



# CCWRO Welfare News-2020-11

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## Counties Commit Widespread Violation of Safety Net Program Emergency Assistance Program Laws

Since the inception of Covid-19 and the shutdown order on March 15, 2020, counties have caused severe poverty for impoverished California residents who are forced to rely on public benefits. 95% of people on public benefits in California live in "limited services" counties. Each county defines "limited services" differently. Some counties have some in-person operations while other counties depend entirely on electronic communications.

To date there has been no meeting regarding the issue of what constitutes "limited services" that include CDSS, counties, and the beneficiary community. While CDSS works closely with counties to release ACWDLs, ACINs, and ACLs, advocates are not privy to the development of the documents for most part until they are finalized. The poorest of Californians, those that have limited or no access to telephones or electronic communications, are being left totally out of public assistance benefits. In order to approve a benefits application, the counties insist on a telephonic interview. Those who do not have a phone or access to internet are often denied emergency assistance that they are entitled to or their applications are denied due to procedural reasons. **See TABLE #2.**

CDSS released policy guidance ACIN I-76-20 on November 5. This information notice mostly repeats the ACWDL issued on March 13, 2020. There are a few additional points made in the guidance that were appreciated, but nothing that directs the counties to obey California's laws relative to issuing emergency assistance for persons and families in need of emergency assistance.

In fact, ACIN I-76-20 makes it clear that it only contains recommendation of best practices that "...will assist CWDs to comply with access requirements that enable our state's most vulnerable populations to apply for and receive critical benefits and services."

*The ACIN states: "Access to benefits and services that is provided via telephonic communications must be provided in a timely manner to ensure legal compliance with access requirements... Extended wait times, which require applicants and recipients to hold for hours or to call back on multiple days to speak to CWD staff, are not compliant. Should such wait times occur in the immediate aftermath of an unanticipated emergency or disaster, counties should make adjustments to staffing to come back into compliance as soon as possible."*

This ACI I-76-20 fails to identify what constitutes a "timely manner" and "extended wait times" for applicants and beneficiaries trying to reach a worker on the telephone.

The ACIN was drafted in concert with the County Welfare Directors Association. Advocates were not invited to be a part of the ACIN stakeholder process. CCWRO is disappointed with the exclusion of advocates and anticipates that the ACIN will not stop the economic havoc experienced by California's impoverished individuals, families, and children. The policy guidance does not create any enforcement provisions to assure that people in need receive the benefits they are lawfully entitled to in the right amount at the right time.

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State regulations are clear – if a county is not open during regular business hours from 8 am to 5 pm, then the county must make sure that beneficiaries receive the proper benefits. Under current law, if a family with small children is homeless Friday morning, they are entitled to receive homeless assistance, if otherwise eligible, on Friday. That means that the family must be able to apply; if eligible, get an EBT card; and receive assistance that will protect them from sleeping in the streets for the weekend. CCWRO has heard from eligible people whose children have been taken away by CPS because of homelessness, which destroys families and compounds the harm of poverty. ACIN 76-20 says the county has to do this, but the state also knows that the county is not doing it. The state knows that most counties have not been doing this since April of 2020. In July 2019, California assisted 7,576 homeless families with children and in August 2020 that number plummeted down 2,581. That is a deep spike in homeless families of California. See TABLE # 1.

**TABLE # 1- Homeless Assistance Issued**

Month	Homeless Assistance Issued
19-Jul	7486
19-Aug	7576
19-Sep	6611
19-Oct	6599
19-Nov	5438
19-Dec	5488
20-Jan	6009
20-Feb	5036
20-Mar	4108
20-Apr	3177
May-20	3569
20-Jun	3150
20-Jul	2948
20-Aug	2581

ACIN 76-20 contains some wonderful best practices for counties but it is toothless. The ACIN cites MPP Section 11-601 but does not require the counties to identify their compliance methods.

Our folks have to submit an SAR-7 every 6-months. If the county fails to receive the SAR-7 because the county failed to send it out, the family’s aid is terminated. If the SAR-7 report does not contain verification of termination of employment due the COVID-19, the SAR-7 is deemed to be incomplete and aid is terminated. The county DEMANDS verification even if the business has shut down. However, the counties do not hold themselves to the same reporting standard.

During July of 2020, 51% of all CalFresh applications were denied due to failure to meet the counties wide range of varying “procedural requirements” that limit access to benefits for hungry people and contribute to food insecurity. Shasta, Tehama, Placer and Siskiyou counties lead the state with over 70% of the applications being denied. See TABLE #2 on page 3 for the percentage of applications denied county-by-county in California during the corona virus pandemic.

