



**Testimony of Steven Banks, Commissioner
Department of Social Services**

**Before the New York City Council General Welfare Committee
Oversight Hearing: The Client Experience at HRA Centers
February 4, 2018**

Good afternoon Mr. Speaker, Chairperson Levin and members of the General Welfare Committee. Thank you for inviting me to appear before you today to discuss the client experience at HRA Centers.

My name is Steven Banks and I am the Commissioner of the New York City Department of Social Services (DSS). In this capacity I oversee the Human Resources Administration (HRA) and the Department of Homeless Services (DHS). Joining me today is HRA Administrator Grace Bonilla.

Notwithstanding the significant reform efforts we have implemented over the past five years, as painfully illustrated by Ms. Headley's testimony today and conversations I have had with individual clients, on any given day a client may experience challenges at any one of our offices that do not reflect the major policy changes we have made, our values or the dedication of the vast majority of our staff who came to work at DSS to help people in need.

As you know, at two Council hearings in December, I spoke about the actions we took following the horrible incident at HRA's DeKalb Job Center on Friday, December 7th, 2018, which culminated in the arrest of Ms. Headley. I would like to again apologize to Ms. Headley and her one-year-old son and to the people of the City of New York for the unacceptable actions that occurred that day.

What happened to Ms. Headley when she turned to us for help has caused me to look in the mirror to see what more I can do to deepen the reforms we have implemented so that nothing like that ever happens again.

Today I want to highlight two main areas. For context, I want to review the ongoing systematic changes we have made to reform social services policies and practices, improve technology to make HRA benefits more accessible, streamline the ways in which rental arrears are processed and paid, and provide reasonable accommodations for clients with disabilities – all of which are aimed at creating and promoting an environment and agency culture to ensure that New Yorkers in need are treated with dignity and respect as they apply for and receive assistance. Since 2014, DSS has implemented major policy reforms to change the prior 20 years of social services policies and practices that all too often left families and individuals without the assistance and services they needed. Among other impacts, these

DSS reforms have resulted in a more than 47% decrease in fair hearings at which clients contest agency actions before a State administrative law judge.

But first, I will discuss the actions that we have taken and additional actions that we will take to make sure that our actual program and service delivery for clients are aligned with our values with respect to how clients should be treated.

Immediate and Ongoing Actions to Address the Client Experience

We have already enacted a series of immediate reforms to address this horrible incident, and we are taking additional steps that I am describing today.

- Immediately following the incident, I placed two HRA Peace Officers on modified duty with no client contact. Consistent with their collective bargaining agreement, I suspended these two officers without pay for the maximum period of time. Following these suspensions, one officer has resigned from the Agency, and one has been assigned to administrative duties, pending disciplinary charges that have been filed which could result in termination.
- Going forward, unless there is an immediate safety threat, I have directed that HRA Peace Officers shall not request the intervention of the NYPD without first contacting the Center Director or Deputy Director or her/his designee to attempt to defuse the situation by addressing a client need.
- As part of this new procedure, we will be implementing a social worker pilot at one Job Center in each of the five boroughs to support the Center Directors in defusing such situations by addressing a client's need for immediate help – the pilot will enable us to test the effectiveness of this new approach at these five centers.
- Last month, DSS reinforced guidelines for staff to treat clients with courtesy and respect.
- DSS immediately began conducting retraining sessions for all HRA Peace Officers, with an emphasis on techniques for deescalating disputes in HRA Centers. 87 out of 97 current Peace Officers have received this enhanced training; the remaining 10 are on leave and will receive the retraining when they return to work. This will be a mandatory annual requirement for each officer.
- I have attended each of these retraining sessions to speak to the HRA Peace Officers regarding the importance of deescalating disputes.
- Going forward, we will be providing all HRA Peace Officers with body worn cameras.
- DSS has directed the City's contracted security services vendor to provide retraining sessions for all security guards assigned to HRA Centers, with an emphasis on techniques for deescalating disputes in HRA Centers. Thereafter, this training will be a mandatory annual requirement for any contracted security officer assigned to an HRA office. All but 15 of the contracted security staff have been trained and the rest will be trained tonight.
- In addition to existing DSS customer service staff training, DSS will begin implementing implicit bias training for all 17,000 DSS staff members, including both HRA and DHS, to promote diversity in the workplace and dignity-centered client services.

- Last month, I appointed Lawanna Kimbro to be DSS's first Chief Diversity and Equity Officer ("CDEO"). In this new position, she will develop agency initiatives that address staff engagement, recruitment, and advancement and build capacity of staff at all levels to respond effectively to structural racism and individual bias. Further, she will promote culturally competent programs and inform policies, training, hiring practices, and service delivery to ensure continuity and sustainability in promoting equitable outcomes for clients and staff. As part of her immediate responsibilities, she will be focusing on the development of the implicit bias training.
- With support from the Open Society Foundations, DSS will host a Summit that will engage our leadership and staff, advocates, clients and other City agencies to develop systemic solutions to racial disparities across our programs.
- DSS has begun to implement a comprehensive intersectional anti-oppression training curriculum. Starting today, all new hires will receive a weeklong series of trainings covering topics such as the drivers of poverty and homelessness, including racism, income inequality, gender, sexual orientation, and disability, as well as a history of social services. The curriculum also includes best practices for addressing the needs of diverse and marginalized populations, including: intimate partner violence information, LGBTQI best practices, serving people with disabilities, Mental Health First Aid, and Equal Employment Opportunity. Previously, some of these trainings were optional or offered periodically. Transitioning to a compressed, weeklong curriculum sets the tone for our agency's culture at onboarding and allows all new hires to reflect on the intersectionality of the client experience. The agency is also developing training on trauma-informed service delivery for all staff.
- Together with the NYPD Commissioner, we are taking the following actions:
 - DSS has developed a protocol for determining appropriate instances in which HRA Peace Officers in HRA Centers should seek the assistance of the NYPD.
 - The NYPD has developed a protocol to deploy an NYPD supervisor to be part of the NYPD response team for such HRA assistance requests.
 - Control of an incident will be transferred to the NYPD when the NYPD arrives at an HRA Center.

I welcome your further comments and recommendations at this hearing as well as in the negotiations regarding the various legislative proposals so that we can further improve both our ongoing policy reforms as well as our new initiatives to address the experiences of clients.

Making HRA Benefits More Accessible

For context, it is also important to consider where we began in 2014 and the changes that we have already made.

Reforming Social Services Policies

Given the major reforms that we made five years ago, it is sometimes easy to forget the major impact on the client experience that each reform has had.

Consider, for example, these policies that we changed to benefit clients:

- Clients used to have to “work off” their benefits in the Work Experience Program (WEP) at City and not-for-profit agencies – we eliminated the WEP program and replaced it with education and training programs to help clients move forward on a career pathway.
- Participation in four-year college was not a permissible employment activity for clients – we successfully advocated for a change in State law to permit clients to obtain college degrees that greatly enhance their ability to earn a living wage.
- Clients who were subjected to punitive sanctions for missing WEP assignments received appointments at the *Intensive Services Center #71*, and if they missed those appointments the entire family would be denied assistance – we closed *Center #71*.
- Clients used to be subjected to durational sanctions for Cash Assistance if they were charged with violating a program rule – we successfully advocated for a change in State law as applied to New York City to give clients the chance to “cure” a violation and avert a durational sanction. At the same time, we also advocated for and successfully reduced the State sanction period for SNAP/food stamps.
- Clients used to be subjected to churning due to unnecessary case closings which required clients to request State fair hearings to reopen their case – we put in place new protocols to prevent unnecessary case closings, and, as noted earlier, State fair hearing challenges decreased by more than 47 percent.
- Clients used to be forced to reapply for Cash Assistance if they failed to return mail questionnaires or submit requested documentation – we now make it easier for clients to continue their assistance if they submit what is needed within 30 days of a case closing.
- All homeless clients used to have to travel to a single HRA Job Center in Queens – we stopped that practice and homeless clients can now seek assistance at a Job Center in their home borough.
- All seniors used to have to go to a single HRA Job Center in Manhattan – we changed that and now seniors can receive services at a Job Center in their home borough.
- Previously, clients only received a center ticket that did not list the purpose of their visit. In 2017, we implemented the Universal Receipt – the “Confirmation of Contact with your Center” form was created to provide an individual who completes a visit at a Job or SNAP Center with a document that indicates the nature and date of the visit or contact. A copy of this receipt is also available, in AHRA, to clients that establish an account. This receipt is now codified into Local Law as a result of legislation sponsored by Speaker Johnson.
- Clients with HIV used to have to wait until they were diagnosed with AIDS to receive HASA assistance – working with Speaker Johnson when he was a Councilmember and Housing Works, we ended that counterproductive policy.
- Clients classified as Able-Bodied Adults Without Dependents (ABAWDs) were limited to SNAP/food stamps benefits for only three out of 36 months if they could not find work for at least 80 hours a month because New York City refused to accept a federal waiver of this rule that every other county in New York State and most other States accepted – we reversed this

policy and accepted the waiver that now covers most areas in NYC so that more clients can retain their SNAP benefits.

- Rental assistance checks used to be processed at each individual HRA Job center – in 2014, we streamlined the system by instituting a centralized rent arrears processing unit to ensure payment by the required due date.
- New York City Housing Authority rent payments used to be issued in paper checks – now we have a streamlined system for making these rent payments electronically and we are developing a similar payment system for private landlords. Using ACCESS HRA, clients can confirm that the rent was paid to their landlords pursuant to a reform now codified in State law to provide such confirmation.
- In 2014, 90 clients per year received reasonable accommodations – in settling the 2005 *Lovely H.* class action lawsuit, we began working with an expert consultant to develop tools to assess whether clients need reasonable accommodations as the result of physical and/or mental health disabilities – now 46,000 clients annually receive reasonable accommodations.

These significant reforms have been made possible by our staff who chose to work at HRA to help New Yorkers in need, many dedicating their entire careers to public service, with an average tenure of almost 14 years. HRA's workforce is diverse as indicated by this EEO information: 59% African-American, 18% Hispanic, 15% White, and 8% Asian; 70% of the workforce is made up of women.

And HRA workers are represented by DC37 Union Locals – Local 1549, SSEU Local 371, Local 2627, Local 1407, and Local 924 – as well as many other unions, including CWA Local 1180, Teamsters Local 237, the Civil Services Bar Association of Local 237, the Organization of Staff Analysts, the New York State Nurses Association, the United Brotherhood of Carpenters and Joiners, IBEW Local 3, and Local 30 of the International Union of Operating Engineers.

Our partnership with labor has been a key factor in what we have accomplished so far and will be essential to the success of the further reforms to improve the client experience that I have described today. Clearly, we have much more to do to improve the client experience, but these changes in social services policies show how much progress we can make by working with our staff to address client needs.

Benefits Reengineering

In January of 2012, this Committee held a hearing to focus on long lines, overcrowding, and long wait times at HRA Job Centers and SNAP Centers. And in 2014, this Administration began to build on prior efforts to address this problem through investing in significant reforms to modernize our technology systems, optimize operational efficiency, and improve the overall client experience. With federal and State approval, by removing real barriers to access and creating a self-directed service model for clients, we are now able to permit SNAP applicants and clients to conduct a broad range of transactions with the Agency without the burden of having to physically come to an HRA office.

Thus far, we have seen real results that reflect an improved client experience at HRA SNAP centers. For example, SNAP in-center foot traffic has declined 30 percent since 2014 because applications and

recertifications can now be submitted online and eligibility interviews can be conducted by phone. The percent of SNAP applications submitted online increased from 23 percent in 2013 to 87 percent in 2018 and the percent of SNAP application interviews conducted by phone increased from 29 percent in 2013 to 93 percent in 2018. As a result, in November 2018, while the citywide average wait time was 53 minutes for Job Centers, it was reduced to 26 minutes for SNAP Centers.

At the core of our modernization efforts is the ACCESS HRA (AHRA) portal. We will be providing a detailed update of ACCESS HRA at the upcoming Hunger Hearing, but I would like highlight a few facts that exemplify how this tool has improved the ways in which clients receive services:

- As of January 2019 there were more than 2 million ACCESS HRA online accounts for SNAP/food stamps households.
- We now receive over 20,000 online applications each month.
- Today, all SNAP eligibility interviews can be conducted at a client's convenience by phone, rather than in a rigid four-hour window under the old system, or clients can choose to come into a center for an in-person interview. On-demand interviews for SNAP recertification have been fully in place for more than two years, and as of September 2018 on-demand interviews for new SNAP applicants are available citywide.

The portal allows clients to create an ACCESS HRA account to gain access to over 100 case-specific points of information in real-time, including application and case statuses, upcoming appointments, account balances, and documents requested for eligibility determinations. Additionally, clients can make changes to contact information, view eligibility notices electronically, request a budget letter, and opt into text message and email alerts. We continue to improve this tool to add new functionality and now clients can submit their SNAP Periodic Report online using ACCESS HRA. This new feature allows clients to report changes in household composition, income and other circumstances.

Another component of our modernization efforts was the rollout of the HRA Mobile App, a self-service mobile app to give clients the ability to use their mobile device to better manage their cases by having immediate access to case details and the ability to submit required documents from their smartphones. Using ACCESS HRA is now as user-friendly on a mobile device as it is on a PC. This redesign will make transactions such as recertifying for SNAP even easier for clients who access the site from a mobile device because of the seamless integration between the ACCESS HRA mobile app to the ACCESS HRA Client Portal. Since the application's launch in March 2017, clients have uploaded nearly four million images and the app has scored a 4.6 app store user rating.

In addition, we have modernized our SNAP centers by providing on-site self-services. For clients who prefer to access our services inside one of our centers, we now have a suite of self-service tools, which includes self-service check-in kiosks and PC Banks to utilize ACCESS HRA and self-service scanning of documents.

Overall, by providing an enhanced client experience in SNAP centers, these lower-touch service models free up our eligibility workers' time so they can focus on those clients who need more support and assistance.

And learning from our progress modernizing our SNAP systems, we have begun to integrate technological improvements into our Cash Assistance program to similarly improve the client experience in Job Centers like the one where the December 7th incident occurred.

For example, beginning next month, we will be conducting an awareness campaign to remind clients that they can submit recertification questionnaires online, and submit documents from a smartphone, without the need to come into a Job Center. While clients will still conduct an in-person interview, as required by the state, these online transactions can reduce the amount of time spent in centers.

However, as was the case with many of the SNAP reforms, we require approval to make many of the Cash Assistance reforms to reduce the need for clients to come into Job Centers as opposed to transacting business online or by phone as SNAP clients can now do. To obtain the necessary approvals, in July of 2018, we launched the Bronx Cash Assistance pilot, designed to enable individuals to apply for Cash Assistance through the ACCESS HRA online portal outside of our office locations. The pilot structure supports staff in 14 community-based organizations (CBOs) who work directly with clients to provide benefits enrollment assistance. Along with offering the Cash Assistance application at their offices, these CBOs also have a DSS Community Engagement Liaison assigned to them who provides support and assistance to their staff. We hope that the success of this pilot will demonstrate the value of accepting Cash Assistance applications online so that we can obtain approval to modernize our systems and realize similar improvements for Cash Assistance clients as we have with SNAP.

Staff Training

In addition to the HRA reforms to enhance the client experience through programmatic and operational improvements, we have implemented and continue to sharpen our training curriculum for all front-line staff. The curriculum reflects a holistic approach designed to provide staff with tools to assist clients by recognizing their unique circumstances while also improving basic customer service. We have also collaborated with the New York City Council to enact Local Law 15 of 2018, sponsored by Council Member Levin, which codifies HRA/DSS's provision of customer service and professionalism training for all employees who interact with members of the public and work in Job Centers or Supplemental Nutrition Assistance Program (SNAP) Centers, where individuals may apply for public assistance benefits. As noted earlier, the agency is also developing training on trauma-informed service delivery for all staff.

Taken together, these trainings improve interactions with clients and provide staff with the skills and knowledge necessary to treat clients with dignity and respect. Here is a brief overview of the curriculum:

- **Diversity and Inclusion: Everybody Matters:** Teaches how to create an environment where people can feel included and at the same time understand how to manage conflict across lines of difference.
- **Lesbian, Gay, Bisexual, Transgender, Questioning, and Intersex (LGBTQI) Basics Training:** covers terminology and concepts, LGBTQI history, LGBTQI-related laws and policies, and best practices for working with LGBTQI clients and colleagues. This training has reached over 15,000 employees and sessions are offered on an ongoing basis.

- **Introduction to Disabilities: An Overview of Disability Awareness, Etiquette and Culture:** Public Facing HRA staff receive this all-day training which explores attitudes, discrimination, legal requirements under the ADA, current challenges, disability etiquette, appropriate language, and ways to assist individuals with particular types of disabilities. It also includes a segment on de-escalation techniques and covers how to request reasonable accommodations within our system.
- **Access for People with Disabilities – Ensuring Success through Supervision:** Supervisors of public facing staff also receive this half-day training, which includes interactive scenarios of challenging situations involving people with various disabilities, such as instances where clients are angry or dissatisfied with HRA services.
- **Domestic Violence:** This training teaches staff how to recognize signs of domestic violence – even if the client does not expressly disclose such information – and informs them of available domestic violence services.
- **Mental Health First Aid:** Teaches the skills needed to identify, understand, and respond to signs of mental health and substance use challenges and crises.
- **The Effects of Poverty and Trauma:** Teaches the connection between living in poverty, experiencing trauma, and the adverse impact on brain development.
- **Customer Service:** Establishes a distinct and direct relationship between client-based services and the agency's mission, policies, and procedures. This training deals with serving the internal and external customer in addition to empathy, listening versus hearing, the value of respect, timeliness and quality.

Proposed Legislation

The bills attached to today's hearing contain many important ideas that we are carefully reviewing, some of which we have already implemented or are in the process of implementing. We have made progress in improving the client experience over the past five years, but we know there is still much more work to be done. We look forward to working with you in the consideration of the many good ideas in these bills.

In considering these bills, we also want to point out that our prior and new reforms are imperiled by the potential loss of \$125 million in annual public assistance funding due to the State Executive Budget proposal to cut reimbursement of Temporary Assistance for Needy Families (TANF) funding to New York City by 10%. Given the impact of this potential budget gap, we need the support of the Council to prevent this cut from being enacted.

Our Commitment to Keep Improving

Overall, we have instituted comprehensive substantive reforms over the past five years to improve the client experience through benefits delivery enhancements and through new policies, procedures, and staff training protocols. However, even with these ongoing major reforms, we are prepared to learn from unacceptable client experiences and take the measures necessary to address client concerns. As Ms. Headley's experience illustrates, there is a need to constantly reevaluate and reform our policies

and procedures, and we are committed to building on the major changes we have made over the past five years to improve services for New Yorkers in need to make sure they are always treated with dignity and respect and that what happened to Ms. Headley never happens again.

Thank you for the opportunity to testify today, and I look forward to your questions.

Testimony of the Safety Net Project at the Urban Justice Center

Re: Oversight - Client Experience at HRA Centers.

Hon. Steven Levin
Committee on General Welfare
New York City Council
February 4th, 2019

My name is Helen Strom and I am the Benefits Team Supervisor for the Safety Net Project at the Urban Justice Center. I am testifying on behalf of the Safety Net Project in support of the thirteen bills being discussed today.

Founded in 1984, the Safety Net Project (SNP) at the Urban Justice Center advocates for safe and secure housing and fundamental resources like food and cash assistance for underserved and marginalized communities in New York City. Specifically, our public benefits team represents over 1,000 households each year in Manhattan, Queens, Brooklyn, and the Bronx who are facing critical issues in accessing Public Assistance and SNAP benefits. Each week, we operate four walk-in legal clinics at major food pantries and soup kitchens across the City and speak to New Yorkers about their experiences seeking and receiving benefits from HRA.

The Safety Net Project also supports the Safety Net Activists, a group that organizes for change for underserved New Yorkers, with a focus on the public assistance, homeless shelter, and food stamp systems in New York City. Since the Safety Net Activists were founded in 2014, they have regularly advocated for change at HRA and DHS, and have had regular meetings with HRA leadership—including Commissioner Banks—to share common problems, personal experiences, and recommendations for change in an attempt to address systemic issues and bring about much needed reforms for the administration.

I want to thank the Council Members who, by introducing these bills, are taking crucial steps towards critical reform of the City's public benefits administration. By aiming to increase oversight and accountability of the system, and to reduce certain barriers to accessing and maintaining benefits, these bills are necessary steps forward towards improving the quality of service and treatment of people who visit HRA Centers.

The current, critical issues that are addressed in the hearing today result from long-standing governmental and societal efforts to restrict access to public assistance in the United States, including in New York City. Bureaucratic obstacles and mistreatment have long been used as deliberate tools in order to reduce public assistance caseloads.

Less than twenty-five years ago, Mayor Giuliani, who had already denounced the welfare system as too "user-friendly," embarked on a campaign "to end welfare by [the year 2000]

completely..." regardless of the city's poverty level or unemployment rate.¹ The Giuliani administration worked diligently to divert PA recipients and applicants by, among other things, instituting diversionary and time-consuming mandatory appointments: a single missed appointment led to an application being denied or a case closing.² Job Centers were offered financial incentives to cut their caseload by 10 percent.³ This philosophy of "diversion" and deterrence towards PA recipients continued under the Bloomberg administration. This is the history from which we are working to build a respectful and responsive culture at HRA today.

In 2014, Mayor de Blasio appointed Steven Banks as the commissioner of the HRA. Since then, Commissioner Banks has made strides improve HRA's transparency and accessibility. He has overseen a series of improvements in the City's public benefits system, including the implementation of new trainings for center workers, the adoption of a "Universal Receipt" to be given to all clients who visit HRA centers, the creation of new HRA centers in the Bronx, and the use of technological advancements that enable New Yorkers to more easily submit documents and access information relating to the status of their PA and SNAP applications and cases.

Despite these improvements, however, PA and SNAP applicants and recipients continue to face extreme issues navigating the public benefits system, including improperly processed documents, hostile interactions with Center staff, inability to access workers by phone, and long wait times at Center when they need to speak with a worker or supervisor. These problems and other bureaucratic obstacles cause individuals' benefits to be denied, delayed, or cut off altogether, posing a severe threat to New Yorkers who rely on such benefits and services to live.

Safety Net Project Report: "The Bureaucracy of Benefits: Struggling to Access PA and SNAP in NYC"⁴

The thirteen bills introduced by Council Members for the hearing today take crucial steps to address some of the issues raised in the Safety Net Project's most recent report, entitled "The Bureaucracy of Benefits: Struggling to Access Public Assistance and SNAP in NYC." The report, which surveyed over 100 New York City Human Resources Administration (HRA) clients, found that New Yorkers attempting to access public benefits face a myriad of bureaucratic barriers and challenges at every step.

¹ Giuliani, Rudolph. "Reaching Out to All New Yorkers by Restoring Work to the Center of City Life." Speech at Republic National Bank. 20 July 1998, New York, NY.

² New Urban Poverty. "History of Poverty and Homelessness in NYC: Rudolph Giuliani." *History of Poverty & Homelessness in NYC, 2012*. povertyhistory.org/#rudolph-giuliani.

³ Scharf, Rebecca L.; Bassis, Barry; Doran, Lorraine; DeWitt Duke, Benjamin; Friedman, Donald; and Schneider, Matthew, "The Wages of Welfare Reform: A Report on New York City's Job Centers" (1999). *Scholarly Works*. Paper 587. <https://scholars.law.unlv.edu/facpub/587>

⁴ Kiana Davis, Helen Strom, Craig Hughes, and Zak Aldridge. *The Bureaucracy of Benefits: Struggling to Access Public Assistance and SNAP in New York City*. Safety Net Project and Safety Net Activists at the Urban Justice Center. January 2019.

The report's release follows a widely-publicized incident that occurred on December 7th, 2018, when Jazmine Headley, a black woman at the center with her infant son to seek assistance with her childcare benefits, was arrested at the HRA DeKalb office. HRA security officers called the NYPD after Jazmine Headley sat on the floor with her 1-year-old son to wait to speak with a supervisor because there were no available chairs. NYPD officers wrough her child from arms and arrested Ms. Headley, who was held at Rikers Island for five days.

While Ms. Headley's story has garnered a huge amount of media and political attention, we know from our daily work that hostile and traumatizing experiences play out every day at HRA centers. The data from our report confirms the commonality of experiences like Headley's, and highlights many of the rampant problems that constituents at both SNAP and PA centers continue to face.

It is important to note that those who interact with the bureaucratic obstacles and frequent mistreatment of the Public Assistance program in New York City are overwhelmingly people of color, and most are families with children. In New York City, 349,761 people received cash assistance as of June 2018; another 6,504 received federal emergency assistance grants. Of these recipients, 46 percent are children. While race data is not available for the full cash assistance caseload, it is available for a subset of the caseload who access TANF (the federally funded portion of the Public Assistance program in NYC), approximately 34% of the full PA caseload. Of the TANF recipients, 49 percent identified as Hispanic, 42 percent identified as black, and six percent identified as white. More than 80 percent of cases included an adult woman, and 30 percent included a child under three years old.⁵

Mistreatment at Centers

Our report found that, despite additional trainings for center workers instituted by HRA Commissioner Steven Banks, constituents continue to face institutional disregard and abuse when seeking assistance. 34% of survey respondents reported that HRA workers "always" or "often" spoke to them in a mean, hostile, or nasty manner at Public Assistance (PA) Centers and an additional 36% reported that this happened at least "sometimes."

Wait Times

Further, while wait times published on the HRA website reflect wait times of 51 minutes at Job Centers and 47 minutes at SNAP Centers, survey respondents reported average wait times of 3.13 hours at Job Centers and 2.78 hours at SNAP centers in order to speak with a worker. We do not know what methodology HRA uses to calculate the wait times that it publishes on its website. A possible source of the divergence of the data could be that our survey asked how

⁵ "HRA Monthly Fact Sheet: July 2018" Human Resources Administration, Accessed January 11, 2019, https://www1.nyc.gov/assets/hra/downloads/pdf/facts/hra_facts/2018/hra_facts_2018_07.pdf

long respondents waited to speak with a worker or supervisor. HRA data, however, may be averaging wait times for all people who visit an office for any reason, which would include people using self-service scanners in the waiting rooms that only spend a few minutes at the office. If that is the case, one can expect that individuals who need to speak with a staff member experience wait times, on average, far longer than those publicly displayed on HRA's website.

Phone Lines at HRA Offices

The report also analyzed HRA's internal phone audits, which revealed that 64% of constituent calls to local Job Centers were either not returned and/or experience connection or voicemail problems. Many respondents additionally reported that at both SNAP and PA centers, they struggled with convoluted application processes, confusing HRA notices, mismanaged paperwork, and unexpected and frequent closings of benefits.

New Yorkers seeking to access public benefits are among the city's most vulnerable residents. These issues leave constituents frustrated and powerless to access the support they need. Their poor treatment at the hands of the City's social services system should serve as an urgent call to action for enacting reforms such as those outlined in the following bills.

Staffing and Work Environment at HRA Offices

While we support the accountability mechanisms proposed today, we believe that true change at HRA offices also requires a real financial commitment by the City of New York to ensure that benefits offices are adequately equipped and staffed.

While HRA's frontline staff are often the Agency's most visible face, they have long faced a variety of challenges such as faulty computer systems and inadequate staffing. A March 2009 report by Public Advocate Betsy Gotbaum's office surveyed HRA workers at Job Centers and found that "not enough staff" was the most difficult obstacle faced by eligibility workers.⁶ Technology issues, including "computers are not reliable" and "unable to retrieve client's scanned electronic documents" also ranked among the five most difficult problems faced by SNAP and PA eligibility workers.⁷

While much has changed since 2009, insufficient staffing continues to be raised as one of the most significant barriers to better service in our meetings with HRA officials about Job Centers. Furthermore, in our conversations with HRA staff at Job and SNAP Centers, problems with technology continue to present major barriers to HRA staff being able to complete their day-to-day jobs.⁸ Crucial computer systems are sometimes out of operation for part of the day, and workers are sometimes unable to see scanned documents submitted by a client until 3-5

⁶ Public Advocate Betsy Gotbaum, "Paper(less) Jam: a survey of New York City Human Resources Administration Eligibility Specialists," March 2009.

⁷ *Ibid.*

⁸ J.S. (Eligibility Specialist at HRA), interviewed by Helen Strom, New York, NY, January 2019.

days after they were submitted.⁹ While HRA has made technological improvements to decrease the number of people who need to visit Centers, many staff continue to report to us that there is not adequate staffing at their locations to fully service the people who contact them each day.

Without resources to address these critical issues, people will continue to experience inaccurate case closings and denials, long wait times, unanswered phone lines, and inadequate treatment from overwhelmed staff seeking to rush through client meetings before the end of the day. The City Council must work with HRA and the Mayor to ensure that HRA Centers are sufficiently staffed to serve the caseload in their area and that the agency's computers and technology are effective and functional so that staff can efficiently perform their everyday jobs.

Current Legislation

We support the proposed bills being considered today by the General Welfare committee to bring about overdue, critical reforms to HRA, and have provided recommendations for amendments in order to increase their effectiveness. Many of the proposals overlap with recommendations from our report, the "Bureaucracy of Benefits," and we appreciate the Council Members' consideration of our comments on the bills.

1. Preconsidered Int. No.T2018-3440, regarding annual report of client complaints to HRA (Council Member Deutsch)

We support Intro 3440, which would require HRA to issue annual reports on the number of complaints by clients. For our report: "The Bureaucracy of Benefits," we FOILED complaint data from HRA, which included all complaints submitted to the HRA Centralized Complaint Unit via telephone or online for all SNAP and Job Centers from January 2015 through December 2017. Many HRA recipients are unaware of this mechanism for making complaints; accordingly, the number of recipients who experience difficulties is likely significantly higher than the number of officially recorded complaints. Nevertheless, the complaint data provided important insight into some of the primary problems experienced by people receiving SNAP and Public Assistance and allowed for comparisons between service across different offices.

The preconsidered bill by Council Member Deutsch would increase and improve oversight of these complaints, which is crucial in highlighting main issues for HRA benefit recipients. The public reporting of complaints will hold HRA accountable for improvements, particularly in identifying which complaints have been resolved and which have not.

We support this preconsidered bill being submitted along with the other bills put forth by the General Welfare committee. We recommend that the bill be clarified to specify all forms of complaint submissions that must be included in the report (i.e. calls to 311, complaints made to Constituent Affairs and the HRA Central Complaint Unit, in-person complaints made at Job and

⁹ *Ibid.*

SNAP Centers). We recommend that the bill propose and enforce a process in which complaints submitted by constituents to individual workers either in centers or over the phone be tracked. We would also encourage Council Member Deutsch to incorporate language that will promote how constituents are both informed and encouraged to submit complaints to the appropriate channels.

2. Resolution No. 0721-2019, regarding grace period before PA and SNAP terminations (Council Member Cumbo)

We support Resolution 721, which calls on the State to sign legislation that would provide a grace period before terminating PA or SNAP benefits due to a change in income and/or employment and allow time to contest the termination of benefits or prepare for the termination. Currently, benefits recipients have very little time or notice to contest terminations, which take effect only ten days after the date that the notice is printed. By the time the notice is received, it may be too late to take action to prevent the closing. A range of circumstances, including delays in the mailing of letters, delays in the Postal Service due to holidays, and complications with receipt of mail - particularly when individuals are in shelters or on the street - mean that recipients have too little time to receive and respond to letters that deal with urgent matters of food, housing, and childcare assistance. With such little notice, most recipients are unable to contact HRA to resolve the matter before the stopping of their benefits. Once their benefits are closed, it is often exceedingly difficult to get them reopened, with HRA staff often directing the individual to "re-apply" and complete the arduous application process all over again and endure the 30-45 waiting period.

To avoid this problem, we encourage HRA to implement new procedures to mail notices out at least 20 calendar days before their effective date, allowing recipients time to contest the termination or prepare for it. Federal law and state regulation requires that such notices be mailed out "*at least 10 days before the date upon which the proposed action is to become effective.*" However, we are not aware of any restriction prohibiting OTDA and HRA from sending notices out more than 10 days before the action. HRA should work with the State to send this notices out at least 20 days before the date in which the proposed action is to become effective. We also regularly see a delay of several days between the dates printed on HRA's intent notices and the date stamped on the postage envelope; we therefore recommend that all notices be mailed out on the same day or the next business day after they are issued to ensure that recipients have the full amount of time to respond.

Furthermore, in cases where increased income causes PA recipients to lose their eligibility for cash benefits, HRA should improve its processes for enrolling families in transitional benefits systems to make sure that those eligible can continue receiving Transitional SNAP benefits and Transitional Child Care benefits. The loss of PA can be challenging even for families whose incomes have increased to push them over the eligibility limit. The enrollment in the aforementioned transitional benefits can be crucial to these households and we frequently hear of clients who, despite the policies in place, were not made aware of or automatically enrolled in

the transitional benefits to which they are eligible. Two specific issues that we hear raised consistently are: 1) Individuals who are unaware of Transitional Child Care or have problems enrolling; and 2) Individuals who receive Transitional SNAP but then have issues with the SNAP recertification process that would allow them to continue to receive SNAP after 5 months.

Finally, while this bill combats the current problems that arise when benefits are terminated, the New York State Legislature should ultimately increase income eligibility for PA and SNAP. Income eligibility levels for PA and SNAP benefits are incredibly low, which cause economic income cliffs whereby individuals are cut off from these vital supports despite their income remaining inadequate to maintain their basic needs.

3. Int. No. 1389, regarding reporting of Public Assistance (PA) terminations (Council Member Williams)

We support Intro 1389, which would require DSS/HRA to issue a quarterly report on instances of PA terminations. We believe this will be crucial in holding HRA accountable for what we refer to in our report as the “churning” of PA cases—that is, repeated and premature case closures and denials due to bureaucratic obstacles, even though a recipient is still in need of benefits.

We recommend that, in order to avoid vagueness, the bill require reports to include, as they relate to the termination of aid, “The specific reason for the action.” Furthermore when the reason is related to alleged non-compliance of the recipient, the specific type of non-compliance should be specified (i.e. the specific type of appointment missed or the specific type of document not provided).”

Further, we would recommend that the bill include an additional requirement that DSS/HRA also report on instances of PA “denials,” with the same information being reported for those cases.

