

NEWSLETTERS

DONATE

CITYLIMITS

CITYLIMITS

Search

GO

NEWSLETTERS

DONATE

Few Safeguards Against Abuse by Homeless Shelter Guards

AUTHOR
Ben Hattem

DATE
December 1, 2014



Adi Talwar

Curt Conliffe-Berkeley a resident of Charles H. Gay Shelter For Men at Wards Island, says security staff at his shelter have sometimes been abusive to residents.

Just after 10 a.m. on August 24, 2014, Curt Conliffe-Berkeley came into the yard in front of the Charles Gay men's shelter on Wards Island where he lives. Two other residents of the shelter sat on a bench nearby. Slowly, one toppled backward.

Conliffe-Berkeley, 58, is an army veteran with a mobility impairment who uses an electric scooter to get around. As soon as he saw the man collapse, he says, he moved across the yard to leave a wide berth for medical responders. The other resident on the bench ran to the office at the back of the building to alert the New York City Department of Homeless Services security officers on duty, and Curt called 911.

According to Conliffe-Berkeley, a group of security officers entered the yard to secure the area around the collapsed resident. One of the guards approached Conliffe-Berkeley and told him to move back as he spoke with the 911 dispatcher. Then the guard tried to shove Curt's scooter. Then to pick it up and push him.

When that didn't work, as Curt tried to answer the dispatcher's questions, the guard leaned toward him and shouted in his face: "You're retarded."

ADVERTISEMENT

In conversations with City Limits, some residents of New York City's homeless shelter system allege that harassment and abuse by security staff is routinely ignored by the Department of Homeless Services (DHS).

In cases of abuse, shelter residents can file grievance reports with the Office of Client Advocacy at DHS. But Martha Morgan, a harm reduction counselor with New York Harm Reduction Educators – an organization that provides support and counseling to low-income and homeless drug users – tells City Limits that little ever comes of the grievances that residents file.

"They'll tell them they can't do anything about it," Morgan says.

Residents and homeless rights advocates also say that victims often don't report their abuse to DHS for fear of being targeted for retaliation from security staff or the department's administration. The Office of Client Advocacy's [client grievance form](#) requires the name and Social Security number of the complainant, making anonymous reports impossible.

“People are hesitant to go on the record,” says Nikita Price, a former shelter resident and a Civil Rights Organizer at Picture The Homeless, a grassroots advocacy group founded and run by homeless people. “It might affect them where they live,” Price says.

No data on abuse

While residents and advocates allege a pattern of abuse and violence in the shelter system, it’s impossible to know the extent of the alleged problem because DHS retains no data on reported instances of abuse and did not release information about individual grievance reports or investigations.

A Freedom of Information Law request from City Limits for copies of client grievance forms was denied to avoid providing identifying information about DHS residents. A second request for redacted versions of the forms with client information blacked out was also denied because the forms are exempt from release as communications between clients and DHS. “Social Services Law doesn’t allow it,” FOIL Officer Cynthia Stallard said in a subsequent phone conversation.

In response to another FOIL request from City Limits, the department revealed that it has no database of complaint records and does not maintain any statistical data on client grievances. In the request, City Limits asked for any data regarding the number of complaint forms submitted to DHS in 2014. After a month-long search, Stallard responded that “the Agency was not able to locate the records.”

Stallard said that the lack of a central database makes it impossible for DHS to produce or track any numerical data about grievance records, including the total number of grievance reports filed by residents.

Jaslee Carayol, a spokesperson for DHS, said in a brief statement: “The security of the residents and surrounding community is of the utmost importance.” She added: “We take complaints very seriously and investigate accordingly.” The department declined to answer specific questions about its policies and procedures to deter, investigate or punish abusive behavior by staff.

The DHS shelter system, which operates under a unique legal mandate to provide shelter to anyone who qualifies as homeless, was sheltering more than 58,500 people as of November 20.

Hotspots of violence

Shelter security officers employed directly by DHS are unionized “peace officers,” a designation that grants arrest powers but doesn’t authorize the officer to carry a gun. A spokesperson for Teamsters Local 237, the union that represents the officers, did not return calls from City Limits.

DHS peace officers are concentrated in a few of the city’s largest shelters, especially the Wards Island complex, the Bellevue intake center and men’s shelter on 29th Street, and the Bedford-Atlantic Armory in Brooklyn, known among residents as Castle Grayskull for its imposing facade.

According to residents, these three locations are known as sites of concentrated violence, both among residents and by security officers. “People would rather sleep on 125th [125th and Lexington, which lies just across the Harlem river from Wards Island and is frequented by the shelter’s residents] in the summer than go to the shelter out of fear,” Morgan says.

Residents say that the complex of four shelters on Wards Island, among the city's most populous DHS sites, is a particular hotspot of abuse and harassment.

