

# Soaring welfare costs foreseen

## Official says ruling on cutoffs could double county's payments

By Michael Rezendes  
Mercury News Staff Writer

A Santa Clara County official predicted Monday that general assistance welfare costs could double because of a state appeals court ruling that procedures used in the county's "work-for-relief" program violate California law.

John Oppenheim, who oversees the county general assistance program, said the Friday ruling might increase the county's annual general assistance bill by \$4 million to \$10 million. The program now costs \$5 million to \$6 million a year.

"I see the case as extremely significant and potentially damaging to the county," he said.

General assistance grants, which are made to needy people not eligible for any other kind of welfare aid, come directly from the county's general fund. Most other welfare money is supplied by the federal or state governments.

On Friday, the First District Court of Appeal in San Francisco ruled that procedures used to stop general assistance benefits to welfare recipients are illegal because they don't distinguish between those who "willfully" fail to obey county regulations and those with legitimate excuses.

Oppenheim objected to the

court's broad definition of a legitimate excuse, which it defined as "mere negligence, inadvertence or mental or physical disability."

"How can you prove what one's intentions are?" he asked.

About 2,000 people in the county receive such benefits, Oppenheim said. They are required to report for work assignments or vocational training appointments. Those who do not meet these requirements may have benefits cut for 30 to 90 days.

In Santa Clara County, general assistance recipients receive a maximum of \$272 a month, according to Oppenheim. The county board of supervisors recently raised the amount from \$215 a month.

Kevin Aslanian, president of the Welfare Recipients League, said the regulations in the past "have been a major contributing cause of the homeless in Santa Clara County." And Charles Greenfield, a staff attorney for the Santa Clara County Legal Aid Society who is representing welfare recipients in the class action suit, said he does not believe the court's ruling will double county general assistance costs.

"I think that sort of an estimate would be an inflated estimate," he said.

Greenfield and county officials agreed that the court's decision ultimately could affect about 57,000 general assistance recipients across California, as many counties have rules similar to Santa Clara County's.

"Most counties do not make a distinction between a willful and a negligent violation, or a violation occurring because of a physical or mental disability," Greenfield said.

Furthermore, the court ruling may result in retroactive payments to general assistance recipients in Santa Clara County who had their benefits cut at least as far back as 1977, when the suit against the county initially was filed.

"As a result of this decision . . . I expect relief for those of our clients who have been injured by these policies in the past," Greenfield said.

Oppenheim estimated that since 1977, 500 to 800 general assistance recipients a month had welfare benefits cut under the procedures ruled illegal Friday. He said retroactive payments could total \$2 million to \$4 million.

The Superior Court will decide whether retroactive payments are necessary.