## LAWS BEING VIOLATED BY CALIFORNIA COUNTIES

### CASH AID

Widespread county violations– Getting cash help for children & families in dire need.  
CalWORKs Immediate Need  
**Law Being Violated–W&C§ 111266**

### FOOD ASSISTANCE

Widespread county violations– Getting food for hungry children & families.  
**Law Being Violated– W&IC § 18.13**

### HOMELESS ASSISTANCE

Widespread county violations– Getting assistance to homeless children & families.  
**Laws Being Violated–W&IC§11450(f)(D) & 11450(f)(3)(iii) & MPP § 44-211.523**

**TABLE #2. Percentage of CalFresh Applications Denied During July of 2020 not because the applicant was ineligible for benefits, but because the applicant failed to meet the county bureaucratic “procedural requirements during the COVID-19 Pandemic**

Counties	Percentage
Statewide	51%
Shasta	78%
Tehama	74%
Placer	72%
Siskiyou	70%
El Dorado	66%
Tulare	65%
Riverside	64%
Butte	62%
Kings	62%
Nevada	62%
Tuolumne	62%
Glenn	61%
Humboldt	61%
Sutter	60%
Ventura	59%
Napa	58%
Amador	57%
San Bernardino	57%
San Diego	57%
San Mateo	57%
Lassen	56%
Santa Cruz	56%
Kern	55%
Lake	55%
Merced	55%

Counties	Percentage
Monterey	55%
Sonoma	54%
Stanislaus	54%
Yuba	53%
Calaveras	52%
San Joaquin	52%
Del Norte	51%
Sacramento	51%
Alameda	50%
Imperial	50%
Mendocino	50%
Plumas	50%
Santa Barbara	50%
Fresno	49%
Yolo	49%
Orange	47%
San Benito	47%
Contra Costa	46%
Los Angeles	44%
San Luis Obispo	44%
Madera	43%
Solano	41%
San Francisco	39%
Santa Clara	38%
Marin	33%

Skyrocketing hunger demonstrates that California's safety net is deeply inadequate. Denial rates of CalFresh applications accelerated in 56 out of 58 counties in 2020 at a time when CalFresh is needed more than ever.

In July 2019, counties approved 65% of the CalFresh applications. However, in July 2020, the CalFresh approval rate plummeted to 44%, a 21% reduction of CalFresh application approval rates. Only two California counties increased the CalFresh approval rate during July 2020 – Sonoma County by 13% and Colusa by 10%. Other counties, such as Tulare reduced the approval rate by 29%, San Joaquin reduced the approval rate by 28%, San Bernardino reduced the approval rate by 26%, Los Angeles County reduced the approval rate by 26% and Santa Clara County

**TABLE #3 - Percentage of Applications Approved from July 2020 v. July 2019.**

	2020	2019	Difference
Statewide	44%	65%	-21%
Mono	27%	63%	-35%
Tulare	48%	77%	-29%
San Joaquin	34%	62%	-28%
Yuba	46%	74%	-28%
Amador	32%	58%	-27%
San Bernardino	39%	65%	-26%
Los Angeles	47%	73%	-26%
Santa Clara	47%	71%	-24%
Tuolumne	40%	64%	-24%
Stanislaus	35%	58%	-23%
Placer	28%	51%	-23%
Monterey	37%	60%	-23%
Mendocino	52%	75%	-23%
Riverside	32%	54%	-22%
Orange	44%	67%	-22%
Alameda	48%	69%	-21%
Kings	43%	64%	-21%
San Benito	42%	63%	-21%
Sacramento	42%	63%	-21%
Calaveras	49%	70%	-21%
San Mateo	29%	50%	-21%
Merced	40%	60%	-21%
Imperial	45%	65%	-20%
Fresno	47%	67%	-20%
Ventura	48%	68%	-19%
Contra Costa	43%	62%	-19%
Sutter	39%	58%	-19%

County	2020	2019	Difference
Santa Cruz	47%	65%	-18%
Solano	49%	66%	-17%
Yolo	39%	56%	-17%
Kern	46%	63%	-16%
Shasta	38%	54%	-16%
Lake	51%	67%	-16%
Santa Barbara	46%	61%	-15%
Trinity	53%	68%	-15%
San Francisco	54%	68%	-14%
Madera	51%	65%	-14%
Napa	36%	49%	-13%
San Luis Obispo	44%	56%	-12%
Modoc	63%	74%	-12%
Glenn	43%	55%	-12%
Lassen	64%	75%	-11%
Tehama	46%	56%	-11%
El Dorado	49%	59%	-11%
San Diego	48%	59%	-10%
Inyo	55%	64%	-9%
Mariposa	61%	69%	-9%
Humboldt	43%	50%	-8%
Del Norte	50%	58%	-7%
Siskiyou	44%	51%	-7%
Marin	55%	61%	-7%
Butte	50%	54%	-5%
Plumas	58%	61%	-3%
Nevada	56%	58%	-1%
Colusa	64%	54%	10%
Sonoma	36%	23%	13%

