Do Not Have Access to Internet Cannot Access Physical and Mental Healthcare

Lack of internet access also prevents my clients from accessing life-saving medical care and critical mental health treatments during the pandemic. Without online access, clients have not been able to participate in telehealth appointments and have had to let preventative, acute, and mental health care go by the wayside. As important as internet access was prior to the pandemic, now it is even more vital. One study published in the *Journal of the American Medical Informatics Association* found that the biggest obstacle to providing high-quality telehealth services during COVID-19 has been the inability of many patients' to access high-speed internet.¹ The authors cited research showing that areas with limited broadband access also had higher rates of chronic diseases such as obesity and diabetes, resulting in "a double burden where those with the lowest connectivity have the highest need."² They also suggested that limited internet access could prevent individuals from connecting online with family and friends, which could contribute to other adverse health outcomes.³ This is consistent with my clients' experiences. Clients who have not been able to harness telehealth opportunities have been receiving the majority of their health care from emergency room visits. Moreover, without internet access, my clients with mental health challenges who are dependent on counseling have not

¹ <https://academic.oup.com/jamia/advance-article/doi/10.1093/jamia/ocaa156/5863253>.

² *Id.*

³ *Id.*

been able to access their therapists because sessions were moved to Zoom or other online platforms. The inability to connect with family and friends online has only exacerbated the mental health struggles my clients experience. Now more than ever, the inability to access the internet has been caused untold suffering and been extremely destabilizing for some of my clients.

III- Clients Need Internet Access to Apply for and Maintain Public Benefits

Many of my clients who are experiencing homelessness rely on public benefits for survival. Internet access is vital to apply for and maintain public benefits, particularly during the current pandemic. At the outset of the COVID-19 pandemic, HRA closed almost all of its Job and SNAP Centers. Most centers still remain closed with no plans to reopen, and HRA has indicated that it will keep many of these centers closed permanently.⁴ Thus, the primary way to apply for, maintain, and recertify public benefits is through AccessHRA, the online public benefits management portal. Unfortunately, AccessHRA can only be accessed via the internet or via a smart phone, so many clients who would have formerly walked over to their local center now have no choice but to rely on an internet-based service. Further, given the economic downturn and resultant job losses, the need for new public benefit applications has increased exponentially. NYLAG clients experiencing homelessness who are placed in shelters without internet access constantly struggle

⁴ HRA's reliance on ACCESSHRA is causing too many clients to fall through the cracks. Clients without internet are not able not able to utilize these platforms, and need centers in their neighborhoods in order to apply for and recertify their benefits.

to understand and maintain their public benefit cases and often do not receive the benefits they need and are entitled to receive.

IV- Clients Without Internet Access Struggle to Find Employment.

NYLAG clients assigned to shelter without internet access have an almost insurmountable struggle to search for and obtain employment. In 2020, the vast majority of job openings are published online. And finding a job opening is only the first step; beyond the posting, those without internet face tremendous challenges engaging in a number of digital job-seeking activities. For example, people may need to create a professional resume, contact a potential employer via email, or fill out an online job application. NYLAG clients report relying on public library computers to engage in these activities, but during the current pandemic, access to public libraries is severely restricted. This leaves people without internet access at a distinct disadvantage in obtaining employment.

V- Children Need Internet Access to Participate in School

Finally, and perhaps most importantly, are the hurdles homeless families face in educating their children without internet access. Currently, most children attending New York City Public Schools do so in person at most 50% of the time. The rest of their schooling is to be done virtually. Not only must they participate in their classes virtually, they must also use the internet for homework and for research assignments. Children cannot participate in the vast majority of their educational opportunities if they do not have access to online learning.

Children who are homeless or in poverty are more likely than their peers to have developmental delays, learning disabilities, and reduced academic

achievement.⁵ In fact, in a normal school year, students experiencing homelessness are already 20% less likely to graduate high school than students who are housed.⁶ Reducing access to school instruction can only exacerbate this already vast divide.

The inability of our city's most vulnerable populations to access the internet is not a new problem, but one that has become catastrophic for our homeless population since the advent of the COVID-19 pandemic. Our clients find themselves stranded in the shelter system, unable to apply for apartments and jobs, and unable to access critical benefits while their children are unable to participate in online education. Our clients cannot access medical care short of a visit to the emergency room and our mentally ill clients have no access to vital mental health services during one of the most trying times in our nation's history. Now, more than ever, New York City's homeless population needs reliable access to the internet in their shelters.

We thank the Committee on Technology and the Subcommittee on Zoning and Franchises for the work it has done to assist vulnerable New Yorkers and we hope we can be a resource for you going forward.

Respectfully submitted,

New York Legal Assistance Group

⁵ <http://firesteelwa.org/2014/09/homelessness-and-academic-achievement-the-impact-of-childhood-stress-on-school-performance/#:~:text=Children%20who%20are%20homeless%20or,advanced%20stages%20of%20skill%20development.>

⁶ <https://homelessvoice.org/pandemic-heightens-homeless-students-hurdles-with-remote-learning/>