

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON GENERAL WELFARE

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January 31, 2012

Start: 10:12am

Recess: 1:03pm

HELD AT: Council Chambers
City Hall

B E F O R E:
GALE A. BREWER
Chairperson (Acting)

COUNCIL MEMBERS:
Council Member Helen D. Foster
Council Member Brad S. Lander
Council Member Stephen T. Levin
Council Member Ydanis A. Rodriguez
Council Member James G. Van Bramer

A P P E A R A N C E S (CONTINUED)

Patricia M. Smith
First Deputy Commissioner
Human Resources Administration

Lisa Fitzpatrick
Deputy Commissioner, FIA Operations
Human Resources Administration

Gary Jenkins
Assistant Deputy Commissioner, FIA, Food Stamp Program
Human Resources Administration

Judith Goldiner
Attorney in Charge, Law Reform Unit
Legal Aid Society

Susan Bond
Senior Staff Attorney
Brooklyn Legal Aid

Liz Accles
Senior Policy Analyst
Federal of Protestant Welfare Agencies

Joel Berg
Executive Director
New York City Coalition Against Hunger

Tanya Wong
Government Benefits Coordinator
Legal Services NYC

Louis Camacho
Client
Human Resources Administration

Sienna Fontaine
Staff Attorney
Legal Services, The Bronx

A P P E A R A N C E S (CONTINUED)

Conrad Johnson
Professor
Columbia Law School

Ralph Palladino
Second Vice President
Clerical Local 1549, District Council 37

Kathleen Nuello [phonetic]
DC37 Grievance Representative, Eligibility Specialist
Human Resources Administration

Rose Lovaglio Miller
Vice President
Social Services Employees Union, Local 371

Edwin Pierson
Administrative Law Judge
Retired

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2 SERGEANT-AT-ARMS: All right,
3 ladies and gentlemen.

4 CHAIRPERSON BREWER: Good morning,
5 I'm sorry to be late. I'm Gale Brewer, and I am
6 stepping in for Annabel Palma, who as you know is
7 Chair of the Council's General Welfare Committee.
8 And I'd like to thank the wonderful General
9 Welfare Committee staff who always prepare
10 wonderful testimony, and particularly today,
11 attorney Jennifer Gomez, Elizabeth Hoffman and
12 Shadawn Smith; and I think Meghan Lynch is
13 hovering in the background. We are holding this
14 hearing today 'cause we are concerned at extremely
15 long lines and overcrowding at HRA job centers and
16 food stamp centers, are preventing people from
17 accessing and maintaining the public benefits they
18 need and deserve. Overcrowding at these centers
19 is not a new problem. In 2010, HRA issued an
20 overcrowding action plan that targeted ten centers
21 facing this issue. However, the plan does not
22 appear to have solved the problem, and I know that
23 then Betsy Gotbaum, then Public Advocate, Betsy
24 Gotbaum, did something similar in 2008. In fact,
25 in November 2011, there were so many people at one

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2 Brooklyn center that the Fire Department
3 intervened, and would not let anyone else enter
4 the building. This is not an isolated problem
5 happening at one center or in one borough. This
6 seems to be a common problem at job centers and
7 food stamp centers throughout the city, and we
8 must find a way to improve the system. We have
9 heard that at one food stamp center in The Bronx,
10 the average applicant wait time is four to five
11 hours. And at a food stamp center in Brooklyn,
12 people stand in line for seven hours a day to hand
13 in documents to HRA employees. It is very
14 unacceptable to have people standing in line all
15 day so they can receive public assistance. People
16 are missing work and school to stand in line so
17 they won't go hungry at night or end up homeless.
18 And applying for food stamps is a system the
19 Administration has testified is becoming easier to
20 access since you can apply over the phone, or via
21 the internet. But that's not enough, clearly.
22 Even though you can apply without coming into a
23 food stamp center, because we still mandate that
24 clients are fingerprinted, this is going to be an
25 endless discussion. They do in fact need to come

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into a center in order to receive their benefits;
remember, we're just New York and Arizona that
have to fingerprint. More has to be done to solve
this problem. I would now like to show a video by
a Columbia law school professor that demonstrates
the severity of the problem I am talking about.
This particular video was taken at the East River
Job Center in Queens, one hour after the center
opened. [pause for video]

MALE VOICE (ON VIDEO): They have
no special, you know, no special line set up in
the event of you are unable to stand for long
periods of time for disabled people, they make no
concessions whatsoever here.

FEMALE VOICE (ON VIDEO): I come to
this country with one - - and I work three jobs at
one time.

MALE VOICE (ON VIDEO): I, if I
knew this line would've been this long, I would've
actually brought, you know, a chair, because it's
a problem for me to stand for long periods of
time.

FEMALE VOICE (ON VIDEO): I'm here
because they messed up my, my benefit budget. I

1
2 won seven fair hearings, and I haven't received
3 any benefits for it yet.

4 FEMALE VOICE (ON VIDEO): I was
5 locked out of the home that I was living in,
6 because of this legal rent, of preferential
7 renting, and I do not owe any rent, I have my
8 proof that I could show, but the judge tell me to
9 move, and I did not get the place on time, so they
10 locked the doors. And I - - come out.

11 MALE VOICE (ON VIDEO): I'm not
12 steady on my feet right now, that's why I'm using
13 the walker.

14 FEMALE VOICE (ON VIDEO): I have to
15 come here and sit out here, stand a long time on
16 the line and sit all day. Look more disabled
17 people going right there.

18 MALE VOICE (ON VIDEO): They cut my
19 food stamps drastically and I have no cash
20 benefits on my card.

21 INTERVIEWER: Did they tell you why
22 they cut your food stamps?

23 MALE VOICE (ON VIDEO): No, sir. I
24 just had two brain surgery aneurysms and they
25 still trying to make me go to work for what?

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2 INTERVIEWER: This line, you've
3 been in it before?

4 MALE VOICE (ON VIDEO): Yes, sir.

5 INTERVIEWER: Right. And is this
6 is a normal length, or is it usually longer, or--?

7 MALE VOICE (ON VIDEO): It's
8 usually longer. It usually goes over that, over
9 that thing.

10 [pause, background noise]

11 CHAIRPERSON BREWER: Thank you very
12 much. We've been joined by Council Member Foster
13 from The Bronx, and I now welcome the testimony
14 from the Administration. And I think we all want
15 to make sure that the lines are not long and that
16 this problem is solved. Thank you very much, we
17 look forward to your testimony. It's in the back,
18 Pat, you got to--yeah, it's the thing in the back,
19 just, yeah. There you go.

20 PATRICIA SMITH: Good morning,
21 Council Member Brewer, representing Chairwoman
22 Palma, and members of the General Welfare
23 Committee. My name is Patricia M. Smith, I am the
24 First Deputy Commissioner of the Human Resources
25 Administration. With me here today are Lisa

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2 Fitzpatrick, Deputy Commissioner of our Family and
3 Dependents Administration over Operations; and
4 Gary Jenkins, Assistant Deputy Commissioner of FIA
5 and head of the food stamp program. HRA shares
6 your concern regarding our services for the number
7 of people coming into our food stamp and job
8 centers. As Commissioner Doar outlined in his
9 testimony before the Committee in November, we
10 have made it a top priority of the agency to
11 address the office adequacy issues. It is
12 imperative that we make sure that everyone who
13 applies and is eligible receives their benefits
14 within required timeframes. We have continually
15 kept a close eye on our timeliness rate in issuing
16 benefits, and can report that we are meeting
17 federal and state standards in both our food stamp
18 and cash assistance programs. However, it is
19 clear that the growth of our food stamp program in
20 particular, more than 70--excuse me, more than
21 700,000 people in a four year period, which now
22 serves over 1.825 million people, has been
23 challenging to those who seek our services, as
24 well as to our staff. Initially, we met the
25 increased demand through automation and procedural

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2 changes that were underway prior to the caseload
3 rise. By 2008, we had implemented a paperless
4 office system that allowed for easier processing
5 of applications and recertifications as well as
6 electronic storage of case records and better
7 management reports for both food stamps and cash
8 assistance. From 2005 through 2007, we also
9 converted many of our centers into model offices
10 that helped streamline both the center design and
11 the overall process. Within our food stamp
12 program, by 2008, changes were already in place to
13 receive applications by fax and mail, and to
14 replace in-person interviewed with telephone
15 interviews for certain populations. We also had
16 implemented an automated telephone recertification
17 process for those with no changes in their
18 financial circumstance from year to year.
19 However, the economic difficulties continued
20 longer than expected, and our operational
21 challenges were exacerbated when the State
22 severely reduced funding for administrative
23 support to the City. The administrative funds
24 represent staff, as well as the bricks and mortar
25 of our work. They pay for staff who see our

1 clients, the facilities where we provide service,
2 and all of the necessary support operations. The
3 City spends over \$626 million annually to
4 administer the food stamp and cash assistance
5 programs. This amount covers staff salaries,
6 buildings, supplies, technology and all other
7 needed supports. The City's contribution for
8 administering these programs has increased by more
9 than \$200 million over the last six years, while
10 the State's contribution has been reduced from
11 over \$200 million down to \$0. Let me repeat that.
12 The State's financial contribution in a program
13 that was designed to be a state and local
14 partnership has gone from over \$200 million to \$0.
15 As a specific example, the 2009/2010 State Budget
16 removed support to the City for the administration
17 of food stamps, cash assistance and employment
18 programs, while the City picked up costs of more
19 than \$120 million annually. Making matters worse,
20 last year it pulled back on its historic
21 commitment to equally share in the benefits cost
22 of the safety net caseload, requiring the City to
23 pay 71 percent of the cost, an increase of 21
24 percent. The cost to the City of that change was
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2 \$225 million yearly. And is estimate at over,
3 estimated at over \$1.2 billion over the next five
4 years. As you know from our annual budget
5 hearings, we worked hard to avoid layoffs and
6 focus reductions on administrative and other
7 support functions rather than direct services for
8 as long as possible. In order to meet savings
9 targets, HRA reduced our budgeted headcount by
10 1,300 positions through eliminating vacancies,
11 while not laying off staff. During this time of
12 caseload growth, our productivity was challenged
13 by the need to replace approximately 400
14 provisions food stamp eligibility specialists, job
15 opportunity specialists, and other center staff.
16 While the newer workers have over two years'
17 experience on the job at this point, there was a
18 period of classroom and on the job training in
19 order to come up to speed. Although we try to
20 protect direct service staff from many of the
21 personnel actions, the issue of growing demand for
22 our services resulted in higher staff-to-case
23 ratios. The food stamp program, though, has
24 historically been able to sustain higher staff-to-
25 case ratios, as it usually involves minimal direct

1 client-to-staff contact. In fact, our average
2 worker-to-case ratio prior to the economic
3 downturn at the end of 2007 was approximately 1
4 for 549. We believe the additional increase, we
5 believed the additional increase could be absorbed
6 by the new automation being integrated into the
7 program; however, we overestimated the uptake in
8 the use of technology to apply remotely. At the
9 end of 2011, our worker-to-case ratio is 1 to 852.
10 In an effort to reduce non-personnel costs and
11 thereby preserve staffing levels at our centers,
12 HRA relinquished over \$7 million worth of annual
13 rental space for a total of 359,584 gross square
14 feet (a majority of this space was not occupied by
15 centers, with two exceptions); the consolidation
16 of two refugee job centers into one; and the
17 closure of the building in Harlem housing the
18 Riverview Job Center. The latter would have
19 required a substantial financial investment to
20 renovate if we stayed. The City owned property
21 was made available for affordable housing. The
22 clients from Riverview were accommodated in newly
23 renovated space in Queens. The layout of our
24 older facilities had created a set of problems as
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1
2 several have small waiting areas or areas that can
3 only be accessed via limited elevator banks. It
4 was also becoming clear that some of our space was
5 no longer adequate to accommodate both a food
6 stamp and a job center. For example, in Brooklyn,
7 the Euclid Job Center space was transitioned to
8 the food stamp program, while an expanded job
9 center was created by transferring our food stamp
10 program out of the Linden Center. In The Bronx,
11 specifically, delays in when space would become
12 available also meant that our plan to create
13 separate food stamp and job center space was
14 interrupted in midstream. The delayed, this
15 delayed case transfers, placing increasing demand
16 on some centers. Describing the problem doesn't
17 solve it, and we are very committed to continuing
18 to make necessary changes and adjustments. The
19 alleviation of crowding at our offices is a high
20 priority and recent actions we have taken are
21 already showing results. Additional staff is now
22 onboard at our high demand food stamp centers,
23 with the 102 eligibility workers funded in last
24 year's budget having completed training and now on
25 the job for three months. We also added an