A peer educator at NYHRE claims that during an incident in July, a resident was pulled from the dumpster behind the Charles Gay shelter by security guards when he was caught searching for his belongings, which had been thrown away that evening after he missed the nightly sign-in. According to the peer educator, the man was then slammed against the ground, and one of the guards kneeled on his head.

Since the attack, the man has suffered frequent migraines and has been scared to return to the shelter, says the NYHRE peer educator, who asked not to be named because he is currently a shelter resident. "He was really beat up," the peer educator says. The victim never filed a report with DHS alleging abuse for fear of retaliation from the shelter staff. "He wants to, but he's afraid," says the peer educator.

The peer educator tells City Limits that residents also often decline to file grievances because they don't believe that DHS will investigate the incidents adequately or discipline the officers involved. "They cover up for each other," he says. "I've seen guys get beat up and the [guards] come to work the next day like it's nothing."

Morgan says that in her experience, reporting abuse by DHS security directly to the NYPD is the only way to ensure that the incidents will be addressed.

A police report is "the only one that's really looked at," she says. "That gets their attention some." Shelter residents – used to unpleasant encounters with the NYPD – might be reluctant to seek police attention.

NYPD crime statistics indicate that in the first nine months of this year, reports of 29 felony assaults emerged from the area near the Ward's Island shelter, making it one of the largest concentrations of these crimes in the city.

Harassment worse at private shelters?

In recent years, more than half of the city's homeless shelters have become privately-run facilities managed by nonprofit service providers. These firms contract security companies for their protective services instead of employing DHS peace officers.

Patrick Markee, deputy executive director for Advocacy at Coalition for the Homeless, tells City Limits that, in his view, harassment is more common with the contracted security services than it is with DHS security.

"[Private security guards] tend to be poorly paid and poorly trained," he says. "That's where we've seen the problems is where we have poorly trained guards."

Several residents of a privately-run shelter on 95th Street have told City Limits that one guard at the shelter frequently harasses residents with impunity from the shelter's operator. One woman living in the shelter told City Limits that the guard refused to let her into her room and made her sit in a stairway for fifty minutes after she locked herself out. Another complained that the same guard often targeted her with a variety of minor nuisances, from pounding on her door late at night to removing crates from her room that served as the only chairs the resident was able to have in the space. Both residents asked to remain anonymous for this story out of concern about being targeted further by the officer.

But the problems with private security don't end at routine harassment. Several outstanding or recent lawsuits by shelter residents allege physical assault or serious negligence on the part of security contractors and private shelter operators.

In October 2006, a Wards Island resident named Leroy Gooding sued FJC Security, one of the city's primary shelter security contractors, alleging that he had been beaten, handcuffed, and thrown into a van by FJC guards that February. The case was dismissed on default in November 2007 after Gooding's legal team was unable to prove that the defendants had received opposition papers from them by a deadline earlier in the month.

In another case, shelter resident [Skiboky Stora sued FJC Security](#), as well as DHS and the major shelter operator Volunteers of America, over injuries sustained in 2005 when a man named Marcus Serrano climbed the fence of one of the shelters that FJC secures and shot Stora.

According to Serrano's own testimony, which FJC did not dispute, he walked around the shelter yard for several hours "brandishing and firing his gun long before approaching plaintiff and firing the shot that injured him." During that time, Serrano "encountered no shelter or security personnel."

The case was ruled in favor of the defendants on November 3, 2014, finding them not liable for negligence. "It was a complex case that ended up with a whimper," says Emeka Nwokoro of Nwokoro & Associates, the firm that represented Stora during the trial.

In late October 2014 at another privately operated shelter in Brooklyn, 3-year-old Jaida Torres was beaten to death, allegedly by her stepfather. Following Torres' murder, Brooklyn Borough President Eric Adams called for an investigation of DHS' treatment of domestic violence throughout the shelter system.

The corporate office of FJC Security did not answer repeated calls from City Limits and did not respond by press time to an interview request left on the office's voicemail.

Positive waves in a negative ocean

Markee says that abuse in the shelter system used to be much worse than it is today, especially at Wards Island and the other shelters managed by DHS. The mayoral administration of Rudy Giuliani in the 1990s, he says, was a period of "rampant abuse, assaults, and beatings by the guards."

In recent years, says Markee, better supervision has decreased the number of incidents. "In the last couple of years, we've seen a lot of improvement."

Still, he adds, until Bill de Blasio came into office at the beginning of 2014, the “culture [at Wards Island] was one of harassing the clients.”

Jean Rice, the Civil Rights Committee Leader at Picture the Homeless, who says he fled the shelter system and was “street homeless” for more than a decade after a DHS security guard tried to extort money from him during his initial intake process, tells City Limits that the work of the de Blasio administration has been “positive waves in a negative ocean.”

Rice, 75, says he did not report the extortion incident to DHS.

Conliffe-Berkeley notes that his experience with DHS guards hasn’t been all bad. “The good should also be brought to light,” he says. But, he adds, “there are people [here] who choose to treat you in an inhumane way.”
