



## IN BRIEF

✓ DSS is setting up a workgroup to discuss recoupment of child care overpayments. Gary Grayson of the Fraud Bureau of DSS has asked counties for volunteers to participate in the workgroup. DSS has not asked for any volunteers from other stakeholders, such as advocates and child care providers.

✓ On June 27, 2004, the Washington Post reported that the Bush Administration is planning deep cuts in social services program after the election. The plans for Children and Family Service Programs in millions are:

President's Proposal for FY 2004 = \$8,762

President's Proposal for FY 2005 = \$9,055

President's Proposal for FY 2006 = \$8,824

✓ On 7/19/2004, the National Alliance to End Homelessness is having a conference in Washington D.C. entitled: Countdown to Success: Implementing Plans to End Homelessness.

✓ Below are some web sites dealing with research in welfare for those who may be interested in such research.

- [www.appam.org/index.shtml](http://www.appam.org/index.shtml)
- [www.brook.edu/dybdocroot/wrb](http://www.brook.edu/dybdocroot/wrb)
- [www.ssc.wisc.edu/irp](http://www.ssc.wisc.edu/irp)
- [www.jcpr.org](http://www.jcpr.org)
- [www.mdrc.org](http://www.mdrc.org)
- [www.mathematica-mpr.com/welfare.htm](http://www.mathematica-mpr.com/welfare.htm)
- [www.rockinst.org](http://www.rockinst.org)
- [www.utexas.edu/research/cshr/index.html](http://www.utexas.edu/research/cshr/index.html)
- [www.urban.org/Content/Research/NewFederalism/AboutANF/AboutANF.htm](http://www.urban.org/Content/Research/NewFederalism/AboutANF/AboutANF.htm)
- <http://aspe.hhs.gov/hsp/hspwelfare.htm>
- [www.doleta.gov/wtw/](http://www.doleta.gov/wtw/)

✓ The Field Poll published on 5/27/04 found that 62% of the voters think that taxes will need to be raised to resolve the budget problem.

✓ The same Field poll found that 51% of Californians believe that the overall direction that California is heading is in the wrong direction.

## CALIFORNIA WtW PROGRAM

This week we look at the WtW program and how it is performing. Recent data pulled from the internet report WtW activities for March 2004 which are reflected in the data on Table #1 above.

Table #1 shows that in 3/04 there were 16,380 less unduplicated participants compared to 3/03. This is a caseload reduction of 9%. This would lead a reasonable person to conclude that sanctions would also go down by 9%. Actually, sanctioned increased by 11%. There were 4727 more persons sanctioned in 2004 compared to 2003.

### In This Issue

- IN BRIEF
- WtW Statistics
- County Welfare Dept. Victims of the Week

Now maybe the counties were real busy helping WtW participants to become self-sufficient. The WtW 25 reports reveal self-sufficiency by showing how many WtW participants went off welfare due to employment. This is a gross figure, not a net figure. The net figure would back-out those who found employment on their own.

**FACT:** During March of 2004 934, less WtW participants obtained employment that resulted in termination of CalWORKs. That is a 7% reduction from 2003 to 2004.

So what is WtW about in California? SANCTIONS - 11% increase.

While in March of 2004 there were 124,750 unduplicated participants involved in a WtW activity, 69,965 of them were not given transportation by California counties. Lack of transportation is considered good cause. A partici-

Mr. Mora was informed of MPP § 42-750.112 which states:

“Transportation. Transportation costs shall be governed by regional market rates as determined below:

(a) The least costly form of public transportation, including CWD provided transportation, that would not preclude participation in welfare-to-work activities pursuant to Section 42-721.313.

(b) If there is no public transportation available which meets these requirements, participants may use their own vehicles. Participants shall be reimbursed at one of the following rates:

(1) The county shall select an existing reimbursement rate used in the county, or

(2) The county shall develop a rate that covers necessary costs.

(3) The reimbursement rate may not include a “cap,” or maximum monthly

reimbursement amount, beyond which additional miles driven are not reimbursed.