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2 additional ten supervisory positions within our
3 rental housing assistance and housing court units,
4 which have seen an increased demand, particularly
5 in The Bronx. This influx of workers has been a
6 great assistance and in February we are set to
7 hire 49 additional food stamp eligibility workers
8 and 50 job opportunity specialists for targeted
9 centers. We have reevaluated our space at
10 centers, at the centers experiencing problems with
11 overcrowding, and identified immediate and longer
12 term changes. For the food stamp centers, we have
13 been able to make some changes and adjustments to
14 the physical layout to accommodate those seeking
15 our services. For example, at several of the
16 centers, notably in The Bronx and Brooklyn,
17 additional waiting room space has been made
18 available inside the facilities by reconfiguring
19 layouts and using underutilized space. We are
20 also reallocating some space that was utilized by
21 other HRA programs in the same buildings.
22 Additional space was also identified by asking
23 some vendors and other community partners in
24 particularly crowded centers, to move to offsite
25 locations. As the Committee is aware, we are also

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2 in the planning stages with the Department of
3 Citywide Administrative Services, to take
4 occupancy of brand new office space with the
5 consolidation of the Melrose Job Center and its
6 collocated food stamp center into the bank note
7 building in The Bronx, and the Linden Job Center
8 to 470 Vanderbilt Avenue in Brooklyn. As
9 discussed by Commissioner Doar, at the Committee's
10 November hearing, HRA has also taken a series of
11 actions that are reducing the foot traffic into
12 the offices. After an analysis of reasons why
13 recipients come to our centers beyond applying for
14 benefits, we found that a significant number of
15 daily office visits were to request replacements
16 of a lost New York State common benefit
17 identification card, the card with which benefits
18 are redeemed, and for budget letters to confirm
19 budgets for various reasons. To avoid the need to
20 go to their assigned center for a referral to the
21 State, for a State card replacement, we
22 implemented a centralized replacement card
23 referral process for Brooklyn and Queens that is
24 in closer proximity to the State's card center in
25 Brooklyn. A similar process is underway and

1
2 currently available for several of our Bronx
3 centers. These two new sites have issued
4 referrals for as many as 9,000 replacement cards
5 each month. We also developed an automated
6 telephone line on which cash assistance and food
7 stamp recipients now have the ability to call a
8 centralized number to request a budget letter on
9 their case which will be generated and mailed to
10 their residence, rather than having to come to
11 their assigned center to obtain one. Since April
12 of 2011, more than 6,800 budget letters have been
13 requested and mailed to our clients. Now that the
14 service is available in all five boroughs, we
15 expect that utilization of this service will only
16 grow. This year, we also expect to see a large
17 shift in the use of web based electronic food
18 stamp applications. The citywide rollout of
19 online application process was completed early
20 last year. Already, we have seen the percentage
21 of our applications coming in via the web doubled
22 since the first full month of operations last
23 year. Online applications now represent 22
24 percent of all our food stamp applications. The
25 State Office of Temporary and Disability

1 Assistance is also working to expand its "My
2 Benefits" website to allow non-cash assistance
3 food stamp participants to recertify for benefits
4 online. They have told us that this new feature
5 is expected to launch by early summer 2012. Food
6 stamp participants are also now able to access the
7 State's website to check their benefit amounts,
8 confirm budget information, and view case details
9 such as the names of people on their case and
10 their address on file. These initiatives make it
11 easier for our clients to get the information they
12 need without contacting the centers. We had hoped
13 that our collaborations with community based
14 organizations would have meant more food stamp
15 applications being filed offsite; however,
16 although now we are working with over 70
17 organizations, we receive an average of just over
18 1,300 applications a month from community
19 organizations, much fewer than anticipated when we
20 began the initiative. Another focus of our
21 efforts has been to balance and properly
22 distribute caseload and staff workload to adjust
23 when we find a particular location experiences a
24 consistently high volume of applications. One way
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1
2 that we have accomplished this is through zip code
3 realignments. We are very cognizant of travel
4 times for clients in this process, and are making
5 sure that any increase of travel time is minimal.
6 In the cash assistance program, the use of some
7 specialty centers has also been very effective.
8 We reorganized our job centers by modifying our
9 process for senior citizen and child only cases in
10 which the adult is not part of the cash assistance
11 case. After initiating an application at a local
12 job center, these cases are now transferred to a
13 specialized senior center or family services
14 center. In the food stamp program, the
15 supplemental security income only cases are served
16 through one central location, which has allowed
17 for specialized staff training. As you can see,
18 we are taking a comprehensive approach to this
19 issue. We are taking steps to make sure that
20 applicants and recipients are served in
21 professional accommodations while putting into
22 place both short and long term solutions that will
23 streamline the process for both clients and
24 workers. At this time, I look forward to the
25 Council's questions.

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2 CHAIRPERSON BREWER: All right,
3 we've been joined by Council Members Lander and
4 Council Member Levin, and I think both of them
5 will have lots of questions. I'm going to just
6 start by asking Council Member Foster had
7 questions first, and then I'll go from there. Go
8 ahead.

9 COUNCIL MEMBER FOSTER: [off mic]
10 I'll wait for you.

11 CHAIRPERSON BREWER: No, go ahead,
12 you go ahead.

13 COUNCIL MEMBER FOSTER: Just a few
14 questions. So, I'm Center 145 and, which is on
15 Jerome. And Martin from my staff probably is in
16 contact with Denise Hudson at least four or five
17 times a week. And we've been very aware of the
18 bank note building and how it was supposed to
19 alleviate. This summer, during our heat wave, I
20 actually had to call the Commissioner because the
21 line was so long. So, there are two things I'm
22 feeling here. In some ways, it's almost as though
23 we can watch this video and think that it's
24 acceptable and there's not an outrage. And so the
25 plan is great, but in the short term, what are we

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2 doing? Is there a way, as I said when I spoke to
3 Commissioner Doar, if you tell people, "Come back
4 in two hours and give--" there has to be something
5 short term. Because that line and my line aren't
6 isolated incidents, they're, they're ongoing, in
7 terms of down the block, be it raining, whatever
8 the weather is, these lines are there. So what
9 can be done in the short term?

10 PATRICIA SMITH: Council Member, I
11 know that you had brought the, the Commissioner's
12 attention to the problems at Jerome Avenue. As I
13 think you're aware, Jerome Avenue is now a food
14 stamp office, and it also has another one of our
15 facilities. And I know Mr. Jenkins has been in
16 contact with some people from your staff. It's
17 our information that we don't have lines outside
18 that center, and have not for a period of a month.
19 That does not explain what happened last summer,
20 you're absolutely correct.

21 COUNCIL MEMBER FOSTER: No, that's
22 why I said, that's why I said we have seen the
23 lines go, but--

24 PATRICIA SMITH: Okay.

25 COUNCIL MEMBER FOSTER: --what I'm

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2 saying, it doesn't, it doesn't negate the fact
3 that lines still exist. So, while I'm, I'm happy
4 that it's not at Center 145, what I'm saying is
5 what can be done in the short term? Are we, are
6 we, are we employing people to say, "Until we can
7 expand waiting rooms, or do build outs, let's
8 think of--" and you know, there are people in this
9 world that deal with lines and know how to get
10 people in and out or to say, "From this point,
11 it's going to be a two hour wait." Come back and
12 you give them colored cards or numbers so that
13 when they come back in the two hour window, as
14 opposed to literally standing outside. And then
15 what provisions are made for, you know, mothers
16 and children? And things like that, that are real
17 situations that we have to address, that have to
18 be addressed now as opposed to waiting for
19 construction or waiting for larger waiting areas.
20 Because that doesn't take care of the problem here
21 and now.

22 PATRICIA SMITH: Okay. Our--in the
23 last month, we have not had lines outside any of
24 our offices in the morning after opening. We do
25 have people who come in earlier than even opening

1

2 time.

3

COUNCIL MEMBER FOSTER: Right.

4

5 but we literally have not had lines in at least,
6 if your information is any different let us know,
7 because we monitor this very closely, this is Ms.
8 Fitzpatrick and Mr. Jenkins. Every morning we
9 have an 8:00 o'clock report, you know, where we
10 know what's going on. And again, that is a recent
11 development, but the plan that was put into place,
12 the one that was referenced in the opening
13 statement by Council Member Brewer, did start a
14 while ago, and is seeing fruit. For example, one
15 of the difficult centers had been our DeKalb
16 Center, 500 DeKalb Avenue in Brooklyn. Council
17 Member--

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CHAIRPERSON BREWER: That's the one
the Fire Department closed down. - -

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PATRICIA SMITH: [interposing]
That's the one the Fire Department asked us to put
some clients outside while other clients exited
the building, yes. It was not closed down, but it
had reached an occupancy limit. And I know that
that had been a very difficult center. And we

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2 recently, last, just the beginning of this month,
3 actually, completed construction on the first
4 floor there. That center is an old building, and
5 it had been in use for many, many years, and it
6 did have underutilized space. And we were able to
7 create thousands--I have it somewhere in the
8 notes--of square feet of waiting area and client
9 service area in the DeKalb Center. So, many of
10 the centers that had been experiencing some of
11 what you describe, and certainly some of what was
12 in that video, are now seeing results from the
13 plan that was put in place. Now, that does not
14 negate the need for us to proceed apace, with
15 monitoring our activities with pursuing the new
16 facilities that we did think were going to be
17 available sooner than they are now available, due
18 to issues. But we do have very close monitoring
19 of all this. And again, we have made
20 improvements, and Ms. Fitzpatrick and Mr. Jenkins
21 and their, their staffs, are monitoring this every
22 day, and we have not seen that kind of thing since
23 several months ago. This month we literally have
24 not had any lines in the morning after opening.

25 [background comment] Yes.

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2

LISA FITZPATRICK: Hi, good

3

morning, my name is Lisa--

4

CHAIRPERSON BREWER: You need to

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push the button on the back.

6

CHAIRPERSON BREWER: In the back.

7

CHAIRPERSON BREWER: Yeah. Got it?

8

LISA FITZPATRICK: Okay, good

9

morning, my name is Lisa Fitzpatrick and I'm

10

Deputy Commissioner, FIA Operations. Just to

11

address Council Member Foster's concerns regarding

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the concourse food stamp center, F45, the

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construction has already been completed in that

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particular location, with our partners at General

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Support Services here at HRA. We were able to

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expand the waiting areas on the first floor and on

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the second floor, near the reception desk, and we

18

added about 1,300 square feet of waiting space.

19

That construction was completed in October of

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2001. And as Ms. Smith indicated--

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PATRICIA SMITH: '11.

22

LISA FITZPATRICK: Excuse me, 2011.

23

COUNCIL MEMBER FOSTER: I was like

24

[laughter]

25

LISA FITZPATRICK: And as Ms. Smith

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2 indicated, there have, there has been no problem
3 with lines for the last month at that location, or
4 any of the other nine centers that we indicated.

5 COUNCIL MEMBER FOSTER: And, and if
6 it got lost, that's why I said, "We have been--"
7 Martin from my office literally knows Ms. Hudson's
8 number by heart. So, and he, every Monday and
9 literally every day, he'll start the day with
10 saying there were no lines this week. So, that is
11 in fact correct. There have not been lines, which
12 is a good thing. And now that I know that you're
13 saying to the, to the best of your knowledge there
14 are no lines, after the Center opens, that is
15 encouraging. What I just want to make sure is
16 that going forward, that if we see lines coming
17 up, that there is an action plan right away to
18 deal with what we're going to do, so that we don't
19 in fact have people standing outside.

20 PATRICIA SMITH: When we did,
21 during last summer, for example, we had come up
22 with a, a template basically to advise people how
23 they could apply if they were there to apply,
24 other methods. And as I stated in testimony, and
25 as Commissioner Doar had said in his November

1
2 testimony, we also had set up those centralized
3 card replacement facilities, because that was a
4 reason why people were coming in, when they really
5 didn't need to speak to someone in the Center.

6 There's a two-step process because the state
7 actually produces the card, but they only do so
8 based upon a referral from us. So, there's a two-
9 step process, and they have two centralized state
10 card replacement facilities, one is in downtown
11 Brooklyn, and the other's in downtown Manhattan.

12 So, no matter how you do it, the clients from
13 Brooklyn and Queens have to go to downtown
14 Brooklyn to actually get a replacement card, if
15 they want one in person. They also have the
16 option to have one mailed, and that can happen,
17 but very often if someone has lost their card and
18 needs their benefits, clearly they will want one
19 in person. So that was done, and that did help,
20 in some of the locations. That was a long term
21 plan that is now in effect. And it should, you
22 know, maintain those individuals not having to
23 come in. So there's a couple of things that have
24 literally taken people out of the Center who,
25 heretofore, came to the Center. That's just one

1
2 example. [background comment] Mr. Jenkins would
3 like to add, if you don't mind.

