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**Center for Independence of the Disabled, NY**

January 19, 2017

Testimony before the Committee on Recovery and Resiliency

Re: Oversight - Assisting vulnerable populations in emergency evacuations.  
Int. No. 1155 - In relation to maintaining a voluntary registry of people who may need evacuation assistance in the event of an emergency.

by  
Margi Trapani  
Director of Communications & Education



**Oversight - Assisting vulnerable populations in emergency evacuations.**

**Int. No. 1155 - In relation to maintaining a voluntary registry of people who may need evacuation assistance in the event of an emergency.**

My name is Margi Trapani. I am Director of Communications and Education at the Center for Independence of the Disabled, New York (CIDNY). In the past year, CIDNY has worked with 22,000 New Yorkers with disabilities, their families and service providers. I want to thank the committee for holding this hearing and once again shining some light on issues related to evacuation and assistance for people with disabilities in the event of emergencies and disasters.

CIDNY has been in the forefront of emergency and disaster issues for people with disabilities since September 11, 2001. We were the lead disability organization that responded in the aftermath and were members of the United Services Group. We also served on City and FEMA committees working on emergency response planning since that event. As a consequence of our consumers' experiences, our work with City agencies and our long-standing efforts to create more effective responses for people with disabilities, we have been tracking gaps in those responses for sixteen years.

In 2011 we became plaintiffs in a lawsuit against the City for the lack of adequate responses to the needs of people with disabilities during emergencies because we were convinced that the gaps we identified during 9/11 still existed.

Our fears were confirmed during Hurricane Sandy in 2012 when many of our consumers and others with disabilities were trapped in high rises, couldn't get accessible transportation out of their apartments or homes, and were left without food, water and electricity for days without help. For those who did go to shelters, entryways to the shelters were inaccessible, as were cots, cafeterias, bathrooms and other requirements that would ensure their safety. For example, in some cases, people could not get their durable equipment recharged, could not refrigerate their medication and could not get the accessible accommodations they needed to be able to stay safely in the shelters. Those who are blind and those who are Deaf did not have access to the information they needed in accessible formats or with ASL interpretation – leaving many New Yorkers out of the loop and not understanding what they could do to be safe or get help. And, most first responder and shelter staff were not trained in accommodating people with disabilities as required by federal civil rights law.

While we certainly understand and commend the Council's interest in creating a solution for the lack of safe and accessible evacuation for people with disabilities who may need assistance, we believe that a registry is not the answer. In fact, a voluntary registry may lead people with disabilities and the City to a false sense of security about the ability to respond to their needs during a disaster or emergency. A registry may not fill the gap the council is seeking to remedy and may become a burden both financially and in terms of maintenance for any City agency charged with its upkeep.

To our knowledge, large scale registries have not been effective in helping people with disabilities for a number of reasons. Our concerns include:

- **Disclosure issues may prevent people from registering with the City.** Many people who may need assistance, may not be willing to register with the City because they may not want to disclose their disability, they may not want their information in City lists, they may be homeless and not have an address, or they may not have faith that the City will help them. People with disabilities may be reluctant to disclose their disabilities because they fear that their safety or stability in the community may be threatened if others see them as "vulnerable."
- **Registries don't ensure promises for accessible evacuation, transportation and shelter.** How would resources be allocated to evacuation, transportation and sheltering and by whom? Will the registry be able to assure people that they will have access to accessible transportation when they need to evacuate? That the equipment they rely on, like wheelchairs, scooters, oxygen tanks, etc. will be evacuated with them? That they will be evacuated to accessible shelters? CIDNY's offices have long been registered as needing assistance to evacuate because we have staff that use wheelchairs and other mobility devices, we also can have a large number of people with mobility disabilities at our offices at any given time. During the last city-

wide black out no first responder checked with us or came to our offices. We sent a staff member to the local fire department who informed us, "you're on your own." Luckily only staff were in the offices at the time and we had enough non-disabled staff to assist those who needed help evacuating. Had the blackout taken place during a time when consumers using wheel chairs were in-house, our situation would have been considerably different.

- **There may be a tendency to consider the "job done" just by having a registry.** City agencies responding to disasters and emergencies may see their responsibilities acquitted if they respond to the people who have registered with them. However, this will leave a large number of people with disabilities unidentified and without assistance.
- **Many people with disabilities may not need extra help if the emergency response system accommodates them as the law requires.** *Kenneth Martinez, a wheelchair user, tried to evacuate by bus—it was too crowded for him to get on. He went back to his home, which was then flooded by the storm surge – he spent a day in water until help came. What Kenneth needed was accessible transportation, he would have been able to evacuate on his own if the transportation system had accommodated him. Kenneth was not the only one who couldn't get on the bus.*

*Mary Connor is blind and lives in an evacuation zone. She received a piece of paper instructing her to evacuate as Hurricane Irene hit. She couldn't read the paper. She called the public information line, but couldn't get through to an operator. Mary didn't need a first responder to "rescue" her, she needed accessible information on how and where to evacuate to.*

As long as the City can provide communications in alternate formats and information that helps people with disabilities understand where and how they can get help, high rise evacuation strategies that will work for people with disabilities, accessible transportation, accessible shelters, and adequate canvassing that will capture the needs of people with disabilities post-event, many will not need extra help.

- **First responders would have to agree to have specific plans to accommodate those on the registry and develop a system for that response.** Will first responders including FDNY, NYPD, DOH/MH and others have access to the registry in real time and how will they develop a system for responding to those who need assistance based on the registry when they have no policy regarding people with disabilities now? We remain concerned since FDNY, NYPD and other city agencies have yet to develop a specific plan to evacuate people with disabilities who are stuck in high rises or other sites after an emergency or disaster. We don't believe a registry will solve that problem.
- **How will the registry deal with the needs of those who are not at home when an emergency strikes?** Many people with disabilities work, go to medical appointments, shop, go to the movies, museums, school, visit friends and family, go to religious services, and other appointments. Having a registry may send responders to homes that are empty and waste precious time that could be used to help others.
- **How will a registry be updated and by whom?** People with disabilities move like other New Yorkers and keeping track of their new addresses may be a task well beyond the ability of any agency charged with the registries maintenance. This is a large-scale administrative task and would take a great deal of financial as well as staff resources to maintain.

The City has already entered into agreements with CIDNY and the other plaintiffs representing people with disabilities who sued for the City's lack of planning for people with disabilities during emergencies. We believe strongly that our community would be better served by the City's prompt and effective compliance with the Memoranda of Understanding (MOUs) that provide specific and effective remedies to

the issues raised by emergencies including communication, accessible transportation, high rise evacuation, canvassing and accessible shelters (please see attached). We believe that these MOUs, if carried out, can go a long way to addressing the gaps and needs of people with disabilities who are caught in emergencies and disasters.

Rather than a voluntary registry, which we do not believe will solve the problem, the Council can play a critical role in ensuring that the City develops effective remedies to the evacuation needs of people with disabilities. The Council can require that New York City Emergency Management (NYCEM) report progress on the MOUs to this committee and that the committee monitor and document the City's progress in responding to the MOUs.