



Thank you for the opportunity to provide testimony today. I am Tim Hathaway, Executive Director of Prevent Child Abuse New York (PCANY).

Our single mission is to **prevent child abuse in all its forms**. We are a statewide non-profit organization whose work primarily comprises three services, training and technical assistance to professionals, policy and advocacy, and community awareness at the state and local levels, in pursuit of a robust, cross-sector primary prevention ecosystem that ensures the wellbeing of New York's children and families.

PCANY is a proud member of [the Right to Counsel Coalition](#), which unites tenants, organizers, legal services providers, unions, faith communities and many others who are working to ensure that all New Yorkers across the state have a Right to Counsel when facing eviction. We and members of our [Housing Courts Must Change! Campaign](#) collectively represent tens of thousands of tenants across New York State and are honored to work on permanent and transformative solutions to New York's eviction crisis.

Centering our work in prevention and strengthening families, we advocate for evidence-based policies and practices that target the root causes of child abuse and neglect. Access to concrete supports that address a family's needs minimizes stress and increases the likelihood of positive outcomes for families and children, according to the [Protective Factors Framework](#). Accordingly, we support policies and practices that promote family and child stability and wellbeing such as economic security; universal maternal, infant, and early childhood home visiting; quality child care; youth and afterschool programs; **and stable housing**.

We support Statewide Right to Counsel because it promotes housing stability. The statistics speak for themselves: 84% of NYC tenants with a Right to Counsel lawyer have won their case and been able to remain in their homes; and default evictions as well as eviction filings have dropped dramatically. San Francisco saw a 10% drop in eviction filing rates in just one year after passing a universal RTC, and two-thirds of all represented tenants were able to remain in their homes. Cleveland found that within the first six months of having Right to Counsel, 93% of tenants with a Right to Counsel lawyer avoided eviction or an involuntary move.

Right to Counsel works. It's a solution with a proven track record of success everywhere it's passed. Yet while New York City led this charge, the majority of New Yorkers still lack this fundamental right. And with landlords suing over [175,000 New Yorkers for eviction](#), New York State needs Right to Counsel now more than ever. In many localities across the state, only a fraction of tenants facing eviction are represented. In Albany, for



example, in 2022, less than 2% of tenants had an attorney, while the vast majority of landlords were represented. This rate of representation is even lower when it comes to affirmative cases to protect against neglect of repairs, harassment, or illegal lock out. Most tenants outside of New York City experience housing court as a place that *only exists to facilitate eviction*—a place where they have little to no recourse to assert their own rights, in particular, their right to a safe, habitable home. Having a safe, habitable home is key to reducing a potential stressor which can lead to child maltreatment. There is a greater risk that children will have an adverse experience when adults in their lives experience the stress and other the accompanying effects of housing instability. Children in families facing hard choices about their shelter may be exposed to precarious environments and harmful situations. Additionally, housing instability can negatively affect a child’s academic achievement and behavior. Statewide Right to Counsel not only keeps families in their homes, but it can also help reduce the likelihood of adverse childhood experiences including child abuse and maltreatment.

That’s why we are now fighting, with over 100 statewide partners, for a Statewide Right to Counsel. S2721, our Right to Counsel for ALL legislation introduced by Senator Rachel May, guarantees the right to a free attorney for all New Yorkers facing displacement across the state. **This year we are also requesting \$260 million in funding to begin Right to Counsel’s implementation.** \$260 million is the necessary first step in empowering a wholesale change in our court system. It’s going to allow for tens of thousands more tenants to be represented. It will equip attorneys to fully litigate their cases and help ensure long-term housing stability for tenants. It will transform workplace conditions for legal providers and help us to compete nationally, attracting the next generation of civil legal talent to New York State. It will support organizers whose work is essential to ensuring tenants know what their rights are and how to use them. And it will establish a new state agency, the Office of Civil Representation, to oversee the Right to Counsel.

We urge you to support the funding and passage of Right to Counsel in the budget this year. As a society, we cannot stand by any longer while New Yorkers are forced into a confusing and traumatizing court system without counsel by their side, and as a result, face devastating consequences that could’ve been avoided. We know that establishing this right will keep New Yorkers in their homes, prevent an array of long-lasting harms to our families and communities, and save our state money in the long-term. New York has every reason to pass and fund S2721 in the budget this year, and we count on your leadership to ensure this happens.