The submission of this data should not pose an undue burden to HRA as they are able to generate this information and it is published annually in the OTDA Annual Legislative Report. Unfortunately, however, the Legislative Report does not provide sufficient specificity to understand the reasons that people’s cases are being closed with such regularity. In the 2018 Legislative report for example, there were 183,319 total case closings on Public Assistance cases from July 2017 - June 2018. The closing reason for 93,247 cases, or roughly half of these closings, was “Compliance - Other” and the closing reason for another 35,392 cases was simply “Other.” More detailed data regarding the reasons for case closings and case denials, which are already tracked in HRA’s computer system via “closing codes” and “denial codes”, must be provided. This data will allow HRA, the Council, and the public to track which reasons are most often causing cases to be closed and denied and implement effective solutions.

4. Int. No. 1382, regarding auditing Job and SNAP centers (Council Member Rosenthal)

We support Intro 1382, which would require an audit of HRA Job and SNAP Centers analyzing wait times, staff-to-visitor ratios, and access to/efficiency of technology, and the development of a plan to address complaints received. We suggest that the bill require HRA to conduct and submit the specified report annually, rather than just once, in order to serve as a mechanism through which the agency measures and analyzes its own performance and to increase ongoing accountability.

Currently, HRA reports the average wait time in centers as forty minutes, according to the most recent Local Law 20 report. The survey we conducted for our report asked respondents to answer: "In 2017, how long on average did you wait at your job center before speaking with a representative?" The responses we received from 137 survey respondents showed average reported wait times between 2.78 and 3.13 hours. Ms. Headley's experience of waiting four hours to be seen by two different workers, as well as some of the testimonies heard from other benefit recipients today, all show wait times much more closely aligned with our report findings than the city's publicly reported numbers. Therefore, we suggest that the audit be made available to the public in addition to the Council and the Mayor. We also advocate that an independent group, such as the Comptroller or another independent agency, be involved in conducting or reviewing the audit, to ensure accuracy and objectivity.

Finally, to ensure the data presents a comprehensive picture, we recommend that the bill require greater detail in the audit by separating out wait time numbers by reason for visit. This will distinguish between clients who are there for: 1) document drop-off, 2) walk-in constituents waiting to meet with a worker or supervisor, 3) constituents filing new applications, and 4) those clients who have scheduled appointments. Further, scheduled appointments should be categorized into 1) recertification appointments, 2) conciliation appointments, 3) mandatory dispute resolution appointments, and others. These wait times should be trackable via the HRA ticketing system, which identifies the purpose of a constituent's visit when they enter the Center.

The bill should also break down staff-to-visitor ratios by job title, recording numbers of supervisors, front line staff, and administrative staff separately at each Job and SNAP Center.

5. Int. No. 1350, regarding implementation of a plan responding to center audits (Council Member Gibson)

We support Intro 1350, which would require the HRA Commissioner to implement the plan mentioned in Intro 1382 addressing constituent complaints about the city's Job and SNAP Centers, and to report on the progress of the implementation of the plan. However, we suggest that the bill require HRA to evaluate and implement additional recommendations on an annual basis, as a means of accountability and tracking. The agency has a long history of deterrence and inefficiency, and changing the culture of its offices will take time. The report outlined by

Councilmember Gibson's bill has the potential to act as a long-term mechanism by which the agency measures, analyzes, and improves upon its own performance on an annual basis.

6. Int. No. 1377, regarding client satisfaction surveys at centers (Council Member Richards)

We support Intro 1377, which would require DSS to provide Job or SNAP center clients with an anonymous client satisfaction survey upon check-in at a center. However, as the bill does not currently specify what must be included in the survey, we suggest that, at a minimum, the survey should be required to include questions on treatment and interaction with staff. Our report revealed that negative interactions with and mistreatment by HRA workers continue to be major areas of concern for constituents.

We also recommend that the survey ask for the client's race, gender, and ethnicity. Historically, people of color and particularly women have disproportionately borne the institutional disregard and abuse that occurs in the distribution of public benefits. Tellingly, a recent review by the Urban Institute of found that across six different programs funded by the federal Administration for Children and Families, including TANF (federally-funded Public Assistance) and Head Start, "the same racial and ethnic groups generally tend to experience poorer outcomes." Furthermore, the research found "that there are factors both internal to the service delivery system, such as worker bias and discretion or location of services, and external, such as employer discrimination or nonstandard work hours, that can lead to racial and ethnic disparities in access, treatment, and outcomes in relation to ACF programs."¹⁰

In light of this research, optional self-reporting of this information can help paint a more complete picture of the systemic issues disproportionately affecting certain demographics.

Further, we recommend placing boxes for surveys in each waiting room and near exits. Finally, since we anticipate that HRA may be concerned about the administrative burden of administering the surveys, we suggest that HRA utilize scan or other automated technology, so that survey results do not have to be entered manually.

7. Int. No. 1359, regarding reporting on PA termination and reapplication (Council Member Levin)

¹⁰McDaniel, Marla, Tyler Woods, Eleanor Pratt, and Margaret C. Simms. 2017. *Identifying Racial and Ethnic Disparities in Human Services: A Conceptual Framework and Literature Review* https://www.urban.org/sites/default/files/publication/94986/identifying-racial-and-ethnic-disparities-in-human-services_1.pdf.

We support Intro 1359, which would require HRA to issue a public report on instances of Public Assistance termination in which the recipient reapplied for public assistance. We believe it will be crucial in holding HRA accountable for, what we refer to in our report as the “churning” of PA cases—that is, repeated and premature case closures and denials due to bureaucratic obstacles, even though a recipient is still in need of benefits.

We suggest that the bill also include instances when public assistance was denied and the recipient reapplied. We also suggest that the bill include instances in which cases were closed and subsequently “reopened” by HRA.

Additionally, to provide further specificity, we suggest that the provision of the bill stating that the report cover cases in which PA had been terminated “at some point in the past” be changed to cases in which PA had been terminated within the past year.

8. Int. No. 1347, regarding online/phone appt system implementation (Council Members Cumbo and Levin)

We support Intro 1347, which would require HRA to develop a system in which individuals can schedule appointments for in-person services over the phone or online. This bill is related to the Safety Net Project’s report recommendations, which calls for appointment rescheduling to be handled by specialized phone numbers where constituents can reach live HRA staff. The Safety Net Activists suggest that this bill require that this phone line be appropriately monitored to ensure that no calls are missed, as missed calls often result in additional case denials or discontinuances. Finally, we request that HRA ensure that this number can be conveniently routed to via 311, as clients may call 311 seeking to schedule in-person appointments.

We note that HRA has taken steps to provide easier access to phone interviews for SNAP recipients, through the TIPS model in which applicants can call and complete their interview “On-Demand” instead of having to walk into a Center or wait for a call from HRA. We applaud this change. However, there are still many Public Assistance appointments required as part of the PA application, recertification, or ongoing eligibility that currently are not easily rescheduled. This bill will ensure that these appointments can be rescheduled as well and will allow for fewer PA denials and case closures.

9. Int. No. 1337, regarding requiring centers to have space for children (Council Members Ampry-Samuel, Levin, and Cumbo)

We support Intro 1337, which would require HRA Job and SNAP Centers to provide spaces for children, and create posters outlining the availability of such space. The bill would implement one of the Safety Net Project’s report recommendations, which advocates for redesigning the physical space of centers to foster a more receptive environment. Because the physical environment of Centers can have a significant impact on the constituent’s experience, aiming to make that space as welcoming as possible to constituents and their families is vitally important.

One addition to the bill could be the requirement that individuals be allowed to bring in food and drink, since families are often waiting for hours in order to be seen by different workers.

10. Int. No. 1335, regarding requiring social workers employed at centers (Council Members Ampry-Samuel and Cumbo)

We support Intro 1335, which would implement one of the Safety Net Project's report recommendations by requiring that each HRA Job and SNAP Center employ a full-time social worker. Employing onsite social workers would improve the constituent experience and reduce burden for HRA staff by ensuring that a licensed professional is available to assist people with mental health challenges, people with disabilities, or other community members with particularly difficult challenges. In addition, we suggest that the bill outline an appropriate ratio of social workers to number of cases at each center, as larger centers with a higher volume of cases may require additional social workers on staff.

We recommend that HRA work carefully with the staff at its Centers to define the role of the Social Workers at each center. Front-line HRA staff and supervisors should still be the primary contact for recipients, and should do their best to resolve issues. (For example, HRA staff should not automatically "send" clients to the Social Worker whenever constituents have complaints or concerns). However, we believe that social workers can be utilized to address and de-escalate particularly difficult situations; and that this approach is far more humane and respectful than the current approach, which is too often to call in security when a constituent is upset. Use of security must be limited to those situations that are related to imminent physical safety, and not as a means of responding to individuals with complaints or concerns.

11. Int. No. 1336, regarding de-escalation and trauma-informed staff training (Council Members Ampry-Samuel, Cumbo, and Williams)

We support Intro 1336, which would implement one of the Safety Net Project's report recommendations by requiring that all employees in Job or SNAP Centers who have client interaction undergo trainings on de-escalating conflict and trauma-informed care. When the survey respondents in our report were asked to reflect on their experiences at HRA in the most recent year, over a third of respondents (34%) reported that HRA workers always or often spoke to them in a mean, hostile, or nasty manner at Job Centers and another third of respondents (33%) stated that they have had this experience "sometimes." We therefore recommend increasing the regularity of these trainings from a biannual basis to a quarterly basis. We also would request clarity and confirmation that the training will be required for all present employees as well as for new staff. Further, we recommend that the bill outline in more specific detail the nature of the trainings, including who will be conducting the trainings.

Finally, we recommend that the bill require all new and existing staff be trained in the curriculum created by the CUNY Hunter Silberman School of Social Work, which was designed specifically

for HRA and which includes acknowledging the trauma experienced by HRA's clients, as well as the impact of secondary trauma on HRA staff. This curriculum was piloted last year, and in a June 2018 meeting with the Safety Net Activists, HRA reported that the pilot training was extremely impactful for the staff involved. As of our last meeting, HRA was planning to incorporate a condensed version of the training into their new staff training. Given the extremity and pervasiveness of the trauma and disrespect experienced by constituents at HRA centers, we recommend that HRA include the full Hunter curriculum in new staff training and that it implement a timeline to train all existing staff.

12. Int. No. 1333, regarding reporting of use of force incidents (Council Members Adams and Levin)

We support Int. No. 1333 which would require HRA to report any use of force incident in a DSS/HRA office. We think that this accountability is critical to protect those in benefits offices from unnecessary use of force by HRA Peace Officers or NYPD Officers.

Finally, we recommend that the Council require that HRA report the number of times each quarter in which FJC security, HRA Police, or NYPD are used to remove an individual from an HRA Office, including the date of the incident, the cause for removal, and the office in which the incident occurred. We also recommend that the Council add a provision requiring HRA and the NYPD to report on all incidents each quarter in which HRA Peace Officers or NYPD Officers issue a summons at an HRA office, including the specific charge alleged, the date of the incident, and the office in which the incident occurred.

We have met many individuals who are forcibly removed from the offices when they insist on speaking with a supervisor or become upset, without posing any sort of physical threat. Furthermore, some of these individuals receive summons at HRA offices for "trespassing" or "disorderly conduct." This reporting will provide greater oversight over the use of security and police at HRA offices and identify Centers that are particularly aggressive in use of security and police.

13. Int. No. 1332, regarding creation of the office of the special handler (Council Member Johnson)

We support Intro 1332, which seeks to review and address benefits terminations through the creation of an Office of the Special Handler at the DSS.

Currently, complaints at HRA can be submitted online, via email, or via phone. Phone complaints can be made via the HRA Central Complaint Unit (718-291-4141), the HRA Office of Constituent Services (212-331-4640) or HRA Infoline (718-557-1399). Currently the HRA Office of Constituent and Community Affairs is responsible for ensuring that complaints are followed up on and resolved within a two week time period. Unfortunately, however, we find that staff on

these lines often discourage people from filing complaints (perhaps due to the extra work involved in putting in the complaint) and instead tell people that they should contact their local Job or SNAP Center or simply re-apply for benefits. Furthermore, the staff in this office is not permitted to take action to resolve issues on case, and instead must send inquiries to the local SNAP or Job Center to get the issue resolved, which may or may not be answered.

We suggest that in addition to the creation of a separate phone number, that all complaints regarding termination made through the above channels are forwarded to the Office of the Special Handler. We request that the bill outline in further detail how this new office would ensure that phone calls are responded to and tracked, and that issues/resolutions are recorded. Further, we suggest that, in addition to a phone number, an online complaint option be added.

Additionally, it is imperative that the Council allocate resources to HRA Centers or directly to the Office of the Special Handler so that staff can take action to resolve termination issues directly for clients. If the Special Handler intends to forward cases back to the HRA Centers for review, HRA Centers will need additional capacity in the local offices so that staff and supervisors are able to take the time to resolve issues directly for constituents. Too many PA and SNAP recipients are still told to "apply again" or "request a fair hearing" when they communicate to HRA staff about an issue. Staff should be encouraged to resolve issues for eligible individuals, but they must also have sufficient capacity to do this.

Another consideration is the capacity needed to conduct an adequate review of benefits cases that are being terminated. For example, there were 183,319 total case closings on Public Assistance cases from July 2017 - June 2018. In order to prevent unnecessary case closings across the agency, HRA must increase staff capacity across the agency so that workers and supervisors have sufficient time to thoroughly review cases set for closure or termination. The agency should also institute additional processes that require workers and supervisors to reach out to recipients via mail or phone when there is a missing component to an application or recertification, *prior to* taking action to close or deny the case.

Finally, we are concerned about whether the office will be able to maintain enough objectivity to be effective if it is located within DSS. We would recommend that the Council Member Johnson explore if there is any external agency or office that would be better suited to oversee this new role.

Conclusion

Thank you for your time and consideration today. We look forward to working with you in the coming months to ensure that New Yorkers seeking crucial entitlements from HRA are able to access them and are treated with dignity and respect.

Please do not hesitate to contact us and we look forward to working with you.

Kiana Davis, Safety Net Project, kdavis@urbanjustice.org, 646-923-8304
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SAFETY NET ACTIVISTS

Supported by the Safety Net Project at the Urban Justice Center

NEW YORK CITY COUNCIL TESTIMONY

T2018-3440 HRA CENTER REPORTING

T2019-3697 OVERSIGHT THE CLIENT EXPERIENCE AT HRA CENTERS

**T2019-3665, T2019-3652, T2019-3653, T2019-3662, T2019-3648,
T2019-3666, T2019-3656, T2019-3676, & T2019-3644**

My name is Wendy O'Shields I am a New York City Welfare and Homeless Rights Advocate working with the Urban Justice Center Safety Net Project and Activists.

I support Int Bill T2018-3440 for the HRA Centers to report annually on the number of complaints made by applicants or recipients. I support T2019-3697 for HRA Center Oversight. T2019-3665, T2019-3652, T2019-3653, T2019-3662, T2019-3648, T2019-3666, T2019-3656, T2019-3676, & T2019-3644 I support.

I believe these following suggestions will improve the HRA Centers, staff, facilities, and recipients' experience.

HRA CENTER STAFF

1. The addition of New York State licensed Social Workers in good standing with a Master's degree from an accredited College or University. The HRA staff Social Workers can triage the audience and direct applicants or recipients to the correct locations, answer questions, de-escalate with trauma sensitivity, refer to DHS Homeless Shelters, Drop-In Centers, Safe Havens, Faith Base Beds, Soup Kitchens, process for emergency food or clothing, and offer other life sustaining resources.
 - a. Please consider a ratio of fulltime Social Workers per HRA Center's needs e.g. 3 to 4 staff for an extremely busy Center, 2 or 3 staff for a moderately busy Center, and Centers with the least traffic 1 to 2 staff.
2. Mandate HRA staff to inform Street Homeless or the recently evicted about DHS Homeless Shelters, Drop-In Centers, Safe Havens, and Faith Base Beds especially during Code Blue or Code Red.
3. All onsite employees to wear nametags on their person identifying their first initial and last name.
4. A yearly Ethics class and a comprehensive exam certification upon completion.
5. Set a deadline for all present HRA employees on the job from January 1, 2019 to complete Dr. Willy Toliver's comprehensive HRA Trauma Based training.

6. An FDNY approved ratio of onsite staff to earn their CPR and NYS OASAS Naloxone certification.
 - a. FDNY Free CPR Training Program
<https://www1.nyc.gov/site/fdny/education/cpr/be-911-cpr-program.page>
 - b. NYS OASAS Announces Free Statewide Naloxone Training Sessions
<https://www.oasas.ny.gov/pio/press/041918StatewideNaloxoneTraining.cfm>

HRA CENTER FACILITIES

7. Working phone numbers for HRA Centers and staff.
8. Clean common areas and bathrooms at HRA Centers.
9. Signage for HRA Centers outside the building with a clearly visible address, in large type, in a prominent place, and possibly lit signage.
10. Signage for HRA Centers inside the building with a clear address, name of the Center Director, Managers, Supervisors, Building Manager, Operations Manager, HRA Law Enforcement, FJC Security Guard Supervisor, and the HRA Childcare staff with their New York State license displayed.

HRA CENTER APPLICANTS AND RECIPIENTS

11. An applicant or recipient maximum visit of one hour for most HRA Center interactions.
12. A HRA Center receipt at the end of every visit listing all documents presented, benefits applied for, and names of all staff serviced by.
13. HRA Center applicants and recipients need a way out of poverty!
 - a. Consider developing a work program similar to the Comprehensive Employment and Training Act CETA 1973. HRA recipients could be mentored and thoroughly trained by many NYC Agencies for professional jobs. A collaborative end goal of employment with the same training agency. This employment opportunity would be offered to recipients, which successfully completed their job description over a year's time. A similar CETA program could mostly replace the HRA "Back to Work" program allowing the City to allocate millions of NYS TANF dollars to exclusive recipient centered assistance.
 - i. The Comprehensive Employment and Training Act CETA is a United States federal law enacted by the Congress, and signed into law by President Richard Nixon December 28, 1973[1] to train workers and provide them with jobs in the public service.
https://en.wikipedia.org/wiki/Comprehensive_Employment_and_Training_Act

Let the record show I am submitting a paper by Peter Germanis "TANF is Broken! The Real Irony is Believing It's been a Success" January 26, 2019. His paper gives a history of 1996 the US block grant TANF better known as Public Assistance and how accessing life sustaining Public Benefits have been blocked from eligible poor citizen's. <https://mlwiseman.com/wp-content/uploads/2019/01/WeidingerTANF.pdf>

Please see my additional documentation enclosed. I thank you for considering my suggestions.

Wendy O'Shields
 Urban Justice Center
 Safety Net Activists Founding Member
 Safety Net Project Advocate Volunteer



The Bureaucracy of Benefits:

Struggling to Access **Public
Assistance and SNAP**
in New York City

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SAFETY NET PROJECT

Contents

Executive Summary	6
Introduction	8
History and Background of PA and SNAP in NYC	11
A Brief History of Public Assistance	11
A Brief History of Food Stamps	15
Public Assistance and SNAP Today	18
Research Methods	19
Findings and Recommendations	
1. Treatment at SNAP and Job Centers	21
2. Public Assistance Case Closings & Denials	24
3. Overloaded Bronx Centers	27
4. Telephone Functionality at Job Centers	28
5. Documentation Errors	31
6. Access to Information and Resources	32
Conclusion	34
Endnotes	35

About the Authors

The Safety Net Project

The Safety Net Project at the Urban Justice Center advocates for safe and secure housing and fundamental resources like food and cash assistance for underserved and marginalized communities in New York City. We combine legal services, policy advocacy, new media campaigns, and community organizing to advance the movement for economic justice.

The Safety Net Activists

Safety Net Project’s community organizing work is led by the Safety Net Activists, a volunteer group of community members who have personal experience with poverty, homelessness, and the public benefits system, and many of whom are former or current Safety Net Project clients. Since 2014, the Safety Net Activists have organized to improve New York City’s safety net programs, including Public Assistance, SNAP, and the shelter system. The Safety Net Activists’ strategies for change include grassroots organizing, policy advocacy, media campaigns, building relationships with allies, and public education to empower New Yorkers and increase awareness of individual rights.

Acknowledgements

This report could not have happened without the input and energy of more than one hundred Public Assistance and SNAP recipients, who provided feedback and insight by participating in our survey. The members of the Safety Net Activists also played a central role by collecting surveys and developing the recommendations for this report. Thank you for your tireless work to build a better safety net and to shine light on the treatment of public assistance and SNAP recipients in NYC.

Many members of our team at the Safety Net Project contributed to the completion of this report. Writing and research was completed by Kiana Davis, Helen Strom, Craig Hughes, and Zak Aldridge. Claire Thomas, Nina Kayzman, Adriana Mendoza, Shezza Dallal, and Emily Ramos played important roles in survey design, collection, and analysis.

Thanks to Scott Wagner, Luis Rodriguez, Don Friedman, Mimi Abramovitz, Milana Dabran, and Camille Zentner for their comments and feedback on the report. Finally, Charles from Eberhardt Press was patient and generous as he designed and printed the final document.

For citation purposes, please use the following:

Kiana Davis, Helen Strom, Craig Hughes, and Zak Aldridge. *The Bureaucracy of Benefits: Struggling to Access Public Assistance and SNAP in New York City*. Safety Net Project and Safety Net Activists at the Urban Justice Center. January 2019.



[NOTE: As This Report Was Being Finalized, NYC Began to Discuss the Culture at HRA Centers...]

ON DECEMBER 7, 2018, JAZMINE HEADLEY, A YOUNG WOMAN OF COLOR, VISITED the Dekalb Job Center with her infant son. Ms. Headley worked as an office cleaner and relied on New York City’s childcare benefits to ensure her son would receive childcare while she tried to earn a living. When her benefits were suddenly cut without notice, she took time off work and traveled to the Human Resources Administration Job Center with her son.

After hours of waiting and asking to speak with a supervisor, Ms. Headley needed to sit down. There were no seats available in the Public Assistance waiting room, so Ms. Headley sat on the floor. As seen in a video that quickly spread across the internet, Ms. Headley was approached and violently engaged by police, clutching her son as Human Resources Administration and New York Police Department officers attempted to wrench him from her arms. She was arrested and held on Rikers Island, and Children’s Services was notified.

In recent testimony before the City Council, Social Services Commissioner Steven Banks said, “What happened at the Human Resources Administration’s DeKalb Center on Friday, December 7, 2018, was completely unacceptable and should never happen again in New York City.”¹

In a *New York Times* interview published on the same day as Commissioner Banks’ testimony, Jazmine Headley said that what had happened to her was “the story of many other people, it’s not just my story.” She continued, “My story is the only one that made it to the surface.”² Ms. Headley’s powerful insight about the commonality of experiences like hers should cause deep concern among municipal officials and serve as an urgent call to action for making reforms.

As our report shows, even under an ostensibly progressive city administration, poor people who seek aid through New York City’s Department of Social Services, or the Human Resources Administration, experience unnecessary bureaucratic barriers at every step. Women — and particularly women of color — bear the brunt of institutional disregard and abuse that occurs in the distribution of public benefits in New York City.

With input from over one hundred Public Assistance and Supplemental Nutrition Assistance Program recipients, we have developed recommendations to reduce the barriers faced each day by those receiving Human Resources Administration-administered benefits. These recommendations by no means address all the institutional issues that conceivably led to what Ms. Headley experienced. But they would take us a long way toward a more responsive and accountable public aid system, drastically improving the everyday experiences of New Yorkers in need.

Executive Summary

This report details many of the challenges that New Yorkers face as they attempt to access Public Assistance (PA) and Supplemental Nutrition Assistance Program (SNAP, also known as Food Stamps) benefits in New York City (NYC). Focusing on the interactions between individuals and the city agency responsible for administering these benefits — the Human Resources Administration (HRA) — this report is intended to highlight the myriad of obstacles that those seeking benefits face and offer recommendations to HRA to improve its processes and procedures for administering these public benefits.

For this report, the Urban Justice Center’s Safety Net Project (SNP) conducted independent research using surveys of SNAP and PA recipients across the five boroughs. In addition, the study aggregated and analyzed:

- HRA constituent complaint data obtained through Freedom of Information Law (FOIL) requests;
- published data on common barriers to SNAP access as reported by NYC non-profit organizations that assist people with obtaining SNAP (compiled publicly by the Food Bank for New York City);
- data published by the Office of Temporary and Disability Assistance (OTDA) on PA and SNAP applications and fair hearings; and
- HRA internal phone audit data obtained through FOIL request.

In 2014, the Safety Net Project published a report examining similar issues, entitled “Culture of Deterrence,” which documented the barriers faced by PA recipients at HRA offices across the City. The current report follows a four-year period of transition at HRA, in which many changes have been made under the leadership of Commissioner Steven Banks to improve PA and SNAP applicants’ and recipients’ access to public benefits. The primary goal of this report is to highlight some of the most prominent and severe issues still faced by PA and SNAP applicants and recipients and provide recommendations to HRA for further improvement of the systems it administers. A substantial history section is included to provide context that will help readers understand the gendered and racialized precedents of the public benefits system, and to shed light on how New York’s benefits administration system has historically been punitive, disrespectful and dehumanizing of those in need of public benefits. We hope to connect this research to larger social movements currently struggling for racial, gender, and economic justice.

While we found some improvements, many of the issues that we identified five years ago continue to present major challenges for constituents seeking to access benefits. Progress in these areas is urgently needed.

Our six main findings are as follows:

1. Constituents are Treated Poorly at SNAP and PA Centers (Centers). Negative interactions and mistreatment by HRA workers continue to be major areas of concern for PA and SNAP applicants and recipients. In 2017, 34 percent of survey respondents

reported that HRA workers “always” or “often” spoke to them in a mean, hostile, or nasty manner at PA Centers. Another 33 percent of respondents stated that they have had this experience “sometimes.”

2. PA Recipients Experience High Rates of Case Closings & Denials. Many benefit recipients have their cases closed or applications denied because of an unnecessarily convoluted application process and confusing HRA notices. When constituents challenge these HRA decisions at state administrative hearings, the cases are generally resolved in the applicant/recipient’s favor, indicating that these denials and closings are often in error or could be resolved earlier in the process by HRA, with less harm to the applicant/recipient.

3. Bronx Centers are Overloaded & Underserved. SNAP and PA Centers in the Bronx have significantly higher proportions of complaints by constituents in comparison to Centers in the other boroughs.

4. Phone Lines at Centers are Neglected. Centers consistently do not comply with HRA’s own phone policy, which requires that phone calls be returned within 36 hours, all phone lines be active, and that accurate voicemail messages are recorded. HRA’s internal audits showed that 64 percent of calls either were not returned and/or experienced connection or voicemail problems.

5. Documentation Errors Occur Frequently. HRA workers consistently fail to provide receipts for, and frequently mismanage, paperwork that applicants/recipients submit. Over 25 percent of SNAP applicants/recipients and over 50 percent of PA applicants/recipients surveyed stated that an HRA worker had lost paperwork that they submitted in 2017.

6. Access to Information and Resources is Limited. HRA fails to successfully inform and screen many PA applicants/recipients for additional HRA grants available to them. Information about these grants is limited and often undisclosed. Constituents stated that they would like to receive more information at HRA offices about these grants, as well as community resources.

This report will illustrate that these six findings are longstanding, rampant, and systemic. They result in hardship for many New Yorkers who are unable to reasonably access the crucial public benefits to which they are entitled and often need to survive.

We propose the following recommendations to HRA to address the findings:

1. Improve Treatment of Constituents at Centers:

- a) train all staff in a trauma-informed approach to service;
- b) hire a social worker to be onsite at each Center;
- c) reduce wait times to under one hour in order to meet with an HRA worker or supervisor; and
- d) redesign the physical space to create a more welcoming and family-friendly environment.

2. Reduce the Number of Case Closings and Denials:

- a) design notices that are more straightforward and coherent;
- b) simplify the PA application process by reducing the number of appointments where possible and providing clearer instructions regarding necessary follow-up appointments; and
- c) provide recipients and applicants with more opportunities to resolve issues before closing or denying their case.

3. Provide Better Service to Benefits Applicants and Recipients in the Bronx:

- a) ensure that services in the Bronx are proportionate to the caseload;
- b) improve workload and working conditions for staff in Bronx Centers; and
- c) strengthen training for staff at Bronx Centers.

4. Improve Job Centers' Phone Systems and Availability:

- a) create accessible rescheduling lines for all appointments; and
- b) adjust workload and staffing to ensure calls are answered and voicemails are returned.

5. Reduce Documentation Errors:

- a) improve technology access;
- b) ensure that constituents always receive document receipts; and
- c) notify constituents if they submit insufficient documentation.

6. Inform Applicants and Recipients of HRA's Additional Grants and Other Community Resources:

- a) retrain all PA workers on the array of HRA grants;
- b) institute new protocol and script requiring workers to review HRA's one-page summary regarding different grants at application and recertification,
- c) institute an information table at Job Centers specifically to provide information about additional resources, constituents' rights, and extra grants; and
- d) designate staff at each PA Center who specialize in benefits for those who are homeless.

Introduction

In 2014, the Safety Net Project published a report highlighting the challenges New Yorkers face while trying to obtain modest public benefits — namely, PA — for themselves and their families. The report, titled “Culture of Deterrence,” described the negative experiences faced by people in New York City trying to apply for or maintain PA, particularly in interactions with HRA. The 2014 report found that constituents overwhelmingly faced:

- a pattern of hostile and confusing communication with HRA workers;
- HRA workers mishandling or losing documentation after submission;
- systemic challenges to communicate or share information with HRA via phone or fax;
- long and unpleasant wait times at Centers; and
- inadequate assistance to limited-English proficiency constituents, domestic violence survivors, and individuals with disabilities.

The main suggestions for HRA published in our 2014 report were to:

- provide better customer service training to its staff;
- increase transparency and accountability measures;
- improve methods for constituents to communicate with HRA (without visiting Centers);
- reduce Center wait times; and
- increase programmatic oversight.

Shortly before “Culture of Deterrence” was published in 2014, Mayor de Blasio appointed Steven Banks as the new commissioner of HRA. Previously known as an advocate for homeless rights as a Legal Aid attorney and then as the head of the Legal Aid Society, Commissioner Banks has sought to improve HRA's transparency and accessibility. Commissioner Banks has made strides in HRA's staff training, including sensitivity trainings for center workers. He has overseen the adoption of a “Universal Receipt” to be given to all constituents who visit an HRA center, the addition of new Centers in the Bronx, and the creation of new units assigned to resolve problems upon a constituent's request for a state administrative hearing, known as a “Fair Hearing,” to challenge an HRA action regarding their benefits.

Further, under Commissioner Banks, wait times have decreased at many Centers (although as our data will show, further improvement is still needed). Technological advancements at HRA have also enabled more New Yorkers to easily submit documents and access information regarding the status of their PA and SNAP applications and cases. Additionally, Commissioner Banks has sought to limit the impact of harsh benefit reductions (known as “sanctions”) for PA recipients who previously might have experienced significant benefit cuts for a single missed employment-related appointment.

The Safety Net Project and the Safety Net Activists have been involved in and supportive of many of these improvements. The Safety Net Activists have met with HRA leadership on a quarterly basis since 2016 and offered critical feedback on several of the changes noted above, including the Universal Receipt and additional trainings for Center workers.

Despite these improvements, the Safety Net Activists and the Safety Net Project continue to interact with New Yorkers every day who face issues with HRA that cause their public benefits to be denied, cut off, or delayed. This report aims to highlight and examine the extreme burdens that are faced by New Yorkers during the application or general case processes for SNAP and PA. These issues include improperly processed documents,



negative and hostile interactions with Center staff, long wait times and improper service at Centers. Individuals also experience frequent issues with HRA misplacing their documents or failing to properly request needed documentation.

It is also evident that these issues, along with other factors, contribute to what is referred to as the “churning” of PA and SNAP cases — that is, repeated and premature case closures due to bureaucratic obstacles, even though a recipient is still in need of benefits. Our report also highlights the seemingly shrouded nature of HRA’s benefit programs and resources; constituents are often not made aware of the various benefits and services that HRA offers and that are available to them.

As mentioned in the Executive Summary, our report seeks to contextualize the current state of HRA’s PA and SNAP Centers within the broader history of public benefits in the United States and New York City. The barriers to access welfare and food stamps experienced in NYC today are consistent with longstanding governmental and societal efforts to restrict access to public benefits by those portrayed as part of the “undeserving poor,” who are disproportionately people of color and women. As we detail, bureaucratic obstacles and mistreatment have long been used as deliberate tools in order to reduce public benefit caseloads. Furthermore, cultural myths about who is and is not deserving of benefits continue to influence society’s perception of those on welfare and food stamps, and correspondingly, the treatment they receive.

While our 2014 “Culture of Deterrence” report addressed only PA Centers (also known as Job Centers), this report addresses both Job Centers and SNAP Centers. As our data shows, New Yorkers who receive SNAP benefits from HRA face many of the same challenges as those seeking PA. However, because Job Centers and SNAP Centers have different procedures and offices, we have separately analyzed the results for PA and SNAP recipients to illustrate common issues as well as to indicate data unique to each program.

Ultimately, too many New Yorkers still face a culture of deterrence in their efforts to access and maintain public benefits. As the following sections demonstrate, the current HRA administration inherited the difficult task of transforming an agency that had, for decades, focused on creating barriers to benefits access. However, as we show, the process of HRA’s transformation remains incomplete and must continue apace. The housing, food, and health of over 1.7 million New Yorkers each year is at stake.³

A Brief History of Public Assistance

The United States government provides a complex array of public aid to corporations and people of all classes, races, and genders. Public aid can include everything from Medicaid and cash assistance to government investment in public infrastructure. However, “Public Assistance” — generally defined as cash benefits to the poor, or cash assistance — is the program most often conceptualized as “welfare” in popular discourse. PA is also the most stigmatized form of public aid, and those who receive it are often condescended to, disciplined, and denied the most basic levels of dignity as they navigate complex and rule-laden bureaucracies.^{4,5} Public cash benefits, as political scientist Ange-Marie Hancock has aptly observed, are generally conceptualized through a “politics of disgust.”⁶ This societal disgust for those relying on this type of government aid is seen daily in the way benefits assistance is administered in New York City.