4 COUNCIL MEMBER FOSTER: Oh, yes,
5 please.

6 GARY JENKINS: Good morning, I'm
7 Gary Jenkins, Assistant Deputy Commissioner for
8 the Food Stamp Program. We also communicate to
9 those coming to apply, we develop a palm slip,
10 which outlines alternative ways in which a person
11 can apply. So we hand it out in the morning at
12 our high demand centers, to inform the public
13 there are other ways to apply if they select not
14 to wait in the Center.

15 COUNCIL MEMBER FOSTER: And is
16 there, and this is my last question, Gale, thank
17 you, Council Member Brewer. What--have we, or has
18 there been a study of, actually from the time
19 someone comes in the door until they leave, how
20 long it takes to go through and get the services
21 they need, whatever they need. Now that we've
22 taken people that need replacement cards, and
23 we've said, "Here, this is how you do it," or
24 we've handed out the palm card and someone has
25 opted not to wait, and do it at these alternative

1
2 sites, is there a way or do you know how long from
3 the time a person comes in the door, to leaving?
4 Of course, it varies, but saying that they have
5 all their paperwork or documents or whatever, how
6 long it takes for someone to be in the Center?

7 PATRICIA SMITH: We, we have in our
8 model offices, and you heard me say in the
9 testimony that we had converted, we had 14 model
10 offices. And in those offices, we have a lot
11 better information, and we do monitor it from time
12 to time. So we do have some information. Now,
13 it's very different in the context of a food stamp
14 office from a job center, because in a job center,
15 a person is often coming in with multiple
16 problems--

17 COUNCIL MEMBER FOSTER: Right.

18 PATRICIA SMITH: --they might be
19 facing, you know, a rent issue, an eviction, god
20 forbid, you know, things of this nature. So,
21 sometimes their, their situation is highly
22 complicated. In a food stamp office, it is
23 different. But yes, we do have, from time to
24 time, looked at those measures, and I'll give it
25 over to Ms. Fitzpatrick.

1
2 LISA FITZPATRICK: Hi, one of the
3 examples is for F45, which is the food stamp
4 office which is down the street from your office.
5 In December of 2011, the average wait time was
6 over an hour, at that particular location. The
7 service time depends on what the client has to
8 come into the location to do. If you're coming in
9 to drop documents off that tends to be a little
10 quicker than trying to go through a complete
11 application or recertification interview. So, in
12 December of 2011, our full cycle time, as you're
13 referring to, like how long it takes somebody to
14 go through the entire process, the average was
15 about an hour and 53 minutes. But that does
16 include the person who's going through the entire
17 application interview, or recertification process,
18 as well as the person who's coming in to drop off
19 documents. We put some initiatives in place in
20 January to fast track people who were coming into
21 locations to drop off documents. So, we're able
22 to expedite the drop, document drop off process,
23 and give clients a receipt for their documents,
24 and the numbers that we have here don't reflect
25 that process because that was just put into place

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at the very end of December, early January.

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COUNCIL MEMBER FOSTER: And just, really my last question now. [laughter] The bank note building, have we seen, has it alleviated, as though, as we expected, the line--and I don't know the number of the center, on 161st Street?

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9

10

PATRICIA SMITH: No. No, the bank note building has now been delayed till the spring of 2014. Don't get me started.

11

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13

14

COUNCIL MEMBER FOSTER: Okay.

PATRICIA SMITH: 2013, one, yeah, so we have a year to go before that. So we know that that's a long term solution.

15

16

COUNCIL MEMBER FOSTER: And that wasn't our initial date.

17

18

19

PATRICIA SMITH: No.

COUNCIL MEMBER FOSTER: Yeah,

'cause--

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21

PATRICIA SMITH: No, it wasn't ours either, Council Member.

22

23

COUNCIL MEMBER FOSTER: No, that was a question, because I had a briefing--

24

PATRICIA SMITH: Yeah.

25

COUNCIL MEMBER FOSTER: --and I

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2

didn't think that's what we were told.

3

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PATRICIA SMITH: That's right. No, we were told originally 2012.

5

6

COUNCIL MEMBER FOSTER: Yeah, spring 2012.

7

PATRICIA SMITH: That's correct.

8

9

COUNCIL MEMBER FOSTER: Okay. So, that opens up a whole nother--

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11

PATRICIA SMITH: Yes, apparently, I mean, I'm going to, you know, I don't exactly--

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COUNCIL MEMBER FOSTER: We don't--

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14

PATRICIA SMITH: You don't need to know why. - - about--

15

COUNCIL MEMBER FOSTER:

16

[interposing] I mean, we can do that at another time.

17

18

PATRICIA SMITH: Electromagnetic fields, believe it or not.

19

20

COUNCIL MEMBER FOSTER: Okay.

21

PATRICIA SMITH: Okay.

22

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COUNCIL MEMBER FOSTER: Thank you, Council Member.

24

CHAIRPERSON BREWER: Thank you.

25

The video was December 5, 2011. So that center no

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longer has a line?

LISA FITZPATRICK: It does not.

CHAIRPERSON BREWER: There's no line there, and so if we go tomorrow, to all of your centers, we will never see a line.

PATRICIA SMITH: No, that is not true. You will never see a line--

CHAIRPERSON BREWER: Okay, so I'm just, I'm just trying to understand.

PATRICIA SMITH: --after, after opening. [laughter]

CHAIRPERSON BREWER: After opening, but the line can be there at noon or 1:00--

PATRICIA SMITH: The line can be there at 2:00 in the morning if unfortunately people want to go.

CHAIRPERSON BREWER: No, I understand that, I, if I was somebody, I'd want to be there first, also.

PATRICIA SMITH: Well, that's what people do, and we're, you know, we do do a lot of our business by appointment. I don't mean to interrupt you, but--

CHAIRPERSON BREWER: No, I hear

1

2 you, I'm just - -

3

PATRICIA SMITH: [interposing]

4

There is a line before opening, generally

5

speaking.

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CHAIRPERSON BREWER: Before opening

7

is fine, but then by the 4:00, 3:00, 2:00, 1:00

8

o'clock, it's all gone, the line, the people are

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not--

10

PATRICIA SMITH: If, I mean, we,

11

for example, when Council Member Foster talked

12

about 161st Street, as I, most people who know the

13

transit system would know, the D-train stops

14

there. Right? And we literally have many people

15

who take that train to get to that location.

16

Sometimes, when the D-train lets out, when they

17

come to the center, they literally have to wait

18

for the elevator, because that's one of the

19

centers that does not have a reception on the

20

first floor, which is one of the reason we want to

21

be out of that building. Because you, you have to

22

take an elevator to get anywhere.

23

CHAIRPERSON BREWER: No, I

24

understand, I understand.

25

PATRICIA SMITH: So, what might

1
2 happen is, if the D-train lets out when people
3 come into the lobby, they might have to wait for
4 two or three elevators so it would take a few
5 minutes to alleviate it. It's generally not a
6 line like was seen in the video from December, no,
7 ma'am.

8 CHAIRPERSON BREWER: Okay. I'm
9 just, I, 'cause I think we're going to hear
10 testimony later on, that this problem is still not
11 solved. So, I'm trying to foresee that.

12 PATRICIA SMITH: Okay.

13 CHAIRPERSON BREWER: My other
14 question is, regarding the folks who are being
15 hired or changed, in other words the redesign plan
16 has been in the works for a while.; I think that
17 we might've guessed that the people would be
18 applying in larger numbers. One of the problems
19 for food stamps, of course, is you can often be
20 working. So if you have to spend a lot of time in
21 line, that could jeopardize your employment
22 situation, or your school situation, as you
23 indicated. So my question is, you indicated
24 hiring and so on and so forth. What's the timing
25 on where you think some of these problems would be

1
2 solved even further if you're able to state now
3 that you think it's improved from December 5,
4 2011? In other words, you indicated hiring, you
5 indicated some changes. How do you think those
6 changes, when will they happen and how will they
7 make improvements?

8 PATRICIA SMITH: Well, some have
9 already made improvements, 'cause it is a very
10 short period of time since December 5th to now.
11 So, we have seen improvements.

12 CHAIRPERSON BREWER: Okay.

13 PATRICIA SMITH: And I am far from
14 an economic expert, but we are told that the
15 indications are better, that things are getting
16 better.

17 CHAIRPERSON BREWER: I'm not sure
18 about that.

19 PATRICIA SMITH: I'm, again, I'm
20 not an expert, but that is what the, the current,
21 the current recovery--

22 CHAIRPERSON BREWER: So maybe they-

23 -

24 PATRICIA SMITH: --the recovery's
25 been weaker than everybody thought, that's the

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statement.

CHAIRPERSON BREWER: I'll tell the Chambers of Commerce, so they can pass my paid six days, that you said that.

PATRICIA SMITH: Ah.

CHAIRPERSON BREWER: Go ahead.

[laughter]

PATRICIA SMITH: That I said that the experts say that--yeah, that's a triple, a triple--

CHAIRPERSON BREWER: Go ahead.

PATRICIA SMITH: --negative there. But we do think, we see already, that things are paying off. As Lisa was describing, it's similar to the DeKalb Center and the Concourse food stamp office. We have made several other reconfigurations inside our buildings, and they are helping, they're already helping. We see it every day. We are also making sure, to the degree we can, that we have our, everything we need to do our own business. We are working very hard on making sure the online applications are followed up on timely, because that's part of our credibility issue. If we need to develop the

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2 credibility in the online application process,
3 that it works, that it really works.

4

CHAIRPERSON BREWER: I will tell
5 you that from my calling around yesterday, people
6 who get appointments for food stamps get them on
7 time. But I think your--

8

PATRICIA SMITH: Right.

9

CHAIRPERSON BREWER: --workers are
10 challenged because they have to deal with the
11 people coming in the door, and then they have to
12 figure out the appointments. Do you have enough
13 workers to do that?

14

PATRICIA SMITH: At, we assess it
15 all the time. And when we think we need more
16 staff or we need to reassign staff, we do that.
17 We realign staff as needed, we realign even client
18 base as needed, if we need to move some group of
19 clients to another center. So, we, we--at this
20 moment in time, that's under constant review. And
21 the answer is, it's a, it's a process, and it is a
22 process that we look at every day.

23

CHAIRPERSON BREWER: Okay, I have
24 lots more questions, but Council Member Lander.

25

COUNCIL MEMBER LANDER: Thank you

1
2 very much, Acting Chair Brewer, nice to see you.
3 Thank you guys very much for being here, and for
4 your testimony. So first it, I mean, I, it's
5 winter, and so it's wonderful not to have people
6 waiting outside. It sound like a substantial
7 amount of the energy since the video has been
8 moving people from outside to inside. And it's
9 good to not have them waiting outside, but it
10 sounds like the bulk of them are still waiting,
11 they're just waiting inside rather than outside.
12 Is that a fair characterization?

13 PATRICIA SMITH: It's a fair
14 characterization that they're not waiting outside.

15 COUNCIL MEMBER LANDER: So we
16 haven't, we've, we've moved where they're waiting,
17 we haven't really reduced the wait times, we
18 haven't really, I mean--

19 PATRICIA SMITH: That's not, that
20 question hasn't been asked, sir. Nobody said that
21 we haven't reduced any wait times. We, we know
22 what some of our wait times are. We are putting
23 lots of stuff in place to ultimately result in
24 reduced times for people coming into locations,
25 yes.

1
2 COUNCIL MEMBER LANDER: But so far
3 we don't know if we haven't--I mean, I know you've
4 done a few other things--

5 PATRICIA SMITH: Right.

6 COUNCIL MEMBER LANDER: --that you
7 talked about, the benefit cards, but by and large
8 what we've done is, is had people waiting inside
9 rather than outside, which is good. But we don't
10 know yet whether we've reduced the wait time since
11 the ones that we saw in the video.

12 PATRICIA SMITH: I don't, I don't
13 know what the wait time was for the people in the
14 video, it wasn't said. I mean, I don't know, you
15 know, yes, there were lines outside the building--

16 COUNCIL MEMBER LANDER: Again, I
17 mean, if anyone should know the wait times, it's
18 us, not the media. So, we, we don't--

19 PATRICIA SMITH: No, absolutely,
20 and Ms. Fitzpatrick told you what they were.

21 LISA FITZPATRICK: Right, and it's
22 difficult to measure wait time for individuals who
23 haven't even been logged into our model office
24 structure. The people in the video, which we
25 don't have the lines, again, we do not have the

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2 lines outside of the East River Center any longer,
3 but the people in the video are waiting, were
4 waiting to get in the front door.

5 PATRICIA SMITH: Into the building.

6 LISA FITZPATRICK: And you have to
7 get in the front door, and go through the front
8 door receptionist, in order for us to start the
9 count for how long it's taking you to wait. So,
10 in order for us to determine how long people are
11 waiting, they have to actually get a ticket and
12 start the process. One of the things that we did
13 at East River, was to separate the line for food
14 stamp applicants and recipients and the cash
15 assistance applicants and recipients. And we
16 found that by doing this, and having the separate
17 counter within the building, for people applying
18 for food stamps, has greatly reduced the amount of
19 time they spend waiting to get a ticket. So, they
20 can get into the building quicker, and they can
21 get routed up to the workers and do the
22 application and recertification interviews much
23 quicker now. Before, we had everybody going into
24 one queue, to one front door receptionist. And
25 that front door receptionist was overwhelmed by

1
2 the number of people. Now we're having two front
3 door receptionists for that facility, has
4 dramatically decreased the number of people who
5 are waiting to get inside of the facility.

