

CCWRO Weekly New Welfare News Bulletin - #2002-28

July 29, 2002

HEADLINES

•• IN BRIEF

•• WELFARE NEWS

•• TANF UPDATE

•• STATISTIC OF THE WEEK – Child Care

•• COUNTY WELFARE DEPARTMENT VICTIM OF THE WEEK

IN BRIEF - Commentary

-- **Millions in Poverty Don't Get Welfare** - The Gannett News Services reports that the Department of Health and Human Services reports what a "success" the TANF program has been. HHS reports that in year 2000, there were 31 million Americans living in poverty. Only 5.8 million were able to get any welfare benefits. The rest must have been timed-out or dumped from the welfare rolls by the administrators of the Terrorist Acts on Numerous Families Act of 1996 otherwise known as TANF.

-- **STAY AT HOME – NOT FOR WELFARE MOMS:** A new study reports that kids do better when mom stays home. A conservative group did this study and it is being touted around as a pro-family idea – urging women to stay home with the kids. When the authors of the study were asked about forcing welfare moms with newborns to go back to their unpaid labor jobs –involuntary servitude work – the response was, "States have an option to exempt moms from work up to the age of 1 year." The author refused to agree that welfare moms should be exempted from involuntary work servitude work until the baby is one year old. Family Values for the Middle and Upper Class – slavery for the poor. In America this is called compassionate conservatism.

STATE WELFARE NEWS

-- **Child Care Overpayments:** Marin County asked DSS if a participant had submitted child care claims that had some correct and some incorrect child hours that have already been paid, can the county consider the entire claim an overpayment.

DSS Response: Blaise Keene responded that "... per Karlen Harmison (our bureau's legal advisor), Marin County must go through all the timesheets..., determine which hours are fraudulent and which are not, and base the overpayment on the fraudulent hours.

--**ABAWDS Clock Starts the Month Following the Month of Approval:** On December 19, 2001, J. Acedo inquired from DSS that if a food stamp recipient applied on 8/1/01 and the worker did not approve the aid until 9/15/01, when would the ABAWDS three-month clock start?

DSS Response: Robert Nevins of DSS responded on 12/20/01 as follows:" Regulations at 63-410.11 say the 36-month clock begins with the first day of the first full calendar month than an individual is subject to the ABWDS work requirement. To be safe, I would wait until October 1 to begin the clock. I hope your Christmas is truly joyful."

-- **All County Letter (ACL) 02-55 – Changes in Standard Utility Allowance (SUA) –** Recently FNS has informed DSS that MPP 63-502.37, which provides for proration of SUA when household members live with an excluded member due to ineligibility, is in violation of federal law. FNS released "Administrative Notice (AN) 02-23 clarifying that states do not have the option to prorate the SUA in this instance." This new policy goes into effect October 1, 2002 for applicants. For recipients already on food stamps it goes into effect December 1, 2002.

CWCRO COMMENT: It appears that "welfare administrator responsibility" does not warrant immediate compliance with the law and DSS has decided to continue the fleecing of food stamp recipients in California, even though it violates state law which requires the maximum amount stamps to be paid to food stamp recipients.

-- **All County Information Notice (ACIN) I-55-02.-** This ACIN provides modifications of the SAWS 1, SAWS2 and SAWS 7. SAWS 1 is the initial application form. The SAWS 2 is the Application for CalWORKs, Food Stamps and Medi-Cal. The SAWS 7 is the monthly income report, which started as WR 7, (Welfare Reform 7 under Ronald Reagan), then CA-7, and now SAWS 7. Soon this will be a quarterly report, this the form will be changed again. Stay tuned.

ACIN I-51-02- Recipient Claims Collection Performance- In this ACIN, DSS is telling counties to jack up their "collection performance on food stamp overissuance claims established against households". It appears that the Bush Administration has developed a "national claims performance standard" that California has not met. "We are very concerned with our overall performance in this area. Therefore, counties are strongly urged to increase claims collection."

CCWRO COMMENT: There is no concern at the federal or state level about the high rate of underissuance's not paid back to the victims of county underissuance actions. Is anyone looking at the county's returning the underissued food stamp benefits to food

stamp households? You've got to be kidding. Return money to its rightful owners? No way. Welfare Administrators "take" and do not "return" for most part.

-- ACIN I-56-02 - Public Law 107-171 makes changes in Standard Deductions for Food Stamps and provides food stamps to noncitizens incrementally.

#1 -October 1, 2002- Legal noncitizens who are disabled will be restored to federal food stamp benefits regardless of the date of entry;

April 1, 2003 - Legal noncitizens who have been in the United States for five or more years will be restored to federal food stamp benefits;

October 1, 2003 - Legal noncitizens will restored to federal food stamp benefits regardless of date of entry into the United States.

#2 -Increase in Resource test for households with a disabled member – Up from \$2000 to \$3000 effective October 1, 2002.

#3- Changes in Standard Deductions effective October 1, 2002.