Benefits distribution at the state and federal levels has expanded throughout contemporary U.S. history. Nineteenth-century public assistance programs were run by private charities and organizations, often using public funds, as well as at the state and local levels (e.g. city or county).⁷ In the 1920s, state involvement in public aid programs increased with the establishment of pensions to mothers and widows, and later, the implementation of Old Age programs.⁸ With the Great Depression of the 1930s and the corresponding New Deal programs that resulted from mass working class organizing efforts, federal aid programs were expanded and placed into law.⁹

In 1935, the Social Security Act created the contemporary framework for public insurance and public aid programs, and a sharp distinction between the two.¹⁰ Social public insurance programs provided benefits to retirees who had held certain taxed jobs — most significantly, white male industrial workers — while leaving many others — disproportionately women and people of color — without access.¹¹ As Eric Laursen summarized about public insurance in its earliest iteration:

Public-sector jobs were excluded, as were self-employed persons. That left most women out of the program, since so many of them were concentrated in teaching, or government clerical jobs or in domestic service. Agricultural and domestic workers were explicitly excluded, effectively eliminating most of the African-American population. In all, more than 50% of retirees were excluded under the act.¹²

While the Social Security insurance program expanded to include many of those initially left out over the ensuing decades, Public Assistance meanwhile developed as a residual

welfare program for those left over and outside of the social insurance system. Called Aid to Dependent Children (ADC, which later became Aid to Families with Dependent Children [AFDC]), the first federal public aid program was a means-tested benefit to subsidize the income of families where fathers were “deceased, absent, or unable to work.” The racialized and gendered division of benefits and the stigmas attached to both programs developed in the initial Social Security Act have, through present day, informed the ways in which recipients of PA are viewed and treated by government programs.¹³

The 1960s and early 1970s were pivotal years in the development of the national and local welfare systems. As the number of PA recipients grew, newly published reports highlighted adversarial relationships between those trying to access benefits and those working in benefit distribution centers. In New York City many people in need did not obtain benefits due to the culture of “intimidation and deterrence.”¹⁴

In response to these barriers, several groups throughout the 1960s and early 1970s spearheaded a national welfare rights movement to expand access to benefits and push for a livable income. The movement was particularly active in New York City. Combined with an increase in funding for legal services, the welfare rights movement led to a significant increase in the number of New Yorkers receiving PA. As historian Felicia Kornbluh has pointed out, “The most rapid growth in welfare use occurred in the middle to late 1960s. In 1966, over 568,000 people in [New York City] claimed Public Assistance; by 1967, the number had risen to over 700,000. By the end of the decade, over a million people were claiming cash benefits in New York City.”¹⁵ In a major consolidation of former city agencies, NYC Mayor John Lindsay created HRA in August of 1966 to oversee the city’s social services programs.

As the economic crises of the early 1970s set in, benefits available to working class and poor people became a central focus of a developing austerity framework, designed in part to knock people off the benefits rolls and deter potential recipients from seeking PA.¹⁶ The State of New York tightened eligibility for PA and implemented compulsory work programs, while New York City shifted attention toward “fraud control,” opening HRA’s fraud control unit in 1971. The same year, New York City hired 1,000 new workers, as one report noted, “to administer a [new state-required] program requiring employables to be identified and referred to state job centers and then to public service jobs if the state could not find regular jobs for them.”¹⁷ In 1972, Mayor Lindsay aimed for zero growth to the welfare rolls utilizing a strategy focused on, in the words of one *New York Times* report, “cutting people off the rolls as new cases were being opened.” Lindsay was quoted: “I am going to force the welfare system to back up in such a fashion that they are going to hold the line... We are going to cut services, check cases, and get the cheats off the rolls — and the only way to do it is with a fine-ground filter in HRA.”¹⁸ Need for benefits, however, increased as the economic crisis deepened and jobs were lost across New York City.

By the mid-1970s, with the development of the municipal fiscal crisis, New York City teetered on the edge of bankruptcy and the federal government refused to grant necessary aid. Over the next decade, New York’s austerity measures resulted in increased closures of public services such as municipal hospitals, sanitation stations and firehouses in poor and working class neighborhoods.¹⁹ Modern homelessness developed as increasing numbers of families faced destitution. Houses burned without adequate fire services, and individuals faced a steady decline in the availability of single room occupancy units.

Gentrification increased as tax credits incentivized the construction of upscale condominiums. The imposition of tuition and the end of open admissions at the City University of New York in 1975, combined with decreasing availability of living wage jobs, led to increasingly difficult entries into the economy for working-class youth.²⁰

Under the Reagan administration in the 1980s, national poverty increased, as did homelessness. Between 1979 and 1984, the number of poor people in New York City (at or below 100 percent of the federal poverty level) rose from just under 1.4 million to over 1.7 million, disproportionately composed of people of color.²¹ Reagan, to justify attacks on safety net programs, relied on the racist and sexist image of the “welfare queen,” which was defined by the fictional image of single black mothers defrauding the welfare system and living luxuriously on public benefits.²² This racialized and gendered tale of those who received public aid rationalized attacks on PA, despite the fact that the program largely benefitted children, as well as many white people. In New York City, the Koch administration (1978-1989) emphasized stringent control of the welfare caseload throughout the 1980s. A 1987 report noted that New York City had “reduced overpayments to welfare recipients last year to the lowest level in decades,” however, “at the same time reported improperly removing more welfare recipients from the rolls than in recent years.”²³

At the federal level, the passing of the 1988 Family Support Act (FSA), an initiative of Democratic Senator Daniel Patrick Moynihan, altered the AFDC program to more strongly emphasize employment programs and child support efforts. As one welfare scholar has assessed, the changes ushered in through the FSA were largely about “the adoption of a new ‘social contract.’”²⁴ This new social contract, which emphasized “personal responsibility” of benefit recipients over the entitlement to government aid, was solidified during the 1990s.²⁵

The stigmatized, racialized, gendered and punitive framings of welfare recipients that was enforced through the “welfare queen” imagery contextualizes President Clinton’s 1996 reforms in the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA). Known generally as “welfare reform,” PRWORA established many of the rules and regulations of our current welfare system. The law’s emphasis on “personal responsibility” was key to the disciplinary and diversionary approach to benefit programs that would be embraced by policy reformers. This “personal responsibility” framing is used to place blame for economic difficulties, as well as for the challenges in obtaining and maintaining public benefits, on individuals’ actions. The rhetoric of “personal responsibility” has been a key tool in developing and enforcing the onerous bureaucracy this report discusses.

Welfare reform changed the benefits landscape. PRWORA dismantled AFDC, thereby ending cash aid as an entitlement. AFDC was replaced with a block-grant, time-limited program, called Temporary Assistance to Needy Families (TANF). With TANF, states receive an annual block grant for funding, regardless of how many people rely on the benefit at any given time. This structure restricts the program from expanding benefit amounts in times of increased economic need. Additionally, it incentivizes states to spend less on PA, as the flexible structure of the block grant allows states to shift funds that are not spent on PA to other purposes determined by the state.²⁶

After PRWORA passed, New York State passed the Welfare Reform Act in December 1997 to conform to the new federal law. The Welfare Reform Act established the Safety Net Assistance

(SNA) program, funded solely through New York State dollars, to provide assistance to those individuals not covered by the Federal Government’s TANF program. SNA provides benefits to households without dependent children or those who reach their five year federal time limit for receipt of benefits under TANF, but continue to need assistance.

In New York City however, Mayor Giuliani, who had already denounced the welfare system as too “user-friendly,” embarked on a campaign “to end welfare by [the year 2000] completely...”²⁷ regardless of New York City’s poverty level or unemployment rate. The Giuliani administration changed the name of welfare offices from “Income Support Centers” to “Job Centers,” and these Job Centers were offered financial incentives to cut their caseload by 10 percent.²⁸ The Giuliani administration worked diligently to divert PA recipients and applicants by, among other things, instituting diversionary and time-consuming mandatory appointments: a single missed appointment led to an application being denied or a case closing.²⁹ By 1997, Mayor Giuliani, in his State of the City speech, celebrated that 220,000 people had been moved off the welfare rolls and 35,000 people were in the municipal workfare program, many in positions which had formerly been unionized public sector jobs.³⁰

This philosophy of “diversion” and deterrence towards PA recipients continued under the Bloomberg administration. A 2008 report by Public Advocate Betsy Gotbaum’s office surveyed constituents about their experiences at HRA Job Centers and concluded that constituents “face a range of obstacles at Job Centers,” including long wait times, documents being misplaced, miscommunication with HRA staff, and lost records of a prior visits.³¹ Despite these findings and two subsequent reports by the Public Advocate’s office in 2009 documenting continued systemic issues with Job Centers, Mayor Bloomberg’s administration declined to take any significant corrective action.³²

In 2014, the same year that the Safety Net Project published “Culture of Deterrence,” Bill de Blasio came to NYC’s mayoral office focused on improving the public benefits system. Mayor de Blasio repeatedly highlighted the importance of enabling individuals to obtain the support they need to move into living wage jobs and escape poverty. He appointed former Legal Aid Society chief attorney Steven Banks to run and reform HRA. Banks, who had spent years bringing lawsuits against HRA for its ineffective treatment of New Yorkers, said at his appointment: “We have to make our government work for New Yorkers who need a helping hand – not against them.”³³

In sum, PA programs in the United States have historically been built on diversionary principles. Diversionary tactics include excessive, duplicative, or unnecessary HRA appointments; condescending or embarrassing experiences when interacting with frontline HRA staff; extensive wait-times for assistance; the use of blame rhetoric (“personal responsibility”) in interactions with PA bureaucracies; and the “churning” and repeated closing of cases without adequate notice or reason. Diversionary practices continue to frame PA programs in New York City and elsewhere, and as our research will show, are experienced daily by PA recipients.

While the de Blasio administration has certainly sought to engage applicants in a more welcoming manner than that of the Giuliani and Bloomberg administrations, our research shows that there continues to be pervasive bureaucratic barriers to opening and maintaining SNAP and PA cases.

Understanding the Role of Race, Gender, and Access in Public Assistance Programs

While eligibility for PA is based on income level, race is a central factor in the distribution of benefits and the stigmatized, punitive and paternalistic framework within which PA programs function.³⁴ Public assistance programs are more intensely monitored and have significantly more onerous application and maintenance requirements than other federal benefit programs. Tellingly, a recent review by the Urban Institute found that “[g]enerally, African Americans and Hispanics are sanctioned at higher rates than non-Hispanic whites.”³⁵

Given the patriarchal structure of the United States, women continue to be delegated most responsibility for raising children, performing housework, and other types of domestic labor. Households headed by women disproportionately access cash aid programs. Historically, cash aid programs have policed the lives of women in various ways, perhaps most notoriously in the 1960s “man in the house rule,” which terminated benefits for families if there was suspicion that an able-bodied man was living in the household.³⁶ The late 1990s welfare reforms focused on pushing adult recipients — largely women — “into low-wage work at a time when the value of the minimum wage was declining sharply.”³⁷ Further, caring for one’s own children is not seen as “work” by the government or in the economy and thus not waged. Accordingly, working class and poor women face the double-shift of finding and retaining low-wage work, while also maintaining responsibility for their unwaged work at home.³⁸ Women often end up also having to go through the onerous process of applying for and meeting the ongoing requirements for public assistance benefits for their families.

A Brief History of Food Stamps

Similar to public assistance, the nation’s first food assistance program originated during the great depression, largely in response to the crisis facing America’s farmers. The goal was to subsidize agriculture, absorb surplus food commodities, and quell unrest by unemployed workers.³⁹ In 1939, President Roosevelt signed the first version of the food stamp program. Called the “Food Stamps Plan,” the program incentivized low-income families to purchase booklets of food stamps by providing an extra \$0.50 towards a designated list of surplus food products for every \$1 the family purchased in stamps. By 1941, approximately four million people purchased food stamps. The program was temporarily terminated in 1943 as the U.S. ramped up military efforts for World War II.⁴⁰

After the war, the federal government sponsored some surplus food distribution, but it was not until 1961, when the Kennedy administration initiated a food stamp pilot program, that the modern program began to form. In 1964, the federal government passed the Food Stamp Act, forcing counties to choose between offering food distribution or the option to purchase stamps.⁴¹ In contrast to the New Deal-era program, food purchased with vouchers no longer had to be designated as surplus.⁴² Areas where the option of vouchers was chosen over direct food distribution saw a decline in recipients, in part because food

stamps (which still needed to be purchased) were unaffordable to the poorest of families.⁴³ As a result of public pressure and protest, and as a way to once again manage food surpluses, food aid was increasingly made available during the 1960s and 1970s.

Some scholars have drawn a correlation between protests by poor people in the mid-1960s and increased availability of food stamps.⁴⁴ In addition to militant unrest from the poor, other efforts simultaneously brought attention to issues of hunger in the same period, including the establishment of a relevant Senate committee in 1969, a White House conference, and a CBS documentary on hunger. In sum, these “incidents of social unrest by poor people and the efforts of hunger activists focused national attention on the hunger issue.”⁴⁵

Particularly important, in 1968, the Citizen’s Board of Inquiry into Hunger and Malnutrition in the United States published *Hunger USA*, a report detailing the widespread hunger and malnutrition across the country. The report concluded that “[f]ederal programs to alleviate the problem have by and large failed... [and] the policies of the agricultural committees of Congress and the Department of Agriculture have discriminated against the needs of the poor and the hungry in the interests of the agricultural producers.”⁴⁶ The Poor People’s Campaign reiterated the recommendation from *Hunger USA*, including “free stamps for the poorest families and reduced-price stamps for all program participants.”⁴⁷

Between 1969 and 1974, the food stamp program saw substantial growth from some 2.9 million to 12.9 million recipients.⁴⁸ Work was included as an eligibility requisite in 1970.⁴⁹ In 1973, food stamps were included in the national Farm Bill for the first time and by 1974, the food stamp program had been expanded to cover all counties nationwide.⁵⁰ Since 1973, the Farm Bill has set national policy for both agriculture (including assistance to agri-business and farmers) and nutrition assistance (food stamps, benefits for pregnant women and newborn children, school lunch, and other programs).⁵¹

Despite major legislative changes, “[t]he reformed Food Stamp Program rapidly grew to a major income maintenance program in the 1970s.”⁵² The Ford administration sought without avail to reduce food stamp benefit levels.⁵³ By 1977 there were some 17 million food stamp recipients, and, as some scholars have pointed out, “[b]udget watchers feared the program was out of control.”⁵⁴ The subsequent Carter administration expanded parts of the program while tightening others.⁵⁵ With Carter’s Food Stamp Act of 1977 and subsequent amendments prior to the Reagan administration, the stamp purchase requirement was ended, allowing more financially impoverished people to access aid,⁵⁶ work-for-benefits efforts were expanded, students faced new work requirements, and undocumented individuals were explicitly denied access to the benefits.⁵⁷ In many ways, the Carter-era reforms initiated conservative elements to the program that would increasingly become salient and codified. By 1981, a record high 22.4 million Americans were receiving food stamps.

Food stamps, like other safety net programs, faced severe cuts in the 1980s under the Reagan and Bush administrations. Between fiscal years 1982 and 1985, the food stamps program was slashed by some \$7 billion dollars. Among other reforms, the Food Stamps and Commodity Distribution Amendments of 1981 implemented a workfare option nationally and facilitated increased access to law enforcement for recipient records.⁵⁸

Further, those convicted of misdemeanors or felonies could now face lengthy disqualifications from food stamp aid.⁵⁹ In the 1982 Omnibus Budget Reconciliation Act, eligibility was narrowed to those under 130 percent of the federal poverty level unless the household included elderly or disabled members.⁶⁰ In 1989, requests for emergency food assistance in major American cities increased by an average of 19 percent from the previous year.⁶¹

In 1996, the PRWORA welfare reform bill implemented new restrictions and cuts to food stamps, eliminating access for almost all legal immigrants, reducing benefit amounts and offering states the option to eliminate food stamp assistance to those convicted of drug felonies.⁶² Pushback against the harmful effects of these restrictions resulted in both the restoration of eligibility for some legal immigrants and modest improvements in benefit levels in 2002.⁶³ Unlike Public Assistance, a proposal to convert food stamps into a block grant program and to further cut food stamp benefits was not approved under PRWORA, likely because the food stamps program is framed as a program for the “deserving” poor, or those who are employed in waged jobs outside the home.

Importantly however, city administrations in the 1990s and early 2000s also sought to reduce the food stamp caseload through diversionary tactics. The food stamp caseload fell by approximately 45 percent — from 1.5 million to 657,000 recipients — between December 1994 and December 2001 due to, in the words of the Independent Budget Office, “[the] policies of the Giuliani administration that made it harder to gain access to food stamps.”⁶⁴ Deterrence practices implemented by the Giuliani administration were challenged in the landmark *Reynolds v. Giuliani* ruling, which resulted in court-ordered oversight of HRA’s provision of immediate need grants and notification practices.⁶⁵



In comparison, the Bloomberg administration eased access to food stamp benefits in large part by emphasizing the program as work support rather than “welfare.” Notably, this definition of “work” meant employment in the waged job market, and not, for example, unwaged care work of raising children. In framing food stamps as a work support program, the Bloomberg administration, however, created or continued other barriers. For example, Bloomberg mandated fingerprinting for food stamp recipients⁶⁶ and refused a waiver that would have eased food stamp requirements for many able-bodied adults.⁶⁷

In an effort to reduce the stigma associated with the term “food stamps”, the program was renamed the Supplemental Nutrition Assistance Program, or SNAP, in the 2008 Farm Bill. The alignment of interests between Congressional members focused on issues related to agriculture and members focused on anti-hunger matters, along with strong corporate involvement in the Farm Bill and the framing of SNAP as a support for “deserving” poor people, has helped preserve the program in recent decades.⁶⁸ As a result, the program has become one of the country’s most effectual safety net programs, lifting 8.4 million people out of poverty in 2015, according to an analysis by the Center for Budget and Policy Priorities.⁶⁹

Despite the program’s effectiveness, however, SNAP has been under significant attack in recent years at the state and federal levels. Opponents of the program seek to portray SNAP recipients as unmotivated and undeserving of aid, using the same rhetoric that has justified restrictions on Public Assistance. Further compounding threats to nutrition assistance, the federal government published a proposed rule change on October 10, 2018 in the Federal Register regarding Public Charge. The rule would cause many immigrant communities to forego vital nutrition assistance benefits in order to preserve their future ability to obtain Legal Permanent Residency (i.e., a green card) or visa. Furthermore, the Trump administration has recently announced a plan to tighten SNAP work rules through executive order.⁷⁰

Public Assistance and SNAP Today

According to federal data for Fiscal Year 2016, there were 2.78 million recipients of TANF aid in the United States. Most are people of color: 36.9 percent identified as Hispanic and 29.1 percent identified as black, while 27.6 percent identified as white.⁷¹ In New York City, 349,761 people received cash assistance as of June 2018; another 6,504 received federal emergency assistance grants. Of these recipients, 46 percent are children. While race data is not available for the full cash assistance caseload, it is available for a subset of the caseload who access TANF, which is composed of households with children under 18 who have received cash benefits for less than 5 years. As of July 2018, TANF included 119,762 people in 50,295 households.⁷² Of the TANF recipients, 49 percent identified as Hispanic, 42 percent identified as black, and six percent identified as white. More than 80 percent of cases included an adult woman, and 30 percent included a child under three years old.⁷³ This data indicates that in New York City, those who interact with the Public Assistance program are overwhelmingly people of color, and most are families with children.

While New York has maintained a far more robust Public Assistance program than most other states, the program fails to reach the majority of families in poverty. Most recent census data shows that in New York State, for every 100 families with children living in poverty, only 42.7 received Public Assistance in 2016.⁷⁴

According to federal data for Fiscal Year 2015, there were over 45 million recipients of SNAP aid nationwide. Seventy-eight percent of SNAP households include a child, an elderly individual, or a person with disability, and 75 percent of SNAP-receiving families have at least one adult who worked in the last year.⁷⁵ The largest number of recipients were children and elderly individuals, who composed 44 percent and 10.6 percent of the SNAP caseload, respectively. More than 90 percent of SNAP recipients were U.S. born. By racial identification, the largest share of SNAP recipients were whites who identified as non-Hispanic, composing 36.7 percent of recipients. African Americans composed 26.1% of the SNAP caseload, while Hispanics of any racial identification composed 17.1 percent.⁷⁶ Today, over 1.8 million people in New York City receive SNAP.⁷⁷

Despite modest benefit amounts, SNAP plays a decisive role in reducing hunger and poverty each year. SNAP has been proven to increase high school graduation rates among children, as well as improve adult earnings and improve health.⁷⁸ Additionally, almost \$5 billion in SNAP benefits are spent at over 18,000 retailers in New York State each year, which helps support businesses and sustain jobs.⁷⁹ It is estimated that during a weak economy, each dollar of SNAP that is spent generates approximately \$1.70 in economic activity.⁸⁰

The benefit levels for both Public Assistance and for SNAP are woefully inadequate. A family of four without any additional income often receives only \$951 monthly in PA for the entirety of their non-food expenses (including rent) and \$642 at most in SNAP benefits. The average SNAP benefit in New York State equates to \$1.52 per person, per meal.⁸¹

Commissioner Steve Banks has been vocal about reforming HRA and increasing accountability to its constituents. While HRA has certainly improved, much work remains to be done. As the following sections will demonstrate, these programs provide modest but crucial assistance to over 1.6 million of the most vulnerable New Yorkers each year, with important implications for health, education, homelessness, and the local economy.

Research Methods

The research in this report relies on a number of different sources. We sought to answer the following questions: What is the current experience of those interacting with HRA in order to secure SNAP and PA benefits? How has this experience changed since 2014? What were the primary barriers that prevented eligible New Yorkers from accessing these benefits in 2017 and 2018?

First, to collect data regarding the experiences of benefits recipients, the Safety Net Activists and the Safety Net Project surveyed SNAP and PA recipients across New York

City.⁸² A total of 137 surveys were collected from SNAP and PA recipients in Manhattan, Brooklyn, Queens, and the Bronx. Sixty-nine of the survey respondents attended SNAP-only centers and fifty of the survey respondents attended PA Job Centers, while the remaining eighteen declined to identify a specific center. The surveys were collected from summer 2017 through early 2018. Survey respondents were solicited at community organizations throughout the five boroughs, primarily food pantries and soup kitchens. All respondents were current SNAP and/or PA recipients and were asked to fill out a survey on paper. The survey was available in both English and Spanish, with eight of the survey respondents choosing to complete the survey in Spanish. These surveys are not intended to be a fully representative sampling of HRA, but rather to gather a sample of experiences of PA and SNAP recipients to highlight some of the current, common problems people face at HRA centers and during interactions with HRA staff. Survey respondents were asked to reflect on their experiences at HRA in the most recent year, and not on previous experiences with HRA. The survey contained eighteen questions about a range of issues, including mistreatment by HRA workers, lost paperwork, wait times at center, receipts and accessibility (Appendix A).

Second, we reviewed and included data from the Food Bank of New York City’s Mediation Model monthly analysis. This analysis includes data on barriers to SNAP access that are reported by non-profit organizations across NYC that assist people in accessing SNAP. We reviewed the publicly-available data from April 2017 through April 2018.

We also utilized complaint data obtained from HRA via a Freedom of Information Law (FOIL) request. The complaint data reported on all complaints submitted to the HRA Centralized Complaint Unit via telephone or online for all SNAP and Job Centers from January 2015 through December 2017. Many HRA recipients are unaware of this mechanism for making complaints; accordingly, the number of recipients who experience difficulties is likely significantly higher than the number of officially recorded complaints. Nevertheless, the complaint data provides important insight into some of the primary problems experienced by people receiving SNAP and Public Assistance and allows for comparisons between service across different offices.

Additionally, we used a FOIL request to obtain data from HRA regarding their internal phone audit systems. HRA’s Family Independence Administration (FIA) Office of Program Monitoring (OPM) uses telephone audits to review the voicemail and callback systems and functionality at each HRA Job Center and SNAP Center. We analyzed the phone audit data from June 2017 through June 2018.

Lastly, we reviewed state data published annually by the Office of Temporary and Disability Assistance (OTDA) regarding Public Assistance caseloads, closings, denials, and fair hearings. Our report uses the most recently available data from the 2017 Annual Legislative Report.

1. Poor Treatment at SNAP and Job Centers

“Staff are sometimes very rude and act as if I don’t have a right to ask for assistance”
 — Brooklyn-based survey respondent

Negative interactions with and mistreatment by HRA workers continue to be major areas of concern for constituents. Although our survey results and complaint data show that customer service at Job Centers has improved since we published “Culture of Deterrence” in 2014, the evidence suggests that further improvement is nevertheless necessary.

Thirty-four percent of survey respondents reported that in 2017, HRA workers at Job Centers “always” or “often” spoke to them in a mean, hostile, or nasty manner, and another 33 percent of respondents stated that they “sometimes” have had this experience. This is an improvement from what was reported in the 2014 “Culture of Deterrence” report, in which 45 percent of respondents replied that they had “always” or “often” been spoken to in a mean, hostile, or nasty manner and 36 percent replied “sometimes.” For SNAP centers, just under half of respondents reported that in 2017, SNAP workers spoke to them in a mean, hostile, or nasty manner at least some of the time. Twenty percent of respondents said that SNAP workers often or always spoke to them this way.⁸³

HRA’s complaint data provides further insight on this point. Rudeness, refusal of service, HRA employees’ refusal to identify themselves, language access issues, security staff behavior, gender discrimination, racial discrimination, and sexual orientation discrimination are among the most common types of customer-service related complaints filed against HRA.

Average Job Center Wait Time:



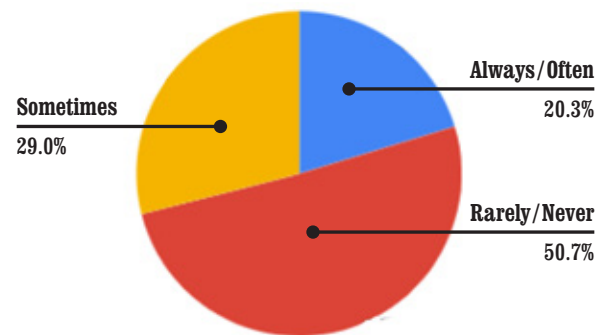
Average SNAP Center Wait Time:



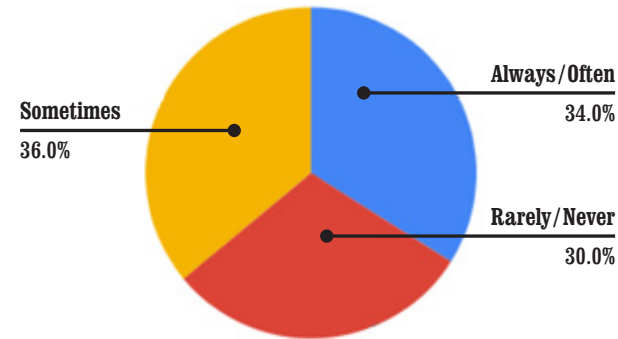
Additionally, our survey asked PA and SNAP recipients to approximate how long, on average, they had to wait at their Center before speaking with a representative. The results that we collected (reported above) varied significantly from the wait times HRA

Survey Responses Regarding HRA Workers' Communication

In 2017, HRA workers at a SNAP center spoke to me in a mean, hostile, or nasty manner:

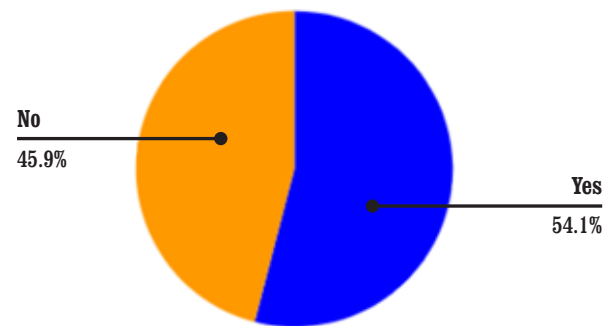


In 2017, HRA workers at Job Centers spoke to me in a mean, hostile, or nasty manner:

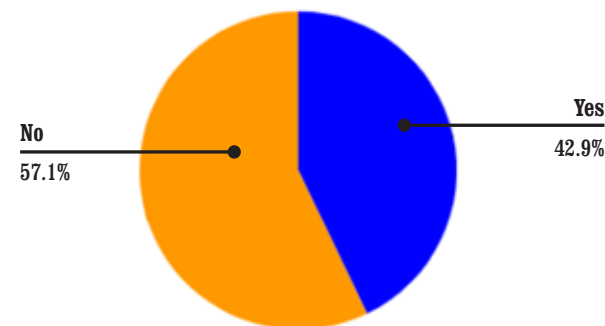


Survey Responses Regarding Disability Access at HRA Centers

If you have a disability, do SNAP centers provide services in a way that is accessible to you?



If you have a disability, do Job Centers provide services in a way that is accessible to you?



publishes on its website,⁸⁴ which reflect average wait times of 51 minutes at Job Centers and 47 minutes at SNAP Centers. We do not know the exact methodology used by HRA to calculate the wait times that it publishes on its website. A possible source of the divergence of the data could be that our survey asked how long respondents waited to speak with a worker or supervisor. HRA data, however, may be averaging wait times for all people who visit an office for any reason, which would include people using self-service scanners in the waiting rooms that only spend a few minutes at the office. If that is the case, one can expect that individuals who need to speak with a staff member experience wait times, on average, far longer than those publicly displayed on HRA's website.

On the issue of access for individuals with disabilities, our report showed that 57 percent of disabled respondents at Job Centers reported that HRA does not provide services in a way that is accessible to them. This is an improvement from the 82 percent who responded no to this question in 2014; however, significant barriers remain.

1 Recommendation 1: Improve Treatment at SNAP and Job Centers

A. Train all staff in a trauma-informed approach to client service.

In collaboration with CUNY's Hunter Silberman School of Social Work, HRA developed a curriculum designed to help workers implement a trauma-informed approach to their work. The curriculum included acknowledging the trauma experienced by HRA's constituents and the need to provide services in a sensitive manner. It also recognized the impact of secondary trauma on HRA staff and the importance of self-care in order to provide responsive services. In a June 2018 meeting with the Safety Net Activists, HRA reported that the pilot training was extremely impactful for the staff involved. We recommend that HRA develop a timeline to train all of its front-line and supervisory staff in the full curriculum by the end of 2019. We also recommend that HRA integrate the full five-day curriculum into its new staff training.

B. Hire a trained social worker to work at each Center.

HRA should hire a licensed social worker on site at every center to assist people with mental health challenges, people with disabilities, or other community members with particularly difficult challenges. This will not only improve general constituent experience, but also reduce burdens for the HRA staff at each Center.

C. Ensure that wait times to meet with HRA staff members and supervisors are under one hour.

While the ability to quickly scan and drop off documents at many Centers is a significant improvement, HRA must significantly reduce wait times for those who visit a Center in order to meet with staff or attend an appointment.

D. Redesign the physical space to create a more welcoming and receptive environment.

The physical environment of Centers can have a significant impact on the constituent's experience. The aesthetics of HRA's waiting rooms are often dreary; chairs, if available, are uncomfortable; and often, there are no accommodations for parents with children. Each Center should include an area designated for children to play. HRA should also change its policy to allow food and drink in all Centers.

2. Public Assistance Recipients Experience High Rates of Case Closings & Denials

“Currently fighting to get my food stamps back as they were cut off with no warning. And my son was removed from my case out of pure speculation”
—Queens-based survey respondent

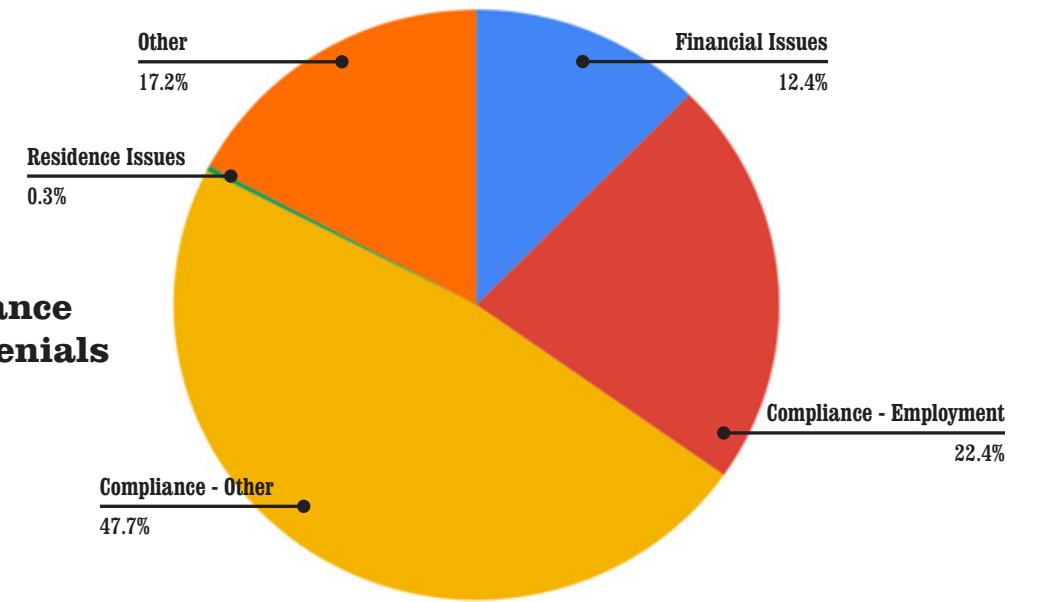
PA applicants and recipients experience an arduous and burdensome process while attempting to obtain or maintain benefits. Cases are routinely denied or closed due to unnecessary bureaucratic obstacles.

New PA applicants generally wait 30 to 45 days from the date of application submission to receive either an “accepted” or “rejected” decision for benefits. After completing an initial application interview at the Job Center, they are required to comply with various appointments and deadlines. Mandatory appointments might include fingerprinting and fraud verification, employment or education assessments, drug and alcohol screenings, child support screenings, and child care assessments. Many of these appointments do not take place at the Centers themselves, but can be scheduled in several different offices in boroughs throughout New York City and scheduled for any time of day. If applicants miss an appointment, they sometimes must return to the Job Center where they initially applied, wait to be seen by a worker, and then reassigned a new appointment. Illustratively, between July 2016 and June 2017, 26.2 percent of all PA applications were denied due to “compliance,” which usually indicates that HRA determined that the applicant failed to return a document or attend an appointment. Sixty-two percent of applications were approved, 4.6 percent were denied due to having income or resources above the limits, and 6.4 percent of applications were denied for “other” reasons.⁸⁵ Notably, 70.1 percent of all denials were attributed to “compliance” issues. Additionally, there were 175,179 PA case closings in NYC during the July 2016–June 2017 period.