6 COUNCIL MEMBER LANDER: Okay, all
7 right. So, that's helpful, and I think it sounds
8 like it will be even more helpful going forward.
9 It sounds like we don't really know now, I mean,
10 because we had so many people waiting outside, we
11 weren't really even able to start measuring the
12 reductions. So, that's pretty bad. It's good
13 that at least now we can measure where we are, so
14 that we'll know what steps like this one that
15 you're talking about, and whether they'll reduce
16 wait time. But today, we really aren't able to
17 say that much about wait time reduction, and the
18 things that we've done, because we didn't have a
19 good starting place to even know.

20 LISA FITZPATRICK: Well, when the
21 people, the building opens officially at a certain
22 time, if people come an hour before, they can
23 count that as a wait time, but we don't consider
24 that as a wait time, because the facility's not
25 even open at that point.

1
2 COUNCIL MEMBER LANDER: Well, you
3 can decide to measure from the time at which the
4 facility opened, that wouldn't be that hard.

5 LISA FITZPATRICK: Well, whenever--

6 COUNCIL MEMBER LANDER: So you know
7 when they first saw a worker, and you know the
8 time at which the facility opened.

9 LISA FITZPATRICK: Right.

10 COUNCIL MEMBER LANDER: That would
11 be a simple thing to measure.

12 LISA FITZPATRICK: Today, when the
13 facility opens, there aren't any lines outside of
14 our buildings.

15 COUNCIL MEMBER LANDER: And again,
16 when it's cold, I'm sure people are appreciating
17 waiting inside rather than outside, but that's
18 only of limited value in really improving the wait
19 times. And so let me ask a couple other--I mean,
20 the thing that seems to me the most promising,
21 that I heard in your testimony, are things that
22 make it so that people don't need to come into the
23 center.

24 PATRICIA SMITH: Mm-hmm, right.

25 COUNCIL MEMBER LANDER: And you

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2 talked about a few of those.

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PATRICIA SMITH: Mm-hmm.

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5 COUNCIL MEMBER LANDER: The benefit
6 cards, especially, some of the eligibility for
7 non-cash assistance food stamp recipients. Can
8 you tell me, what are the things that, it's not
9 requi--you aren't required by state or federal
10 regulation to have people come in and do in-person
11 visits for, that you currently are, that the City
12 is currently requiring.

11

12

13 PATRICIA SMITH: That the City is
14 currently requiring, without the State authority?

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14

15 COUNCIL MEMBER LANDER: What are
16 appointments that we don't have to be having
17 people come in for, that we're having people come
18 in for?

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19 LISA FITZPATRICK: We, we don't
20 require them to come in, when they aren't required
21 by state or federal law. I think what you find,
22 particularly for the food stamp population, is
23 that when they have to return documentation, they
24 choose, they elect to come into the facility in
25 order to drop off that documentation. They have
the ability to mail us those documents, but they

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2 choose not to. And we cannot prevent them from
3 coming in to return documentation. If they come
4 in to return the documentation, we accept it and
5 we give them a receipt. I think people just
6 choose not to mail their birth certificates and
7 social security cards; it's their option, they
8 don't have to come in, but we find over and over
9 again that we get a certain amount of traffic from
10 people choosing to come in as opposed to using the
11 remote access of mailing or faxing documentation.

12 GARY JENKINS: Additionally, we
13 also encourage our population to either mail or
14 fax in any documents that need, that they're
15 required to return to us.

16 COUNCIL MEMBER LANDER: So let me
17 ask about a few specific things. So, how often,
18 with cash assistance, how often are
19 recertification appointments required?

20 PATRICIA SMITH: Once a year. And
21 there is a requirement to have a in-between
22 mailer.

23 COUNCIL MEMBER LANDER: There,
24 there--and if you could just clarify by whom each
25 of those requirements are.

1
2 LISA FITZPATRICK: So the State
3 requires that clients submit a mailer between
4 certification periods, and it's--perhaps I just,
5 also the federal government--and it's considered
6 an aggressive mailer, which means if you do not,
7 instead of a passive mailer, if you do not return
8 that mailer, then you could lose your benefits.
9 So, they have a timeframe to mail it in to the
10 agency. Then we log it in and we give them credit
11 for returning the mailer. Sometimes clients wait
12 until the last minute, they don't trust it's going
13 to get to us within that timeframe, so they elect
14 to bring it in. There are times when they don't
15 mail the documents to us, when they should, and
16 then they come in to try to keep the case from
17 being closed, by handing us a mailer during the
18 timeframe that they have to prevent the case from
19 being closed.

20 PATRICIA SMITH: But the in-person
21 recertification in cash assistance and food
22 stamps--

23 LISA FITZPATRICK: Once a year.

24 PATRICIA SMITH: --is for cash
25 assistance case, is once a year.

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COUNCIL MEMBER LANDER: Is once a
3 year.

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PATRICIA SMITH: Yes.

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COUNCIL MEMBER LANDER: And the
City doesn't require, that's a State requirement
7 and the City doesn't require you to appear in
8 person any more than that.

9

PATRICIA SMITH: No.

10

COUNCIL MEMBER LANDER: Okay.

11

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LISA FITZPATRICK: Not for
recertification.

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PATRICIA SMITH: No.

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COUNCIL MEMBER LANDER: How about--

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PATRICIA SMITH: And for food stamp
it's different, so.

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COUNCIL MEMBER LANDER: Okay. How
about eligibility call-ins for individuals who are
19 sanctioned?

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PATRICIA SMITH: Mm-hmm.

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LISA FITZPATRICK: Well, those are
done at Center 71, there's a particular location
for that in the City for people who have
durational sanctions in place, but the sanction
period has expired. So these individuals could

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2 comply with the work requirements. And in order
3 to get them to comply with the work requirements,
4 we call them in periodically, in order to see what
5 they're doing now, and if they're willing to
6 comply with the requirements. And that's
7 happening at Center 71.

8 COUNCIL MEMBER LANDER: And--

9 CHAIRPERSON BREWER: I just have
10 one question. - - When we go to airline and we go
11 to other lines, and we all studied this in public
12 administration school. Couldn't somebody
13 literally go inside the building with a clipboard
14 or a handheld computer and answer some people's
15 questions. Example--

16 PATRICIA SMITH: We do that.

17 CHAIRPERSON BREWER: Take the
18 paperwork, get it out of there. Do you do that?

19 PATRICIA SMITH: Yes.

20 CHAIRPERSON BREWER: In other
21 words, everybody who's just given you documents,
22 'cause let me tell you, my constituents want to
23 give it, whether you're a senior or somebody else,
24 we don't trust the mail, we don't have a fax, and
25 it costs money to go fax it from the local

1
2 convenience store. So you actually do that. In
3 other words, if I went to a center, and I'm
4 standing in line, somebody with a clipboard, or
5 better yet a handheld, would come around and say,
6 "I'm going to help you, what do you need?"

7 LISA FITZPATRICK: So, starting--

8 CHAIRPERSON BREWER: I'm sorry,
9 that just makes common sense. Go ahead.

10 LISA FITZPATRICK: In the latter
11 part of December, early part of January, we
12 started that process and it's what we referred to
13 as the "fast tracking" of tickets. So, we get
14 people upstairs quicker, and then once people are
15 upstairs, if they're trying to return
16 documentation, then we go around, we tried to get
17 individuals' documentation as quickly as possible.
18 If they have a letter that indicates what we
19 requested of them, then we can fast track that
20 document return process.

21 CHAIRPERSON BREWER: What does fast
22 track mean?

23 LISA FITZPATRICK: That means that
24 we can--

25 CHAIRPERSON BREWER: Hold them off

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LISA FITZPATRICK: [interposing]
just call a number of people right away, make
copies of their documents, give them a receipt.

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CHAIRPERSON BREWER: Like - -

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LISA FITZPATRICK: And let them
leave.

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CHAIRPERSON BREWER: I think El Al
[phonetic] should take over. [laughter]

11

LISA FITZPATRICK: Okay.

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COUNCIL MEMBER LANDER: All right,
so I was asking about eligibility call-ins for
sanctioned individuals. So I just want to, I, so
you've clarified what it is, who requires it, is
that required by state or federal law? I don't
think it is.

18

19

PATRICIA SMITH: No. That's not
required by state or federal law.

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COUNCIL MEMBER LANDER: Okay, so
that's at least one appointment that the City
requires. I mean, these are people who aren't
even currently getting benefits--

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PATRICIA SMITH: But these, these--

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COUNCIL MEMBER LANDER: Obviously

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PATRICIA SMITH: --their children

us--their children are, when they're on sanction,

that's the people we're talking about, the people

where there's still a case involved. And somebody

in the family's getting benefits. And--

COUNCIL MEMBER LANDER: I

understand, that's their sanction, so they might

well have some incentive on their own to want to

do the things that would eliminate their sanction.

Now, there's a big question about whether they're

the sanction, they were sanctioned fairly or

unfairly, but it's at least one place where we're

requiring an appointment that nobody's making us

require.

PATRICIA SMITH: They do not come

into one of the local job centers, that is the

subject of the hearing.

COUNCIL MEMBER LANDER: Okay, but

your staff, they come in for an appointment that

your agency staff have to manage.

PATRICIA SMITH: Yes, absolutely,

yes, and of course we do want to get them--

COUNCIL MEMBER LANDER: How about--

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2 PATRICIA SMITH: --reconnected to
3 the world of employment. That's what we want to
4 do.

5 COUNCIL MEMBER LANDER: Okay. And
6 there's a, it's another hearing, whether this,
7 this, whether that appointment is helping. But
8 how about mandatory dispute resolution? Is that
9 an appointment that's required by law?

10 LISA FITZPATRICK: It's not
11 required by law, and it actually helps our
12 clients, it gives them an opportunity to resolve
13 their issues before the fair hearing, and so the
14 great thing about MDR, Mandatory Dispute
15 Resolution is that it gives a client and
16 opportunity to come in, have a conversation with a
17 supervisor, about what they believe to be an
18 issue, and they can resolve that without going to
19 a hearing.

20 COUNCIL MEMBER LANDER: So--

21 LISA FITZPATRICK: And that saves
22 the City money, by having--

23 PATRICIA SMITH: And the state.

24 LISA FITZPATRICK: --this process
25 in place, so the City can save money.

1
2 COUNCIL MEMBER LANDER: So that's,
3 that may be true, but it's a di--when I asked "Are
4 there any appointments of these that aren't
5 required by law?" you said there weren't any, and
6 so far you've told me about two.

7 PATRICIA SMITH: Well, they're
8 required--

9 COUNCIL MEMBER LANDER: And I have
10 questions about a few more.

11 PATRICIA SMITH: No, but we, we do,
12 if I may, we have a plan, we have a local district
13 plan for mandatory dispute resolution, which is
14 now adopted by the State. That is the way we
15 operate at the State Service Center.

16 COUNCIL MEMBER LANDER: Well,
17 that's our policy and the State approved it,
18 that's not a state or federal requirement. We may
19 think it's a good idea, but--

20 PATRICIA SMITH: No, it's not a
21 requirement, but it is an option--

22 COUNCIL MEMBER LANDER: --it's
23 preposterous to tell me that it's now a state
24 requirement.

25 PATRICIA SMITH: No, no, it's an

1

2 option that's allowable.

3

4 COUNCIL MEMBER LANDER: Because
it's our plan that they approve. But that wasn't-

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-

6

PATRICIA SMITH: Okay.

7

8 COUNCIL MEMBER LANDER: --the
question that I asked, and it wasn't the question

9

that you answered differently, so--

10

PATRICIA SMITH: Okay.

11

12 COUNCIL MEMBER LANDER: How often
do we do anti-fraud activity appointments? How

13

many times, how many of those are there?

14

15 PATRICIA SMITH: Could you, what do
you mean by anti-fraud activity? Sorry.

16

17 COUNCIL MEMBER LANDER: It's my
understanding now that people, when, when someone,

18

that there's a category of appointments called

19

"anti-fraud activity," or BEV--

20

21 PATRICIA SMITH: Oh, BEV. Yeah,
that's--

22

23 COUNCIL MEMBER LANDER: How many
do, how many does the City require?

24

25 PATRICIA SMITH: That's, that's
people who are, that's part of the application

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2

process, that's the way we do it.

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4

COUNCIL MEMBER LANDER: We require two appointments?