1- 4 persons - \$134.00
5 persons - \$147
6 persons or more - \$168

TANF UPDATE

On July 25, 2002, a federal judge in Louisiana ruled that the State of Louisiana violated the Constitution by using federal funds to promote religion in its abstinence-only sex education program, funded by the Bush Administration. The ACLU filed the lawsuit in May. The project was using federal funds to distribute Bibles; conduct prayer rallies in front of abortion clinics, etc.

-- George Bush continues to beat up on welfare moms by going around the country and talking about passing his ill-conceived, anti-child and anti-family welfare deform proposal that forces single parents to abandon their parental duties and perform 40 hours of work, which can be unpaid labor, if the welfare mom is not able to find a paying job. Bush's plan is build on the premise that "work" is more important than the "family" and that "working" is more important than "parenting". Under the Bush plan a mom with a newborn can be sanction and can loose all of her welfare benefits if she fails to come to her 40 hour a week unpaid labor job because she did not have any type of child care. If she goes to perform her unpaid labor and leaves her newborn home alone, then she is guilty of a felonious crime – neglecting her newborn. Now that is the Bush-Republican compassionate conservatism.

_STATISTIC OF THE WEEK – CalWORKs Transportation Supportive Services

Less than 20% of Families Received Child Care – Source CW115 and CW115A reports.

During March of 2002, there were 223,024 unduplicated participants in the California welfare to work program. When California started its comprehensive work program, the county's conducted surveys showing that over 50% of the participants will need childcare. In March of 2002, only 43,683 families received childcare. That is less than 20% statewide. Statewide, 32 counties are below the statewide average.

Leading the pack of the lowest provider of childcare is one of the first counties to start the old GAIN program, Stanislaus County at 4%. Los Angeles County is 15%, Orange is 17% and San Francisco is 17%.

While Stanislaus County only provides childcare to 4% of its participants, neighboring Fresno County is providing childcare to 47% of its participants. Could it be that all of the WtW participants in Stanislaus County have kids over the age of 6 and Fresno has 47% kids below the age of 6? No, the simple conclusion is that Stanislaus County is unlawfully denying child care benefits to people entitled thereto based on their own statistical reports.

The top ten worse counties in California not providing child care in March 2002 are:

1	Stanislaus	3.80%	5	Lake	6.69%	9	Modoc	10.64%
2	Colusa	4.90%	6	Tuolumne	7.34%	10	Humboldt	11.33%
3	El Dorado	5.99%	7	Imperial	9.73%			
4	Trinity	6.00%	8	Shasta	10.18%			

_COUNTY WELFARE DEPARTMENT VICTIM OF THE WEEK

San Bernardino County Fails a WtW Participant - Ms. M. was a recipient living in San Bernardino County. She went to the county's WtW program that urged her to get a job-get a career. The WtW worker explained how they were going to remove barriers to assure that she got a job and a career. Well, she got a job managing a Hotel 6 in Southern California. Before she could start working, she had to go through training in Thousand Oaks. Ms. M's first "barrier" was that she needed a car for work. The county agreed to help her repair her car, but at the last minute only agreed to rent a U-Haul to move her belongings to Thousand Oaks. This happened in late April of 2002. The second barrier occurred when she moved to Ventura County and inquired about her May check. The

welfare office in San Bernardino informed her on April 29, 2002, that she could not get her check until May 9, 2002, even though the law in California requires that the check be delivered on the designated date, which was May 1, 2002. Given these barriers, including the lack of transportation, San Bernardino County has insured that Ms. B.M. is now jobless and homeless. The welfare to work system is hard at work creating barriers-not removing them, insuring that families are homeless, jobless and living in misery.

-- Sacramento County Child Welfare Workers Break the Law with Zero Consequences - Children Stolen by Social Workers in Sacramento County- On July 23, 2002, a Sacramento County social worker came into the house of Ms. T. and walked out with her three children, aged 7, 4 and a newborn. The reason given was that Ms. T. was busted for driving under the influence. The kids were not in the car at the time of the incident. By July 29, 2002, Ms. T. had not seen her children and had no idea where they were. California law mandates that if a child welfare worker "steals" a child from their natural parents, a court appearance must be scheduled within 72 hours. 72 hours came and went, with no court appearance. There are no penalties for social workers who do not obey the law, why should they? Like corporate CEO's, they can break the law with zero consequences. When her advocate called child welfare officials to determine if the three children were in the child welfare system, the answer was no. County child welfare officials did not seem concerned that three little human beings were stolen from their mother and were not even in the system. It appears this is common in Sacramento County.

CCWRO SERVICES

CCWRO SERVICES AVAILABLE TO LEGAL SERVICES PROGRAMS & WELFARE RECIPIENTS REFERRED TO US BY LEGAL SERVICES PROGRAMS

Types of Services Offered:

Litigation, Fair Hearing Representation, Fair Hearing Consultation, Informational Services, Research Services, In depth Consultation.

Programs Covered

CalWORKs, Welfare to Work (WtW), Food Stamps, Medi-Cal. General Assistance and Refugee Immigration Problems

Coalition of California Welfare Rights Organizations, Inc.

1901 Alhambra Blvd., Sacramento, CA 95816

Tel. 916-736-0616

After 6 PM - 916-387-8341

Message/cell number 916-712-0071

FAX 916-736-2645

e-mail address: ccwro@aol.com