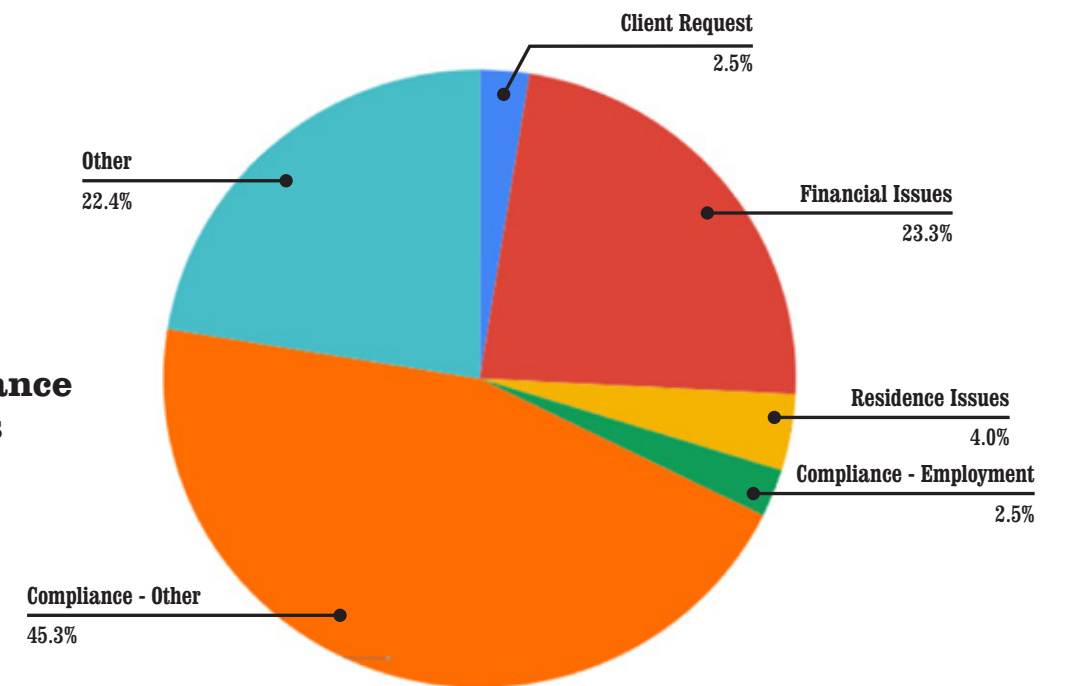
After approval, PA recipients must continue to comply with ongoing appointments and other requirements in order to maintain their receipt of benefits. They must also remain financially eligible, and continue to reside within New York City. Nearly half of PA closings (47.8 percent) from July 2016 through July 2017 resulted from compliance issues, which generally includes a HRA finding that there was a missed appointment or a failure to submit a document or questionnaire. An additional 22.4 percent of case closures were due to “Other” reasons, a category that is not defined in OTDA’s data but might indicate other difficulties in keeping up with PA requirements.

Because of language issues, literacy issues, lack of awareness about their rights, a sense of futility, or other obstacles, many of those who experience denials or closings of their benefits do not request fair hearings. However, when PA applicants and recipients exercise their rights and challenge actions related to their PA benefits in fair hearings, in 86.7 percent of cases, the issues are resolved by HRA or the outcome of the hearing favors the PA recipient.⁸⁶

Public Assistance Application Denials



Public Assistance Case Closings



Those constituents that request a fair hearing face a lengthy process, which can involve waiting three to four weeks for a hearing date, several weeks to receive a written decision after the hearing, and up to thirty days (and often much longer) for the decision to be implemented. Consequently, constituents endure negative case actions and potential lack of benefits for months at a time for issues that could be resolved by the agency without the need for an administrative hearing.

This data suggests that large numbers of New Yorkers are being churned on and off PA even while they remain eligible and in need of benefits. While the current administration has taken significant steps in the right direction, the systemic structure of bureaucratic requirements and appointments continues to limit access to benefits. Furthermore, both applicants and HRA staff spend precious time repeating laborious application processes and attending costly administrative hearings regarding issues that could be easily fixed through more effective and efficient communication systems.

We recommend that HRA take the following actions to further simplify the application and ongoing PA requirements and provide more opportunities for issues to be resolved prior to case denials and case closures.

2 Recommendation 2: Reduce the Number of Case Closures and Denials.

A. Re-design notices to be more straightforward and coherent.

Many notices that applicants and recipients receive are long and confusing, increasing the likelihood that people will not understand a requirement or miss critical information. Font size and the number of words on the page are particular problems, especially in PA denial notices, LDSS-4013, and Fair Hearing Compliance Notices, W-186C. We recommend that HRA replace the current PA application and denial notices with new notices similar to CNS (Client Notice System) notices used for SNAP acceptances or denials. Notices should include a cover page with large font and minimal text identifying the issue, the action to be taken by HRA, what is needed from the recipient, and the recipient’s rights.

B. Simplify the PA application process, especially with regard to appointments.

The PA application process would be greatly improved if Bureau of Eligibility and Verification (“BEV”) appointments occurred within the Job Center at the time of application, instead of at a later date.⁸⁷ If these appointments cannot happen at the Job Center, they should be allowed in the home borough of each applicant. To the extent that separate appointments are still necessary, we recommend that HRA provide applicants with a clear summary of all of their appointment notices — preferably on a one-page document — when they are present at the Job Center for their face-to-face interview.

C. Provide recipients and applicants with more opportunities to resolve issues before closing or denying the case.

HRA should implement automated notices to recipients before denying or closing a case. This should include phone calls and letters to PA recipients to inform them of missing documents or appointments with an opportunity to comply before closing a case. HRA staff should also proactively offer to resolve issues for constituents through conferences when constituents raise an issue either on the phone or in person at Job Centers. Too many PA recipients are still told to “apply again” or “request a fair hearing” when they communicate to HRA staff about an issue. The high percentage of Fair Hearings decided in favor of constituents demonstrates that HRA could resolve more issues at the initial point of conflict.

3. Overloaded & Underserved Bronx Centers

“They say they are going to do something and they don’t. I have to go to them 2 or 3 times, sometimes more.”
—Bronx-based survey respondent.

The Bronx has the highest percentage of SNAP recipients, but fewer SNAP centers than Manhattan or Queens.⁸⁸ There are only three SNAP Centers and six Job Centers in the Bronx, despite its significantly higher caseloads for both SNAP and PA compared to other boroughs. Furthermore, all of the SNAP centers in the Bronx are among the top five SNAP centers with the highest rates of complaints or, in other words, the highest percentage of cases that submit complaints (“complaints to cases” ratio)⁸⁹:

Borough	SNAP Centers			PA Centers		
	Complaints to case ratio at SNAP Centers (out of every 100 cases)	Number of SNAP-only cases open at any time	Number of SNAP Centers	Complaints to case ratio at PA Centers (out of every 100 cases)	Number of PA cases open at any time	Number of PA Centers
Bronx	10.37	149,302	3	14.25	70,857	6
Queens	8.31	137,837	4	13.71	65,046	4
Manhattan	6.82	80,961	4	13.59	37,614	6
Brooklyn	5.94	124,499	3	9.71	65,42	6

SNAP Centers (Ordered by rate of complaints)	Complaints to case ratio (out of 100 cases)
1. Hunts Point (Bronx)	12.02
2. Crotona (Bronx)	9.84
3. East New York (Brooklyn)	9.68
4. Fort Greene (Brooklyn)	9.23
5. Concourse (Bronx)	9.12

As noted in the charts above, Bronx Job Centers have almost twice the number of PA cases as Manhattan, but the same number of centers to serve constituents. In the most recent census data, the Bronx had the highest number of neighborhoods in extreme or high poverty (52.6 percent) and over 10 percent more of its population was below 150 percent of the federal poverty line than that of Manhattan, Brooklyn, or Queens. Queens had the lowest share of neighborhoods facing extreme or high poverty.

3 Recommendation 3: Provide Better Service to Benefit Recipients in the Bronx.

A. Ensure that services in the Bronx are proportionate to the caseload.

The proportion of Centers and Center staff should directly correlate to the number of cases in each borough. As the data highlights, there are more complaints stemming from constituents of Bronx Centers, than from any other borough. HRA errors such as lost or mismanaged documentation and improper case closings could be mitigated with a more appropriate caseload-to-worker or caseload-to-center ratio. HRA should also publish monthly data reporting the caseload per Center and number of frontline caseworkers at each of its Centers to ensure transparency and adequate services throughout all five boroughs.

B. Improve workload and working conditions for staff in Bronx Centers.

HRA should seek to increase staffing at Bronx Centers and implement measures to improve working conditions in these overloaded offices. Introducing more workers to these Centers would reduce the burden on existing staff, help decrease burnout and high turnover rates among Center employees, and improve Center experiences and case outcomes for benefit applicants and recipients.

C. Strengthen training for staff at Bronx Centers.

Similar to the recommendations listed under *Poor Treatment and Bad Experiences*, this recommendation calls for increased staff training on trauma-informed approach and self-care mechanisms, as well as programmatic trainings. Social workers on site in Bronx Centers could also help workers feel supported in difficult interactions with clients, and reduce tension in these overcrowded Centers.

4. Negligent Operation of Phone Lines

“I haven’t attempted to call HRA this year because it’s never worked”
— Brooklyn-based survey respondent

PA Centers have consistently failed to adequately comply with phone and voicemail requirements, as shown by monthly audits completed by the Office of Research and Program Monitoring (ORPM). The Safety Net Project obtained HRA memoranda through FOIL that outlines HRA Centers’ compliance with phone and voicemail protocol in 2017 and 2018.

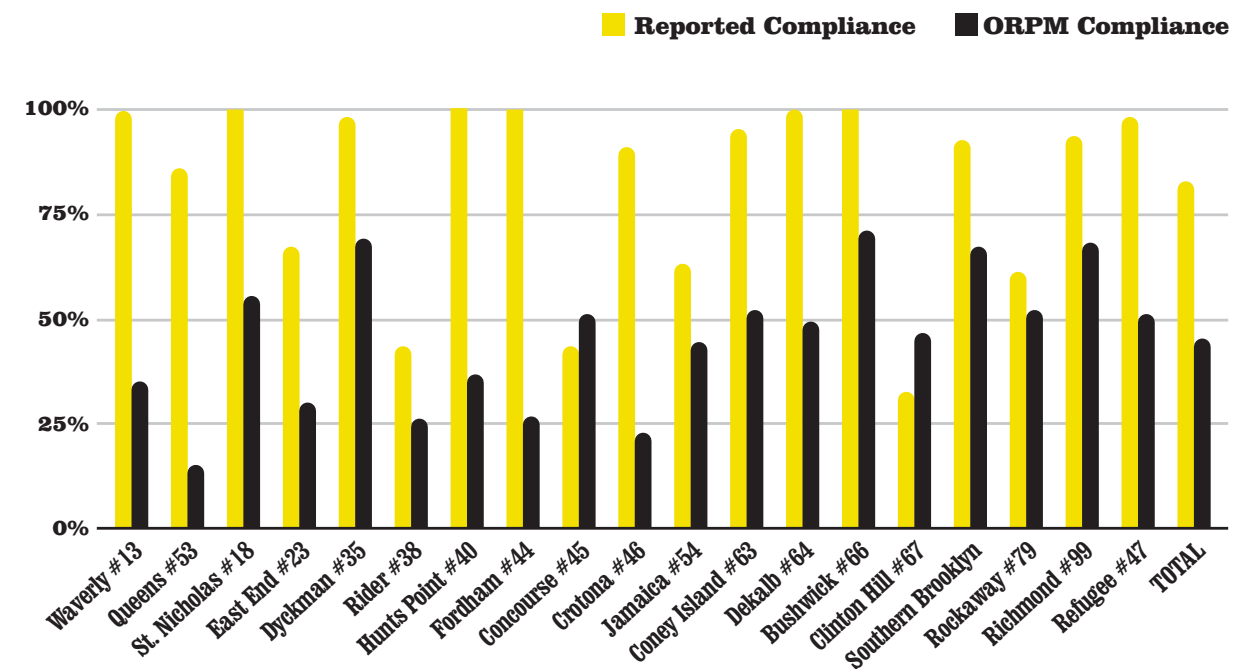
Under Commissioner Banks, HRA has significantly expanded staffing for a centralized call center known as the “HRA Infoline.” This call center represents a marked improvement and has allowed constituents to more easily speak to an HRA representative and to file complaints. However, there continue to be many circumstances in which PA

recipients must contact their local offices, and HRA must address critical gaps in these offices’ phone services.

Each Job Center reports its own phone audits every month, after which the ORPM completes identical audits and compares each Job Center’s reported compliance with their own findings. To complete the audits, both the individual Job Center and ORPM call the same ten distinct office phone numbers for the particular Job Center, and track whether the number is functional, the voicemail is accurate, and if their calls are returned within 36 hours. Compliance with protocol requires 1) operating active phone lines, 2) returning calls within 36 hours, and 3) ensuring the correctness of the voicemail script and set-up. Unreturned calls, full voicemail boxes, incorrect voicemail scripts, calls returned beyond the 36 hour window, and phone numbers that are not in service constitute non-compliance.

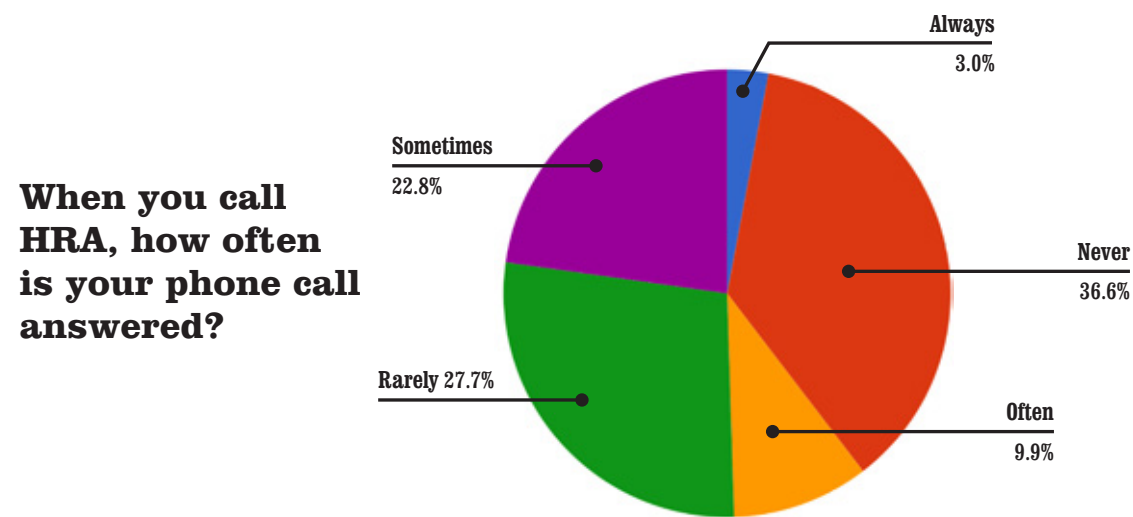
Ten of the nineteen Job Centers were found to have compliance of less than 50 percent, and almost all have grossly over-reported their own compliance with HRA phone protocol. Here are some of the aggregated findings, spanning 12 audits from June 2017 to May 2018:

1. Average compliance from all audits was 46 percent, meaning 64 percent of calls were not returned and/or there was an issue with the voicemail system.
2. On average, Job Centers in the Bronx had an ORPM compliance of 32.8 percent despite self-reporting an average compliance of 75.8 percent.
3. Queens Job Center #53 had the worst overall compliance rate (15 percent), despite reporting 86 percent compliance through 2017 and 2018.



In addition to these audits, Safety Net Activist volunteers called the general numbers publicly listed on the HRA website for all the Job Centers in October 2018 to see if any improvements had been made. At that time, publicly listed phone numbers at Concourse #45, Fordham #44, Hunts Point #40, Rider #38, Clinton Hill #67, Dekalb #64, East End #23, and St. Nicholas #18 had full voicemail boxes.

These audits were also supported by the survey data collected for this report:



This lack of responsiveness is unacceptable for an agency charged with responding to emergency needs, including households facing eviction, homelessness, and lack of food. Constituents are frequently provided with Job Center phone numbers on benefits notices in order to reschedule certain types of missed appointments, resolve urgent benefits problems, or get clarity regarding program requirements. Inability to reach HRA staff can lead to the discontinuance or denial of an individual’s benefits.

In the two years of data collected by the Safety Net Project, it is noteworthy that the *same* recommendation was consistently repeated: “Center has poor performance during this audit period that must be addressed. Center management must reinforce the voicemail policy. The staff may need retraining regarding the Agency protocol of the timeline for returning telephone calls per the PD#12-26-OPE.”

Since HRA’s reinforcement and retraining has not thus far resulted in the needed changes in these outcomes, we recommend that HRA take the following additional actions to improve phone communication.

4 Recommendation 4: Overhaul Job Center Phone Communications.

A. Create accessible rescheduling lines for all appointments.

While constituents are able to reschedule some types of appointments, other appointments can be extremely difficult to reschedule because they rely on Job Center phone lines. All appointment rescheduling should be handled by specialized phone numbers where constituents can reach live HRA staff.

B. Adjust workload and assignments for staff to ensure calls are answered and voicemails are returned.

Informal conversations with HRA staff and administrators indicate that staff do not have time to return voicemails because of their high workloads. Returning phone calls is an essential part of the work; HRA must ensure that its staff have capacity to complete this task on a daily basis, either through increased staffing at Centers or mechanisms to decrease or shift some of the workload for existing staff.

5. Frequent Documentation Errors

“I lost my [belongings that were in] storage because paperwork was misplaced at the HRA Center”
— Manhattan-based survey respondent

Application denials and case closings are very often connected to lost documentation by HRA as well as its excessive requests for documents. Survey results show that HRA workers are inconsistent in giving receipts for submitted documents.

Over 25 percent of SNAP applicants/recipients and over 50 percent of PA applicants/recipients the Safety Net Project surveyed stated that an HRA worker had lost their paperwork in 2017. Over 50 percent of survey respondents indicated that they were not offered a receipt for submitting documents when they visited Centers, and over 25 percent stated they never receive receipts for submitted paperwork.

The ability to self-submit documents using the scanner kiosks in Centers and the Access HRA mobile application has made it easier for constituents to submit necessary documentation to HRA. However, difficulties persist with HRA’s labeling and processing of paperwork, HRA fails to send follow-up requests when they need additional information from constituents, and documents that constituents mail or fax to Centers are often lost or processed too slowly by HRA.

SNAP mediation model data shows that “submitted documents not logged in the system” was regularly one of the top three barriers encountered by recipients/applicants, with 245 reported cases encountering this issue (identified by CBOs) from April 2017 to April 2018.⁹⁰

5 Recommendation 5: Reduce Documentation Errors.

A. Improve technology access.

Install scanners in every Center with clearly labeled instructions in various languages, and include information throughout Centers about the ability to submit documents from home using the Access HRA mobile application.

B. Ensure that constituents always receive document receipts.

Systems have improved so that clients who use kiosks or the mobile application to submit documents get receipts automatically uploaded into their Access HRA account and/or mailed to them (depending on their notification preferences). The HRA staff obligation to provide documentation receipts should be similarly enforced when constituents are engaging with Center workers, including during BEV and other appointments that require documentation submissions.

C. Notify constituents if they submit insufficient documentation.

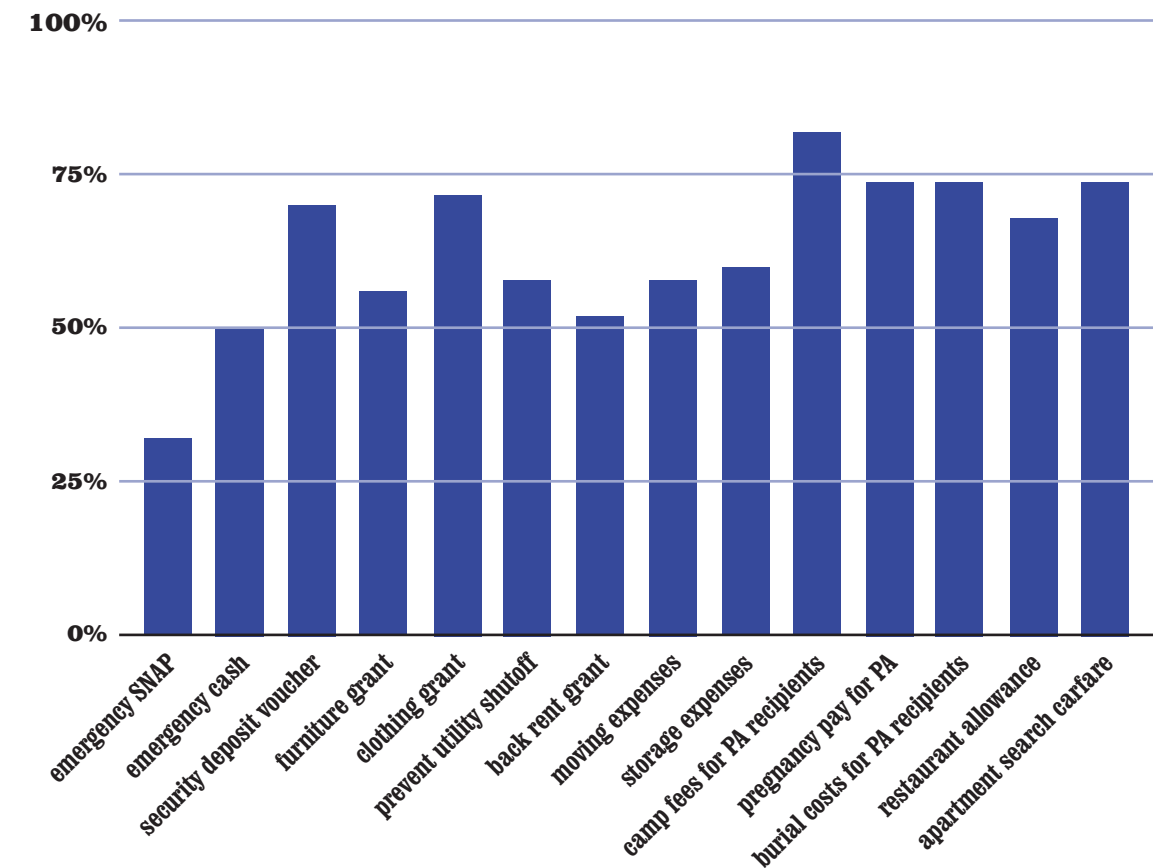
If HRA is still missing documentation, a worker should call the applicant or recipient to advise them of the missing documentation. HRA should send out the documentation receipt for any previously submitted documents and create a new notice (similar to the LDSS-1146) that states, “we received your documents on *(date)*, however we are still in need of *x document(s)* to meet *x documentation requirement(s)*”. HRA should create a new notice to send to constituents in instances when HRA decides a client’s already-submitted document is insufficient to meet a specific document requirement. This new notice should state, “the reason the document you submitted on *(date)* is insufficient to verify *x factor* is because *(reason can include “date on the document is too old/not consec,” “missing signature on letter,” “missing phone number for collateral contact,” “illegible,” etc.)* and include a new due date for the applicant/recipient to submit the necessary document.

6. Limited Access to Information and Resources

“[The staff] often aren’t aware or pretend to be unaware of the grants and job opportunities available.”
—Brooklyn survey respondent

Presently, most PA recipients do not know about many of the various grants that are available to them through HRA. At the time of applying for PA benefits, this information is not presented to them, although many would be eligible and greatly benefit from additional services. When asked if PA recipients had heard of emergency cash (immediate needs) grants available to applicants facing emergency needs, only half responded ‘yes’ in the Safety Net Project surveys. Over 60 percent of survey respondents had never heard of

Percentage of Public Assistance Survey Respondents Who Have Never Heard of HRA Emergency or Extra Grants



security deposit grants, clothing grants, camp fees, pregnancy allowances, burial grants, restaurant allowances, or apartment search carfare for households living in New York City’s shelter system. These emergency grants can make a huge difference for families facing eviction and utility turn-offs, seeking to secure apartments while in a shelter, as well as those who have faced recent natural or other unexpected disasters.

Additionally, information regarding other services and grants available to SNAP and PA applicants and recipients is not offered during interactions with HRA. Examples include information on food pantries, legal assistance, and additional HRA vouchers. Safety Net Project survey respondents overwhelmingly reported that they would like to receive the following information at Centers (percentage is the number of respondents who chose “interested”):

Legal Assistance: 80 percent of SNAP Center and 82 percent of Job Center respondents

Food Pantries: 66 percent of SNAP Center and 76 percent of Job Center respondents

Rent Increase Exemptions: 58 percent of SNAP Center and 67 percent of Job Center respondents

Civil Service Exam Fee Waiver: 62 percent of SNAP Center and 73 percent of Job Center respondents

6 Recommendation 6: Inform Applicants and Recipients of All Additional HRA Grants and Selected Community Resources.

A. Re-train all Job Center workers on the array of HRA grants.

Provide comprehensive re-training to workers on all HRA additional grants and ensure that workers conducting eligibility interviews ask constituents if they are aware of and in need of the grants available to them. HRA must make sure all Center workers understand the array of HRA grants and general eligibility for programs, and that recipients are screened for all applicable grants at each application and recertification.

B. Institute new protocol and script requiring workers to review HRA's one-page summary regarding different grants at application and recertification.

HRA has a flyer that summarizes extra grants available to PA recipients, called Cash Assistance Additional Allowances, Form W-137C. This flyer is supposed to be included in all application packets. However, because benefit applicants receive hundreds of papers as part of the application packet, this information is easily missed. HRA should add language directly to the initial application and annual recertification scripts where workers emphasize this form and briefly review the list of additional grants with constituents.

C. Institute an information table at Job Centers specifically to provide information about additional resources, constituents' rights, and extra grants.

Similar to Housing Court Answers, this table would provide general eligibility information on grants and other resources (i.e. legal service providers, food pantries, housing applications, etc). We do not propose this to be a new resource for case conferencing or general case actions.

D. Designate staff at each center who specialize in benefits for those who are homeless.

This will ensure that homeless New Yorkers are screened and issued extra grants for which they qualify, such as automated storage payments (for those in DHS shelters), apartment search carfare, and restaurant allowances. This will foster smoother transitions for families entering the shelter system for the first time, as well as provide resources on moving-related grants that these households can apply for when they locate new permanent housing.⁹¹

Conclusion

In highlighting the serious and complex ways the New York City public benefits system thwarts and hinders applicants and recipients from seamlessly receiving the assistance and support they need, this report aims to foster continued change within HRA. HRA has the authority to implement each recommendation put forth in this report, which would drastically improve New Yorkers' experiences navigating and accessing the benefits they so desperately need.

Ensuring that New Yorkers feel welcomed, respected, and able to easily access information and services is more important now than ever before under a hostile and hateful federal administration that continues to attack safety net programs and immigrants. HRA Centers are a key location where New York City can show that it truly values, respects, and seeks to uplift all of its residents, regardless of economic class, immigration status, race, or gender.

Many of the barriers to accessing benefits that we highlighted in this report do not reflect the ideas that Commissioner Banks and Mayor de Blasio both espouse. In 2014, the Safety Net Project's "Culture of Deterrence" report concluded by quoting the then-recently appointed Commissioner Steve Banks: "[HRA] should be a helping hand. Unfortunately, over the years, it hasn't been a helping hand for people that desperately need help... [I want] to make sure the agency fulfills the mission that it has."

While HRA has made strides – some very significant – to improve its operations and treatment of clients since SNP's publication of that 2014 report, the data in this report reflect that there is still much more work to be done. It is imperative to the moral and economic wellbeing of New York City that changes are adopted imminently to improve the public benefits system.

Endnotes

1. Steven Banks, "Shelter Conditions Testimony," Human Resources Administration, December 17, 2018, https://www1.nyc.gov/assets/hra/downloads/pdf/shelter_conditions_testimony_12_17_18_final.pdf.
2. Ashley Southall and Nikita Stewart, "They Grabbed Her Baby and Arrested Her. Now Jazmine Headley Is Speaking Out." *New York Times*. December 16, 2018, <https://www.nytimes.com/2018/12/16/nyregion/jazmine-headley-arrest.html>.
3. Over the most recent 12-month period ending November 2018, there were 593,591 unduplicated recipients of Public Assistance. As of November 2018, there were 1,195,191 recipients of SNAP assistance (excluding those who were also ongoing recipients of Public Assistance). Data retrieved from "HRA Monthly Fact Sheet: November 2018" Human Resources Administration, Accessed January 11, 2019, https://www1.nyc.gov/assets/hra/downloads/pdf/facts/hra_facts/2018/hra_facts_2018_11.pdf
4. A useful discussion of this can be found in A. Dale Tussig, "The Dual Welfare System," *Society* 11(2), 1974, pp. 50-58.
5. For a look at this pattern see Joe Soss, Richard C. Fording & Sanford F. Schram, *Disciplining the Poor: Neoliberal Paternalism and the Persistent Power of Race*. Chicago: University of Chicago Press, 2011.
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83. “Culture of Deterrence” only surveyed respondents at Job Centers, so comparative data is unavailable. There was a larger sample size in the “Culture of Deterrence report,” with 131 respondents from Job Centers.

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86. 86.7 percent reflects the percentage of Fair Hearing Issues decided with outcomes that reflect agency resolution of the issue or the client being affirmed through the fair hearing process. The data used covers Public Assistance issues (Family Assistance or Safety Net Assistance) in all of New York State and is from

2016, the most recent year for which such data was publicly available, as retrieved via FOIL request. Data retrieved from Doyle, Gene. “Annual Statistics of Fair Hearing Decisions by Outcome Reasons on a Statewide and Local Social Services District Basis.” Western New York Law Center. Last updated May 5, 2017. http://www.wnylc.com/kb_wnylc/entry/7/

87. BEV appointments are mandatory appointments that many applicants must attend so that HRA can further verify various elements of their eligibility in consultation with access to various computer databases. Under Commissioner Banks, HRA announced the creation of BEV offices in boroughs other than Brooklyn however, due to ongoing renovations, many clients in other boroughs continue to be referred to Brooklyn for BEV appointments.

88. On 9/14/18, HRA closed two Brooklyn SNAP centers, and has not announced any plans to open new centers. Only three SNAP centers remain in Brooklyn.

89. The complaints to case ratio was calculated using data obtained by FOIL regarding the number of complaints filed at each SNAP and Job Center each month from Jan 2015 through Dec 2017 and the number of benefits recipients with cases at each Center for each corresponding month. This data was then added and averaged over the course of the year. The final complaints to case ratio indicates the number of formal complaints made through the Central Complaint Unit per 100 cases over the course of a given year. For example, at the Hunts Point SNAP Center, there were an average of 12.02 complaints made over the course of the year for every 100 cases assigned to that Center.

90. This data was compiled using the publicly-available “SNAP Mediation Analysis” reports from April 2017 to April 2018. For a sample report, see: “4-19-18 SNAP TF Mediation Analysis.” Food Bank for New York City, Accessed August 2018. <https://www.foodbanknyc.org/nyc-snap-task-force/>

91. For many years prior to 2015, HRA required all homeless individuals and families, regardless of location, to attend one Job Center in Long Island City, the East River Job Center. This policy created severe hardship for some of the most vulnerable New Yorkers. We applaud HRA’s action to move homeless individuals back to their geographic home areas which has been a huge improvement. This recommendation does not recommend a return to centralization but recommends that HRA add additional support for these individuals at their home centers.

Appendix A: HRA Job Center Questionnaire

The Urban Justice Center is a non-profit organization and is not affiliated with the New York City Human Resources Administration (HRA). This data will be used to raise awareness about the condition of HRA Job Centers in the city, and you will remain anonymous unless you choose to provide us with your information.

1. What borough do you live in? Bronx Brooklyn Manhattan Queens S.I.

2. What benefits do you receive? Public Assistance (Cash or Rental Assistance) SNAP

3. What center do you normally go to? _____

4. In 2017, how long on average did you wait at your job center before speaking with a representative? _____

5. In 2017, has a HRA worker ever lost paperwork that you provided to them? Yes No

6. In 2017, when you provide your center with paperwork, how often are you given a receipt?
 Always Often Sometimes Rarely Never

7. If you have been to HRA since April, have you been offered a receipt when visiting your Center? Yes No
If yes, did it include the reason you were there? Yes No

8. In 2017, have HRA workers spoken to you in a mean, hostile, or nasty manner?
 Always Often Sometimes Rarely Never

9. If English is not your primary language, does HRA communicate with you in a language you can understand?
 Yes No Not applicable – I speak English.

10. If you have a disability, does HRA provide services in a way that is accessible to you?
 Yes No Not applicable, I do not have a disability.

11. Rate the cleanliness of your center? Excellent Good Fair Poor

12. Do you feel safe at your center? Yes No

13. In 2017, when you have a question(s) about your case or an appointment, do the workers provide you with answers that you can understand and directions on where you need to go? Always Often Sometimes Rarely Never

14. In 2017, have you tried to call your center to speak with a worker? Yes No

15. If you answered yes to question 14, how often has your phone call been answered (on average)?
 Always Often Sometimes Rarely Never

16. Would you like the Center to provide information regarding:
Legal Assistance Yes No Food Pantries Yes No
Rent Increase Exemptions: SCRIE Yes No DRIE Yes No
Civil Service Exam fee waived with EBT Card: Yes No

17. If you have a voucher such as LINC, FEPS, SEPS, or City FEPS, have you been able to get help with issues regarding your housing voucher at the Center? N/A Yes No

18. Have you heard that you might be entitled to HRA's Extra or Emergency Grants?

(Please check the box next to your answer)

Extra/Emergency Grants	Yes, I've heard of it.	No, I've never heard of it.
Emergency Food Stamps	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Emergency Cash	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Security Deposit Voucher	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Furniture Grant	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Clothing Grant	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Utility Payments to Prevent a Shut Off	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Back Rent	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Moving Expenses	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Storage Expenses	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Camp Fees for PA Recipients	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Pregnancy Allowance for PA Recipients	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Burial Costs for PA Recipients	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Restaurant Allowance if you don't have access to a kitchen	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Apartment Search Carfare if you live in a DHS shelter	<input type="checkbox"/> Yes	<input type="checkbox"/> No

19. Please share additional comments about your experiences at HRA Job Centers below:

20. Contact information (optional):

Name: _____ Telephone: _____

Email: _____

TANF is Broken!