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PATRICIA SMITH: No, it's part of the application process, it's another part of the cash assistance application process. It's part of one process. Yes, the person has to be--

9

10

COUNCIL MEMBER LANDER: But you have to come twice.

11

12

PATRICIA SMITH: --you have to, you have to be seen twice, correct.

13

14

15

COUNCIL MEMBER LANDER: And state and federal law would only require them to come once.

16

17

LISA FITZPATRICK: It's not at the-

18

19

PATRICIA SMITH: Theoretically, yes. Yes.

20

21

LISA FITZPATRICK: The appointment is not--

22

23

COUNCIL MEMBER LANDER: So that's a third place where we're requiring--

24

25

LISA FITZPATRICK: The appointment is not at--

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2

COUNCIL MEMBER LANDER: --an

3

appointment that is not required by state or

4

federal law as part of the application process

5

fine, but people re still coming for appointments

6

that--

7

LISA FITZPATRICK: It's not at the

8

job center. The issue with the overcrowding at

9

the job center, none of those appointments are at

10

the job center. So, the, the BEV appointment

11

happens at another office outside of our job

12

centers, it's not a return appointment to the job

13

center.

14

COUNCIL MEMBER LANDER: But again,

15

it's the staff of the--

16

PATRICIA SMITH: But it is, yes,

17

yes, Council Member.

18

COUNCIL MEMBER LANDER: --agency,

19

and it's the same individuals that we're talking

20

about.

21

PATRICIA SMITH: Yes, it is.

22

COUNCIL MEMBER LANDER: Okay,

23

that's three.

24

PATRICIA SMITH: Absolutely.

25

COUNCIL MEMBER LANDER: And then of

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2 course I, you know, I have to ask about finger
3 imaging.

4

PATRICIA SMITH: Mm-hmm.

5

6 four. Right? So, finger imaging is not required
7 by state or federal law, in fact it's pretty clear
8 the state would prefer that we not do it, and yet
9 we continue to require those appointments. Right?

10

PATRICIA SMITH: It is required by
11 state law for cash assistance clients, yes, it is.

12

COUNCIL MEMBER LANDER: Well, but
13 the food--I mean, it's not required for food
14 stamps recipients.

15

PATRICIA SMITH: Oh, for food
16 stamps, no.

17

COUNCIL MEMBER LANDER: And they're
18 coming into these centers and standing in these
19 lines, inside or outside.

20

PATRICIA SMITH: Mm-hmm, yes.

21

COUNCIL MEMBER LANDER: And how
22 much time, like do we know how much time that's
23 taking? As part of the, you know, at recent
24 hearings we've asked a set of questions to really
25 try to weigh is it worth it or is it not worth it?

1

2

And I thought we were making some ground at the recent hearings, that we would actually be willing to engage in a conversation together to really look at--

5

6

PATRICIA SMITH: Yeah.

7

8

COUNCIL MEMBER LANDER: --how do we know who's being discouraged from food stamps? And I even said the Commissioner acknowledged that might happen, and maybe we should look at it together. But I realized one factor we hadn't even added to our calculus is, how much time is it taking? So, how much time in waiting and processing is due to finger image--you know, unnecessary finger imaging appointments?

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PATRICIA SMITH: No time is for unnecessary, because they are necessary.

18

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COUNCIL MEMBER LANDER: Excuse me, required by the City but not required by state or federal law or any of the other 50 states.

21

22

PATRICIA SMITH: They are--49. They--

23

24

25

COUNCIL MEMBER LANDER: Other 50, that would be 4--yes, okay, I accept the correction [laughter] excuse me.

1

PATRICIA SMITH: Sorry.

2

3

COUNCIL MEMBER LANDER: Any of the other 49 states.

4

5

PATRICIA SMITH: Okay.

6

COUNCIL MEMBER LANDER: No, I think they stopped in Arizona and California.

7

8

MALE VOICE: Texas.

9

PATRICIA SMITH: Texas.

10

COUNCIL MEMBER LANDER: Okay. How much time?

11

12

PATRICIA SMITH: Thank you. It's a very quick appointment, very quick appointments, and it's--

13

14

15

COUNCIL MEMBER LANDER: What's the average? Do we know?

16

17

PATRICIA SMITH: Well, we really don't know, I mean, that person would be a person who comes in as, as Ms. Fitzpatrick was describing, they would come in, they would wait a short period of time in the reception unit, and they'd be channeled right to the finger imaging station. It's a very quick appointment, we don't have numbers for that.

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COUNCIL MEMBER LANDER: Well,

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1
2 that's not what we hear anecdotally, so if you
3 don't have real time, and you're telling me
4 anecdotally it's a quick appointment, and other
5 people are telling me anecdotally it takes a day--

6 PATRICIA SMITH: Well, if we--

7 COUNCIL MEMBER LANDER: --you could
8 have the data and they couldn't have the data.

9 PATRICIA SMITH: Okay. Well,
10 please, Council Member--

11 CHAIRPERSON BREWER: How many of
12 them are there? How many of these appointments a
13 year?

14 PATRICIA SMITH: Every food stamp
15 applicant who--

16 CHAIRPERSON BREWER: Sure.

17 PATRICIA SMITH: --is not in
18 person.

19 CHAIRPERSON BREWER: Well, finger
20 imaging has to be done in person, right?

21 PATRICIA SMITH: Oh, yeah, but
22 they're there anyway, so it's, there's no
23 appointment for it, they do it as part of the
24 process while they're there. So, it's a
25 difference to say somebody's coming in for an

1
2 appointment, to be finger imaged. It's part of
3 the process when you're there. You're talking, I
4 think, or maybe not, about increased traffic.

5 CHAIRPERSON BREWER: I'm trying to
6 figure out how much time is being added to waiting
7 at the job centers, or taken, added to the wait
8 times that, that recipients and applicants have to
9 spend, or taken from HRA staff to do other things
10 that you've put at a different place, but still
11 take the time of staff as well as individuals and
12 applicants. And when I originally asked are there
13 any of them, that the City is requiring, not
14 required by state and federal law, you said no.
15 We've now found four. One of them we've debated
16 many, many times in previous hearings, which is
17 finger image, but we've found three others that we
18 haven't, that I bet if we were able to know add
19 hundreds and hundreds, thousands of hours of wait
20 time on behalf of applicants and on behalf of
21 staff at the center. So, if we're really going to
22 have a conversation about the things that we can
23 do to reduce wait times and improve eligibility, I
24 mean, I'll wait around for my, for my second
25 opportunity, set of opportunities to ask

1
2 questions. I think there's a lot more that we
3 could find ways to streamline. I'm all for El Al
4 going out with handhelds and taking people's
5 packets, so they don't have to wait in line,
6 that's a great idea.

7 PATRICIA SMITH: Sounds like - -

8 CHAIRPERSON BREWER: And we're all
9 for, as you know, doing away with the finger
10 imaging requirement, but it sounds to me like
11 there are a whole bunch of things we could do in
12 the middle as well, that are making people wait
13 unnecessarily.

14 PATRICIA SMITH: Okay.

15 CHAIRPERSON BREWER: And, and I
16 believe actually therefore acting as a deterrent
17 to people getting the benefits that they need,
18 which is not in any of our--

19 PATRICIA SMITH: Okay.

20 CHAIRPERSON BREWER: -interests.
21 Thank you, Madam Chair, for you--

22 PATRICIA SMITH: But as Ms.
23 Fitzpatrick did say, with the exception of finger
24 imaging, which is in fact done in the centers,
25 those other appointments do not happen in the

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center.

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CHAIRPERSON BREWER: Okay, we'll come back to that. Council Member Rodriguez has joined us. I have one question, and then I'll go to Council Member Lander, which is you had mentioned a very high number of clients to worker, and that that's an issue. Obviously budget cuts and so on. Does that mean that there's a lot of overtime? Does that mean that people are there late? Because the backlog must be with all of these individuals and more people applying, must be extreme. Can you just talk about backlog, overtime, how some of these challenges are being addressed by workers and by management?

PATRICIA SMITH: We definitely have been working more overtime, no doubt about it. There has been activity, lots of activity, you're correct in that. The staff-to-case ratio has gotten higher; however, given the other activities that were supposed to kick in to make it easier, mostly the electronic stuff, it is anticipated that at some point in the future, which has not come yet, absolutely, that these things will even out in the food stamp arena, where the most of the

1
2 additional activity is being seen, is in the food
3 stamp arena. And those things are there. So,
4 now, yes, we have been working more overtime. But
5 we have had other things in place that have
6 reduced backlogs. We are keeping up with
7 timeliness, keeping up with our expedited food
8 stamp requirements, in the main, yes.

9 CHAIRPERSON BREWER: Okay, I mean,
10 it sounds good, and I think that others may feel
11 otherwise about keeping up with the backlog. But
12 I will call on Council Member Lander, who I think
13 has lots to say. Levin.

14 COUNCIL MEMBER LEVIN: Levin.

15 CHAIRPERSON BREWER: Levin. They
16 both have lots to say. Council Member Levin.

17 [laughter]

18 COUNCIL MEMBER LEVIN: Thank you
19 very much, Council Member Brewer. Thank you,
20 Deputy Commissioner. I just, just adding my two
21 cents on the finger imaging question. The last
22 state that is re--that requires this to happen,
23 other than New York City is Texas, and their last
24 two governors are Rick Perry and George W. Bush.
25 So, I don't know if we necessarily want to

1
2 associate ourselves with the policies that they
3 had implemented. I wanted to follow up on Council
4 Member Lander's questions, particularly on some of
5 the issues of what HRA is requiring, what the City
6 of New York is requiring. And you mentioned the
7 issue of recertification. And that it's required
8 by state law once a year with this mail in every
9 six months. I'm hearing from, from advocates,
10 from advocates and folks that represent clients
11 with open HRA cases, that they are being told by
12 HRA to come in twice a year. So, is this--I'm
13 hearing two different things. I'm hearing, is
14 this, is this the case with, with all cases, that
15 they're--and you are sure of that, that nobody's
16 being asked to come in twice a year. That HRA is
17 not asking anybody to come in two times a year.
18 Everyone's told, "You have one yearly appointment,
19 that's it."

20 PATRICIA SMITH: For
21 recertification?

22 COUNCIL MEMBER LEVIN: For
23 recertification.

24 PATRICIA SMITH: Okay, well, we
25 would appreciate examples of that, because that,

1
2 that would be very surprising, if someone has a
3 recertification appointment. Now, when an
4 individual first applies for benefits, their
5 initial recertification is at the fourth month
6 after application, and then it is once a year
7 thereafter. So--

8 COUNCIL MEMBER LEVIN: Is that
9 fourth month, is that required by State law, that,
10 that--

11 PATRICIA SMITH: Yes. Federal law,
12 too.

13 COUNCIL MEMBER LEVIN: All right.
14 But you're, so you are absolutely sure, nobody is
15 being called to - -

16 PATRICIA SMITH: [interposing] No,
17 I am absolutely sure that if you have such an
18 example, we'd like to see it. I mean, anything
19 can happen in terms of, you know, who knows what
20 happened on a case, but that is the way it is
21 supposed to work, is that an individual comes in
22 for recertification once annually, in the case of
23 a cash assistance case. In the case of a food
24 stamp case, there are different recertification
25 periods depending on your type of benefit.

1
2 COUNCIL MEMBER LEVIN: Okay. And
3 I'll follow up, and I'll--if I--

4 PATRICIA SMITH: Mm-hmm, sure.

5 COUNCIL MEMBER LEVIN: -if I have
6 concrete examples, I'll send them over to you.
7 With eligibility call-ins and the issue of
8 sanctions--First, my question, so first off just
9 the question on, on sanctioned individuals,
10 individuals that go to fair hearings to contest
11 their sanctions, what, what percentage are
12 vindicated, if you will. What percentage win
13 their case at fair hearing? Do we have a--?

14 PATRICIA SMITH: Yeah, we
15 currently, it's not divided by people who are
16 going to ask for a sanction, or current win rate
17 is 80 percent, or the agency's. But that's, I
18 don't have the statistics here as to how many of
19 those hearings are regarding a sanction, in answer
20 to your question. That's a myriad of issues.

21 COUNCIL MEMBER LEVIN: Uh-huh. And
22 I've heard that there are instances in which HRA
23 will actually, at the fair hearings themselves,
24 drop the case. Do you have a number as to how
25 many times that happens, percentage of fair

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2 hearings?

3

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PATRICIA SMITH: We don't have it with us, it exists, absolutely.

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COUNCIL MEMBER LEVIN: Okay.

6

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PATRICIA SMITH: If, if we don't have the evidence, of course we would drop.

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COUNCIL MEMBER LEVIN: Okay. But when you say that, that--you mention the word periodically, that individuals are called in for eligibility, these eligibility call in appointments, periodically. What, what is. can you quantify periodically? How often--?

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PATRICIA SMITH: You mean for the sanction population?

16

COUNCIL MEMBER LEVIN: Yeah.

