



**Testimony of  
The Reverend Winnie Varghese  
On behalf of  
Trinity Church Wall Street and Faith Communities for Just Reentry  
Before  
The Council of the City of New York  
Committees on General Welfare and Civil and Human Rights Oversight Hearing:  
Rental Assistance and Source of Income Discrimination**

1. Faith Communities for Just Reentry

My name is Winnie Varghese. I am a priest at Trinity Church Wall Street, an Episcopal Church in lower Manhattan. Trinity Church is the convener of Faith Communities for Just Reentry, an interfaith coalition of 40+ faith leaders, representing over 120,000 New Yorkers across the five boroughs. Faith Communities for Just Reentry was formed to end the horrific cycle of homelessness and incarceration in New York City. This requires that Mayor de Blasio and the City Council take action to create a just reentry system that provides for the safety of individuals released, stable housing for justice-involved individuals and their families, and coordinated support services that are held accountable to the well-being of each person.

I want to thank the New York City Council for the opportunity to testify on Intro 2047-2020. Faith Communities for Just Reentry is grateful for the leadership of Councilmember Levin, Councilmember Lander, Councilmember Cornegy and Public Advocate Williams in proposing legislation that seeks to address rampant housing discrimination against New Yorkers with criminal justice records. A criminal justice record is not the measure of a person, nor should it be used to deny basic rights to housing for some of our most vulnerable neighbors.

We are proud to have partnered with many of you sitting here today and others on the Council on this incredibly important issue over the years as a member of the clergy and community advocate. Thank you for all you have done, and continue to do, to speak up on behalf of vulnerable New Yorkers who are struggling during these unprecedented times. I look forward to working together in the future.

2. Call to End Housing Discrimination

In New York City, fifteen to twenty thousand New Yorkers are caught each year in the cycle of homelessness and incarceration. Nationally, people who are formerly incarcerated are ten times more likely to experience homelessness compared to the general population. This cycle is perpetuated by the discrimination that our neighbors face during reentry from jail and prison and, in some cases, even before they are convicted of a crime.

Research shows that private landlords heavily discriminate against justice-involved individuals and their families through the use of background checks. In New York, the probability that an individual with a criminal record can even view an available apartment is 50%. While our City has taken action



through Ban the Box and the Fair Chance Act to remove discrimination in education and employment, our justice-involved neighbors are still discriminated against when trying to apply for and access housing.

That is why we need to pass this legislation now. We must end the cycle of poverty and homelessness induced by discrimination that so many formerly incarcerated New Yorkers face when they try to get their lives back on track. That cannot be done when they face legally-sanctioned discrimination.

We cannot stop there. While many New Yorkers may not know it, New York City Housing Authority (NYCHA) can legally discriminate against justice-involved New Yorkers.

NYCHA replicates the discrimination we see in the private market by preventing people with criminal records from returning home to their families. While federal law prohibits people convicted of certain violent crimes from residing in federally funded public housing, NYCHA uses broad discretion to deem residents as “dangerous,” leading to their eviction and separation from their families through a policy called permanent exclusion. At this moment, New York City is harsher in its treatment of people with criminal records than the Department of Housing and Urban Development under the Trump Administration.

NYCHA further discriminates against individuals who have interacted with the criminal legal system, but who have not been convicted of a crime. Upon arrest and prior to conviction, eviction proceedings can begin. In 2015, our partners at Brooklyn Defender Services shared with City Council the example of a NYCHA resident who faced eviction for an arrest that occurred more than a year after the reported criminal act and despite strong evidence to prove their innocence. It has been five years, and these practices are still in place today.

**We know that the housing discrimination described above is not equally experienced. Black and Latinx communities are subject to over-policing and are disproportionately incarcerated compared to their white neighbors.** The percentage of Black people in the population jailed at Riker’s Island is twice the percentage of Black people in population of the New York City. Meanwhile, though nearly a third (32%) of the population of New York City is white, this racial group makes up only 8% of the city’s jail population. 91% of public housing residents in New York are Black or LatinX, which means that NYCHA discriminatory policies, including permanent exclusions, disproportionately evict and/or separate families of color.

The racist legacy of our criminal justice is predictably only compounded by the permanent exclusion rule. A report from the Vera Institute of Justice found that 2,200 people formerly living at a NYCHA address, who were released from a city jail between 2010-2013, sought housing in a shelter. Hundreds of people continue to be impacted by this rule every year, with the average length of permanent exclusion for those submitting applications to be reinstated as tenants lasting nearly 10 years.



### 3. Necessary Reform

As faith leaders, we are called to proclaim the beloved community, defined as a society that takes particular care of the vulnerable, the unhoused, those without food, those in prison –from the times of our ancient texts, the fairness of systems of justice is important enough to be referenced as a sign of the communities faithfulness. Injustice equals a lack of love and fear of God.

Faith Communities for Just Reentry calls upon Speaker Johnson and members of the City Council to pass the Fair Chance Housing legislation proposed, putting an end to landlord discrimination against New Yorkers with a criminal record and their households. Let us lead with forgiveness and dignity rather than punishment and exclusion.

Finally, we ask that the City Council call for NYCHA to end discriminatory Permanent Exclusion policies that prevent residents with criminal records from returning to their homes in public housing and separate families upon arrest and prior to conviction. In a city where rents remain unaffordable for most New Yorkers, removing NYCHA housing as an option for justice-involved New Yorkers provides a sure path to housing insecurity and homelessness for them and their families. If we want to truly carry the mantle of being a progressive city, we cannot allow our own public housing authority to reinforce a broken status quo that has harmed far too many of our friends, family and neighbors.

I want to thank the Council again for their leadership on this issue. I am grateful for the opportunity to speak before you today.