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*****FOR IMMEDIATE RELEASE*****

***Legal Aid and Jenner Win Emergency Motion Requiring the City to
Do More to Protect Disabled Homeless New Yorkers***

(NEW YORK, NY) – The Legal Aid Society and Jenner & Block LLP, on behalf of the Coalition for the Homeless, Center for Independence of the Disabled, and homeless New Yorkers, in coordination with the Safety Net Project at the Urban Justice Center, have won a Temporary Restraining Order to halt future moves of disabled homeless New Yorkers from their existing hotel placements until the City comes up with a more detailed plan to protect their rights. The order requires the City of New York and the Department of Homeless Services (DHS) to present a credible plan to relocate the clients remaining in hotels, as well as a procedure to look back at the cases of people already moved, and a realistic schedule to ensure any future moves will be conducted in compliance with the law.

In their rush to return New Yorkers to congregate shelters, the Defendants have [repeatedly](#) violated the requirements of the stipulation in *Butler v. City of New York* by moving class

members without sufficient regard for their rights and dignity. Without essential safeguards in place, homeless individuals will continue to incur immediate and irreparable injury.

“This ruling is a victory for homeless New Yorkers with disabilities,” said **Joshua Goldfein, a staff attorney with The Legal Aid Society’s Homeless Rights Project**. “The order ensures DHS must implement proper protocols before they transfer a client and to verify that clients are going to a place that can serve their specific needs. They have been moving much too quickly because they have tremendous pressure coming down on them from the Mayor to get this done sooner than is reasonable, and they don’t have enough resources to do what they need to do. It’s terrible that our clients had to experience these unnecessary transfers when they could have been moved to permanent housing.”

“Today the judge found that the city cannot continue to fly the plane while it builds it. The City must stop, evaluate the process they have in place and ensure that appropriate notice to each client is provided, clients are informed of the process to request a reasonable accommodation, and ultimately an appropriate placement is identified and secured before a client is moved. This is a huge win for our clients who will be allowed to stay in the current placements while the city does so, said **Jenner & Block Partner Dawn Smalls**.

“We are gratified that our clients have been granted a vital reprieve from the chaotic disruption of their lives, and thank the Court for agreeing that the misguided shuffling of vulnerable homeless people with disabilities from bed to bed in the DHS shelter system must stop. For months, DHS has ignored reasonable suggestions to make this transition less traumatic for our clients. DHS has consistently proven itself, week after week, to be indifferent to the needs of our clients with disabilities – offering empty promises only as we seek judicial intervention. Our recent shelter monitoring revealed that moves from de-densification hotels continued to be chaotic. Many individuals were unsure about where they would be sheltered until they were ushered onto transportation. They did not find out whether their new placements met their access needs until their arrival. We continued to meet individuals with disabilities who should never have been transferred to a congregate shelter or an inaccessible hotel placement. City Hall cares far more about the race to empty hotels than their obligation to fix the problems they have created via DHS’s mindless displacement of homeless people while the city grapples with the resurgence of the pandemic. Thankfully, their dangerous rush to empty hotels has been paused by today’s order,” said **Deborah B. Diamant, Esq., Director of Government Relations and Legal Affairs at the Coalition for the Homeless**.

“We’re glad the court took action to pause the City’s cruel and illegal hotel evictions. It’s time for the Mayor to finally stop transferring people to dangerous congregate shelters as COVID outbreaks pop up in shelters across the city. He should instead focus his energy on getting people into permanent housing using increased City FHEPS and Section 8 vouchers newly provided to

the City,” said **Helen Strom, Supervisor of Public Benefits and Homeless Advocacy at the Safety Net Project.**

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The Legal Aid Society exists for one simple yet powerful reason: to ensure that New Yorkers are not denied their right to equal justice because of poverty. For over 140 years, we have protected, defended, and advocated for those who have struggled in silence for far too long. Every day, in every borough, The Legal Aid Society changes the lives of our clients and helps improve our communities. www.legalaidnyc.org

[Jenner & Block LLP](#) is a law firm with global reach, with offices in Chicago, London, Los Angeles, New York, San Francisco, and Washington, DC. The firm is known for its prominent and successful litigation practice, global investigations, and experience handling sophisticated and high-profile corporate transactions. Its clients include Fortune 100 companies, technology companies, large privately held corporations, emerging companies, Native American tribes, and venture capital and private equity investors. The American Lawyer recognized the firm as the #1 pro bono firm in the United States 10 times in the past 14 years. In 2021, the publication also recognized the firm as the #2 international pro bono firm, and in 2018, named the firm as its first "Pro Bono Champion." In 2020, Reuters Legal named the firm its inaugural "Pro Bono Hero."