17

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PATRICIA SMITH: Okay. Do you know?

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COUNCIL MEMBER LEVIN: I mean, how often is periodically? How many--what would be the average per individual?

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LISA FITZPATRICK: I think it's a few times a year, it might be about every three to four months, at a intensive services center.

25

COUNCIL MEMBER LEVIN: And they're

1
2 called in--'cause these, these call ins are not
3 required by law, you say that they're--

4 PATRICIA SMITH: No.

5 COUNCIL MEMBER LEVIN: --they're
6 good ideas, but they're not required by law.

7 PATRICIA SMITH: Right.

8 COUNCIL MEMBER LEVIN: Is, if, are
9 those individuals, if they don't come in, since
10 they're not required by law, if they don't come
11 in, if they can't make it, what happens to them?
12 Are they further sanctioned? I mean, is it just,
13 is it water under the bridge? Say, "Okay, well,
14 we'll set up another appointment." What's the
15 ramifications if they don't show up?

16 LISA FITZPATRICK: It's an
17 eligibility call-in, and if they don't come in,
18 the case is closed.

19 COUNCIL MEMBER LEVIN: The case is
20 closed.

21 LISA FITZPATRICK: The entire case
22 is closed. Yes.

23 COUNCIL MEMBER LEVIN: The case is
24 closed. So, not required by law, but if they
25 don't show up--Now, they're being sanctioned, so

1
2 they're losing benefits. Some of their benefits.
3 I know but the kids' benefits are staying. But
4 their benefits are being suspended. So, if they
5 don't show up, these are not required by state
6 law, and 'cause, so, and they're, we're only doing
7 them because it's to the benefit of the client,
8 and yet if they don't show up, their, their case
9 is closed, they got to, if they want a new case,
10 they got to start the whole process over, right?

11 LISA FITZPATRICK: That is correct,
12 yes.

13 COUNCIL MEMBER LEVIN: So, why is
14 their case closed if they don't show up?

15 LISA FITZPATRICK: It's an
16 eligibility call-in, and so if the person doesn't
17 keep that eligibility appointment, then the entire
18 case is closed.

19 COUNCIL MEMBER LEVIN: What are
20 they showing? What are you asking them to show?

21 LISA FITZPATRICK: Well, what we
22 normally ask them to show at the eligibility call-
23 in is how they've been taking care of themselves,
24 maintaining their living arrangements and
25 expenses, with a reduced budget. So, typically,

1
2 if we have clients that are at poverty level, and
3 somehow know that the expenses are being paid, but
4 they tell us they have no additional income or
5 resources, there seems to be something that's
6 going on there. So, we call them in periodically
7 to determine how they've been managing, whether or
8 not they've been paying their expenses, with, on a
9 reduced budget. And what we would like them to do
10 is to reengage and participate in a work
11 requirement, 'cause they're still part of our
12 participation rate. Even though they're
13 sanctioned, they're still part of our
14 participation rate--

15 COUNCIL MEMBER LEVIN: So how are,
16 so--

17 LISA FITZPATRICK: --and they're
18 not actually engaged in a work related activity.

19 COUNCIL MEMBER LEVIN: So, then how
20 are they making ends meet? Because they're losing
21 - -

22 PATRICIA SMITH: [interposing]
23 That's a good question.

24 LISA FITZPATRICK: Well, that's why
25 you call them in to find out.

1
2 CHAIRPERSON BREWER: People like me
3 are paying the rent.

4 COUNCIL MEMBER LEVIN: Well, no,
5 because if, so what percentage of cash assistance
6 recipients are sanctioned? 24 percent, right?

7 PATRICIA SMITH: I don't have it
8 with me, but yes, that's not an outrageous
9 statement.

10 COUNCIL MEMBER LEVIN: Yeah, 24
11 percent, that's what, that's what--

12 PATRICIA SMITH: Yeah, do you have
13 the report?

14 COUNCIL MEMBER LEVIN: I have the
15 report.

16 PATRICIA SMITH: Okay. I didn't
17 bring it, 'cause it's not - -

18 COUNCIL MEMBER LEVIN: So, so,
19 you're saying that 24 percent of individuals are
20 coming in, and if they can, they're making, they
21 got to make ends meet somehow, it's an expensive
22 city to live in, I live in the City, you live in
23 the City, it's expensive to live in. So, if
24 they're, if they're, so if they're, if we're
25 wondering how, so we sanction them, their benefits

1
2 are suspended, and we're calling them in to prove
3 to us that they can't make, that they can't make
4 ends meet. Right? That's--

5 LISA FITZPATRICK: - - number--

6 COUNCIL MEMBER LEVIN: I mean, I'm
7 sorry, but that's the way it looks.

8 LISA FITZPATRICK: We're not
9 calling in all of the sanctioned households, we're
10 only calling in those individuals where the
11 sanction has already expired, but the household
12 member has not been willing to comply. You have a
13 subset of the population that are in a durational
14 sanction and they can't sure that sanction at this
15 point. We do not call those individuals in, we
16 only call those individuals in that have the
17 ability to reengage with our work requirements.

18 COUNCIL MEMBER LEVIN: So, there,
19 there's, oh you're only calling in people whose
20 sanctions have been expired.

21 PATRICIA SMITH: Correct.

22 LISA FITZPATRICK: They're expired
23 and in order for use to lift the sanction, they
24 have to be willing to comply with their work
25 requirement.

1
2 COUNCIL MEMBER LEVIN: The
3 sanction's expired, but you haven't lifted it yet.

4 LISA FITZPATRICK: They have to be
5 willing to comply with the work requirements.

6 COUNCIL MEMBER LEVIN: Okay. I
7 find this, this aspect of, of the system very
8 disturbing, I really do. Because this is the gray
9 area where it's not under legal mandate, and, and
10 so this is where, I'm wondering how much, and it
11 does, it is pertinent to this hearing because it
12 is the amount of staff that HRA has, and tough
13 budget constraints, to, to have staff dedicated on
14 top of finger imaging, staff hours and HRA's
15 personnel hours, towards this particular process
16 of recertification eligibility requirements, and--
17 I'm sorry, eligibility requirements for sanctioned
18 individuals, and recertifications that I am
19 concerned is taking up a large part of your
20 staff's time.

21 PATRICIA SMITH: Council Member,
22 can I just clarify, when you said before that a
23 sanctioned individual isn't getting benefits, it's
24 not, that's not exactly the way it works, as you
25 probably know. A sanctioned, a sanctioned case

1

2 has a pro rata reduction in their benefit.

3 COUNCIL MEMBER LEVIN: Right.

4 PATRICIA SMITH: The person is in
5 fact receiving benefits for the--they have had a
6 reduction as a result of the noncompliance issue.
7 So you have the family. If you have a family with
8 two people in it, for example, that's a very, very
9 high reduction, it's 50 percent. If you have a
10 family with five people or ten people, obviously
11 the amount of the reduction is different. So,
12 yes, I mean, you know, Council Member Brewer
13 indicated that some of these individuals do go
14 into financial crisis by having the sanction. And
15 to have the opportunity to restore the benefit
16 amount is, there's nothing nefarious about that.

17 COUNCIL MEMBER LEVIN: Mm-hmm.

18 Sorry, going back to, when, when it's determined,
19 or when somebody misses their appointment, their
20 case is closed. If somebody's called in for an
21 eligibility call-in and, and their answers are not
22 satisfactory, or you don't get the information,
23 HRA doesn't get the information that they want,
24 excuse me, are cases closed then, or are they--

25 PATRICIA SMITH: No.

1
2 COUNCIL MEMBER LEVIN: --is there
3 another appointment made where they got to come
4 back and, and provide the information that HRA
5 needs? They can't do that over the phone? I
6 mean, what I'm wondering is, why can't this be
7 done over the phone?

8 PATRICIA SMITH: Well, it--you have
9 a family, where the ind--the parent, usually,
10 maybe not the parent, but the adult member of the
11 family who's getting benefits, is someone who
12 needs to be engaged in a work activity. The only
13 people in sanction status are people who were
14 deemed to be eligible to work, or you know,
15 physically, theoretically eligible to work, of
16 course with the call-in is another opportunity to
17 contest that, if that's what they feel. But the
18 goal here is to get the family reconnected to
19 work, to get the budget restored, and to get them
20 back on track. So, it's a process that we go
21 through and there's, again, there's nothing but
22 the motive of increasing the client's budget.
23 That's the motive, get them connected to work,
24 increase their budget, get on track. And again,
25 it is not done in the job centers, it is done

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2 offsite. Yes, you are correct, it's been done by
3 HRA staff, absolutely it is. No doubt about it.
4 But to many families, it's a benefit. To many
5 families, it's the way to get back on track. To
6 many families it's to get their budget increased.
7 And that is the result in many cases. Now you say
8 what happens is somebody comes and they don't tell
9 us what we want? Basically, all they have to do
10 is come and explain to us, you know, how they're,
11 how they're coping. If they choose not to
12 reengage in work, it's unfortunate, but that's
13 their choice, too. They can remain in sanction
14 status.

15 COUNCIL MEMBER LEVIN: And, I
16 appreciate the answer, thank you.

17 PATRICIA SMITH: Okay.

18 COUNCIL MEMBER LEVIN: I just want
19 to ask about the job centers and those facilities,
20 the food stamp and job centers. I did go to
21 DeKalb yesterday and I was pleased to see that--
22 and I went with a representative from, from Legal
23 Aid Society, and we were both pleased to see that
24 the lines were not, lines were not outside. The
25 downstairs waiting area was, was very nice, and

1
2 the lines were not particularly long, at that, at
3 that part of the site. Have you made a
4 determination that the overall wait time has been
5 reduced? I mean, 'cause the lines then go
6 upstairs. People, I mean, I did go to the food
7 stamp, on the waiting room on the fourth floor,
8 where there were, I don't know, about 65-70 people
9 there. Have you, how are you measuring whether--I
10 mean, are you, are you measuring how the wait
11 times have actually been reduced? Or have they
12 been reduced? Are you getting the sense that
13 they've been reduced? Or are we just moving the
14 line from outside inside?

15 PATRICIA SMITH: Well, that was
16 Council Member Lander's question. And you know,
17 he was correct in the way he characterized the
18 answer, in that these are very, very new
19 renovations, they're very, very new process
20 changes. So we don't really have a great, yet,
21 measure, for what it is. We also don't have a
22 great way to measure it in many of our locations.
23 So, we are taking looks at that, we have our
24 staff, our management staff, monitoring that
25 closely. And we do expect to see very good

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2 improvements. And you're right to say that DeKalb
3 was one of the centers that was initially one of
4 our very, very problem centers with continual
5 lines, and it is a high demand center. The demand
6 is high in the food stamp part, you know, the food
7 stamp office within that building. But it's also
8 a very busy job center. So, you know, we are
9 making improvements. We don't know the full
10 results of what all those improvements are yet,
11 but taken together, they are showing fruit and I'm
12 glad that you were able to see some of that
13 yesterday when you came.

14 COUNCIL MEMBER LEVIN: I appreciate
15 it, thank you very much, Deputy Commissioner.

16 CHAIRPERSON BREWER: Just back to
17 the food stamp issue, you mentioned that the
18 community based organizations were cut somewhat,
19 or didn't have as many applications as you would
20 have thought, so I wanted to know if you're
21 advertising that? I think you mentioned that
22 there are 70 organizations. Are you letting
23 people know that they can go to their
24 neighborhood, then make an appointment for food
25 stamps, number one? Number two, I know you are,

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2 but are you doing it enough, I guess would be my
3 question. Second question is you mentioned in
4 your testimony that some of the CBOs, because of
5 space constraints, had moved out, and I didn't
6 know what that meant, where they're moving. You
7 know, does that mean the people are not getting
8 help at that particular center from a non-HRA
9 employee? And then the third issue is regarding
10 telephone appointments. Workers are complaining
11 to us that telephone employment, I'm just talking
12 about food stamps now, because if we can eliminate
13 some of the folks waiting on food stamp issues,
14 then maybe others could be helped in even more
15 comprehensive ways, those who need cash assistance
16 need a lot of help, and I'm very familiar with
17 that, they need a lot of help. And more time
18 involved. So, my question is, people apparently
19 are getting three or four appointments, I guess
20 it's called "overbooking." Now, again, that's
21 fine in some areas, but I don't know if it's good
22 in this particular human service area. And then
23 finally, just not on any piece of paper I've seen,
24 but in the centers, can you put actual terminals,
25 do you have enough piping, as I would call it, to

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2 be able to put terminals there for computers with
3 a person standing there to be of assistance? Is
4 there, in other words, you walk in, is there
5 something you can do online? Many of your
6 clients, I bet, don't have a computer at home,
7 don't necessarily go to the library, so something
8 that could be done online there, that would cut
9 down on their wait time. These are all
10 suggestions that come from public administration
11 school, I guess. Maybe it's too academic.