(c) Parking

for welfare-to-work participants shall be reimbursed at actual cost.

Participants shall submit receipts for this purpose, except in cases where parking meters are used.

(d) Participants who choose to use their own vehicles when public transportation is available will be reimbursed at the least expensive reimbursement rate of available transportation pursuant to Sections 42-750.112(a) and (b).” and “MPP § 42-750.21

Payments for supportive services, except child care as described in Chapter 47-100, **shall be advanced** to the participant when necessary and desired by the participant **so that**

TABLE #1	Unduplicated Participants	WtW Sanctions	Entered Employment that Terminated CalWORKs
Year/Month			
March, 2003	141130	53212	6257
March, 2004	124750	57939	5323

pant cannot be sanctioned if s/he does not have transportation.

In a recent case in Los Angeles, Ms. S.H. failed to go to orientation. The county was informed that the reason she did not attend the orientation was that she was working, additionally, she did not have money for transportation.

DPSS District Deputy Director, Frank Mora, in charge of the office that handles Ms. S.H. case, stated that he did not believe that lack of transportation was good cause for failing to attending orientation. “We reimburse participants who attend orientation.” he said.

**the participant need not use personal funds to pay for these services.”** (Emphasis added)

By Mr. Mora's own admission, Los Angeles County is violating the law by limiting payments for transportation to "reimbursements". They sanction participants who do not participate because they had a lack of transportation.

### **HOWTO ADVOCATE FOR VICTIMS OF WTW**

First question: "Did you get an advance for transportation?" If the answer is "no" then ask:

Would you have used your personal funds to pay for the transportation? If the answer is "yes", then the sanction is illegal.

**ALWAYS FILE FOR A FAIR HEARING.** CCWRO would be glad to assist you with representation no matter which county you live in.

**OTHER DEFENSES:** Lack of child care is always good cause. Rarely do people have child care. The counties state that they will pay for child care even if the participant states they have no child care. However, just because the county says they will pay for child care, it does not mean that child care is available.

### **COUNTY WELFARE DEPARTMENT VICTIMS OF THE WEEK**

**COUNTY DOUBLE- DIPS:** Ms. V.S. of Sacramento County was charged with a \$4,152 food stamp overpayment. Her son was working after finishing school and the family did not know that his income counted for food stamp purposes. It does not count for CalWORKs purposes.

On May 26, 2004, she received a letter stating that she owed \$4,152 and they noted a particular account number. That same day, her son received a letter stating that he owed \$4,152 referring to a different account number. Is this county double -dipping?.

### **WORKING MOM LEAVES CHILD ALONE- CHILD TAKEN BY THE STATE -**

During July of 2002, Jennifer, a single working mom, left her two children alone in a motel room and went to work because she could not afford child care.

CPS was called and they remove her two (2) children for leaving the kids home alone. Although the law provides that the county shall exhaust all reasonable efforts before removing the children from the parents, Orange County broke up the family whose only need was child care. On the average, taxpayers pay \$2,500 a month for each child in foster care.

The children stayed in foster care for 12 months. At the 12 month hearing, the county stipulated that there was "substantial probability" the children would be returned to the Mother's physical custody in six (6) months.

The California Appeals Court in Jennifer A. v. Super. Ct. 4/27/04 CA4/3 held: The county then moved to permanently terminate Jennifer's parental rights because Jennifer had smoked a marijuana.

The Court found that Jennifer "...was never subject to clinical evaluation and was never diagnosed as having a substance abuse problem. No medical professional testified at the 18-month review hearing. The social worker testified Mother did *not* have a substance abuse problem affecting her parenting skills. The social worker confirmed Mother has good parenting skills and testified "she pretty much does those things that we normally associate with good parenting."

However, this did not deter the county from achieving their primary goal - to destroy the family.

It is indeed sad, that Orange County failed to do their job, which was to secure child care for Jennifer and allow her to parent her children as the law mandates.

Ultimately the Appeals Court returned the children to Jennifer because there was no evidence that Jennifer was a danger to her children.