The Real Irony is Believing It's been a Success

Peter Germanis¹
January 26, 2019

In several recent blog posts, Matt Weidinger of the American Enterprise Institute (AEI) discusses the status of various bills to reauthorize or extend the Temporary Assistance for Needy Families (TANF) program.² He notes that Congress has a history of authorizing short-term extensions rather than undertaking “meaningful TANF reform.” Weidinger believes that these TANF extension bills are “thick with irony,” including:

...the lesson of the TANF program – that reforms can be made to help millions of low-income parents move from welfare to work and escape poverty, and all without requiring additional spending – is so totally lost on the rest of official Washington.

As explained below, Weidinger has not learned the lesson(s) of TANF; the real irony is in believing it's been a success.

This response addresses some of the points made by Weidinger in several of his blog posts. It is not intended to be a comprehensive critique of TANF or a full analysis of any TANF reauthorization proposal. Each statement is followed by a “PC Response” – short for “Peter the Citizen.” (This response is relatively brief, but includes endnotes and references to other papers with more detail.)

Matt Weidinger: “This latest extension will be for six months, nominally providing the new House and Senate time to work out a deal on more comprehensive reform legislation. Whether that occurs of course remains to be seen – and pessimists could note that the last full TANF reform bill was enacted in 2006, or well before most children currently assisted by TANF were born.”

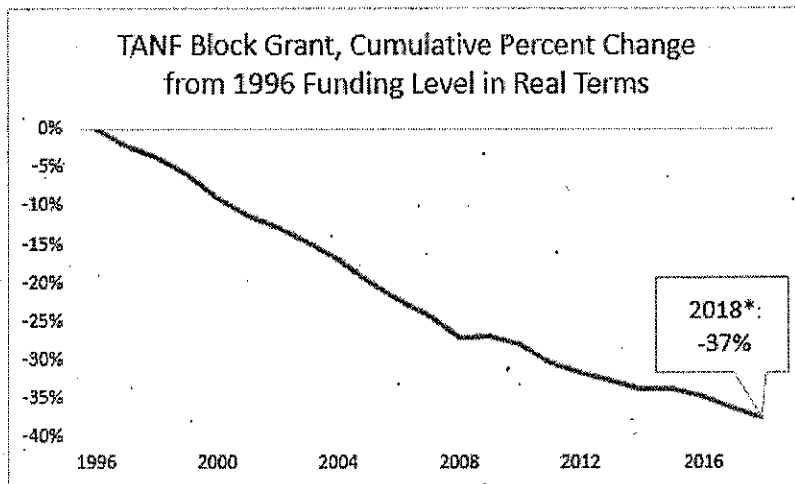
PC Response: A realist would note that TANF is a “broken” program and has been broken from its inception. While the law sent a symbolic message about the importance of work requirements and time limits, in practice, neither of these elements have been implemented in the way Congress intended. In fact, TANF is not “welfare reform” at all, but a fixed and flexible funding stream that has failed to provide an adequate safety net or an effective welfare-to-work program. In many states, it has become a slush fund used to supplant state spending and fill budget holes. In 22 years, Congress has failed to meaningfully address any of its problems.³

The Deficit Reduction Act of 2005 can hardly be considered a meaningful “TANF reform bill.” It was intended to strengthen work requirements by reforming misguided provisions (the caseload reduction credit) and eliminating loopholes (by including families served in separate state programs in the work rate calculation, defining work activities, and focusing work

requirements on “work-eligible individuals”), but it just led to new loopholes – solely state funded programs, token payments, and “excess MOE” for the revised caseload reduction credit.⁴

Matt Weidinger: “... straight extensions like this are regular exercises, which often occur as part of end-of-year legislation designed to keep TANF and other programs operating. ...these TANF extension bills are thick with irony.

The first irony is that it appears the one thing Republicans and Democrats in Washington can regularly agree on is making small annual reductions in the real value of one of the nation’s key cash welfare programs. As shown in the chart below, the accumulated effect of these extensions is that inflation has eroded the real value of the TANF block grant by over 37 percent since its creation.”



Source: U.S. Department of Health and Human Services (HHS), and the U.S. Department of Labor, Bureau of Labor Statistics (BLS). Percent change calculated through converting fiscal year funding level to 1996 constant dollars, using CPI for all urban consumers; *2018 CPI based on first-half semiannual average.

PC Response: Conservatives have been blinded by the misconception that TANF has been a “success” and they have obstructed meaningful reform and left Democrats no choice but to agree to straight extensions. This is hardly ironic. What was the alternative? Weidinger’s assessment is also misleading and fails to convey a complete picture of the adequacy of the TANF block grant and how its value has changed over time.

First, the “1996 funding level” should not be the block grant amount, but what states actually spent in federal dollars on TANF and the related programs used in determining the block grant. That amount was just under \$15 billion (vs. the \$16.4 billion block grant).⁵ As a result, Congress overpaid states when they established TANF by giving them a significant windfall. And, since caseloads would have continued to decline whether TANF was enacted or not, the windfall in the early years was actually far more than suggested by the \$1.4 billion differential. Given that conservatives typically base claims of TANF’s success on positive trends in various outcomes between 1996 and 2000, it is noteworthy that the most significant change during this

period was a substantial infusion of federal funding. (TANF actually weakened work requirements, as 31 states had a 0 percent target for their overall rate in 2000 due to the caseload reduction credit, meaning they had to place no one in work activities.)

Second, while inflation has been an important factor in eroding the value of the block grant and eventually transformed the windfall into a deficit, other factors are important as well, most notably demographic changes (e.g., changes in the number of poor families with children) and the tendency for many states to divert TANF dollars to supplant existing state spending or otherwise fill budget holes. Before joining AEI, Weidinger served as the deputy staff director of the House Committee on Ways and Means and Rep. Kevin Brady of Texas was its chairman. It is instructive to see how these factors played out in his state.

- *Demographics:* Between 1995/96 and 2016/17, the number of families with children living in deep poverty rose from 218,637 to 254,670, suggesting a need for more funding. Meanwhile, the state's TANF caseload fell from 257,761 to 24,545.⁶ As a result, the ratio of families receiving assistance to those in deep poverty fell from 118 to less than 10.
- *TANF as a form of revenue sharing:* In fiscal year (FY) 2017, Texas spent just 15 percent of its TANF and related maintenance-of-effort (MOE) funds on basic assistance, work activities, and child care – core welfare reform purposes. Instead, nearly 70 percent went to preK and child welfare.⁷ (Note: this was not necessarily new spending for these activities, but in part represents supplantation using federal dollars and counting pre-existing state spending as MOE.⁸)

Matt Weidinger: “The second irony is that Democrats, who regularly decry ‘the value of TANF funding [falling] by more than one-third since 1996,’ generally have supported the bills cutting the real value of TANF over time. Indeed, only three times in over three dozen votes did a majority of Democrats not support extending the TANF block grant without an inflation adjustment. Across all those votes, the most common Democrat vote share was 100 percent (14 times) followed by over 90 percent (12 times).”

PC Response: Again, the fact that Democrats have supported extensions that cut the real value of TANF due to inflation is not ironic; the alternative might be to have no funding at all, given the intransigence of conservatives in Congress to consider “meaningful reform.”

With respect to those “who regularly decry the value of TANF funding falling,” Weidinger provides a link to an article by Rep. Lloyd Doggett, “It’s Time to Fix the Broken Welfare System.”⁹ In this article, Rep. Doggett identifies three needed reforms:

- “First, we must hold states accountable for properly spending the funding they get from Washington.” He properly notes that states have diverted TANF funds from core welfare reform purposes (i.e., basic assistance, work activities, and work supports) to instead “plug budget holes,” adding that it has become “welfare for states.”

- “Second, we need to eliminate provisions that restrict access to the education and training that low-income parents need to succeed.” TANF’s work requirements are based on the misguided belief that a narrow “work first” approach is the best model because a preliminary (mis)reading of the findings from random assignment experiments conducted under the prior AFDC program suggested they produced better impacts on employment and earnings. Subsequent research findings suggest that there were more effective approaches and that allowing more education and training could enhance program impacts. (Moreover, none of the welfare-to-work programs evaluated in these experiments would come close to meeting TANF’s work participation standards. In particular, there was no evidence that a 50 percent requirement was feasible or desirable, that the 20- or 30-hour per week requirements were appropriate, or that the various restrictions on countable work activities would result in more effective programming.)
- “Third, we need to hold states accountable for providing a safety net for families who either can’t work or can’t find work.” He notes that the ratio of families receiving TANF to the number of poor families with children has declined from 68 in 1996 to just 23 in 2014.

All of Rep. Doggett’s criticisms are valid and actually understate TANF’s problems. Indeed, contrast his analysis with the statements of the three most recent Republican chairmen of the Ways and Means Committee (Rep. Dave Camp, Rep. Paul Ryan, and Rep. Kevin Brady) who repeatedly (and erroneously) asserted that TANF was a success, even as it failed miserably in their own states.

- Former Rep. Dave Camp of Michigan: “The 1996 welfare reforms led to more work and earnings and less welfare dependence and poverty among low-income Americans. However, President Obama recently took steps to undermine the work requirements that were an essential part of those reforms.”¹⁰ Any “undermining” of work requirements from the waivers proposed by the Obama Administration would have paled in comparison to the gaming of TANF’s work requirements states regularly undertake under the existing authority of the law. This is no more evident than in Michigan. And, the state has proven to be equally creative in manipulating TANF’s funding streams to divert spending from core welfare reform activities to fill budget holes. See: “TANF in Michigan: Did We Really “Fix” Welfare in 1996? A Cautionary Tale,” May 25, 2016, available at: <https://mlwiseman.com/wp-content/uploads/2016/05/TANF-is-Broken-in-Michigan.052716.pdf>.
- Former Speaker Paul Ryan of Wisconsin: “[The 1996 welfare reform law] is the crown jewel and the centerpiece of some of the most successful social policy legislation we’ve passed. It lowered child poverty rates, it moved people from welfare to work – because of these work requirements.”¹¹ Notably, in recent years, Wisconsin was one of just a few states that attempted to meet TANF’s work requirements without the use of gimmicks. The result? It failed to meet its minimum targets for five consecutive years (FY 2012-FY 2016) and thus ran the risk of large financial penalties. See: “The Failure of TANF Work Requirements in Wisconsin: A Note for Speaker Ryan,” August 22, 2016, available

at: <https://mlwiseman.com/wp-content/uploads/2016/05/The-Failure-of-TANF-Work-Requirements.Wisconsin.pdf>; see also, "The Need for Common Sense Conservative Welfare Reform: Ten Questions for House Speaker Paul Ryan," January 6, 2016, pp. 9-10, available at: <https://mlwiseman.com/wp-content/uploads/2015/11/Germanis2016Need.pdf>.

- Rep. Kevin Brady of Texas: "Twenty years ago, Republicans successfully concluded a multi-year, national effort to reform America's cash welfare program. The reform was based on one simple idea: the best way to change lives and help people out of poverty is a job."¹² Work requirements are irrelevant in Texas, because virtually no one receives assistance. Instead, the state uses the funds fill budget holes in programs unrelated to core welfare reform purposes. See: "TANF in Texas: The Need for "A Much Better Way": A Cautionary Tale for Ways and Means Chairman Brady," September 1, 2016, available at: <https://mlwiseman.com/wp-content/uploads/2016/05/TANF-is-Broken-in-Texas.pdf>.

Matt Weidinger: "The third irony is that the lesson of the TANF program – that reforms can be made to help millions of low-income parents move from welfare to work and escape poverty, and all without requiring additional spending – is so totally lost on the rest of official Washington."

PC Response: The real lesson from TANF is that giving states a blank check with no accountability combined with work requirements that are unreasonable (for recipients), unrealistic (for states, but for all the loopholes), and not based on evidence will lead to bureaucratic disenfranchisement and a "program" that is really welfare for state politicians, not needy families.

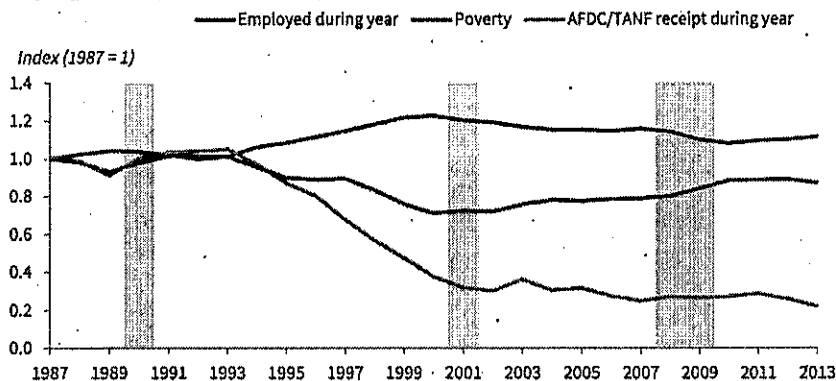
Weidinger provides no evidence for his claim that TANF helped "millions of low-income parents move from welfare to work and escape poverty." It is presumably based on the fact that in the immediate years after TANF was created, the poverty rate for single mother families with children declined and their employment rate increased. A simplistic before-and-after comparison of data points is not a strong basis for making statements of cause-and-effect; for a more detailed explanation, see "A Note to Pre-Post Conservatives: You Are Not Fooling Anyone – Except Maybe Yourselves (and Some Politicians)," September 2, 2017, <https://mlwiseman.com/wp-content/uploads/2016/05/PrePost-Conservatives.0904.pdf>.

Even if one accepts this approach to establishing causality, however, it is useful to put these trends in perspective. A figure from a recently released report by the President's Council of Economic Advisers (CEA) does this:

Figure 12 shows for single mothers with children, (i) AFDC/TANF receipt, (ii) employment, and (iii) poverty, each expressed as a rate in the population and then indexed to 1987 values. Between 1996 and 2000, single mother caseloads fell by 53 percent. Over the same period, their employment rate increased by 10 percent, and their poverty rate fell by 20 percent.¹³

The CEA highlights the fact that, for female-headed families, between 1996 and 2000, “caseloads fell by 53 percent” while “their employment rate increased by 10 percent and their poverty rate fell by 20 percent.” These trends, however, only emphasize the fact that the number receiving assistance fell much faster than the number gaining employment or lifted out of poverty. Indeed, by 2013, the endpoint of the CEA analysis, the employment and poverty rates are about the same as in 1996, but the percent receiving welfare declined by about 75 percent. If anything, the CEA figure should be a cautionary tale about TANF (and its work requirements).

Figure 12. Index of Percent of Female-Headed Families Employed, in Poverty and Receiving AFDC/TANF, 1987–2013



Sources: Gabe (2014) tabulations of administrative records, survey data; National Bureau of Economic Research; CEA calculations.
 Note: AFDC/TANF receipt, poverty, and employment are indexed to 1987 levels. Grey shaded regions denote a recession for at least four months of a given year.

Even as welfare caseloads fell sharply, the number of families with incomes low enough to qualify for TANF did not. Table 1 shows the change in the *average monthly* number of families eligible for assistance compared to the *average monthly* number receiving assistance for selected years from 1996 to 2015. In 1996 (before TANF), about 5.6 million families were eligible to receive benefits and about 4.4 million (79 percent of those eligible) did so. By 2015, the number eligible for TANF was higher (6.1 million), but the number receiving benefits fell over 60 percent to 1.6 million (26 percent of those eligible).

Table 1: Number and Percentage of Eligible Families Participating in TANF (Average Monthly Data, Selected Years, 1996-2015)				
Year	TANF			
	Eligible (millions)	Participating (millions)	Eligible, Not Participating (millions)	Participation Rate (%)
1996	5.6	4.4	1.2	78.9
2000	4.4	2.3	2.1	51.8
2004	5.1	2.2	2.9	42.0
2008	5.2	1.7	3.5	33.0
2012	5.7	1.9	3.8	32.4
2015	6.1	1.6	4.5	26.3

Source: U.S. Department of Health and Human Services, Office of the Assistant Secretary for Planning and Evaluation, *Welfare Indicators and Risk Factors: Seventeenth Report to Congress*, May 4, 2018, p. A-11, available at: <https://aspe.hhs.gov/system/files/pdf/259196/WELFAREINDICATORS17THREPORT.pdf>.

If TANF (and its work requirements) were a success in getting needy families to work, one would expect the number eligible for assistance and the caseload to decline in tandem. Instead, the number of families that were eligible for TANF cash assistance but that did not receive it grew by 3.3 million, from 1.2 million to 4.5 million.

It is true that there have been major expansions in other means-tested programs, but these mainly benefited those who worked and who were not poor. As Rep. Doggett observed, TANF has failed “for families who either can’t work or can’t find work.” Sadly, Congress continues to develop proposals that treat the symptoms, but fail to fix the problems.

Matt Weidinger: “With the notable exception of the TANF program, in Washington spending on means-tested benefits – but not accountability for results – typically only grows year after year.”

PC Response: Weidinger is right about spending trends on means-tested programs – the growth has been substantial and this spending has contributed significantly to the decline in poverty when using measures that incorporate the value of in-kind transfers and tax credits. In contrast, TANF has undoubtedly pushed millions of families deeper into poverty.

Conservatives often complain about the lack of accountability in programs, as reflected in the House Budget Committee’s FY 2017 budget recommendation to terminate the Social Services Block Grant (SSBG), which it characterizes it as a payment to states “without any matching, accountability, or evaluation requirements...”¹⁴ These concerns pale in comparison to those of TANF. It has no meaningful matching requirement – its MOE requirement has been eroded by inflation and the broad flexibility states have in what counts as an allowable expenditure minimizes its usefulness in maintaining a serious state commitment. TANF’s main accountability measures are limited to “assistance” (less than \$8 billion); leaving little accountability for the \$20+ billion in “non-assistance” expenditures. There are hundreds of different state programs funded as “non-assistance,” with little information on what they do, their cost, the number of families served, and their effectiveness. Even for assistance-related

expenditures, work and other requirements intended to ensure accountability are regularly gamed by states. And, there is no requirement for states to evaluate their policy changes, even when they involve changes that terminate assistance altogether (e.g., time limits and full family sanctions).

In fact, the real irony is that TANF replaced an evidence-based welfare reform model, which had strict accountability measures. In 1987, the Reagan Administration began encouraging states to use existing authority to conduct welfare reform experiments – through waivers of AFDC’s rigid rules (and, to a lesser extent, food stamp and Medicaid rules due to more limited waiver authorities for those programs). This approach was continued by President Bush and President Clinton. This process did not provide a fixed level of funding, like block grants. Instead, it relied on an approach that would provide a real counterfactual using the “gold standard” of evaluation – random assignment.¹⁵ It provided rigorous evidence about the impacts of welfare reform, including many examples of state experiments that increased employment and earnings, and also reduced welfare dependency and poverty.¹⁶ The next step would have been to refine this process and expand waiver authorities in other programs. Instead, TANF replaced it with a blank check to states with no accountability. Why? Apparently governors convinced Congress that states knew best how to reform welfare and didn’t need federal approval. As Ron Haskins, an architect of the 1996 law, now concedes, “States did not uphold their end of the bargain. So, why do something like this again?”¹⁷

Matt Weidinger: “Here’s hoping that the New Year and the new Congress will bring less of what Sen. Steve Daines (R-MT) recently called “kicking the can down the road” without meaningful TANF reform. That’s what is really needed to help more low-income parents return to work and start moving up the economic ladder.”

PC Response: TANF’s flaws have become too big to ignore – a fact that became evident during the mark-up of a bill in the House Ways and Means Committee, the Jobs and Opportunity with Benefits and Services (JOBS) for Success Act. Rep. Adrian Smith, chairman of the Human Resources subcommittee charged with developing legislation to reauthorize TANF acknowledged that there is “abundant evidence that TANF in its current form is broken.” Similarly, Senator Steve Daines, who considers TANF a success in its early years, called TANF “broken” as well and introduced a modified version of the same legislation.¹⁸ He further noted that Congress has only had one major reauthorization since the law’s inception, with 24 short-term extensions since 2010 alone (25, as of December 7, 2018):

Talk about kicking the can down the road. Efforts to address the persisting concerns about the program have not crossed the finish line. This must change.¹⁹

An important question about the latest attempt by Congress to reform TANF is, does the legislation “fix the problems” or just “kick the can down the road”? While the JOBS for Success Act would make some modest improvements to TANF, the bill fails to address the root causes of TANF’s problems – the block grant structure, excessive state flexibility (with no meaningful accountability), and poorly designed work requirements. Until Congress confronts these realities, TANF will remain “broken.” See:

“The JOBS for Success Act: A Noble but Futile Attempt to Reform ‘Welfare Reform’,” June 16, 2018, available at: <https://mlwiseman.com/wp-content/uploads/2016/05/The-JOBS-for-Success-Act.pdf>.

“TANF is Broken! Is Congress Fixing the Problems – or Just ‘Kicking the Can Down the Road’? A Response to Senator Steve Daines,” January 1, 2019, available at: <https://mlwiseman.com/wp-content/uploads/2019/01/Daines.Response.pdf>.

Matt Weidinger: “...taxpayers can at least take some solace that this is the rare federal program that is not getting more expensive.”

PC Response: Federal and state spending on TANF represents less than 3 percent of total spending on means-tested welfare programs. The amount spent on cash assistance – the main focus of reform efforts – is less than 1 percent. What taxpayers should be concerned is not so much whether TANF’s block grant is adjusted for inflation, but rather that TANF in its current form is so dysfunctional. Except for giving states maximum flexibility, there is nothing in the law that works as intended. If Weidinger and other conservatives want to be seen as serious anti-poverty thinkers, they should ask themselves the following 10 questions about TANF (and any welfare reform proposal).

1. Does it make sense to have work requirements that don’t work?
2. Does it make sense to have a funding structure for a safety net program that is unresponsive to changes in economic and demographic circumstances?
3. Does it make sense to give states so much flexibility they can count virtually any expenditure as “reasonably calculated” to advance a TANF purpose?
4. Does it make sense to permit states to use TANF funds to supplant existing state expenditures and use it as a giant slush fund?
5. Does it make sense to replace a simple and effective federal-state matching approach with an ineffective, Rube Goldberg-like financing scheme?
6. Does it make sense to give states so much flexibility they can duplicate the benefits and services of dozens of other low-income programs with virtually no accountability?
7. Does it make sense to provide funding for safety net programs that have either no income limit or that permit states to set very high income limits?
8. Does it make sense to impose rules that are ineffective and/or needlessly complicated?
9. Does it make sense to ignore evidence-based research?
10. Does it make sense to use TANF as a model for reforming other welfare programs?

The answer to each question should be “NO,” but TANF has failed with respect to each of the first nine questions and thus should not be a model for reforming other welfare programs. The real irony is that too many conservatives still think it’s a success.

¹ The views in this document reflect my own as a citizen and do not reflect the views of any organization I am now or have ever been affiliated with. By way of background, I am a conservative and have worked on welfare issues for the Heritage Foundation, the American Enterprise Institute, and the White House under both President Reagan and President George H.W. Bush. This paper assumes the reader has a basic understanding of the TANF program, but for those readers who want more context and background, see Peter Germanis, *TANF is Broken! It's Time to Reform "Welfare Reform" (And Fix the Problems, Not Treat their Symptoms)*, July 25, 2015 draft, available at: <http://mlwiseman.com/wp-content/uploads/2013/09/TANF-is-Broken.072515.pdf>.

² Matt Weidinger, "While Congress differs on border wall, House and Senate bills agree on trimming welfare block grant," American Enterprise Institute, December 21, 2018, available at: <http://www.aei.org/publication/while-congress-differs-on-border-wall-house-and-senate-bills-agree-on-trimming-welfare-block-grant/> and Matt Weidinger, "Latest bipartisan welfare extension clears congress," American Enterprise Institute, January 22, 2019, available at: <http://www.aei.org/publication/latest-bipartisan-welfare-extension-clears-congress/>.

³ For a detailed analysis, see: *TANF is Broken! It's Time to Reform "Welfare Reform" (And Fix the Problems, Not Treat their Symptoms)*, July 25, 2015 draft, available at: <http://mlwiseman.com/wp-content/uploads/2013/09/TANF-is-Broken.072515.pdf>.

⁴ For a detailed analysis of TANF's work requirements, see: "Expanding Work Requirements in Non-Cash Welfare Programs: TANF is NOT a Model, but a Cautionary Tale," October 22, 2018, available at: <https://mlwiseman.com/wp-content/uploads/2018/10/TANF-No-Model.pdf>.

⁵ U.S. General Accounting Office, *Early Fiscal Effects of the TANF Block Grant*, August 1998, pp. 39-40, available at: <https://www.gao.gov/assets/230/226268.pdf>.

⁶ Center on Budget and Policy Priorities, *TANF Financial Assistance to Poor Families Is Disappearing in Texas*, November 28, 2018, available at: https://www.cbpp.org/sites/default/files/atoms/files/tanf_trends_tx.pdf.

⁷ U.S. Department of Health and Human Services, Administration for Children and Families, Office of Family Assistance, "TANF and MOE Spending and Transfers by Activity, FY 2017 (Contains National & State Pie Charts)," August 23, 2018, available at: https://www.acf.hhs.gov/sites/default/files/ofa/fy2017_tanf_and_moe_state_piechart.pdf.

⁸ The Ways and Means Committee warned states about supplanting state dollars in 2000, but has done nothing to curtail the practice. For an example of the letter sent to each governor, see: <http://fiscalpolicy.org/letter-from-nancy-l-johnson-sent-individually-to-all-50-governors>.

⁹ Rep. Lloyd Doggett, "Rep. Doggett: 'It's Time to Fix the Broken Welfare System'," *Talk Poverty*, August 22, 2016, available at: <https://talkpoverty.org/2016/08/22/rep-doggett-time-fix-broken-welfare-system/>.

¹⁰ Rep. Dave Camp, "Camp Releases Report on Obama Administration's History of Undermining Work Requirements," August 21, 2012, available at: <https://votesmart.org/public-statement/735996/camp-releases-report-on-obama-administrations-history-of-undermining-work-requirements#.XEXm1IVKiM8>.

¹¹ Cited in Rob Bluey, "Paul Ryan: HHS Welfare Work Waiver Will Undermine 1996 Reforms," *The Daily Signal*, September 13, 2012, available at: <http://dailysignal.com/2012/09/13/paul-ryan-hhs-welfare-work-waiver-willundermine-1996-reforms/>.

¹² Rep. Kevin Brady, "Twenty years after welfare reform, the path ahead," August 22, 2016, available at: <http://waysandmeans.house.gov/icymi-chairman-brady-op-ed-hill-20th-anniversary-welfare-reform/>.

¹³ Council of Economic Advisers, *Expanding Work Requirements in Non-Cash Welfare Programs*, (Washington, D.C.: The White House, July 2018), p. 47, available at: <https://www.whitehouse.gov/wp-content/uploads/2018/07/Expanding-Work-Requirements-in-Non-Cash-Welfare-Programs.pdf>.

¹⁴ U.S. House of Representatives, Committee on the Budget, *Concurrent Resolution on the Budget – Fiscal Year 2017*, March 2016, p. 67, available at: http://budget.house.gov/uploadedfiles/fy2017_budget_resolution.pdf.

¹⁵ For an excellent summary of the issues and deliberations during this period, see Judith M. Gueron and Howard Rolston, *Fighting for Reliable Evidence* (New York, NY: Russell Sage Foundation, June 2013).

¹⁶ Jeffrey Grogger, Lynn A. Karoly, and Jacob Alex Klerman, *Consequences of Welfare Reform: A Research Synthesis* (Santa Monica, CA: July 2002), http://www.acf.hhs.gov/programs/opre/welfare_employ/res_synthesis/reports/consequences_of_wr/rand_report.pdf.

¹⁷ Eduardo Porter, "The Republican Party's Strategy to Ignore Poverty," *The New York Times*, October 27, 2015, available at: <http://www.nytimes.com/2015/10/28/business/economy/a-strategy-to-ignore-poverty.html>.

¹⁸ The House version of the bill, H.R. 5861, can be found at: <https://www.congress.gov/bills/115th-congress/house-bill/5861/text?q=%7B%22search%22%3A%5B%22jobs+for+success%22%5D%7D&r=1&s=1>; the Senate version, S. 3692, can be found at: <https://www.congress.gov/bills/115th-congress/senate-bill/3692/text?q=%7B%22search%22%3A%5B%22jobs+for+success%22%5D%7D&r=2&s=1>.

¹⁹ Senator Steve Daines, "TANF," *Congressional Record*, December 6, 2018, p. S7339, available at: <https://www.congress.gov/115/crec/2018/12/06/CREC-2018-12-06-senate.pdf>.

**URBAN
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**THE NEW YORK CITY COUNCIL
COMMITTEE ON GENERAL WELFARE TESTIMONY**

T2019-3648

T2019-3653

T2019-3661

T2019-3662

T2019-3667

T2019-3697

My name is Brenda Riley, I'm a passionate member of Safety Net Activists at Urban Justice Center. The reason I am before you today is that I have the responsibility to raise my grandchildren who reside with me and receive HRA benefits. Our household income has limited abilities.

I am currently experiencing the real possibility of homelessness as I speak, from a home I have lived in for the past sixteen years. My family and I are the growing faces of the marginalized poor people who can't get needed housing subsidies and are excluded from access or approval. Due to my destitute state of affairs and lack of ability to pay my rent, other bills don't get paid (the pay Paul and forget Peter).

I had to visit my assigned Job Center, Clinton-Hill, in Oct./Nov. of 2018 to resubmit my granddaughter's school letter and request payment for my utility bill. The school letter had been submitted several times and was currently written in my granddaughter's behalf by her school to keep HRA from terminating my granddaughter case. She could not go due to the concerns of her school in being absent several times. So I carried with me a letter from my doctor regarding my disability and handed it to the security with my Social Security ID card and the benefit card, to show I'm a senior and to document the needs for special accommodations. I was told by security if I was not able to be on line, then I couldn't be processed and would have to leave. Understandably, I was in crisis so I stood until the pain caused noticeable sweating and the clients on line assisted me by telling me to sit until I could be seen by intake. In addition, I had to sit from 10 AM to 2:30 PM causing me additional pain. When I left the HRA office, my last twenty dollars had to be spent in taxi service. I tried walking the two blocks for bus service but couldn't, so someone outside the Job Center found me a cab.

Seniors nor people with disabilities should never be treated in such a disrespectful manner. Two days later, after being bed ridden, I had to visit my doctor; the medication was not working for my pain. Due to the long sitting and standing at the Job Center, I began having escalating pain in my chest, back (which I never had before) and the knee. My doctor increased my pain medication.

The reason I stand before you today is that I felt strongly about the mistreatment, and this type of treatment had already occurred previously to me. Since then I have been actively advocating for reform of the way clients are treated and wait time in HRA offices through Safety Net Activists. To hear of even more horror stories of mistreatment that made my testimony small is now the reason that we are all here.

Thank you for allowing me the opportunity to ask those who lead to request change and to look at the regulations and program changes that can enhance value to the public rather than increased costs in medical, housing, and other streams that increase when people in your communities are ignored until it becomes an epidemic. In our coming together, we collaboratively can bring about change for marginalized people's lives for centuries to come.

T2019- 3648, 3653, 3661, 3662, and 3667

Safety Net Activists at Urban Justice Center supports this administrative code of request that the city of New York to amend the current standing policy of reporting the use of force in Human Resources Administration Offices by Alicka Ampry Samuel, Adrienne Adams, Laurie Cumbo and others.

The current standing regulation to reporting any use of force incidents that occurred in department of social services/human resources administration office is antiquated at best and overall the history has left many people harmed in un-humane ways. After careful collaborative discussions, it is our hope these newly requested plans will assist staff and security in de-escalation incurred situations to ways to deal with clients in a less stressful professional communicative manner. Moreover, not causing a state of trauma related issues that hostility between security, staff and people seeking help are.

Thank you for allowing me to speak regarding the treatment of clients and to have input in collaborative input to develop new ways for security and staff to treat people already traumatized by needing help, be more respectful and professional while assisting people in need at Job Centers across New York City.

Brenda Riley
Urban Justice Center Safety Net Activists
123 Williams St. 16th fl. New York, N.Y.

Testimony of John Otrompke

Re: Oversight - Client Experience at HRA Centers.

Hon. Steven Levin

Committee on General Welfare

New York City Council

February 4th, 2019

My name is John Otrompke and I am here representing the Safety Net Activists, which are associated with the Urban Justice Center. I recently applied for Cash Assistance and Food Stamps with HRA when I sought shelter at 30th St men's shelter, which used to be Bellevue, around May 2017. I'm here to testify today about certain aspects of HRA's functioning and administration of our social safety net which strike me as being dysfunctional in a number of ways.

First, there are countless inefficiencies in HRA and its procedures that necessitate a significant overhaul. These inefficiencies, including a disconnect between different units of HRA and between HRA and its subcontractors, waste beneficiaries' time and create discomfort and unnecessary inconvenience.

Secondly, the process of being in the center seems designed to be uncomfortable, punitive, and an affront to one's dignity.

I was interested to learn from a recent article by John Surico that New York City had a gross metropolitan product of roughly \$1.7 trillion dollars last year.

Perhaps what you ought to be debating is a proposal for a wealth tax like that being discussed by federal government officials.

- I. It occurs to me that many parts of the HRA system are inherently broken and that a major investment in both the infrastructure and design of the system could instill greater feelings of self-worth for beneficiaries.
 - a. For example, I recently since April of last year have had a PO Box. I alerted HRA to send mail there instead of my shelter where mail might get lost, I could get transferred, or at a minimum, I would receive it late. I provided HRA with a PO Box address. I got mail at the PO Box for several months. At one point, at Crotona HRA Job Center – which is where I am currently going, even though I live in Queens – and I confirmed with the HRA rep at the counter to ask if my address is correct and he seemed annoyed and said “okay, yeah, it's correct.” Then a few months later, when a friend showed me how to use the Access HRA website, I saw that my address was still listed as an old shelter I had previously resided. I went in to my account to change it on Access HRA. Then, a few months after that, I went back into my account and my address had once again been changed to that old shelter address. Because of all the confusion, I then found out that I had missed a recertification appointment which I am currently challenging with a Fair Hearing now and have to go back up to the Bronx – even though I am now residing in Queens - to get that taken care of.