## PEOPLE NEEDING EMERGENCY FOOD ASSISTANCE ENDURE HUNGER

### EMERGENCY NEED FOR FOOD ASSISTANCE NOT BEING ADDRESSED

If a household applying for CalFresh, also known as EBT/CalFresh/SNAP, has (1) less than \$150 in regular income, (2) less than \$100 in liquid resources; (3) their rent and utilities are less than their income or (4) homeless, then they are entitled to get emergency CalFresh within 3 days. Below are the state and federal laws relative to emergency food assistance also known as “expedited service”.

In July 2020 many CalFresh applicants were not considered for CalFresh Expedited Service in violation of Welfare & Institutions Code § 18914 (b) which states that “...the human services agency shall screen all CalFresh applications for entitlement to expedited service.” This is very disturbing in that 25,475 household who may be hungry were not even considered for CalFresh Expedited Services. The other fact that surfaced reviewing the CDSS CF 296 reports based on county reports is that while in July of 2019 statewide 27% received emergency food assistance, in July of 2020 it went down to 20%. This is a significant 7% reduction of issuing emergency food assistance. TABLE # 4

### Federal Regulation and State Law for Emergency Food Assistance

#### FEDERAL LAW

“7 CFR §273.2(i)(2) (i) Expedited service -  
 (1) Entitlement to expedited service. The following households are entitled to expedited service:  
 (i) Households with less than \$150 in monthly gross income, as computed in § 273.10 provided their liquid resources (i.e., cash on hand, checking or savings accounts, savings certificates, and lump sum payments as specified in § 273.9(c)(8)) do not exceed \$100;  
 (ii) Migrant or seasonal farmworker households who are destitute as defined in § 273.10(e)(3) provided their liquid resources (i.e., cash on hand, checking or savings accounts, savings certificates, and lump sum payments as specified in § 273.9(c)(8)) do not exceed \$100;  
 (iii) Households whose combined monthly gross income and liquid resources are less than the household’s monthly rent or mortgage, and utilities (including entitlement to a SUA, as appropriate, in accordance with § 273.9(d)).  
 (2) Identifying households needing expedited service. The State agency’s application procedures shall be designed to identify households eligible for expedited service at the time the household requests assistance. For example, a receptionist, volunteer, or other employee shall be responsible for screening applications as they are filed or as individuals come in to apply.

#### STATE LAW

18914. (a) In accordance with, and to the extent provided by, federal law, the county human services agency shall provide CalFresh benefits on an expedited basis as provided in subdivision (b) to households determined to be in immediate need of food assistance.  
 (b) Pursuant to the federal requirements of Section 273.2(i)(2) of Title 7 of the Code of Federal Regulations, the county human services agency shall screen all CalFresh applications for entitlement to expedited service. Applicants who meet the federal criteria for expedited service as defined in Section 273.2(i)(1) of Title 7 of the Code of Federal Regulations shall receive either a manual authorization to participate or automated card or the immediate issuance of CalFresh benefits no later than the third day following the date the application was filed. To the maximum extent permitted by federal law, the amount of income to be received from any source shall be deemed to be uncertain and exempt from consideration in the determination of entitlement for expedited service. For purposes of this subdivision, a weekend shall be considered one calendar day.  
 (c) The State Department of Social Services shall develop and implement for expedited issuance a uniform procedure for verifying information required of an applicant.



**TABLE # 4 – Number of CalFresh Applications Filed, Number Considered for Emergency Food Assistance and Percentage of Applicants Receiving Emergency Food Assistance July of 2019 v. July of 2020 - Part I**