12 COUNCIL MEMBER LEVIN: And you've
13 been reading a lot about airlines, I think,
14 [laughter] - - something, they have very--

15 CHAIRPERSON BREWER: Airlines--

16 COUNCIL MEMBER LEVIN: --they move
17 a lot of people very quickly.

18 CHAIRPERSON BREWER: Airlines,
19 cars, McDonald's, you know, these horribly large
20 enterprises that move lines, and that's what we
21 study in--so go ahead, those are my questions.

22 PATRICIA SMITH: Okay, I think I
23 got four. I'll start with number one. The first
24 question was regarding the community based
25 organizations and as you put, are we putting the

1
2 word out there. I know that the last time we did
3 that was in 2009/2010, and we have marketing
4 posters on our website. But I think your question
5 was more about expanding the pool of the 70 plus.

6 CHAIRPERSON BREWER: Well, if
7 you're saying that it's good, you only got 1,300,
8 I think that was the number--

9 PATRICIA SMITH: Yeah, I mean,
10 that's not a bad number, we just thought it would
11 be a bigger take.

12 CHAIRPERSON BREWER: It's a low
13 number.

14 PATRICIA SMITH: Yes, it's a low
15 number, exactly.

16 CHAIRPERSON BREWER: It's a low
17 number for that many organizations.

18 PATRICIA SMITH: Correct.

19 CHAIRPERSON BREWER: So I'm, and
20 those organizations that do have it, have a
21 positive experience--

22 PATRICIA SMITH: Mm-hmm.

23 CHAIRPERSON BREWER: --in terms of
24 appointments. So, my question is, how do you
25 expand that program? Telling people about them.

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2 Any suggestions?

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PATRICIA SMITH: I think that we should work with the people who do our food stamp outreach, that's Cecile Noel and her team, and you make a good suggestion, a very good suggestion. We do try to advertise the ones that exist currently, but it could be that, you know ,the people in those particular areas are already aware or not taking advantage. So, that's a, that's, thank you for that.

CHAIRPERSON BREWER: All right, go ahead.

PATRICIA SMITH: Okay, number two was your question regarding our partners, our community based partners, who were in our centers.

CHAIRPERSON BREWER: Where'd they go, or are they still there?

PATRICIA SMITH: Well, primarily, this began with the back-to-work vendors from the job centers who were doing the orientations for staff deemed employable on sight. Those orientations have been moved in the main to their offices, to the vendors offices. And we are in discussion with some of our other community

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2 partners who do things such as rental assistance,
3 etc., in our centers. Specifically our centers
4 with challenges with regard to volume. And we're
5 in discussion now with them to move into various
6 offices and we will work very closely with them,
7 they're state vendors--at this point they're
8 really not our vendors, but they're our partners--
9 and we work extremely closely with them. And we
10 need to ensure that the system we place when they
11 move off site, will be one that does not in any
12 way interrupt or delay the issuance of critical
13 benefits, notably rental assistance and that, so
14 we're talking to them. But the primary move
15 there, had been with the back-to-work vendors who
16 were doing orientations in our centers. That was
17 number two.

18 CHAIRPERSON BREWER: The issue is
19 many appointments, I call it overbooking, but
20 whatever it is, when you're on the phone and you
21 got several people to call at the same time, this
22 is a worker complaint, which you probably know
23 about. It works maybe in other industries, but
24 this is not really an industry, this is human
25 beings.

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2 PATRICIA SMITH: Right, and I'm
3 going to ask Gary to talk about the telephone
4 appointments and how that's books.

5 GARY JENKINS: Yeah, so, we
6 encourage our applicants to apply and recertify
7 over the telephone. We have a chain center,
8 that's where we conduct our back end operation
9 where we have staff calling the
10 applicants/participants to conduct the telephone
11 interview. In the event that we cannot make the
12 telephone call at that specific time, we do call
13 the client applicant in advance to reschedule.
14 When I say reschedule, it may be later in the day,
15 or the following day, not violating our
16 requirement, or mandate, for the expedited food
17 stamp benefits.

18 CHAIRPERSON BREWER: Okay--

19 GARY JENKINS: And it appears to be
20 working.

21 CHAIRPERSON BREWER: All right,
22 'cause the--two questions, just and then I'll go
23 to Council Member Rodriguez. So you have an
24 advisory group of folks who work in this social
25 service world, and then you have an advisory group

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2 that also includes your workers? In other words,
3 how do--you have a, this is a big challenge, okay.
4 So, I guess I'm saying, you know, ten heads are
5 better than one, as great as you are. So, how do
6 you work with your advisory group of people who
7 work in the human service world? And do you have
8 an advisory group for your, to get worker input?

9 LISA FITZPATRICK: We have the HRA
10 Quality of Work Life Committee.

11 CHAIRPERSON BREWER: [interposing]
12 Can you translate that into English?

13 LISA FITZPATRICK: The Quality of
14 Work Life Committee is a committee of both HRA
15 workers, managers, and other members, to try to
16 come together and to identify key issues, and--

17 CHAIRPERSON BREWER: How often do
18 they meet in this particular line, food stamp,
19 etc., etc., show?

20 LISA FITZPATRICK: I think that
21 they meet, I think they meet about once a month.

22 CHAIRPERSON BREWER: Okay, and--

23 LISA FITZPATRICK: I actually went
24 to one of the meetings that we had about the
25 overcrowding, in the locations, the meetings are

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2 usually held with management and labor there. And
3 we were able to hear the concerns of labor. And
4 then try, solicited ideas from them. So, yes--

5 CHAIRPERSON BREWER: Okay, and some
6 of those ideas--

7 LISA FITZPATRICK: --it's a
8 partnership.

9 CHAIRPERSON BREWER: --are
10 implemented?

11 PATRICIA SMITH: Yes.

12 LISA FITZPATRICK: Oh, yeah,
13 absolutely.

14 CHAIRPERSON BREWER: Okay. I'm
15 just saying, more of that would be better. Okay,
16 now, what about the out--

17 GARY JENKINS: Excuse me.

18 CHAIRPERSON BREWER: -- what I call
19 the outside group. Go ahead.

20 GARY JENKINS: We also, that we,
21 HRA participates in the Food Stamp Task Force
22 meeting, that's conducted by the Food Bank of New
23 York, in which we have various community based
24 organizations participate in advisory groups. And
25 we interch--we exchange ideas and recommendations,

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and they also are a voice to HRA to put out the message that there are various ways to apply for food stamp benefits.

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CHAIRPERSON BREWER: Okay. It's a beginning. Council Member Rodriguez.

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COUNCIL MEMBER RODRIGUEZ: Thank you. I think that as someone that comes from a family that at one point, my mom had to go in to the HRA office at Broadway and Sherman, and I must say I used to, I got the public assistance when I was at one point at City College, I got to say that we have make a lot of improvement. I remember those year when people who have to go through those office like, we were treated like garbage, like the way how many people were treating some places in the '80s and the '90s, was like you were begging, like, like people who were trying to get help from food stamp and, and cash assistance, were always seen as, "You are a problem to the City," instead of looking at us, you are at a point where you need hope and you have paid your taxes, and here we are to support you. So, I think that we have made important progress. But still as you know, there's still

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2 area to grow. And, and, and I got to say, that
3 even in our district, in Washington Heights, we
4 have a new office, a local headquarter there, that
5 have been improved services, big time. But still
6 like looking at people, making the line, early in
7 the morning, just because they want to be able to
8 be seen by a case worker, is a problem that I
9 think we face not only in our local office, but I
10 think in many area in the City. What is, when we
11 look at, at overcrowding at HRA, applicant who go
12 to, look for assistance for food stamp and, and
13 jobs, what would be like the idea of a staff? If
14 you will, have you make any assessments on how
15 many staff is needed to address the issue of
16 overcrowding for people who go to apply for food
17 stamps and, and jobs?

18 PATRICIA SMITH: Well, certainly,
19 and I think before I said it in a different way,
20 but it's, people, we assess this every day. We
21 don't know what the ideal is, but nor do we know,
22 you know, we are now experiencing more applicants
23 than we had. The program has grown by 700,000 in
24 a few years. This is, you know, the
25 quintessential expansion, I mean, it is a very

1 large expansion. Again, economically, and I know
2 Council Member Brewer may disagree, but
3 economically they tell us that the economy is on
4 track to get a little bit better now, the recovery
5 in New York has been weaker than expected. So we
6 do expect that there'll be a leveling off of
7 applications to come. You know, it would be nice
8 to say we could rent new buildings, buy new
9 buildings, get lots of staff in them, but we have
10 to do that in a planful way projecting what the
11 need is going to be. And I think we do, as
12 Council Member Lander suggested, we do have to
13 assess the improvements that have been put into
14 place now, to see that if they're sustained in the
15 short term. Some of the staff, as, as we talked
16 about, for example, the acquisition of the space
17 in The Bronx, is very long term, we know that.
18 But the other things are showing fruit already,
19 and as we continue to analyze them, we are hopeful
20 that they will take hold and actually make real
21 improvements, or that we have to continually tweak
22 this plan. Because this is a work in progress.
23 You know, as pointed out in the opening statement,
24 that the original overcrowding plan was done in
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2 2010, and that's the truth. And it took a while
3 for a lot of the stuff to kick in. Some of it is
4 showing fruit now, and we are hoping to continue
5 in that vein. But we do analyze this every day.
6 We don't know an ideal state, but we do know that
7 when more people apply online, when we develop
8 credibility on really processing online
9 applications in the food stamp program, doing the
10 telephone recertifications, that this type of
11 system whereby people are not in need of coming
12 in, and are not in need of an in-person contact
13 frequently, will be a much more efficient system.
14 One such example, many of you know, I'm sure, that
15 people, and I mentioned it briefly in testimony,
16 but people who receive supplemental security
17 income only, meaning they live alone or they live
18 as a couple, and that's their only income, those
19 individuals are literally put onto food stamps
20 through an automated process with the Social
21 Security Administration. They, they apply for
22 that benefit, and when they are approved for that
23 benefit, if they don't already have food stamps,
24 they are put onto the food stamp benefit. There
25 are over half a million such cases now, that were

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2 put on with no human intervention. Now, they have
3 the opportunity later on and they're sent
4 information that if they have expenses that might
5 not have been taken into account, they can send
6 them in and we can change their budgets, etc., but
7 there are a half a million cases that are managed
8 out of one center because of that working
9 technology which was started by the New York State
10 Office of Temporary and Disability Assistance
11 under Commissioner Robert Doar. I'm sorry, I had
12 to say that.

13 CHAIRPERSON BREWER: We've heard of
14 him.

15 PATRICIA SMITH: Yeah, so, I mean
16 that is working. So, to the degree that online
17 goes better, we get better at doing the
18 acceptances online. They are accepted in the
19 community. I think that all these things will,
20 taken together, will let us know that number. But
21 we don't really know, we don't have a number now,
22 what we do know is that when we improve processes
23 so that it works that way, you can do much more
24 service.

25 COUNCIL MEMBER RODRIGUEZ: But I,

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2 yeah, that's, that's good to hear. But we don't
3 have the number. Don't you think that we should
4 have that assessment? Because if we know that
5 overcrowding is a issue for people that go to
6 apply for food stamp, at the food stamp and job
7 centers, don't you think that we should have a
8 number on saying we have this number of case
9 workers. But in order to address the issue of
10 overcrowding, we need X number.

11 PATRICIA SMITH: That's something
12 we're assessing, but again, we don't know what
13 that number is, and we don't necessarily know that
14 that's the solution, at this point.

15 COUNCIL MEMBER RODRIGUEZ: But, but
16 you're working on, on making that assessment.

17 PATRICIA SMITH: Absolutely,
18 absolutely.

19 COUNCIL MEMBER RODRIGUEZ: Great.
20 And I, in the testimony, I see that you have a,
21 the ratio of case worker per case is 852.

22 PATRICIA SMITH: In food stamps,
23 yes, sir.

24 COUNCIL MEMBER RODRIGUEZ: In food
25 stamp. Have you get any complaint from those of

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2 those case work, you know, in having to deal with
3 that large numbers of constituents or clients?

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PATRICIA SMITH: In, certainly, as,
5 as Ms. Fitzpatrick was saying, we do work very
6 closely with our staff, and of course we know that
7 people, we've been challenged and our staff is
8 certainly out there doing a yeoman's task every
9 day. So, the short answer is, of course, yes,
10 people have expressed concern. But just to
11 clarify, one individual, one worker is not
12 assigned 852 cases, because in the food stamp
13 program it's a process. You'll be working on
14 recertification or you're working on applications,
15 so it's not like, you know, me, Pat Smith, is
16 responsible for 852 people, it's a process driven
17 system which is different from job centers which
18 are a totally different system.