- b. After requesting the Fair Hearing, I saw on my Access HRA account that they had sent me a notice about a reconciliation appointment last week, but not only did I not receive the notice in the mail, the appointment was also scheduled for the exact same time when I had a mandatory meeting with NAICA, my shelter provider. This is obviously problematic because HRA didn't realize I had an appointment with this other agency and my shelter didn't know I had an appointment scheduled with HRA, at exactly the same time. Missing either of these appointments will cause even more problems because I will have to explain missing that appointment. Also, I sometimes have up to four appointments per month, which is also making me miss time I could be working.
- II. Process of being in the center seems designed to be uncomfortable, punitive, and an affront to one's dignity
 - a. On time during a recertification, I was answering all the HRA worker's questions in a respectful way. The representative behind her who was not in any way involved in the conversation turned around and said "can you please keep your voice down and not be so loud. We're not having a party in here."
 - b. I once waited for 4 hours to get storage unit paid and because they refuse to make the monthly payments automatic, I have to go back in every month
 - c. Once had a mandatory appointment that I was on time for. After having to sit on a hard chair for two hours past the scheduled start time, the worker behind the counter made eye contact with me and shook her head sympathetically and told me that they would reschedule the appointment for another day. Seems like punishment to be made uncomfortable for several hours only to be told nobody will be able to see you that day.
- III. Nobody tells us about other resources:
 - a. The inability to use food stamps for hot food makes me feel like second class citizen
 - b. Shelter only provides one meal a day. Breakfast is just sometimes fruit or muffins left out. Nobody has ever mentioned restaurant allowance to me.
 - c. Nobody has ever talked to me about apartment search carfare but I recently found out I should be eligible for that.

To reiterate, gross and innumerable inefficiencies in the HRA system cause great inconvenience and hardship for beneficiaries and make all those who have to interact with or who learn about HRA lose respect for its functions and its workflow. These inefficiencies tend to breed lack of confidence in HRA's competence.

Secondly, many aspects of the HRA system seem designed to unnecessarily affront the dignity of beneficiaries, and at the very least, do not take into account the dignity of its beneficiaries.

I hope this testimony has been helpful to the General Welfare Committee in its efforts. Thank you for the opportunity to speak today.



FOR THE RECORD

**Testimony to the New York City Council's
Committee on General Welfare**

**Delivered by: Ashley C. Sawyer, Esq.
Director of Policy and Government Relations
Girls for Gender Equity**

February 4, 2019

Good afternoon Chairpersons and committee members, My name is Ashley Sawyer and I am the Director of Policy and Government Relations at Girls for Gender Equity. Thank you to members of the New York City Council for responding swiftly in response to the horrific violence experienced by Jazmine Headley in early December. Special thanks to Council Member Levin for holding this hearing and helping the Council advance the twelve bills and resolutions we are reviewing today.

Girls for Gender Equity (GGE) is a Brooklyn based, national policy and youth development organization which advocates to remove the systemic barriers which prevent cis and trans girls and gender non-conforming youth of color from leading self-determined lives.

We at GGE have been urging this body of government to take the issues that Black women, especially younger Black women, experience seriously. As many of you know, we helped design the New York City Young Women's Initiative - a participatory governance process where cis and trans girls and GNC youth of color developed a set of over 80 recommendations for city government in the areas of anti-violence and criminal justice, education, health, community support and opportunity, and economic and workforce development.

Jazmine Headley's experience was a horrible display of racism, classism, and an overall disregard for basic decency. However, Jazmine's experience was not unique. Many New



Yorkers rely on the Human Resources Agency (HRA) for a myriad of public benefits. Due to their recent office closures, many people have to endure unreasonable wait times and overall poor treatment. What Jazmine experienced could have largely been avoided if she did not have to wait for an unreasonable amount of time to be seen, or if police and security were not involved, or if she had a safe, clean place to leave her child while she was accessing benefits. Yet at every turn, system failures compounded, and it caused Jazmine and her child immeasurable trauma, took days out of her life, and subjected her to the indignities of incarceration on Rikers Island.

With those memories in mind, we support the proposals that members of City Council have put forth in order to prevent incidents like this from happening again. In particular, we want to emphasize the importance of consistently monitoring the termination of benefits, client complaints, and use of force within these offices. It is imperative that there are measurable tools for holding social service agencies accountable for the ways that they engage with New Yorkers. We know that if it was not for the public outcry, Jazmine Headley could have suffered in silence, and there would have been no consequences for the brute level of force that she endured. It is important that every effort is made to prevent people seeking services from having to interact with law enforcement in order to access those services or public benefits. This is particularly important for immigrant women, non-binary people, and all people of color.

It is also incredibly important that pregnant and parenting young people do not have to spend their entire days in social service offices, by making every effort to reduce wait times, and improve the customer service within these agencies. Many girls and young women who rely on HRA also are trying to attend school, and make ends meet in addition to providing for their families. For wage workers, spending hours in an office in order to get child care vouchers or other necessary assistance, prevents them from attending classes or having enough money to provide for their families.



We strongly support ensuring that trauma informed, culturally competent social-workers are in social service agencies to provide the necessary support for New Yorkers. GGE was founded by a social worker and continues to do all of our youth programming through a culturally responsive, healing, social-work frame. In the same way that we have consistently advocated for school counselors, we know that there other places where women and girls of color are in need of supportive services. The investment in the qualified professionals, within HRA offices could transform the experiences of the many people who rely on social service agencies.

Again we want to thank committee members and councilmembers for your dedication and responsiveness to these critical issues. We look forward to continuing this conversation and offering our expertise as you continue to develop solutions.

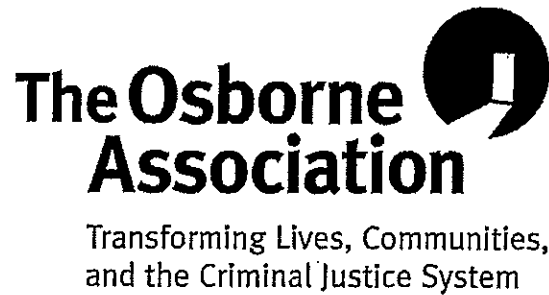
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FOR THE RECORD

**Testimony of the Osborne Center for Justice Across Generations
Meeting of the City Council Committee on General Welfare**

February 4, 2019

**Presented by
Tanya Krupat
Director, OCJAG
The Osborne Association**



Thank you for the opportunity to speak with you today. My name is Tanya Krupat, Director of the Osborne Center for Justice Across Generations, the policy arm of the Osborne Association. We launched our Policy Center a few years ago to expand Osborne's justice reform and advocacy work, and to ensure that the lessons we learn from the 12,000 individuals we serve in our programs each year inform and shape the policies that deeply affect their and all of our lives. Many of those we serve are involved with HRA as well.

For the past 10 years, we have been deeply involved and leading efforts to safeguard children whose parents are involved with the criminal justice system, including from the moment a parent is arrested. Our work focuses on arrests where the parent is not physically harming the child or not harming the child in any way, such as the arrest of Jazmine Headley. For 10 years, we have been calling for protocols to safeguard children at the time of arrest hoping that written protocols, training, and data collection to monitor implementation and impact would prevent the trauma that Ms. Headley and her infant son went through.

Our work on minimizing trauma to children at the time of arrest is informed by the direct services we provide to children whose parents are incarcerated, all of whose parents first were arrested. We have heard about the devastating and scarring effect of witnessing a parent's arrest as well as about the haunting memory of not being seen. Young people have described years later (as if it just happened), the experience of being right there but not being acknowledged or considered. In addition to the impact this has on their own sense of self and worth, it also affects their view of those in a uniform. Instead of associating safety and comfort with a uniformed authority (which already does not exist in many communities), they associate fear, anger, and an abuse of power with those in uniform. One steady found that children who witness the arrest of their parent, view this as their parent being attacked...by those in uniform.

Interestingly, in 2008 (fully 11 years ago) when we conducted focus groups with parents who had been arrested, this was one of their biggest concerns: they feared that their child would not seek out help from a uniformed officer because of what they witnessed. If their child was ever lost or being followed, they *wanted* their child to go to an Officer.

What happened to Ms Headley should never have happened but this is an opportunity. What little data we know of is in regards to NYPD, and the result of the Criminal Justice Agency collecting data post-arrest. According to CJA, in 2017, 5,069 defendants told CJA's pretrial associates that they provided full-time care to children, and 36,777 defendants reported that they provided financial support to over 74,000 children. This means that thousands of children are affected by parent's arrest and I don't believe there is data on how many arrests in HRA offices are in front of children or of children's parents. This data is important, and even more important are written protocols and substantive training and in-service refreshers.

We worked with the Albany Police Department to implement these steps which they are doing now. They have a written protocol, comprehensive training, and they collect data. They also took the extra step to coordinate with schools and implement the Handle with Care, a model developed in West Virginia to alert a school when a child has witnessed or experienced trauma to “handle the child with extra care.”

We are available to work with the City Council, HRA, NYPD and others on this. The roadmap exists- model protocols are even available from the International Association of Chiefs of Police. My testimony includes a number of resources, including a letter submitted last Friday signed by more than 40 organizations, calling on HRA and the City to take action immediately to safeguard children.

Children’s well-being and bright futures are too important.
We must work together and act now. Thank you.

CONTACT:

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Osborne Center on Justice Across Generations

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Safeguarding Children at the Time of Arrest

February 1, 2019

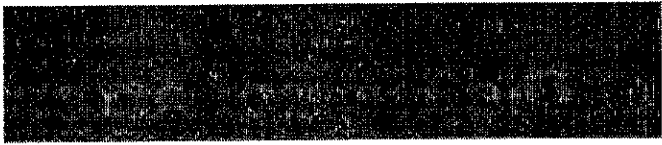
Dear Mayor de Blasio,

We, a diverse group of human service providers, faith-based leaders, and advocates call on the leadership of New York City to immediately adopt a city-wide policy to safeguard children at the time of a parent's arrest and provide **all** arresting officers with substantive training to minimize trauma to children who are present during an arrest. NYC has a clearly articulated protocol in place when the parent is being arrested for harm to the child;¹ we call on NYC to have an equally detailed and comprehensive protocol when parents are arrested for non-child-related reasons.

It is clear from the incident on December 14, 2018, when responding officers forcibly ripped Jazmine Headley's infant son from her arms at a Brooklyn Human Resources Administration (HRA) building, that the officers were not equipped with the sensitivity and skills necessary to consider the needs and safety of Ms. Headley's son. Contrary to the response of the NYC Patrolmen's Benevolent Association President Patrick J. Lynch who stated, "The immediate rush to condemn these officers leaves their fellow cops wondering: when confronted with a similar impossible scenario, what do you want us to do?" there is a lot that the officers could have done differently (not to mention that this was hardly an "impossible scenario"). There are concrete steps to put into place immediately to ensure this never happens again. Children's well-being depends on these next steps, and officers' safety and welfare are maximized by implementing these steps as well.

The NYPD, HRA, and all city agencies and contracted entities with the power to conduct arrests can implement a comprehensive policy to safeguard children of arrested parents and begin training **all** officers immediately on child-sensitive arrest protocols. Existing resources and training curricula exist. For example, the International Association of the Chiefs of Police (IACP) model policy for "Safeguarding Children of Arrested Parents" published in 2014 outlines a detailed law enforcement protocol to safeguard children, and an implementation guide and training tools are available on the IACP website. Curricula on child-sensitive arrest practices should also be included in The New York Police Academy Basic Training curricula. As of 2016, all law enforcement officers in New York State, **except for the NYPD and the New York State**

¹ Instant Response Teams respond to cases involving severe abuse and/or maltreatment of a child and consist of personnel from ACS, NYPD, and the county District Attorney's office who work together to minimize trauma to children.



Police, receive training on how to safeguard children at the scene of arrest as part of the NYS Office of Public Safety's Basic Training.

Child-sensitive arrest protocols should minimally include the following whenever possible and appropriate:

- arresting the parent out of the child's sight;
- not handcuffing the parent in front of the child or using a siren;
- allowing the parent access to their cell phone and extra phone calls to arrange care for the child;
- allowing the parent to comfort and explain to the child what is happening.

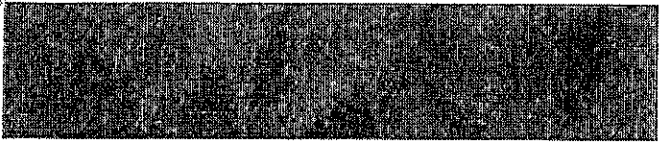
Arresting officers should ask all arrested individuals whether they are responsible for someone in need of alternative caregiving arrangements so that no child or vulnerable adult is left unattended and at risk. Written protocols should cover all arrest scenarios, including warrants that should be executed when children are least likely to be in the home. Monitoring implementation is critical to ensure that officers are following the protocol and to identify additional training needs. Law enforcement agencies should collect and report on data including how many children are present at the time of an arrest so that NYC can ensure supportive services are available to children.

It is critical to recognize and safeguard the thousands of children who experience the arrest of a parent every year in New York City. We know from data aggregated by the New York City Criminal Justice Agency that **at least 35,581 children lived with a parent who was arrested in 2017**. While we don't know how many children witnessed the arrest (this data remains unavailable), it is safe to say that far too many children experience this trauma.

We call on you and the leadership of our City to take these immediate steps to safeguard children.

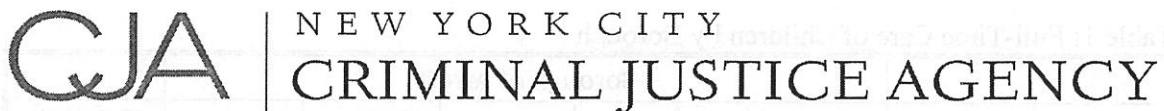
Sincerely,

- | | |
|---------------------------------------------|--------------------------------------|
| 1. Bronx Clergy Criminal Justice Roundtable | 7. Children of Promise, NYC |
| 2. Bronx Christian Fellowship | 8. Children's Defense Fund, New York |
| 3. CASES | 9. Children's Haven |
| 4. Center for Community Alternatives | 10. Citizens Committee for Children |
| 5. Center for Family Representation | 11. Community Connections for Youth |
| 6. Child Center of NY, Queens | 12. Community Service Society |
| | 13. Concerned Clergy for Choice |

- 
14. EAC Network
15. Empire State Progressives
16. Families Fathers And Children
17. Fortune Society
18. Gods Battalion of Prayer, Brooklyn
19. Graham Windham
20. Greenburger Center for Social and Criminal Justice
21. Hindu Temple Society of North America
22. JCCA
23. Lawyers for Children
24. Legal Action Center
25. Mott Haven Reformed Church
26. Mount Vernon Heights Congregational Church
27. New Hope Christian Fellowship Brooklyn
28. New York Board of Rabbis
29. New York Initiative for Children of Incarcerated Parents
30. New York Zero to Three Network
31. Not on My Watch! Safe Haven Network
32. NYS Council of Churches
33. NYU Family Defense Clinic
34. Office of the Appellate Defender
35. Sills Family Foundation
36. St. James' Church, NYC
37. The Osborne Association
38. TASC of the Capital District
39. We Got Us Now
40. Women & Justice Project
41. Women's Prison Association

Cc:

Speaker Corey Johnson, New York City Council
Commissioner James O'Neill, New York City Police Department
Commissioner Steve Banks, Human Resources Administration
Liz Glazer, Director of the Mayor's Office of Criminal Justice
Councilmember Stephen Levin, Chair, Committee on General Welfare Committee, City Council
Councilmember Donovan Richards, Chair, Committee on Public Safety, City Council



Aubrey Fox
Executive Director

September 19, 2018

DEFENDANTS' FULL-TIME CARE AND FINANCIAL SUPPORT OF CHILDREN, 2017

Prepared by: New York City Criminal Justice Agency

Prepared for: The Osborne Association

In 2017, 5,069 defendants told CJA's pretrial associates that they provided full-time care to children, and 36,777 defendants reported that they provided financial support to over 74,000 children. Compared to 2016, defendants provided financial support to fewer children (77,471 in 2016 vs. 74,387 in 2017), while the percentages of defendants providing full-time care (4.1% in 2016 vs. 3.9% in 2017) and financial support (29% in 2016 vs. 30% in 2017) remained roughly the same.

CJA's pretrial associates collect this data as they complete an interview form prior to the defendant's arraignment. Although there is no script for the questions, defendants are asked to indicate if they are a full-time caregiver, whether they provide financial support to a child, and how many children they support.

This memo provides 2017 data on: 1) demographic characteristics of defendants providing full-time care to children, 2) full-time caregivers incarcerated after arraignment, 3) demographic characteristics of defendants providing financial support to children, 4) defendants providing both financial support and full-time to children, and 5) numbers of children receiving financial support from defendants. For defendants arrested multiple times during the year, data are based on the defendant's last arrest in 2017.

I. Demographic Characteristics of Defendants Providing Full-Time Care of Children

In 2017, about 4% (5,069) of defendants reported providing full-time care to at least one child.

As shown in the tables below, full-time care of children varied by demographic characteristics. Defendants in Manhattan were less likely to report full-time caregiving (2.0%) than those in other boroughs (Table 1, next page). Full-time caregiving was most common among Non-Hispanic Black (4.4%) defendants, and least common about Non-Hispanic White (2.5%) defendants (Table 2). Females were more likely to report full-time caregiving (Table 3). Defendants age 31-40 were the most likely age group to report full-time caregiving (Table 4).

Table 1: Full-Time Care of Children by Borough

	Borough of Arrest					Total, all boroughs
	Brooklyn	Manhattan	Queens	Staten Island	Bronx	
Number of Full-Time Caregivers	1,951	617	1,418	146	937	5,069
% Full-Time Caregivers	5.3%	2.0%	5.0%	2.8%	3.4%	3.9%
<i>(Number of Defendants)</i>	<i>(36,777)</i>	<i>(30,768)</i>	<i>(28,082)</i>	<i>(5,191)</i>	<i>(27,751)</i>	<i>(128,569)</i>

Table 2: Full-Time Care of Children by Ethnicity

	Ethnicity					Total
	Non-Hispanic White	Non-Hispanic Black	Hispanic	Asian	Non-Hispanic Other	
Number of Full-Time Caregivers	357	2,781	1,672	154	105	5,069
% Full-Time Caregivers	2.5%	4.4%	3.9%	2.7%	3.8%	3.9%
<i>(Number of Defendants)</i>	<i>(14,369)</i>	<i>(62,647)</i>	<i>(43,097)</i>	<i>(5,681)</i>	<i>(2,775)</i>	<i>(128,569)</i>

Table 3: Full-Time Care of Children by Gender

	Gender		Total
	Male	Female	
Number of Full-Time Caregivers	2,648	2,421	5,069
% Full-Time Caregivers	2.5%	10.8%	3.9%
<i>(Number of Defendants)</i>	<i>(106,129)</i>	<i>(22,440)</i>	<i>(128,569)</i>

Table 4: Full-Time Care of Children by Age

	Age						Total
	Under 20	21-30	31-40	41-50	51-60	61 and older	
Number of Full-Time Caregivers	180	2,033	1,820	793	216	27	5,069
% Full-Time Caregivers	1.2%	4.4%	5.8%	4.1%	1.6%	0.8%	3.9%
<i>(Number of Defendants)</i>	<i>(14,682)</i>	<i>(46,716)</i>	<i>(31,607)</i>	<i>(19,141)</i>	<i>(13,210)</i>	<i>(3,211)</i>	<i>(128,569)</i>

II. Full-Time Caregivers Incarcerated After Arraignment

After arraignment, 13.1% (662) of full-time caregivers were incarcerated, either because the defendant could not make bail (12.1%), the defendant was remanded without bail (0.6%), or a jail sentence was imposed (0.4%). For those who could not make bail, the median bail amount was \$3,002; the median bail did not vary considerably by demographic characteristics (data not shown).

Full-time caregivers in Manhattan (17.3%) were the most likely to be incarcerated after arraignment (Table 5). Incarceration after arraignment was most common among Non-Hispanic Black caregivers (14.4%), and least common among Non-Hispanic Other caregivers (4.8%; Table 6). Male caregivers were more likely than female caregivers (18.0% vs. 7.6%) to be incarcerated after arraignment (Table 7). There was no clear relationship between incarceration after arraignment and age (Table 8, next page).

Table 5: Incarcerated After Arraignment by Borough

	Borough of Arrest					Total, all boroughs
	Brooklyn	Manhattan	Queens	Staten Island	Bronx	
Incarcerated After Arraignment	238	107	193	24	100	662
% Full-Time Caregivers	12.2%	17.3%	13.6%	16.4%	10.7%	13.1%
(Number of Defendants)	(1,951)	(617)	(1,418)	(146)	(937)	(5,069)

Table 6: Incarcerated After Arraignment by Ethnicity

	Ethnicity					Total
	Non-Hispanic White	Non-Hispanic Black	Hispanic	Asian	Non-Hispanic Other	
Incarcerated After Arraignment	46	400	196	15	5	662
% Full-Time Caregivers	12.9%	14.4%	11.7%	9.7%	4.8%	13.1%
(Number of Defendants)	(357)	(2,781)	(1,672)	(154)	(105)	(5,069)

Table 7: Incarcerated After Arraignment by Gender

	Gender		Total
	Male	Female	
Incarcerated After Arraignment	477	185	662
% Full-Time Caregivers	18.0%	7.6%	13.1%
(Number of Defendants)	(2,648)	(2,421)	(5,069)

Table 8: Incarcerated After Arraignment by Age

	Age						Total
	Under 20	21-30	31-40	41-50	51-60	61 and older	
Incarcerated After Arraignment	23	272	227	100	35	5	662
% Full-Time Caregivers	12.8%	13.4%	12.5%	12.6%	16.2%	18.5%	13.1%
<i>(Number of Defendants)</i>	(180)	(2,033)	(1,819)	(793)	(216)	(27)	(5,069)

III. Demographic Characteristics of Defendants Providing Financial Support to Children

About 30% (38,724) of defendants reported providing financial support to children.

Defendants in Manhattan were less likely to report financial support than those in other boroughs (Table 9). Financial support of children was most common among Hispanic (33.4%) defendants, and least common among Non-Hispanic White (18.9%) defendants (Table 10, next page). Men and women were almost equally likely to report financial support of children (Table 11, next page). Defendants age 31-40 were the most likely age group to report financial support (Table 12, next page).

Table 9: Financial Support of Children by Borough

	Borough of Arrest					Total, all boroughs
	Brooklyn	Manhattan	Queens	Staten Island	Bronx	
Number of Defendants Providing Financial Support	11,744	7,188	9,116	1,363	9,313	38,724
% Defendants Providing Financial Support	31.9%	23.4%	32.5%	26.3%	33.6%	30.1%
<i>(Number of Defendants)</i>	(36,77)	(30,768)	(28,082)	(5,191)	(27,751)	(128,569)

Table 10: Financial Support of Children by Ethnicity

	Ethnicity					Total
	Non-Hispanic White	Non-Hispanic Black	Hispanic	Asian	Non-Hispanic Other	
Number of Defendants Providing Financial Support	2,721	19,641	14,401	1,187	774	38,724
% Defendants Providing Financial Support	18.9%	31.4%	33.4%	20.9%	27.9%	30.1%
<i>(Number of Defendants)</i>	(14,369)	(62,647)	(43,097)	(5,681)	(2,775)	(128,569)

Table 11: Financial Support of Children by Gender

	Gender		Total
	Male	Female	
Number of Defendants Providing Financial Support	31,892	6,832	38,724
% Defendants Providing Financial Support	30.1%	30.4%	30.1%
<i>(Number of Defendants)</i>	(106,129)	(22,440)	(128,569)

Table 12: Financial Support of Children by Age

	Age						Total
	Under 20	21-30	31-40	41-50	51-60	61 and older	
Number of Defendants Providing Financial Support	947	14,103	14,426	6,919	2,164	165	38,724
% Defendants Providing Financial Support	6.5%	30.2%	45.6%	36.1%	16.4%	5.1%	30.1%
<i>(Number of Defendants)</i>	(14,682)	(46,716)	(31,607)	(19,141)	(13,210)	(3,211)	(128,569)

IV. Defendants Providing Financial Support & Full-Time Care

About 87% (5,069) of defendants who provided full-time care to children also provided financial support to children (Table 13). Only 28% of those who did not provide full-time care to children provided financial support. Overall, about 3.4% (4,415) of all defendants provided both full-time care and financial support to children (percentage not shown in table).

Table 13: Financial Support of Children by Full-Time Care of Children

	Provides Full-Time Care for children		Total
	No	Yes	
Number of Defendants Providing Financial Support	34,309	4,415	38,724
% Defendants Providing Financial Support	27.8	87.1%	30.1%
<i>(Number of Defendants)</i>	<i>(123,500)</i>	<i>(5,069)</i>	<i>(128,569)</i>

V. Number of Children Financially Supported by Defendants

In 2017, defendants provided financial support to 74,387 children (Table 14, last row). 27,282 of these children were children ages 0 to 11 years old who lived with the defendant; an additional 8,299 were children ages 12-17 living with the defendant (see “Totals” row at bottom of Table 14). Defendants also provided financial support to many children who were not living with them, including 30,240 ages 0 to 11 years old and 8,566 ages 12-17. Table 14 provides detailed data on the numbers of children supported by defendants for each borough, broken down by sex, ethnicity and age of the defendant.

Table 14: Financial Support for Children by Borough, Sex, Ethnicity, and Age

Borough	total # of defendants	# defendants supporting children	# defendants supporting children as % of total defendants in borough	#children living with defendant ages newborn to 11	#children living with defendant ages 12 to 17	# children not living with defendant ages newborn to 11	# children not living with defendant ages 12 to 17
BROOKLYN	36,777	11,744	32%	8,065	2,794	8,813	3,138
Sex: male		9,537 (81.2%)		5,516	1,878	8,437	2,992
female		2,207 (18.8%)		2,549	916	376	146
Ethnicity: Black		7,606 (64.8%)		4,840	1,642	6,184	2,164
White		851 (7.2%)		696	291	405	170
Hispanic		2,928 (24.9%)		2,175	730	2,025	746
Asian		166 (1.4%)		171	52	82	34
Other		193 (1.6%)		183	79	117	24
Age: <20		270 (2.3%)		128	2	189	0
21-30		4,154 (35.4%)		2,921	133	3,635	104
31-40		4,403 (37.5%)		3,384	1,284	3,476	1,483
41-50		2,158 (18.4%)		1,273	996	1,213	1,136
51-60		709 (6.0%)		333	358	279	390
61+		50 (0.4%)		26	21	21	25
BRONX	27,751	9,313	34%	6,520	1,593	8,978	1,722
Sex: male		7,679 (82.5%)		4,403	1,053	8,591	1,643
female		1,634 (17.5%)		2,117	540	387	79
Ethnicity: Black		4,241 (45.5%)		2,715	647	4,446	882
White		238 (2.6%)		193	45	159	39
Hispanic		4,678		3,454	848	4,262	764

Borough	total # of defendants	# defendants supporting children	# defendants supporting children as % of total defendants in borough	#children living with defendant ages newborn to 11	#children living with defendant ages 12 to 17	# children not living with defendant ages newborn to 11	# children not living with defendant ages 12 to 17
		(50.2%)					
Asian		41 (0.4%)		46	18	21	5
Other		115 (1.2%)		162	35	90	32
Age: <20		281 (3.0%)		114	0	220	1
21-30		3,753 (40.3%)		2,564	111	3,723	73
31-40		3,293 (35.4%)		2,558	726	3,473	890
41-50		1,483 (15.9%)		1,024	538	1,292	588
51-60		469 (5.0%)		248	201	252	161
61+		34 (0.4%)		12	17	18	9
MANHATTAN	30,768	7,188	23%	4,598	1,275	5,628	1,660
Sex: male		5,921 (82.4%)		3,154	895	5,386	1,585
female		1,267 (17.6%)		1,444	380	242	75
Ethnicity: Black		3,438 (47.8%)		2,019	509	2,962	863
White		576 (8.0%)		466	149	301	119
Hispanic		2,906 (40.4%)		1,858	530	2,246	632
Asian		94 (1.3%)		99	34	24	4
Other		174 (2.4%)		156	53	95	42
Age: <20		153 (2.1%)		76	0	104	0
21-30		2,630 (36.6%)		1,641	57	2,377	55
31-40		2,667 (37.1%)		1,844	553	2,207	802
41-50		1,318 (18.3%)		808	473	765	592
51-60		386 (5.4%)		204	173	170	188
61+		34 (0.5%)		25	19	5	23
QUEENS	28,082	9,116	32%	6,952	2,175	5,951	1,725
Sex: male		7,663 (84.1%)		5,280	1,619	5,707	1,625
female		1,453 (15.9%)		1,672	556	244	100
Ethnicity:		3,848		2,700	801	2,958	808

Borough	total # of defendants	# defendants supporting children	# defendants supporting children as % of total defendants in borough	#children living with defendant ages newborn to 11	#children living with defendant ages 12 to 17	# children not living with defendant ages newborn to 11	# children not living with defendant ages 12 to 17
Black		(42.2%)					
White		659 (7.2%)		453	198	319	133
Hispanic		3,476 (38.1%)		2,670	799	2,211	659
Asian		872 (9.6%)		854	283	360	80
Other		261 (2.9%)		275	94	103	45
Age: <20		207 (2.3%)		99	0	135	2
21-30		3,164 (34.7%)		2,273	76	2,531	57
31-40		3,525 (38.7%)		3,127	953	2,399	916
41-50		1,659 (18.2%)		1,171	798	700	577
51-60		520 (5.7%)		257	322	176	164
61+		41 (0.4%)		25	26	10	9
STATEN ISLAND	5,191	1,363	26%	1,147	462	870	321
Sex: male		1,092 (80.1%)		816	317	833	310
Female		271 (19.9%)		331	145	37	11
Ethnicity: Black		508 (37.3%)		399	144	402	124
White		397 (29.1%)		314	172	193	73
Hispanic		413 (30.3%)		372	133	254	111
Asian		14 (1.0%)		19	2	7	2
Other		31 (2.3%)		43	11	14	11
Age: <20		36 (2.6%)		12	0	34	0
21-30		402 (29.5%)		360	25	309	21
31-40		538 (39.5%)		549	172	353	131
41-50		301 (22.1%)		205	193	156	129
51-60		80 (5.9%)		21	67	17	38
61+		6 (0.4%)		0	5	1	2
Totals	128,569	38,724	30%	27,282	8,299	30,240	8,566
				Total # of children=	74,387		



**BROOKLYN
DEFENDER
SERVICES**

**TESTIMONY OF:
Anca Grigore – Supervising Attorney, Civil Justice Practice**

**Presented before:
The New York City Council
Committee on General Welfare**

Oversight Hearing on Client Experience at HRA Centers

and

**Ints. 1332-2019, 1333-2019, 1335-2019, 1336-2019, 1337-2019, 1347-2019, 1350-2019,
1359-2019, 1377-2019, 1382-2019, and 389-2019, Res 071-2019, and T2108-3440**

February 4, 2019

My name is Anca Grigore and I am a supervising attorney of the Civil Justice Practice at Brooklyn Defender Services (BDS). BDS provides multi-disciplinary and client-centered criminal, family, and immigration defense, as well as civil legal services, social work support and advocacy, for over 35,000 clients in Brooklyn every year. BDS' Civil Justice Practice (CJP) aims to reduce the civil collateral consequences for our clients who have had interaction with the criminal, family or immigration justice systems. Through legal advocacy in court and at various agencies, CJP helps people remain in their homes, maintain their public benefits, stay in school, keep their jobs, and protects their consumer rights. One of our primary services is to provide our clients with support when their public benefits are terminated or applications for essential benefits are denied. Our attorneys and advocates provide advice and eligibility screenings, accompany clients to the Human Resources Administration (HRA) offices, and provide representation to clients challenging HRA's decisions in administrative hearings and state court appeals.

I thank the City Council Committee on General Welfare and Chair Stephen T. Levin for the opportunity to testify today about our clients' experiences at HRA Centers and to comment on the bills introduced today that seek to address the problems and remove some of the barriers that so many of our clients and other New Yorkers experience when seeking benefits and assistance from HRA.

INTRODUCTION

Like everyone here, we were appalled by the abusive and violent mistreatment Ms. Headley and her 1-year-old son suffered at the hands of officers and security guards on December 7th at the HRA office on Bergen Street in Boerum Hill. The outrage over this incident and HRA's handling of the situation is justified, and we applaud the efforts aimed at preventing or de-escalating direct confrontations like this one in the future. Ms. Headley is not alone in her experiences of being mistreated by HRA and other city agencies tasked with helping those in need. That said, it is important to recognize that this mistreatment does not always take the form of a physical altercation and that people's experiences are not often caught on video. It is imperative that we recognize and seek to address the countless, often more banal, harm suffered by public assistance recipients and applicants on a daily basis.

As a provider of legal services for the indigent, a majority of our clients are eligible for some form of public assistance. As a result, we routinely hear about problems maintaining assistance and about negative experiences at HRA job centers including: arbitrarily terminated benefits; hours-long wait times at job centers; hostile, argumentative and unsympathetic staff; case workers not following HRA policies, rules and regulations; members of clients' families being unnecessarily removed from cases; language access not provided (despite being required to by local law); and unnecessarily frequent visits to retain benefits.

These experiences are so ubiquitous that many clients decline to relay these occurrences at all, knowing that this treatment is just par for the course. In fact, it was familiarity with this type of difficulty and delay that led Ms. Headley to sit on the floor and wait. She expected to be kept waiting, with nowhere to sit, for hours. If not for the appalling and extreme reaction of HRA staff, she likely would have suffered in silence; the hours spent sitting on the floor with her child would have been remembered as just another trip to the center.

People seeking benefits are often in crisis and facing financial and emotional hardship, and the regular mistreatment by HRA only compounds the strain and trauma they experience at a time when they may be at their most vulnerable. Most of our clients are resilient and, like Ms. Headley, they suffer this mistreatment and press on despite verbal denials and discouragement from customer service workers (the first staff person they interact with), despite the need for numerous applications for a benefit they know they are eligible for, despite multiple trips to the center making the same request to add a newborn baby to their budget or remove a household member who has moved out. These stories are common and we hear about them often, but for every person willing and able to endure these difficulties, there are countless others who are simply unable to overcome the barriers to approval and may ultimately give up. Those in need who have tried, and failed, to access benefits they are eligible for are being failed by this agency and by this city.