July 2020					July 2019				
	Apps	Considered for ES	Received ES	% Received ES		Apps	Considered for ES	Received ES	# Received ES
Statewide	187491	162016	32528	20%	Statewide	257340	217460	58531	27%
Alameda	7108	6892	862	13%	Alameda	8423	7865	1304	17%
Alpine	5	3	3	100%	Alpine	6	6	6	100%
Amador	101	101	23	23%	Amador	189	189	55	29%
Butte	1154	1153	349	30%	Butte	2287	2286	519	23%
Calaveras	168	168	45	27%	Calaveras	268	268	96	36%
Colusa	61	61	17	28%	Colusa	112	112	33	29%
Contra Costa	3031	759	347	46%	Contra Costa	4146	1188	568	48%
Del Norte	155	155	35	23%	Del Norte	270	270	65	24%
El Dorado	504	504	182	36%	El Dorado	800	799	306	38%
Fresno	5292	3480	1132	33%	Fresno	8709	4704	1748	37%
Glenn	116	116	30	26%	Glenn	201	200	63	32%
Humboldt	908	908	250	28%	Humboldt	1632	1632	430	26%
Imperial	1083	1083	284	26%	Imperial	2083	2083	569	27%
Inyo	60	60	21	35%	Inyo	80	80	33	41%
Kern	5971	5971	1669	28%	Kern	9175	9174	3069	33%
Kings	772	772	229	30%	Kings	1089	1088	435	40%
Lake	364	364	118	32%	Lake	768	768	241	31%
Lassen	88	88	33	38%	Lassen	204	204	72	35%
Los Angeles	63710	63701	9662	15%	Los Angeles	81984	81978	18419	22%
Madera	700	700	184	26%	Madera	1093	1093	309	28%
Marin	523	523	177	34%	Marin	747	747	189	25%
Mariposa	66	66	21	32%	Mariposa	114	114	38	33%
Mendocino	438	438	138	32%	Mendocino	779	779	271	35%
Merced	1602	1602	392	24%	Merced	2011	2010	702	35%
Modoc	24	24	8	33%	Modoc	89	89	19	21%
Mono	33	33	12	36%	Mono	48	48	20	42%
Monterey	1806	1806	338	19%	Monterey	2158	2158	567	26%
Napa	353	353	66	19%	Napa	427	427	71	17%
Nevada	346	346	137	40%	Nevada	533	532	186	35%

**TABLE # 4 – Number of CalFresh Applications Filed, Number Considered for Emergency Food Assistance and Percentage of Applicants Receiving Emergency Food Assistance July of 2019 v. July of 2020- Part II**

July 2020					July 2019				
	Apps	Considered for ES	Received ES	% Received ES		Apps	Considered for ES	Received ES	# Received ES
Orange	10001	6436	1709	27%	Orange	12752	8024	2411	30%
Placer	651	533	142	27%	Placer	1009	777	502	65%
Plumas	77	77	24	31%	Plumas	147	147	48	33%
Riverside	11974	11974	2277	19%	Riverside	16911	16909	5367	32%
Sacramento	10232	10232	1185	12%	Sacramento	12252	12252	1875	15%
San Benito	171	171	45	26%	San Benito	241	241	87	36%
San Bernardino	12701	12700	2789	22%	San Bernardino	18190	18185	6483	36%
San Diego	13591	8142	2855	35%	San Diego	18801	8974	2653	30%
San Francisco	3202	1782	426	24%	San Francisco	6446	2724	457	17%
San Joaquin	3952	3947	691	18%	San Joaquin	5184	5183	1406	27%
San Luis Obispo	705	243	122	50%	San Luis Obispo	1084	401	233	58%
San Mateo	1790	323	204	63%	San Mateo	1631	418	253	61%
Santa Barbara	1787	665	190	29%	Santa Barbara	2127	695	269	39%
Santa Clara	4057	2304	398	17%	Santa Clara	6111	1819	576	32%
Santa Cruz	836	415	98	24%	Santa Cruz	1212	604	209	35%
Shasta	1083	1083	269	25%	Shasta	1852	1852	523	28%
Sierra	0	0	0	0	Sierra	18	18	9	50%
Siskiyou	255	255	58	23%	Siskiyou	392	392	90	23%
Solano	1560	807	260	32%	Solano	2281	960	428	45%
Sonoma	2465	767	267	35%	Sonoma	2957	1743	198	11%
Stanislaus	3037	3034	508	17%	Stanislaus	5201	5201	1327	26%
Sutter	443	443	95	21%	Sutter	682	682	210	31%
Tehama	358	358	94	26%	Tehama	725	725	194	27%
Trinity	77	77	19	25%	Trinity	112	112	35	31%
Tulare	1991	527	325	62%	Tulare	3385	2210	902	41%
Tuolumne	201	201	50	25%	Tuolumne	409	409	110	27%
Ventura	2469	1500	422	28%	Ventura	3233	1908	858	45%
Yolo	842	347	131	38%	Yolo	1570	231	167	72%
Yuba	439	439	110	25%	Yuba	773	773	255	33%