CLIENT STORIES

Ms. P – Language Access Issues and Verbal Denial of Applications

We represented a tenant in housing court who was facing eviction from a rent-stabilized apartment. Our office advised her on how to request emergency assistance from HRA to

assist in paying her rent arrears. Ms. P, a Spanish-only speaker, went to apply at 275 Bergen Street (the same center Ms. Headley attended), but was denied the ability to submit the required application at the center. The worker provided the applications in English only and refused to accept anything because she did not have a lease. Our client tried to explain her situation and provide letters and documentation from our office, explaining the housing court stipulation that guaranteed her a lease as soon as the arrears were paid, but the caseworkers refused to accept them because they were not the exact type of verification they were used to receiving. They also refused to provide proof of her attempt to apply that we could use to ask the housing court for more time prior to eviction. After multiple attempts, a bilingual non-attorney advocate from our office accompanied her in person to ensure HRA physically took the documents we wanted to submit. The customer service worker still would not take the documents or allow them to apply. Our advocate asked for a supervisor. The customer service worker refused. The customer service worker would not provide their name or contact information or that of their supervisors. Our trained legal advocate could not get past customer service.

After consulting with an attorney, we sent our advocate back to the center with the client and the application for emergency assistance already filled out and our supporting documentation attached. When our advocate presented already-signed papers to submit, the worker yelled at them, and said she was reporting them for fraud because our advocate, instead of the client, had filled them out. Our advocate explained that we assisted in filling the papers out, in part, because they were only provided in English to our Spanish-speaking client. The worker said that she did not care, that it was still fraud to fill out papers for someone else, and then screamed that she would transfer the case to the fraud unit. The worker stood up and leaned over the counter continuing to scream at them, until our client was so uncomfortable that she ran out of the center. The worker followed them out to the front door and waited until they left. After this incident, one of our attorneys had to call the director and make arrangements to submit the documents directly.

Ms. F. – “11 visits to HRA, 4 months, and a fair hearing, but mission accomplished”

Ms. F suffers from mental health issues and was in need of public assistance. She applied for benefits, and while her application was being processed, she had to move. She went to the center to change her address. HRA failed to act on her request to change her address, and instead continued sending mail to her old address. As a result, she missed mandatory eligibility appointments, and her application was denied. She did not receive notice of her denial, because that was also sent to the wrong address. She returned to the center and reapplied again. HRA again used the same old address that was already in the system. This time, HRA changed her “home address” to be her new, correct, address but they left the old address as the “mailing address”. She was denied a second time for failing to attend the appointments she was not notified of. She returned a third and fourth time with a social worker from our office. Ultimately, it required an attorney to get involved and a fair hearing to be held before her case was ultimately approved. Her social worker, who had been trying to get this case approved in order to assist her in accessing necessary services summed up their experience when HRA finally complied with the fair hearing

decision, opened the case, and issued benefits. “11 Visits to HRA, 4 months, and a fair hearing, but mission accomplished.”

Mr. F – HRA Processed the Wrong Application, Causing Delay and Eviction.

Mr. F went to the Coney Island Job Center to apply for ongoing assistance and emergency rental assistance. He was told that he could not apply for both at the same time, and proceeded with the application for arrears because it was more urgent and he faced eviction in housing court. After being processed for 30 days, his application was denied because he lacked the ongoing ability to pay the rent that he could only acquire by applying for ongoing assistance. A second attempt was derailed because of a failure to provide all of the documents HRA expected to receive. A third attempt was made but ultimately, the delay was so great and the arrears accumulated to a point where his family was evicted and had to enter a family shelter while the third application was still being processed. Unfortunately, he was not only evicted, but also ended up with a money judgment against him for nearly \$20,000. Had his application been approved in a timely manner he would have been eligible for FEPS rental assistance to pay the arrears and the ongoing rent, avoided eviction, and not been saddled with a judgment that will burden him for years to come.

This family was only able to make two attempts to apply for assistance. Most of our clients try multiple more times, if necessary, before they are able to get the help they need. The barriers faced are so routine that Mr. F’s attempts were seen as a failure on his part to put in the effort necessary to apply for benefits. No one should have to (and many do not have the ability to) visit the center six or seven times for their applications to be accepted.

Ms. A. – HRA Called the Police, and Order of Protection Prevented Re-Certification

Ms. A, a client who suffers from mental illness, was involved in a verbal dispute with a caseworker while she was attempting to re-certify her public assistance case. The caseworker called the police on her for this verbal altercation. Ms. A was arrested at the center, and the caseworker obtained a full order of protection against her. Because of this order of protection, Ms. A was not able to go back to the center to complete the re-certification or she would be subject to re-arrest for contempt. She tried calling other centers herself to see what else she could do, but no one would answer the phone. She tried to go to other centers to re-certify there, but was told they were not her assigned center and turned away at the door.

After relaying her story to her BDS defense attorney, Ms. A was referred to our office’s Civil Justice Practice. After several attempts of contacting other center directors and asking for an exception, we were able to arrange for her to re-certify at another center. By this time, the benefits that Ms. A relies on had already lapsed. Had she not been able to contact a civil attorney, Ms. A would have had no recourse.

Ms. J. – HRA Homebound Unit Fails to Re-Certify Homebound Client

Ms. J is a single mother to three special needs children, one of whom has severe autism and other disabilities that cause him to need around the clock special care, most of which is funded by Medicaid. Like her children, Ms. J also suffers from disabilities and is homebound as a result. When it came time for recertification, caseworkers from the homebound unit came to her house to facilitate her submission. The caseworkers left her with no documents, no receipts, and none of their contact information. Her case later closed for failure to re-certify. Ms. J was panicked—she is very diligent and had never let her case close before—as the case closure meant her Medicaid was turned off as well, and all of her son's much-needed services were not being paid. She remembered the names of the caseworkers that came to see her, but all of her and her attorney's attempts to reach them failed. When her BDS attorney was finally able to reach Ms. J's HRA center, they had no notes or evidence of a homebound visit.

Ms. J had no time to wait for another homebound appointment, so she went to the center to re-certify in person. She brought all of her documentation, so that she would not have to return, but the caseworker demanded additional documentation (which was unnecessary under HRA rules and regulations.) Ms. J's BDS attorney began calling her caseworker and supervisor repeatedly to tell them our office could help and would fax any other documentation they needed. The HRA workers told her attorney they did not understand “why she cared so much or why she was helping her.” Her attorney explained Ms. J's unique and urgent situation and was scoffed at. Our office faxed all necessary documentation, an advocacy letter, and attached HRA rules and regulations to show the documents they were demanding were not necessary but received no response. The caseworkers and supervisors continued to ignore all calls from BDS for two more weeks. After calling from the office every single day multiple times a day Ms. J's attorney called from her personal cell number and HRA answered immediately. Upset to learn it was BDS they made it clear that they were going to do this on their own timeline and were not concerned with her emergency. BDS continued to call up the chain of command until Ms. J's case was eventually turned back on, after a great deal of unnecessary delay and disdain from every caseworker we spoke to.

RECOMMENDATIONS

Agency leadership at HRA publicly recognizes many of its failures and has made promises and strides toward change, but their desire to better serve the community has yet to translate into action by many of its front-line staff or change the client experience at the centers.

We thank the Council for introducing bills to help address the many roadblocks people seeking benefits encounter every day and prevent what happened to Ms. Headley from ever happening again. This, of course, is only the beginning of the work that is needed, and we hope the HRA will make the changes necessary to improve the treatment of New Yorkers looking to safely and easily access the benefits and support they need:

Int. 1332 – Office of the Special Handler

We support the council's efforts to increase oversight and accountability within HRA and to provide increased support for clients struggling to access or maintain public benefits in a complicated system. HRA's currently operates the Office of Constituent Services, which boasts its roles as including: providing information to better assist clients; taking complaints about problems with benefits; and hearing grievances about specific workers or treatment at HRA centers.

Despite the good intentions behind the creation of the Office of Constituent Services, it has not had the type of impact for individual clients' problems that advocates or clients hoped it would. Any effort to create a new, or additional, oversight office in the form of the Office of the Special Handler within the department should make sure to examine what works and what does not within the Office of Constituent Services. While the Office of Constituent Services provides information and resources in some situations, it does not rise to the level of resolving substantive problems or restoring benefits to clients who face erroneous reductions or discontinuances and has clearly been unable to curb the client mistreatment at the focus of this hearing.

Int. 1333, 1350, 1359, 1382, 1377, 1389, 3440 – Reporting and Data Collection

This set of data collection and reporting bills move forward efforts to bring greater transparency to the HRA, as long as reporting requirements are enforced and data is adequately collected. HRA and the Council should ensure that any and all reporting is used to generate recommendations that improve HRA operations and client experiences.

In regards to Int. 1333 specifically, we must reiterate that the NYPD should not have been called in Ms. Headley's case and should not be called for similar matters, and we join the Council in our hope that some of the measures discussed today will help reduce the likelihood of these incidents occurring. That said, the public has a right to know about HRA and NYPD misconduct when these incidents do happen. The New York Times reported that law enforcement has been called to food-stamp offices 2,212 times and arrested 97 people since January 2017, but does not signify how many of these incidents involved use of force.¹ Int. 1333 will require regular reporting on any use of force and will allow for greater transparency. Disciplinary measures and procedures taken in these incidents must be public to ensure the community's confidence that HRA and any law enforcement agency are taking these incidents seriously.

Int. 1335 – Full-time Licensed Social Workers

Int. 1335 would require every Department of Social Services/HRA Job Center and SNAP Center to have a full-time licensed social worker on staff. Having a dedicated social worker whose sole role is to assist clients needing extra support has strong potential to improve client experiences, but adequate staffing and implementation are crucial to success. These social workers should be able to assist individuals with mental health issues and disabilities and facilitate enrollment in appropriate programs for clients in crisis. They could also provide crucial assistance to their colleagues, sending a message to HRA staff that it is important to support and empower

¹ Ashley Southall and Nikita Stewart, *They Grabbed Her Baby and Arrested Her. Now Jazmine Headley Is Speaking Out*. December 16, 2018, New York Times, available at: <https://www.nytimes.com/2018/12/16/nyregion/jazmine-headley-arrest.html>

vulnerable clients and that there are resources available to help them in this task. Done properly, this has potential to alleviate some of the tension caused by the more difficult or traumatic staff interactions and can improve client experience overall.

If poorly implemented, however, this initiative could raise additional barriers. If staffing is inadequate a backlog to access the social worker for clients who would benefit from their services could lead to increased frustration and missed deadlines. The addition of a dedicated staff person whose role becomes dealing with “difficult” clients runs the risk of giving caseworkers a way to avoid assisting a client who might be eligible for benefits unless they see the social worker first.

To avoid some of these potential pitfalls and to effectively address the needs of the clients, social workers at HRA offices should also have the authority to provide remedies to people overwhelmed by the experience but still in need of programmatic assistance, e.g. taking clients to the front of the line, giving clients appointments to return, voiding recent adverse actions, extending deadlines for document submission or completing a face-to-face appointment, etc.

A social worker speaking with a person in crises is certainly better than a security guard, but this should be more than just another HRA staff member who can tell clients “no” in a gentler manner.

Int. 1336 – De-escalation and Trauma-informed Training

Int. 1336 would require DSS to conduct training on de-escalating conflict and trauma-informed care for all employees working at SNAP Centers and Job Centers. It is worth noting that often it is HRA staff, not clients, who escalate difficult situations. HRA has already announced that all peace officers will be re-trained in de-escalation techniques, it is equally important that all staff be similarly instructed. These trainings can be viewed not just as a means of protecting clients from unnecessary hardship but also as an effort to provide staff with resources to draw on for their own professional development and well being. Tasked with serving clients who are themselves dealing with traumatic experiences would be draining for anyone; additional training on issues like vicarious trauma and implicit bias can help staff gain perspective to recognize the difference between an escalating conflict and a person who just needs to vent the frustration caused by economic uncertainty and long wait times.

Int. 1337 – Space for Children 13 years of age and under

Int. 1337 would require a space for children 13 years of age and under at DSA/HRA Job and SNAP centers. These spaces do exist at these centers, but, as in Ms. Headley’s case, exclude children who are not fully toilet-trained. The age of children or other factors should not exclude any child under 13 from being allowed in the child center. Remedies should also be in place if the child center is full. Conversely, if HRA centers cannot properly accommodate parents with young children, then other solutions for providing access to caseworkers and applications for parents must be developed.

Int. 1347 – Online Scheduling System

Int. 1347 would require DSS/HRA to create a system in which clients could schedule appointments online or over the phone. This technology could decrease backlog and waiting times and provide clients with some measure of control and ownership over the process to clients in need, contributing to an overall better client experience. The uncertainty of how any given trip

to the center will go, or how long it might take, means even an appointment that goes smoothly and quickly ends up being a source of stress and anxiety and likely requires blocking out a full day. It cannot be overstated how empowering it would be to allow people to schedule their appointments at a time that does not require dropping other obligations, missing work, or being late to pick up their children from school.

Implementation should be mindful of clients' ability to access technology and assure sufficient staff availability for clients visiting the center without an appointment. Diversion of staff to scheduled-appointments only could result in longer wait times for walk-ins and an inability to accommodate emergency situations. Similarly, delays in beginning scheduled appointment could be a source of frustration and conflict. In addition, there will likely be a question as to how long a person has to wait before there is sufficient "good cause" for missing the appointment, which would allow for rescheduling

ADDITIONAL RECOMMENDATIONS

Enforce Access to Receipts for Meetings and Submitted Documents

One of the greatest sources of frustration for our clients, and therefore one of the interactions most likely to escalate to an unnecessary altercation, is that people must make multiple trips to the center for the same purpose. Often, our clients make many trips to HRA offices to make the same request only to be verbally denied with nothing to show for it; no proof their request had even been made. This occurs when clients seek to add or remove someone from a budget, when they need to change an address, or when they seek to submit requested documents necessary to complete a previously submitted application or recertification. Routinely, clients are told they are submitting the wrong type of document and their attempts at submission will be refused.

Local Law 20 of 2018 requires the Department of Social Services to create and issue a job center "appointment receipt" for all individuals who visit job centers for scheduled appointments. It records any documents received by the agency from the visitor, the reason for the visit, and a time stamp indicating the time and date a visitor was present at the job center. If someone has an appointment with a specific worker or unit or completes the appointment according to HRA's standards, they get a receipt. However, in many other cases, people who visit the center have no record of their visit. This should be changed.

While a successful visit might result in documentation being generated or a specific document receipt being given, a client who leaves unsatisfied has no proof of their visit. We ask that HRA generate a written receipt of every trip to the center, even if they were unable to help as the client hoped. When someone enters the center, they could easily be given a printout with their own words on it, e.g.: "I'm here because I need to add my newborn to my budget." If this request is not acted on by a caseworker, the client would still have this proof of their attempt regardless of whether the request was handled correctly or incorrectly. As it stands, clients are often not believed when they claim to be making the same request a second, third, or fourth time. The lack of documentation is problematic both at the center level as well as at administrative hearings.

For example, a client who may have tried numerous times to change their address at the center will still be receiving mandatory notices at the wrong address. Not only has this missed mail resulted in a missed appointment and a discontinuance or reduction of benefits, but they are told

by caseworkers and judges alike that they never made this request and therefore do not have “good cause” for failing to comply with the appointment.

Re-Train HRA Staff on Eligibility, Regulations, and Procedures and Require that Supervisors Review Statements Made to Clients

HRA staff should be re-trained on substantive eligibility criteria, state law and regulations and HRA policies and procedures. Our clients are often incorrectly denied benefits or have their benefits terminated unnecessarily because of staff error. Client experiences have shown that hostile situations often originate from, or are exacerbated by, a worker’s attempt to incorrectly enforce an eligibility requirement or alleged policy. For example, our clients are routinely told what will or will not suffice as verification documentation for emergency assistance, or are told that only a certain document will suffice when in fact there are numerous other options acceptable under the law.

Furthermore, there should be a requirement that any time someone is turned away, or told their documentation is insufficient, there must be supervisory approval before this refusal or final adverse action takes place. One of the reasons that clients are turned away so often is that it is much easier for a caseworker to refuse to process a request and move on to the next client; it makes their jobs easier and requires less time and effort than assessing a client’s eligibility or reviewing their documents to see if they are sufficient. If they have to go to a supervisor for sign-off, that is more difficult and may encourage them to take a second look at the client’s request and think of how to make the situation work. This requirement would guarantee that workers that may be mistakenly turning clients away repeatedly for the same reasons are identified and corrected and would provide opportunities to assure they are gaining information and education to better assist future clients.

We thank the City Council for your attention and care regarding these issues. We hope you consider BDS a resource as we continue to work toward improving the public benefits system.

If you have any question about this testimony, please contact Daniel Ball at dball@bds.org or (347) 592-2579.



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**Testimony of The Legal Aid Society, Civil Practice
Before the City Council Committee on General Welfare
February 4, 2019**

Introduction: The Legal Aid Society

The Legal Aid Society welcomes this opportunity to testify before the New York City Council Committee on General Welfare at the oversight hearing today on the client experience at the Human Resources Administration (HRA) centers.

The Legal Aid Society is the nation's oldest and largest not-for-profit legal services organization. The Legal Aid Society is more than a law firm for clients who cannot afford to pay for counsel; it is an indispensable component of the legal, social and economic fabric of New York City – passionately advocating for low-income individuals and families across a variety of civil, criminal and juvenile rights matters, while also fighting for legal reform. The Legal Aid Society has performed this role in City, State and federal courts since 1876. It does so by capitalizing on the diverse expertise, experience, and capabilities of more than 2,000 attorneys, social workers, paralegals, and support and administrative staff. Through a network of borough, neighborhood, and courthouse offices in 26 locations in New York City, the Society provides comprehensive legal services in all five boroughs of New York City for clients who cannot afford to pay for private counsel.

The Society's legal program operates three major practices — Civil, Criminal, and Juvenile Rights — and receives volunteer help from law firms, corporate law departments and expert consultants that is coordinated by the Society's Pro Bono program. With its annual caseload of more than 300,000 legal matters, The Legal Aid Society takes on more cases for more clients than any other legal services organization in the United States. And it brings a depth and breadth of perspective that is unmatched in the legal profession.

The Legal Aid Society's unique value is an ability to go beyond any one case to create more equitable outcomes for individuals and broader, more powerful systemic change for society as a whole. In addition to the annual caseload of 300,000 individual cases and legal matters, the Society's law

reform representation for clients benefits more than 1.7 million low-income families and individuals in New York City and the landmark rulings in many of these cases have a Statewide and national impact.

Client Experience at HRA Job Centers and SNAP (Food Stamp) Centers

We are all shaken by the violent arrest of 23-year-old Jazmine Headley, a mother of a one-year-old boy, who was forcibly separated from her son and was arrested after a verbal dispute with a security guard at an HRA center in Brooklyn. The horrific treatment Ms. Headley and her one-year-old child suffered truly shocks the conscience. Ms. Headley's treatment causes us to not only ask: why was she treated so violently? It also causes us to ask why was she waiting so long that day. What happened? Her case highlights the fact that, once inside a Center, those who have come to seek assistance or respond to agency "call-in" notices are frequently confronted with long lines and more waiting.

For thousands of New Yorkers, every trip to an HRA Center is a dreaded experience where they know they are likely to spend hours waiting for what is often the most routine request or transaction, in a harsh if not hostile environment. There can be little doubt that the current system imposes undue hardships and barriers wherein needy New Yorkers are being discouraged, if not prevented, from obtaining assistance they need.

We appreciate the fact that the Council is taking a look at what is happening at HRA Job Centers because we have seen recent cases that are troubling. We have seen clients turned away when attempting to apply for ongoing public assistance or rent arrears grants. We have also had clients discouraged from applying – told at the front desk of a Job Center you can apply but you are going to get denied." Just this past week a Bronx client of ours who is facing eviction was turned away twice from HRA Job Centers when she attempted to apply for public assistance. She only gave birth a few weeks ago and is still recovering. At the first center, she was turned away because she was told she was in the wrong office for her zip code. At the second center, she was told it was too late – the center already full so she would need to return the next morning.

In addition, our clients who need to correct errors on their cases or who need to make important changes to their cases – like adding a child to the budget – have great difficulty doing so because the only way they can really do business with HRA is by going in person to the Job Center. They simply cannot reach HRA by phone. Although HRA has created an online system called "Access HRA" which does provide much valuable information to HRA clients, the system is not accessible to many clients who do not have access to computers or smart phones.

A. Specific Bills Under Consideration

We support the approach the Council has taken in the bills being considered today which seek to ensure that HRA delivers services to adults and children with dignity and respect and that HRA improve customer service and access to HRA programs and benefits.

1. Bills Aimed at Ensuring Dignity and Respect

We wholly support the Council's goal of ensuring that HRA delivers services to adults and children with dignity and respect, including the following bills aimed at meeting this goal:

- Int. 1333 - We appreciate the approach of Int. 1333, Chairperson Levin's bill requiring reporting on the use of force incidents occurring in a HRA offices. We note that it is not unusual for us to see cases in which a client who complains at a center is removed from the center and arrested, a completely dehumanizing and inappropriate response. Many times the underlying behavior is related to a client's disability, and the client should have received a reasonable accommodation rather than been arrested.

Additional Recommendations: We would therefore recommend that the Council seek reporting not just on use of force incidents but also information regarding arrests made at centers.

- Int. 1335 - We support the idea of making social workers available to assist clients as needed at HRA centers. Thus, we are encouraged by Int. 1335 which would require social workers at HRA locations.
- Int. 1337 - We support the concept of enhancing HRA spaces to make them safe and accommodating for children. Thus, we are supportive of the approach of Int. 1337.
- Int. 1336 - We support the approach of Int. 1336 to improve training aimed at improving interactions between agency staff, and agency contractors and agency clients and, in particular, improving professionalism, cultural sensitivity and capacity to de-escalate conflict using "trauma informed care." We appreciate the fact that the bill would extend these trainings to contractors of HRA. We recommend that the bill make clear that these trainings should be required for all individuals who interact with members of the public in a client service role, regardless of the location.
- Int. 1377 - We also support the approach of Int. 1377 which would offer voluntary client satisfaction surveys at HRA centers and would report on the results of these surveys to the Council and the posting of the data online. We also support the approach of requiring HRA to report on complaints and how they are resolved and requiring this information be publicly posted on the agency's website.

2. Bills Aimed at Improving Customer Services and Access to HRA Programs and Benefits.

- Int. 1332 - We support the functions to be fulfilled by the by the Office of Special Handler in Int. 1332, the Speaker's bill, which would receive and respond to comments, questions and complaints; address and prevent terminations; and improve agency policies regarding timely communication regarding case closings/reductions. The bill would also require regular reporting to the Mayor and Council.

Additional Recommendations: In addition, we would suggest that any systems that are set up to take inquiries and complaints should also be coordinated with the 311 system so that all calls made to 311 regarding HRA complaints are logged and handled in a comprehensive manner.

- Int. 1347 - We support the approach of Int. 1347, to enable people to schedule HRA and contractor appointments online and over the phone and to notify people when services can be completed without an in-person visit.

- *Int. 1359 & 1389* - We support reporting requirements to secure accurate data to measure client service, including the rate at which clients have had their benefits terminated, which is the approach of both Int. 1359 and Int. 1389. Reporting on case closings (as required by Int. 1389) is valuable and reporting on reapplications (as required by Int. 1359) is particularly valuable since this type of data highlight the cases in which clients are struggling to keep their cases open. We see a significant number of cases in which a case is closed due to a technical snafu and it is reopened within a few months. When cases close like this, not only do the clients suffer because they have lost benefits they need to survive, these cases result in more foot traffic to Job Centers because clients have to reapply for benefits. This is one of the causes of delays and longer wait times at Job Centers.

Additional Recommendations: We would also recommend securing data showing repeat applications for benefits – regardless of whether the client had a previously open case. This will show the cases where a client repeatedly has an application rejected but ultimately succeeds in getting a case opened. Such data would highlight cases where clients struggle for long periods of time without benefits, at real costs to their families. The data would also highlight another cause of delays and longer wait times at HRA centers since it will show the cases where it literally takes the client numerous extra visits to navigate the hurdles to successfully apply for benefits.

Finally, both Int. 1359 and Int. 1389 require the data be broken down by race, ethnicity, gender and age. We also recommend the data indicate the Limited English Proficiency (LEP) status and disability status of the client since LEP status and disability can make it more difficult for clients to navigate the application process and successfully keep a case open.

- *Int. 1382 & 1350* - We support the goals and approach of Int. 1382 and Int. 1350 which would require HRA to track and audit wait times at centers, staff-to-visitor ratios and access to technology at HRA centers. In addition, Int. 1382 and Int. 1350 would require HRA to audit and conduct an analysis of the efficiency and ease of use of department's hotlines, helplines and general phone lines as well as the department's website. These bills would require the department to set up a mechanism for individuals to report any problems or deficiencies in department policies, operations or practices at HRA centers. Finally, these bills would require HRA to submit a report on the audit including recommended standards of reasonableness for wait times, staff to visitor ratios and access to technology and to implement these recommendations and make every effort to ensure that the standards of reasonableness for wait times, staff to visitor ratios and access to technology are met at every center.

Additional Recommendations: We would also recommend that audit include phone wait times to reach HRA staff which would mean the time it takes to reach an HRA staff person through department hotlines, helplines and general phone lines, including those at HRA centers.

We also recommend that HRA include recommended standards of reasonableness for these phone wait times in the required audit and that HRA be required to make every effort to ensure that the standards of reasonableness for these phone wait times are met for all department hotlines, helplines and general phone lines – including those at HRA centers.

B. Concerns and General Recommendations

As explained above we support the approaches of the package of bills before the committee today. We have some additional recommendations to improve the way in which low-income New Yorkers are treated at HRA centers.

1. Require HRA to take corrective actions to enable Job Center clients to be able to timely communicate with HRA by telephone and at a minimum, enable clients to reliably reschedule appointments by telephone.

As we discuss above, one of the reasons for crowded centers is that HRA clients cannot get their questions answered by telephone so they are required to travel to HRA centers to get their questions answered. How do we know this? Because HRA's own internal audit data reveal that the HRA Job Center staff do not answer their phones and do not timely return voice mail messages. As our colleagues at the Urban Justice Center (UJC) point out in the report they have released today, HRA conducts internal audits of Job Center phone numbers and checks whether:

the number is functional, the voicemail is accurate, and if their calls are returned within 36 hours. Compliance with protocol requires 1) operating active phone lines, 2) returning calls within 36 hours, and 3) ensuring the correctness of the voicemail script and set-up. Unreturned calls, full voicemail boxes, incorrect voicemail scripts, calls returned beyond the 36 hour window, and phone numbers that are not in service constitute non-compliance.

Kiana Davis, Helen Strom, Craig Hughes & Zak Aldridge, "The Bureaucracy of Benefits: Struggling to Access Public Assistance and SNAP in New York City," Urban Justice Center (January 2019). As detailed in the UJC report, *HRA's own audit results* from 2017-2018 reveal that 10 of the 19 Job Centers audited were found to have compliance of less than 50%, meaning that less than 50% of the calls were not returned and/or there was an issue with the voicemail system. On average, Job Centers in the Bronx had compliance of only 32.8 % and Queens Job Center #53 had the worst overall compliance rate of 15 %. *Id.*

These numbers bear out our experience: you cannot reach HRA Job Centers by phone. HRA should be required to take immediate corrective action. At a minimum, the agency should be required to:

1. Adjust workloads as necessary to ensure that agency and contractor staff have adequate time to return calls and ensure that calls are answered or returned.
2. Set up rescheduling lines answered by staff (not voicemail) so clients can successfully reschedule mandatory appointments.
3. Where voicemail is used for HRA hotlines, helplines or general phone lines, audit these voice mailboxes on a daily basis to ensure that calls are being timely returned.

2. Require HRA to conduct secret shopper testing of HRA center interactions.

As discussed above, we are concerned about seeing an increase in clients turned away from HRA centers and discouraged from applying for benefits. This is a difficult problem to identify and track because these clients are not counted -- they are turned away. We believe that the best way to track this problem is to require HRA to have "secret shoppers" attempt to apply for various types of benefits at HRA locations around the City. HRA should be required to review the findings of the secret shoppers, take corrective actions such as re-training staff and post the results to the Council and on the agency website.

3. Conduct continued oversight on HRA work sanctions, including the impact on clients and agency resources and any resulting delays.

We are concerned that delays at HRA are likely to increase even more because of the additional appointments that will result from the State having just implemented regulations implementing punitive welfare work sanctions. We urge the Council to conduct continued oversight on this issue. On January 9, 2019, the New York State Office of Temporary and Disability Assistance released final regulations on public assistance and SNAP work rules sanctions. We are hopeful that HRA will do a good job of implementing these rules in a fair manner, but the reality is that when clients miss appointments related to work activities they will be required to attend additional appointments with HRA to get back on track -- called "Reengagement or conciliation" appointments. Those clients who fail to right their cases quickly will need to request fair hearings and attend additional appointments just to keep their subsistence level benefits.

Clients who do not succeed will be sanctioned: they will have their cases closed or their benefits reduced. Sanctions themselves not only cause tremendous hardship on low-income New Yorkers often leading to homelessness, they also put pressure on HRA as an agency because these clients often need additional appointments to learn the reason for a sanction or reduction in budget and then more appointments still to get their cases reopened.

4. Require HRA to freeze plans to close, relocate or consolidate services at centers until a thorough review is conducted.

HRA should freeze plans to close, relocate or consolidate services in Job and SNAP Centers until the agency submits for Council and public review an assessment of the impacts on client services to all affected, including those with disabilities. Before making additional changes the agency must demonstrate appropriate levels of customer service and the ability to safely and adequately accommodate clients.

5. Require "waiting room" managers to trouble-shoot and report on client wait times during the day.

In the past, HRA has made successful efforts to reduce client wait times at HRA Job Centers. One of the successful methods used by the agency to achieve this was to have managerial staff serve as "waiting room managers" -- trouble-shooting the waiting room, and helping improve the workflow. The

managers tracked wait times and used the data to identify patterns and come up with solutions to reduce the wait times. We recommend that HRA re-institute this practice.

Conclusion

Once again, we thank the Committee for calling this hearing, and we look forward to answering any questions and working with you in the future.

Respectfully Submitted,

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The Legal Aid Society
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Testimony of Ebony Anderson

Re: Oversight - Client Experience at HRA Centers.

Hon. Steven Levin
Committee on General Welfare
New York City Council
February 4th, 2019

Good day City Council:

My name is Ebony Anderson and I am here today representing myself, but since there are thousands of people like me throughout New York City I also represent the nameless and faceless masses. Those through a variety of unfortunate circumstances find themselves sitting in the reception area of an HRA Job Center. Many like myself probably wondering where it all went wrong. And watching how a snowball becomes an avalanche.

On February 1st 2018 a second and final familial domestic violence incident caused me to be kicked out of my home. After a week of sleeping on a nearly deflated air mattress at a friend's home, I was blessed to be accepted into a domestic violence shelter. I have cerebral palsy and from what I know of the women's shelters in the city I honestly feared going to one.

I was informed that I needed to have an active public assistance case to pay for my stay, as well as to sponsor the housing voucher that would be issued. On March 1, 2018 I went to a job center to open my case. I waited for about 2 ½ -3 hours to be seen. I didn't mind the wait because I needed the help. The worker I was assigned was quite nice, but incompetent as she assured me that because I was not receiving direct cash assistance I did not need to be fingerprinted. I could just go home and wait for my case to be opened. On March 29, 2018 I received a letter denying me benefits for lack of finger imaging. That afternoon I sent a fax to my worker alerting her of the

problem. I arrived back at the Job Center the next morning and the caseworker apologized and assured me that we would get it right this time. The second time around she conferred with a co-worker to be certain. She even showed me the computer screen where the system had generated a page with a checked box exempting me from finger imaging. I asked her for a copy of that screen for my records.

On April 29, 2018 I received yet another denial letter for lack of finger imaging. The benefits coordinator at the shelter requested a fair hearing on my behalf because now we had evidence that HRA made a mistake.

On May 15, 2018 I appeared for a Mandatory Dispute Resolution appointment with a supervisor prior to my fair hearing date. I stated my case and presented my proof and was told that my proof did not matter and that I should just come back in the morning to apply again. He told me make sure I comply with the finger imaging next time – as if not being finger imaged was my idea.

The following day I went to a different Job Center because it was clear that the previous one was incompetent and I felt totally disrespected from the day before. The next Job Center was much better and helped me to successfully open a case. My case was finally opened in early June 2018. My fair hearing was scheduled for June 13, 2018. During the hearing I presented my case and was told that since my case was active already there was nothing to be done. The shelter's benefits coordinator who attended the

hearing with me voiced our concern that this process absorbed more than three months of my allotted six-month stay at the shelter. The HRA representative simply said there were things that can be done. We asked what things, he provided no answer. The judge then asked me to withdraw my request because according to her since my case was open there was nothing for her to rule on.

I would like to say that this was the end of my hellish saga with HRA, but regrettably it was not. I finally received my housing voucher on June 29, 2018. Roughly five weeks before my scheduled discharge date of August 4, 2018. The voucher contained expired dates. When I inquired about the dates I was told that HRA was aware of the dates, they were not correcting them and that as per HRA it should not be a problem.

Halfway through July I found a broker who was willing to work with my voucher. They questioned the veracity of the voucher and I told them what I was told. "It should not be a problem". The processing of the low-income apartment application would take a month. I did not have a month left and the shelter told me that HRA denied their request for an extension for me. I made an email complaint to the commissioner and I went in to see the local City Council member for help and managed to secure an extension.

Three weeks into the application process, I received a call from the broker saying that the property management company's legal office halted my application due to the expired dates on the voucher. I needed to give them a

corrected one. We requested a new voucher and were refused. I contacted the Urban Justice Center for assistance. A few weeks later we were told that they did indeed reissue my voucher shortly after it was requested, but a glitch in the system stopped us from getting access to it. They were waiting on a technician to fix it. I finally received a new voucher on October 22, 2018. My application was finally complete. I signed a pre-lease in November and I was set to be in my new home by Christmas.

In December I was given the news that my freshly renovated apartment was perfect, but the building had violations and I could not move in. My very patient and compassionate broker's assistant set about finding me another apartment. She found one on January 18, 2019. On January 22, 2019 I was informed by shelter staff that HRA had given me a discharge date of February 1st. Not leaving me enough time to secure the second apartment. Once again I called on Urban Justice Center for help and they worked furiously to get me more time or at the least reasonable medical accommodation for a new shelter placement so that I can avoid the perils of the women's intake shelter.

On Wednesday January 30, I was given one extra week to complete the second apartment application. I am grateful for this brief reprieve and I am cautiously optimistic that perhaps I can bring this very emotionally and physically taxing twelve months to a close with a home of my own.

fraud and forgery in regards to a binding apartment lease that I signed on 2/16/16 in HRA's offices with Urban's Lisa Lombardi in the presence of witnesses.

2. HRA's records confirm that on 2/18/16, someone who works for it and whose last name is Benjamin-Solis made a change in HRA's records that corresponded to HRA's records for what my apartment number was. Although I have since clearly and repeatedly invoked my legal rights pursuant to FOIL, the First Amendment, and 5 U.S.C. §552a (the federal Privacy Act law) to find out details about that change to my address that was made in HRA's records, HRA Commissioner Banks and others have illegally refused to comply in flagrant violation of the following laws that exist within New York State's Penal Code as well as other laws:

NYPL §175.25 (fraudulent concealment of public records), NYPL §195.00 (official misconduct)

3. Long before the City Council's truly shitty & phony Speaker Corey Johnson stupidly proposed creating a new oversight body to exist within HRA, I testified against HRA and Urban at length on 6/19/17 to Elizabeth Crowley and Vincent Gentile during a public hearing that the City Council's Committee on Oversight and Investigations held. That meeting was about having an independent oversight body exist outside of HRA for obvious reasons that would aggressively investigate wrongdoing by HRA and its business partners. The video for that hearing is still available online from the New York City Council's web site.
4. On 3/15/17, I legally and very discreetly engaged in protected whistleblowing against Mr. Banks during the public town hall meeting that the Mayor held in Chelsea with Corey. The video recording of that meeting remains online and confirms that I told the Mayor that Mr. Banks had repeatedly made false statements to me about having me provided legal assistance through HRA's business partners. It also confirms that I engaged in whistleblowing a) against a) Urban without naming it while referring to fraud by one of HRA's shelter

providers and b) HRA's business partner NTT Data, Inc. ("NTT") that still subjects me to wage-theft and retaliatory blacklisting dating back to 2012 that I have spoken out about in detail and truthfully at length in this room and elsewhere on video before the NAACP joined a lawsuit against NTT for discrimination against Black people who should vote the vast majority of those who work in this building out of politics as taxpayers finance NTT's ongoing and longstanding business with HRA, Leticia James' new legal mob, ICE, the U.S. Justice Department and many more government agencies.

5. Last week, Urban caused me to be sent a fraudulent notice about eviction proceedings long after I commenced litigation against HRA on 1/17/17 that implicating illegal acts that Urban committed against me in regards to the lease agreement I signed on 2/16/16. I know precisely how to legally deal with that eviction notice and it will certainly be memorable.
6. On 2/9/17, I sent a 62-page fax to OTDA to appeal fraudulent denials HRA issued in regards to applications that I submitted to it for government benefits. Since then, OTDA has fraudulently and negligently failed to conduct a fair hearing for that purpose in flagrant violation of my due process rights and its written policy requiring it to conduct a fair hearing within 30 days. After I easily beat HRA on the merits on appeal for another benefit-related matter OTDA for which OTDA issued a decision in my favor on 9/15/16, HRA never fully complied with that decision and OTDA fraudulently refused to fully enforce its terms. I testified about that on 4/20/17 during a public hearing this committee held.
7. On 11/21/18, HRA approved an application that I submitted to it on 10/19/18 for government benefits to which I have been and continue to be legally-entitled. On 11/29/18, HRA fraudulently reversed that decision and denied that application without any legal basis.

8. 24 CFR §578.3 is a federal regulation that clearly supersedes HRA's authority to define what "permanent housing" is. That federal regulation requires people to have a valid apartment lease for where they reside in order for them to be considered to be residing in permanent housing. I have never had a valid lease for where I reside due to Urban's bait-and-switch fraud and forgery that I believe HRA's personnel illegally directed to occur on or about 2/18/16 that thereafter caused me irreparable harm.
9. On 8/15/17, Fernando Fernandez of the New York City Public Advocate's office didn't appreciate my use of offensive expression in the context of complaining about the fact that he failed to sufficiently advocate on my behalf against HRA to help me to be provided government benefits to which I was legally-entitled. Barboza v. D'Agata, 151 F. Supp. 3d 363 (S.D.N.Y. 2015) is a New York federal court decision confirming that how I then expressed my frustration to him in the Public Advocate's office was protected First Amendment expression. Since then, when I was illegally ordered to leave that office, that Public Advocate's office has been illegally subjecting me to viewpoint discrimination that persists by refusing to allow me to receive assistance from it. This fact was most recently proven on 1/9/19 when I visited that office to receive assistance against HRA and conducted myself lawfully. While I was in that office then, Julissa Santiago of that office confirmed that her office had illegally blacklisted me and that her office would not provide me any assistance in violation of my First Amendment and Fourteenth Amendment rights. She then directed me to leave that office.
10. Before Defendant Howard Redmond who heads the Mayor's NYPD security detail and is being sued in New York federal court and New York Supreme Court illegally began

subjecting me to viewpoint discrimination on 4/27/17 at the site of the public town hall meeting that the Mayor held in Queens, the following is true:

a. I was in contact with the Public Advocate's office's General Counsel at that time (Jennifer Levy) via e-mail in regards to my litigation against HRA.

b. Mr. Fernandez sent an e-mail to HRA on 4/24/17 on my behalf that concerned government benefits to which I was and remain legally-entitled to receive from HRA.

11. Before Jazmine Headley was abused in an HRA office and security personnel lied about that affair to cover-up wrongdoing, I experienced somewhat comparable mistreatment and deceit in HRA offices that included one of HRA's workers having fraudulently claimed that I threatened to physically attack him. That occurred after I lawfully stated that though I would like to punch him in his face due to a clear error he made at my expense, I would not do so.

12. In closing, though I have also filed valid complaints against HRA with the New York City Department of Investigations and Rafael Salamanca, Jr. both of them stupidly referred my complaints to HRA to deal with. It is time for this truly Shitty Council to wake the fuck up and exert sufficient pressure upon appropriate regulatory authorities to have Mr. Banks fired and to have HRA's contracts with Urban and NTT promptly terminated to benefit me and other military veterans who reside in the building in which I reside that have been and continue to be treated like bastard children by the Mayor's administration and this Shitty Council.

I'll see quite a few of you in court.

Testimony of
Anthony Wells, President SSEU Local 371
On the HRA Client Experience
February 4, 2019

I am Anthony Wells, President of the Social Services Employees Union Local 371. I am also a Vice President of District Council 37 and International Vice President of AFSCME. Thank you for the opportunity to provide testimony at this hearing. SSEU Local 371 represents workers in HRA/DHS in the Caseworker, Job Opportunity, Fraud Investigator, Social Worker and Community Title series. In all, we represent about 5,543 workers in the agency. We provide social services in many programs including but not limited to homelessness, financial assistance, HASA, Adult Protection, Community Outreach and NYC ID.

We are happy to discuss the client experience. Our members are committed to helping those in need. On a daily basis, they provide support to the neediest of our society. They navigate through the policy and bureaucratic maze of the largest social service agency in the world. They understand their role in the safety net and understand our clients come to us with problems. Our members are the sounding board for the clients in distress. They are the face of our agency and sometimes frustrations are taken out on our workers. We encourage our members not to be judgmental but to be empathetic to the needs of our clients. Whether they are seasoned or new, they understand that they are there to service the public.

As with any public service organization, there are experiences that do not go as well as they should. Agency requirements, a particularly busy day, or unforeseen circumstances can determine the outcome of a client experience. However, negative experiences are not the goal nor the norm for many individuals and families that we service.

Under the present administration, we have worked to address many issues confronting our workers and the clients. In the past there were long lines at many Centers, and Job Centers. It was a crisis that was intolerable and unacceptable. Working with the administration, policies were amended and adopted to ease the crisis. We are continually working to get adequate staffing and support.

Our members, as well as many public service workers, face many challenges, whether it's going to work in snowstorms or rainstorms. Whether it's dealing with their personal issues or challenges, they are there. Whether it's new policies or management, our members are there.

Testimony of
Anthony Wells, President SSEU Local 371
On the HRA Client Experience
February 4, 2019

The clients we service come from our communities. They share some of the same challenges our members face, including finding affordable housing, child care, caring for elderly parents and putting food on the table.

We appreciate the City Council, elected officials, management and the public wanting to ensure that the client experience at HRA is a positive one. We share that goal.

However, it cannot be legislated. It cannot be a knee-jerk reaction, a negative experience that is unfortunate and in need of correction. It requires a commitment and working relationship with all involved. It requires discussions and problem solving that seeks to meet the needs of the clients and the workers.

The HRA workers do a tremendous job of helping thousands of individuals and families while under critical scrutiny, deadlines, no lunch, sometimes leaving their jobs twelve hours later and having to sacrifice their own mental health and families. That cannot be overshadowed, discounted or ignored.

Thank you.

UNIONIST

Volume 42 • Number 1
January 2012

Official Publication of Social Service Employees Union Local 371-DC 37 AFSCME, AFL-CIO www.sseu371.org

FIXING THE HRA/FIA

Union Addresses Overcrowding and Overtime at Job Centers



Union President Anthony Wells, joined by other officers and members, confronted FIA management about overtime and overcrowded issues at the job centers.

It is well known that the City is facing an unemployment crisis. Since the economy crashed in 2008, people throughout the region have continued to lose their jobs, and not enough new jobs have been created. More and more people are coming to the Family Independence Administration (a part of the Human Resources Administration), where SSEU Local 371 members are dedicated to helping them.

But over the last several months, members have reached out to the Union

complaining of managers who are violating overtime protocol, by forcing continued hours on employees at the end of their shifts. Then when workers try to assist one another by covering the overtime, management won't allow it. Security on locations has been lacking, overwhelming members who are dealing with frantic clients and rising caseloads at one end, and are also dealing with heavy-handed managers. Many of these problems stem from the fact that the front-line workforce has been stretched too

thin. As Kirby Lindell, a Sup II in employment services, said, "They really need to hire more people."

Meeting the Bosses

On Dec. 20, SSEU Local 371 officers, including President Anthony Wells, joined dozens of FIA workers for a second labor-management meeting with FIA officials at District Council 37 to address these concerns. "We've been very patient, but

Continued on page 3

FIXING THE HRA/FIA

Union Addresses Key Concerns for Front Line Staff

Continued from page 1

they have got to fix it," Wells told members before the meeting. "At the end of the day, we need more workers. But in the meantime FIA management has to come up with a plan of action."

It was a heated exchange between the Union and management, to be sure. Vice President of Negotiations and Research Rose Lovaglio-Miller impressed upon FIA management that the rising caseloads and forced overtime were having a drastic effect on staff morale.

"Members are complaining because there is too much overtime. People are saying they need medical leave because it's so crazy," she said. "It's getting to the point where your workers are saying, 'enough is enough.' They have hit a brick wall."

'Ludicrous' Actions

In a caucus with members, she noted that it came to the point where a worker informed the Union that she was written up because she had the temerity to leave after she worked overtime and her clients' paperwork was done. Managers have been

"People are saying they need medical leave because it's so crazy...It's getting to the point where your workers are saying, 'enough is enough.' They have hit a brick wall."

VP Rose Lovaglio-Miller

demanding that all workers stay until all clients have left the buildings. "I told management that's ludicrous and unacceptable," Lovaglio-Miller said.

Indeed, many SSEU Local 371 members spoke of the problems on the job. Miriam Ramos-Ortiz, an AJOS II based in the Bronx, noted that at her location nearly 40 potential clients on the line are turned away at the end of the day because the workers don't have time to get to everyone. Those people come back the next day, just making that day's client load that much larger. The problem, workers said, is getting out of control. "We don't have the staff," Ramos-Ortiz said.

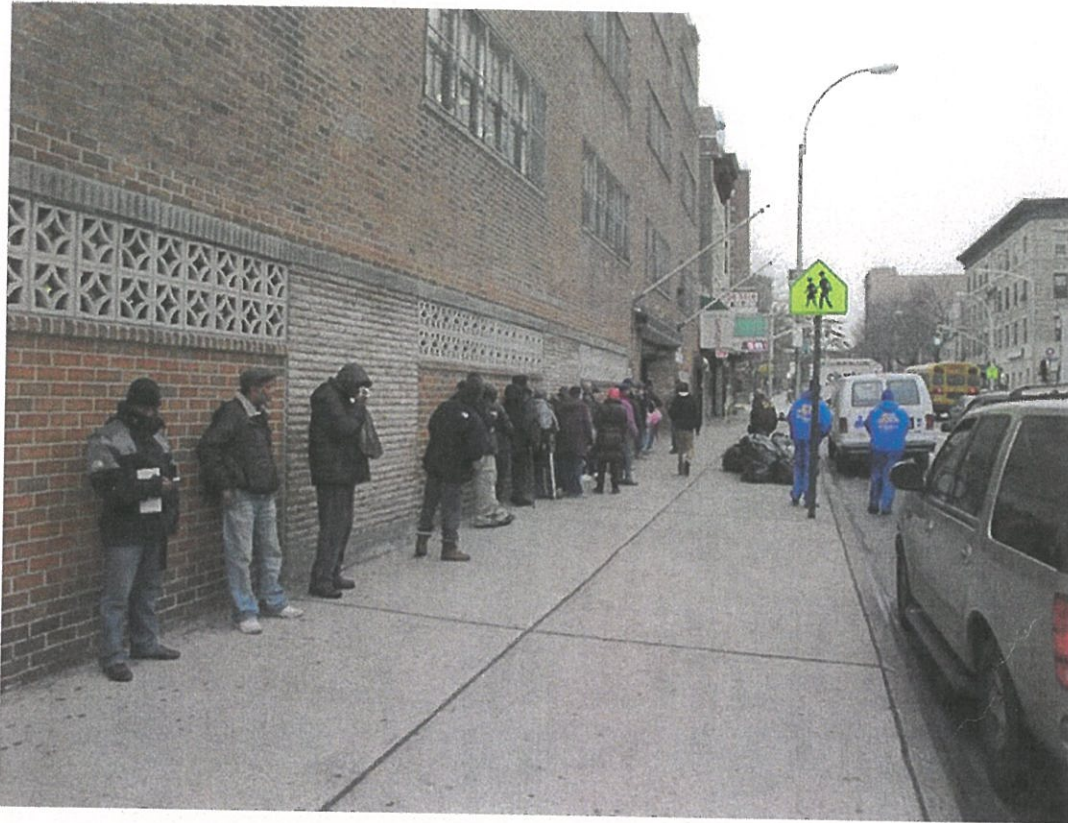
As far as staffing goes, the agency can only make new hires if City Hall lets it, so the Union will have to apply pressure to the Bloomberg Administration to hire more people to address the growing problem of

joblessness in the City. The Union is also working with Communications Workers of America Local 1180, which represents Directors in this agency, in order to improve relations on the shop floor.

Progress Made

While members believed the meeting proved valuable in showing the agency how low morale had gotten, many thought the agency officials didn't show adequate concern for making things better.

However, HRA/FIA management did hear the Union and its members. On Dec. 22, two days after the labor-management meeting, a memo to job center Directors was issued addressing two pressing topics: conducting on-site labor-management meetings and overtime guidelines that would not force everyone to stay until the last client leaves.



Brooklyn clients at Clinton Hill food stamp and job center wait hours for help

The line at the Dekalb Ave. food stamp and job office often stretches down the block. (Justin Mitchell for New York Daily News)

Brooklyn clients at Clinton Hill food stamp and job center wait hours for help

By JUSTIN MITCHELL
| NEW YORK DAILY NEWS |
FEB 22, 2012

Clients at a Clinton Hill city food stamp office and job center charge they are waiting hours to get help.

On most mornings, a line stretches outside the Northern Brooklyn Food Stamp and DeKalb Job Centers on Dekalb between Skillman and Franklin Aves.

Clients and advocates charge overcrowding plague the Human Resource Administration's food stamp and job centers in Brooklyn and throughout the city.

Clients said it's a particularly long wait at the DeKalb center. Some said they have waited an entire day to be seen by a center official. Some even had to come back an additional day.

"The wait is actually very long," said Portia Thornton. "They're always short on staff, computers shutting down, so it's horrible."

After not getting a phone call from staff at the center about his benefits, Dwayne Wright showed up to get his food stamps.

"They only got one lady working tickets....," said Wright. "They need help in there, because they're not doing what they're supposed to do."

There were also complaints about workers' attitudes.

"A lot of them don't have diplomacy; they're very nasty and hostile and belligerent," said Dwayne Andrews, a private bus operator currently on disability. "They got issues they need to address."

At a recent City Council hearing, HRA officials announced they've hired dozens of new food stamp eligibility specialists who screen applicants.

Agency spokesman Nick Scorza said the additional staff had resulted in "the elimination of lines at our centers."

Scorza said all HRA employees receive customer service training, and said any issues with service should be reported to 311.

Union leader Eddie Rodriguez, said the eligibility specialists are overworked.

"They do a good job," said Rodriguez, president of the New York Administrative-Clerical Workers Local 1549. "They are doing the best they can."

During a January 31st City Council hearing, Rodriguez testified that the HRA needs to hire 200 new food stamp eligibility specialists, but only hired 44.

"That's not going to help, it's just going to put a little band-aid on it," he said after the hearing.

Scorza said HRA "tracks vacancies closely and fills them as quickly as possible, working with program areas to fill positions where they are needed most."



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February 4, 2018

NYC Council Committee on General Welfare

via email:

To: Councilman Stephen Levin NYC Committee Chair Committee on General Welfare

To Councilwoman [Diana Ayala](#); Councilman [Mark Gjonaj](#); Councilman [Ritchie J. Torres](#);
Councilwoman [Vanessa L. Gibson](#); Councilman [Rafael Salamanca Jr.](#); Councilman [Barry Grodenchik](#);
Councilwoman [Adrienne E. Adams](#); Councilman [Antonio Reynoso](#); [Brad Lander](#); Councilman [Mark
Treyger](#); [Councilwoman Helen Rosenthal](#)

cc: Councilwoman Carlina Rivera; Councilman; Councilman Daniel Dromm; Councilwoman Alicka Ampry-Samuel; Commissioner Steven Banks, HRA General Counsel Molly Molloy.

Ref Oversight - Oversight - Client Experience at HRA Centers: Int 1332-2019 Int 1333-2019 Int 1335-2019 Int 1336-2019 Int 1337-2019 Int 1347-2019 Int 1350-2019 Int 1359-2019 Int 1377-2019 Int 1382-2019 Int 1389-2019 Res 0721-2019 Int-3440

Dear Chair Levin, Committee Members and Committee Counsel(s):

I thank you for holding this hearing and also the other members of the council and staff for allowing me to appear today and speak. I am Kelly Grace Price and I ask you to listen to several stories I haven't shared publically about how I have been mistreated in certain HRA centers by SOME HRA workers because Frank Sinatra my ADA service dog has accompanied me. I also want to share a story that just occurred LAST WEEK at a food pantry (WSCAH) that works in partnership with HRA to distribute food and clothing to poor people like me on the UWS. **In sum I hope these narratives encourage the Council to require that HRA require training on the ADA for all its employees and all agencies that it partners with. The American Disability Act is not a policy that is optional.**

I. The DYKMAN HRA CENTER:

- I have a very good rapport with almost all the workers at the Dykman Center. I used to be on a first name basis with Ms. Mota, the former Center Director and I know many of the case-workers and customer service workers by first name. Mr. Banks and his counsel, Ms Murphy have made sure I am treated fairly by the HRA system. They have been routing me on in my battle against Cy Vance who destroyed my life when I went to law enforcement to extract myself from a near-deadly intimate partner violence situation. On December 18th, 2018 I arrived at the Dykman center for a recertification appointment and waited for an hour or so to be called.
- When my case worker, Ms. Blessingame came into the waiting area and called my name I stood up and gathered my belongings. When she saw that I had a service dog with me she freaked out and started yelling at me in front of the three dozen other people in the waiting room: “oh no—no no no no—you will have to wait—sit down and wait” she ordered me. She said : “that’s no service dog” when I informed her Frank was a service dog—then she continued her discriminatory verbal scree.
- Blessingame disappeared around the corner to fetch a security guard. When she returned she was still agitated and discourteous and she demanded I hand her my client appointment sheet. I asked her if there was a problem and she replied: “I just put hand sanitizer on my hands and I needed to go wash it off so that your dog won’t attack me.” There was further negative commentary focused on me by Blessingame and I refused to give her my appointment sheet and asked to speak with the supervisor and to have new case-workers assigned to do my recertification.
- When I was re-assigned I sat in the new worker’s cubicle—still shaking and triggered from the experience of being singled-out. I discussed with the new worker that I wanted the video from the waiting room reviewed so that Blessingame’s discrimination could be documented. I did not know that Blessingame was sitting in the adjacent cubicle with another client.
- At this point Blessingame stood up and yelled at me over the cubicle barrier!!!! I asked her to stop engaging with me and my new worker asked her to stop. This is all on camera!

II. 16th Street HRA Center:

- Also in December I had a mandatory meeting at the 16th st center. I attended the meeting and the worker I was assigned to treated me in the same discourteous way. At one point she said “Look Honey we don’t have a lot of dogs coming in here.” I asked her NOT to call me honey and to treat me and my dog with respect. To retaliate she refused to give me the appointment letter that was generated for me that day and lied telling me that the We Care center on 51st St. would send me my next apt letter which
-

was a lie---she had it right there. A few weeks later I received a letter from We Care stating that I had missed the apt she set for me! J

III. Pantries and Partners of HRA:

- I had a really unfortunate experience last week (January 30, 2019) on w 86th St. when the program director at West Side Coalition for Hunger threatened to call the police and have me arrested because I was there with my new service dog, Frank. Frank wears a SERVICE DOG registration tag from the NYC Health dept.!
- I have been a client of the West Side Coalition Against Hunger for years. The person who discriminated against me had never seen me there and I have several times already politely advocated for myself about Frank's presence at the pantry in the past and ironed out the boundaries of what they are allowed to ask me. So this discrimination last week was a real shock. If I had stayed the NYPD would have been called and I would have been arrested for trespassing. This arrest arose when I went to a food pantry to feed Frank and myself!
- When I identified Frank as a service animal she kept in at me: "We want this to be a safe space for everyone and we would appreciate it if you wouldn't bring your dog in here."
- When I told her what she was doing was discriminating against a person with an ADA disability she ran off to find someone to kick me out. When the super of the church told her "NO" that he wouldn't kick me out for having a service dog (he has known me for years and loved my old service dog Sofie and adores Frank) she kicked into full-throttle.
- She stormed up to me and demanded I leave immediately. She told me that they have a 20-minute lingering policy at the pantry and that she was calling the police and having me arrested for trespassing. This policy is not posted or ever enforced and I was waiting in line at the coat closet for them to dig out a pair of gloves because it is freezing and Frank ate one of mine.
- Arbitrarily enforcing un-posted policies because I have a service dog she had already demanded I not bring to the premises is TEXTBOOK discrimination. But she didn't stop there: She threatened to cage me, to engage me with law enforcement, police, courts, jails, judges, arraignments, correction officers, rapists, pimps and the horrors I have been running from.
- There are people at WSCAH who want to put us in cages for being cold and hungry and disabled. I think that ADA training needs to be extended to the partners of HRA as well. There is no reason I should have to educate HRA and pantry workers on the Americans for Disability Act!

Thank you for taking the time to consider my testimony today on behalf of myself and other disabled persons who depend on HRA to survive.

Testimony of Clerical-Administrative Employees Local 1549
to the New York City Council Hearing on Oversight - Client Experience at HRA Centers

Monday, February 4, 2019

By Ralph Palladino, 2nd Vice President, Local 1549
Followed by Local 1549 President Eddie Rodriguez &
SNAP Eligibility Specialists Yolette Green and Kenneth Clarke

Local 1549 represents the Eligibility Specialists (ES Levels 2 and 3) working in the SNAP and Medicaid programs. The key role in the SNAP eligibility process is played by the Eligibility Specialist. I refer you to Public Advocate Betsy Gotbaum's report on *The Role of Eligibility Specialists*. In that report, you will find out what their role is and its importance.

It was the Eligibility Specialists who worked to make sure that the public received SNAP benefits which would have been lost because of the Trump Government Shutdown.

We believe that all public recipients of benefits, for which they paid taxes and are entitled to, and need, should be treated with courtesy and respect. Some of our union members have been recipients of SNAP benefits and/or are homeless.

Local 1549 also believes that the resolutions put forward by the City Council are well-intentioned. Some we agree with, some we don't, some we question and some we feel need revision. We are willing to work with you on any and all of them.

We also believe that most of what is contained in the resolutions deals more with monitoring and oversight. We think that "preventive medicine" is more effective.

Lack of Staffing - A key issue

One of the main issues in proper servicing, while lowering tensions and hostilities, is addressing the lack of staffing. Wait times can be reduced if proper staffing existed. Backlogs, cases timely being processed and overtime can be alleviated also.

The sad truth is that there has been a headcount reduction of 18 % of the Eligibility Specialists (ES) over the last four years. 400 positions were lost over that period. (Please see the attached document from DC 37 records).

We believe that the ES's are being scapegoated for the problems in SNAP wait times and other issues. Despite doing more with less, our ES's are too often harassed by managers leading to a serious morale issue and staff anxiety.

Once a bunch load of cases are finished the staff is told to do even more than the load they just finished in the same time frame. They are rarely ever congratulated or commended by their supervisors for this work, while working in their areas .

So this backdrop all takes place before they even see the public. The public at times unfairly blames the ESs' who, by law, must make sure all proper documentation is produced. Too often it is not (this is often because of some CBO's misinforming the clients), and so the ESs must tell the clients to go home and bring proper documentation. The ESs also must tell clients they are not eligible when this is the case. THIS OFTEN LEADS TO ANGER AND VERBAL AND/OR PHYSICAL ABUSE by clients who do not understand.

Having been a one-time client in need of public assistance while living in Southern California I know what it is like to be on the other side of a desk. Frustrations are carried out against the messenger simply trying to do his or her job.

The institution of TIPS telephone use for applications is fine. It did lead to less people coming into centers. However it does not mean you need less ES personnel since the cases still must be processed by the same people who must see clients face to face.

Up front servicing recommended

The front entrance areas of the centers are staffed by security officers. They are not trained nor should they be allowed to offer information on benefits or in navigating the system. There should be ES's located in the wait areas in the SNAP Home Centers who can provide information to the public on where they should go, where to wait, wait times, etc. Perhaps an information desk should be situated there. They should be there to answer questions. Security officers can be intimidating by their obvious presence. Being in the background and acting only when called upon might be a better way to situate the waiting area.

ES's know better than anyone what is required of clients. They may even be able to check with clients to see if they do or do not have the proper documents. The clients can be told right away if they they don't have the proper documents and could eliminate two hours of waiting.

Proper language services are critical

It is also critically important to have bilingual interpreters who can assist clients whose English is limited. They also can interpret documents. There certainly needs to be interpreters located in the waiting areas. Having people who look like our clients and speak their language is being "client-friendly."

Interpreters should be on duty for face to face interpreting of clients. The use of private contracted phone lines is not adequate. This leads to longer waits for clients waiting for service. I refer you to the *NY State Report on Social Services* (chaired by then Senator Avella) that summarized the importance and need for interpreters.

The NY Immigrant Coalition has documented the importance of face to face interpretation. The interpretation is carried out more accurately and in a timely manner when done this way. It is also more secure to have employees doing this and not private, unseen vendors.

There have been some problems at times with use of telephone line personnel in creating unnecessary friction. Too often, important pieces of information are not translated and also misunderstanding erupting to verbal arguments ensue because of this.

To summarize

A key for reform is to increase staffing levels to at least what they were. The other is to make sure that the centers are client friendly. This means placement of knowledgeable ES personnel at the front information desk in waiting areas and providing real, live interpreters for servicing.

Now I will turn our testimony over to President Eddie Rodriguez
(see attached)

1) Statement from President Eddie Rodriguez:

My members work in SNAP, Phone line, Medicaid, HASA and other areas of HRA. Our job is to serve the community. Most of my members have families and children too. They live in the same communities as those they serve.

I want to say that we work as a team with Commissioner Banks to resolve client-related problems. I commend Commissioner Banks.

I used to work in Food Stamps before many changes. The front-line workers know the work and have many of the answers. **It is important to hear from the workers who do the job:**

2) Statement from ES Kenneth Clark:

I work in TIPS phone line. The clients must call us in order to apply. We do the applications and then pass the work along to other ES's so they can determine eligibility.

We have and currently use hardware that is often problematic, leading to increased wait times for clients to get serviced. Database loading from other sources such as Social Security, etc. takes too long.

Translations are often problematic. HRA uses a private outside contractor. They become conference calls. There are increased wait times in these cases. Translators are not trained ESs and translation is lost increasing wait time. Questions' meaning is lost in translation. Other callers meanwhile are waiting on line waiting to be serviced.

Because of time restraints from supervisors, we are forced to look at the information and but cannot always review it.

Documents sent by clients take too long since databases take long to load. Clients must wait and then, at times, be told to send additional or better completed documents. Sometimes documents cannot be read online.

I recommend that more ES's be hired so they can help with the indexing which often is not completely reviewed. More ES's are needed to conduct interviews on line and phone. This would reduce waiting times and allow for a more thorough review of documents.

3) Statement from ES Yolette Green

I work in the SNAP Green Home Center. Sometimes clients come in with very old documents, up to four years old, and not updated. So clients must be told to go back and get proper documents.

A form goes to their home to advise when servicing is needed for renewals.

When they come to the center they obtain a ticket and inform staff which area they should go to, but take multiple tickets. By taking multiple tickets for services they do not realize that they could actually be waiting longer.

I recommend that having ES's in waiting areas to provide information would help clients and lessen confusion and irritation.

I also recommend that HRA change how the screens in waiting areas are configured to make it easier to read and also list and inform clients what documents they must bring based on the service needed. Give them information. Better to inform them of documents so that they do not wait for hours and then be told they don't have proper documentation.

ATTACHMENT FROM DC 37 ON HEADCOUNT

Title	Headcount 1/13/14	Headcount 1/28/15	Headcount 1/8/16	Headcount 1/12/17	Headcount 1/1/18	Headcount 1/1/19
DEPARTMENT OF SOCIAL SERVICES						
Eligibility Specialist	2503	2670	2539	2362	2319	2278

Based on DC37 Membership Reports

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Juliane Williams

Address: _____

I represent: Safety Net Activists

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 2/4/19

(PLEASE PRINT)

Name: Kenneth Clark

Address: _____

I represent: Eligibility Specialist II

Address: TIPS 42

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 2/4/19

(PLEASE PRINT)

Name: Yolette Green

Address: _____

I represent: Eligibility Specialist 3

Address: SNAP 45 center

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 2/4/19

(PLEASE PRINT)

Name: Eddie Rodriguez

Address: 125 Barclay Street NY NY 10007

I represent: President, Local 1549, DC 37

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Jolly Girl Prince

Address: 534 W 137th St

I represent: Close Rosies

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Jazmine Headley

Address: _____

I represent: _____

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Anca Grigore
Address: 177 Livingston St, floor 7, BK NY 11201
I represent: Brooklyn Defender Services
Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Lisa Schreibersdorf
Address: _____
I represent: Brooklyn Defender Services
Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: 2/4/19

(PLEASE PRINT)

Name: Tanya Krupat
Address: 175 Remsen St.
I represent: The Osborne Association
Address: 175 Remsen St

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: 2/4/19

(PLEASE PRINT)

Name: Ralph Palladino

Address: 125 Barclay Street NY NY 10007

I represent: ZVP, Local 1549, DC 37

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: 2/4/19

(PLEASE PRINT)

Name: Anthony Wells

Address: 125 Barclay Street NY NY 10007

I represent: President, SSEU, Local 371, DC 37

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Commissioner Steven Banks

Address: 4 WTC

I represent: NYC Department of Social Services

Address: _____

Please complete this card and return to the Sergeant-at-Arms

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 2/4/19

(PLEASE PRINT)

Name: ~~ANTHONY~~ ANTHONY ZWELLS - PRES. LOCAL 371 ^{SSEW}

Address: 1501 BWAY 4TH FL.

I represent: Social Service Employees Union

Address: 1501 BWAY

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Administrator Grace Bonilla

Address: 4 WTC

I represent: NYC Human Resources Administration

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. ALL Res. No. _____

in favor in opposition

Date: 2-4-19

(PLEASE PRINT)

Name: Ashley C. Sawyer, Esq. (Girls for Gender Equity)

Address: _____

I represent: Girls for Gender Equity

Address: 25 Chapel St. 1008
Brooklyn, NY 11201

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THE CITY OF NEW YORK**

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Other

Date: 2/14/19

Name: Touaki Komatsu (PLEASE PRINT)

Address: _____

I represent: Self

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

Name: Sharitza Lopez - Rodriguez (PLEASE PRINT)

Address: 41 Kew Gardens Rd
Kew Gardens, NY 11415

I represent: The Bronx Defenders

Address: 300 E. 161st St Bx, NY 10451

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

Name: Scott Hutcheson (PLEASE PRINT)

Address: 452 W 50th St

I represent: Picture the Homeless

Address: 1005 E 126th St



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**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Helen Strom

Address: _____

I represent: Safety Net Project

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. ^{T2018-2440} ~~T2019-3627~~ Res. No. _____

T2019-3665, 3652 in favor in opposition

3653, 3662, 3648, 3666, 3656, 3676
and 3644 Date: 2/4/19

(PLEASE PRINT)

Name: Wendy O'Shields

Address: 123 William Street

I represent: Self, Urban Justice Safety Net Project
Safety Net Activists

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Brenda Riley

Address: _____

I represent: Safety Net Activists

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Ebony Anderson

Address: _____

I represent: Safety Net Activists

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: 2/4/18

(PLEASE PRINT)

Name: John Otrampke

Address: Po Box 90 10276

I represent: Safety Net Activists

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Charisma White

Address: _____

I represent: Safety Net Activist

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Ina Klein

Address: _____

I represent: Safety Net Activists

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 12/4/19

(PLEASE PRINT)

Name: JONATHAN SUNSHINE

Address: 501 NEW YORK AVE

I represent: UJC SAFETYNET ACTIVIST

Address: 123 WILLIAM STREET

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 2/4/19

(PLEASE PRINT)

Name: Raqibah Fatimah Basir

Address: basirrf1@gmail.com

I represent: _____

Address: _____

Please complete this card and return to the Sergeant-at-Arms