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COUNCIL MEMBER RODRIGUEZ: But even
20 with a number of staff interviewing the 852, will
21 you still recognize that that number is too large
22 for--

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PATRICIA SMITH: Again--

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COUNCIL MEMBER RODRIGUEZ: --the
25 number of staff that we have?

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2 PATRICIA SMITH: Again, we're
3 looking at the right number, but we also know that
4 some of the technology can let you do very large
5 numbers of actions in a less staff intensive way.

6 COUNCIL MEMBER RODRIGUEZ: Okay.
7 Job, the job centers, can anyone, can a
8 constituent who is, who lost his jobs--

9 PATRICIA SMITH: Yes.

10 COUNCIL MEMBER RODRIGUEZ: --and is
11 looking for a job, can that individual go to the
12 job centers and get help to get a job, even when
13 he's not interested in applying for food stamp or
14 cash assistance?

15 PATRICIA SMITH: No. Oh, oh my
16 gosh.

17 CHAIRPERSON BREWER: He goes to--

18 PATRICIA SMITH: Guess that was a
19 really bad answer. [laughter]

20 CHAIRPERSON BREWER: He goes to
21 SBS, I see.

22 PATRICIA SMITH: Yes, yes, we have,
23 the City, the Administration, through the
24 Department of Small Business Services, has the
25 Workforce One Career Centers around the City, and

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that's where an individual who is in need of help

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to get a job goes to simply get a job--simply get

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a job, I wish that were true--to try to get a job.

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COUNCIL MEMBER RODRIGUEZ: So the

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HRA job center is not prepared to respond to

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someone--and I know what you say, but I also heard

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different answer for that question. So, other

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people at HRA. So, the job center, the HRA job

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center is not prepared to take applica--to help

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individual whose only interest is getting a job.

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PATRICIA SMITH: That's correct,

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our activity is combined with your, your seeking

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assistance.

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COUNCIL MEMBER RODRIGUEZ:

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Assistance.

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PATRICIA SMITH: Yes.

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COUNCIL MEMBER RODRIGUEZ: Thank

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you.

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CHAIRPERSON BREWER: The paperless

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office system is good, if it works. So my

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question is, does it slow down, does it shut down?

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How long does it take to back up? Have there been

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any problems regarding the POS system? Just

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generally technology, you have updated computers,

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2 what about the phone lines? We hear problems.

3 Are there none? Are there some?

4 PATRICIA SMITH: Check, some.

5 CHAIRPERSON BREWER: Where? How,

6 what, what, you need a complete overhaul?

7 PATRICIA SMITH: No.

8 CHAIRPERSON BREWER: Sounds to me

9 like you need tech help, though.

10 PATRICIA SMITH: We, okay, we need
11 a couple of things. Or we have a couple of things
12 in development, I should say. We were certainly,
13 and one of the reasons why the telephone
14 recertifications and other telephone activities
15 had not taken off with gangbusters, is because we
16 did need telephone system upgrades. And those
17 telephone upgrades were a little bit longer coming
18 than we thought, but they are in place now, is
19 that correct?

20 CHAIRPERSON BREWER: Some, all?

21 PATRICIA SMITH: Some. [background
22 comment]

23 CHAIRPERSON BREWER: Let's hear
24 honesty.

25 GARY JENKINS: Right, so for the

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2 telephone upgrade, for December of 2012, we should
3 have in place an upgraded system.

4 CHAIRPERSON BREWER: So it's not
5 there yet.

6 GARY JENKINS: Not there yet.

7 CHAIRPERSON BREWER: Is that
8 Verizon or DoITT or money or what?

9 GARY JENKINS: It's a combination.

10 PATRICIA SMITH: I don't think it's
11 money at this point--

12 CHAIRPERSON BREWER: I--

13 PATRICIA SMITH: --I think now the
14 money is there, it's the development.

15 GARY JENKINS: Yes.

16 PATRICIA SMITH: The money's there
17 now. It's development.

18 CHAIRPERSON BREWER: All right, I
19 mean, so telephone, how about just backup,
20 servers, pipes, etc.

21 PATRICIA SMITH: In, in mo--in the
22 overwhelming majority of our centers, we have
23 enough capacity, is your question. In some of the
24 older centers, there is sometimes a need to
25 increase the capacity when we're putting in

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something new.

CHAIRPERSON BREWER: Okay, and is that something that you discuss in whatever you call those worker management, I don't know, the funny name you gave it.

PATRICIA SMITH: Those - -

CHAIRPERSON BREWER: Yeah, those things. Do you have those kinds of discussions about technology and how it could be improved? Because it's only as good as, you can only be as good as the technology that you're using.

LISA FITZPATRICK: I know that we've gotten a lot of suggestions from staff. And we've taken some of those suggestions into consideration. And once suggestion we just had recently from one of our staff members, was regarding the transmission time for WMS. They told us the time--

PATRICIA SMITH: What's WMS?

LISA FITZPATRICK: --the Welfare Man--the State Welfare Management System.

CHAIRPERSON BREWER: Yes, that one I know.

LISA FITZPATRICK: And they said

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2 that the time it takes them to get the benefits
3 through the system, sometimes they don't get
4 enough time. It closes too early. And so we
5 spoke to our partners at the State, and now
6 they're willing to increase the time that they
7 give us to get benefits in the system. And that
8 came from a center level.

9 CHAIRPERSON BREWER: Okay, I'm just
10 saying, WMS has a big problem generally, I'm quite
11 familiar with it. But I guess my question is,
12 maybe you could have a subsection of your
13 Committee just talk about technology. And really
14 try to take some of those suggestions, then work
15 with DoITT. It's just an idea. Obviously it's a
16 passion of mine, but I would make that strong
17 suggestion. Disabled, people are in line who are
18 disabled. Are, do they get any special
19 accommodations inside or outside, no matter where
20 they're standing, etc.? I'm obviously talking
21 about physical disabilities.

22 LISA FITZPATRICK: Yes, we do. At
23 most of our model offices, we have counter space
24 for people who have disabilities, and what we can
25 do is have them not wait in line, put them to the

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2 side, perhaps give them a chair if they need a
3 chair, and hold their place, and then have
4 somebody service them when they, when they've
5 reached their place in line. At other locations,
6 our clients are more understanding, and they let
7 individuals go ahead of them in line. So it
8 really depends on the center, we have different
9 things in place at different centers. But I've
10 seen, particularly at DeKalb, where clients don't
11 seem to get upset and they allow clients with
12 disabilities to go ahead of them in the line.
13 There have been other locations when the clients
14 feel that these people are getting preferential
15 treatment, so what we'll try to do is just have
16 them take a seat and when we reach their place in
17 line, then we service them.

18 CHAIRPERSON BREWER: Okay. All
19 right. There was a food stamp, it was sort of
20 strange, food stamp use down in one of the papers.
21 And I'm just wondering, because there is, I think
22 there was a caseload decrease in some of the
23 months last year. Do we know why there was a
24 decrease? And I have to tell you, if you're
25 cynical, out in the community, and some of us are

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2 at different moments, you do feel that lines
3 discourage people. And we all want people not to,
4 not only to eat well, and to be able to eat, but
5 obviously to get the federal reimbursement. So,
6 can you just talk about the decrease that was
7 noted in the newspapers and if you think it's true
8 or false or, you know, why it was?

9 PATRICIA SMITH: We know it was a
10 less than one percent fluctuation in the month of
11 November, I mean, that was the one that made the
12 papers, so that goes to your question. We also
13 know that in December, we had a 6,000 increase.
14 So, we have a fluctuation that is a normal
15 fluctuation. Certainly, certainly, the growth of
16 over 700,000 in, simply since 2008, leads us to
17 believe that our access is not terrible. We are
18 also doing well on the federal measures regarding
19 access, regarding the participation in the
20 program. We are doing well. Yes, we want to make
21 sure that anybody who applies for and is eligible
22 for benefits, gets them. But the fluctuation that
23 occurred in November was less than one percent,
24 and it was not a totally abnormal situation, and
25 we did in fact have an increase in the month of

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December.

CHAIRPERSON BREWER: All right,
Council Member Lander, quickly.

COUNCIL MEMBER LANDER: So, I mean,
I just want to look at annual numbers, because I
really think what you just said doesn't paint the
picture right--

PATRICIA SMITH: Okay.

COUNCIL MEMBER LANDER: --and we
need to be honest, at least as I have it. And
look, there was huge growth in '08, '09 and 2010.

PATRICIA SMITH: Right.

COUNCIL MEMBER LANDER: And I give
credit to the Administration, and credit to
Commissioner Doar, for that. In '08, the City
enrollment increased, participation increased 14
percent; the State outside of New York City, 13
percent. In '09, City 20 percent, State outside
of New York City, 22 percent. In 2010, City nine
percent, State eleven percent. In 2011, the rest
of the State seven percent, New York City one
percent. Are those numbers also your numbers?

PATRICIA SMITH: One percent in
2011? I don't know.

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COUNCIL MEMBER LANDER: Yes.

PATRICIA SMITH: I'd have to look. However, I would make the case that perhaps New York City was ahead of the curve.

COUNCIL MEMBER LANDER: I mean, I gave you credit, and I just think--

PATRICIA SMITH: Uh-huh, I got it.

COUNCIL MEMBER LANDER: --but we need to be honest together, I mean--

PATRICIA SMITH: Yes, me, too.

COUNCIL MEMBER LANDER: --yes, there was a huge increase, and yes that's something to do with caseload increases, but if the rest of the State increased food stamp participation seven percent last year, and we increased in one percent, then it's disingenuous to say, "Oh, the reductions in a month are an aberration." We did not increase that much last year, the rest of the State continued. And answering the question as to why is important. And if you have an argument that the City's economy has increased more than the rest of the State's or the country's, let's see the data. If, you know, but we need to figure it out, what, what

1
2 amount is due to waits, what amount is due to
3 finger imaging, and I, that was the, the Chair's
4 question, and to dismiss it with monthly
5 aberrational fluctuations when the annual numbers
6 paint a clear picture, is disingenuous.

7 PATRICIA SMITH: Well, we have a
8 pro--you know, the federal government measures the
9 program access. And those numbers are, I mean, we
10 have an 84.9 percent program access for the last
11 measurement, which is second only to Philadelphia,
12 in terms of federal measure--

13 COUNCIL MEMBER LANDER: This is,
14 again, it's just not right, I, I believe there has
15 been great progress, and I'm making praise of it.
16 But if some--if we, if it stopped in '11, then
17 it's fair to ask why. And you, you won't even
18 answer honestly whether you have the number or
19 don't have the number.

20 PATRICIA SMITH: Oh, I, I have a, I
21 have a chart that shows the growth, I don't have
22 whether it's one percent, you asked if it's one
23 percent, I don't know if, if the percentage growth
24 in 2011 was one percent. I don't know it right
25 now. But I, I can't doubt that it's true if you

1
2 have it in front of you. So, you asked also why?
3 And the answer is that I don't know why it's one
4 percent, but why is one percent wrong by your
5 standards?

6 CHAIRPERSON BREWER: Well, I think,
7 I think in general, we--

8 COUNCIL MEMBER LANDER: If the rest
9 of the State kept growing and we stopped growing,
10 that means we're not giving people who are
11 eligible for--

12 PATRICIA SMITH: But we were
13 growing--

14 COUNCIL MEMBER LANDER: --food
15 stamps food stamps, whether because we're doing
16 finger imaging--

17 PATRICIA SMITH: Oh, I wouldn't
18 draw that conclusion.

19 COUNCIL MEMBER LANDER: --that
20 nobody else says is necessary.

21 PATRICIA SMITH: I wouldn't draw
22 that conclusion. Okay.

23 COUNCIL MEMBER LANDER: Everyone
24 know, and I, but it's not, you know, I--

25 PATRICIA SMITH: Okay.

1
2 COUNCIL MEMBER LANDER: --I'm
3 trying to give credit where credit's due, but if
4 then you guys say, "Well, we'll take the credit,"
5 but then as soon as the numbers suggest that we're
6 not doing everything perfectly, we won't answer
7 the questions, we won't acknowledge the data, and
8 we won't give reasons as to why we think it's
9 true.

10 CHAIRPERSON BREWER: I think we're
11 also hoping--we're hoping that--

12 COUNCIL MEMBER LANDER: - - have an
13 honest hearing.

14 CHAIRPERSON BREWER: --that the
15 Governor changes the finger imaging issue, and I
16 think then we'd have that kind of growth that we
17 want. That's all I get in my office, particularly
18 the seniors, saying "I am not going because I am
19 not going to go through finger imaging." That is
20 the number one complaint. So, that's an issue, we
21 hope it gets addressed at the state level, 'cause
22 I know it's not going to be addressed locally.
23 Anyway, I want to thank you all very much. We do
24 have [background comments]

25 COUNCIL MEMBER LEVIN: Sorry, thank

1
2 you very much for indulging me. I just, one thing
3 that kind of came to my attention since my
4 previous questions, was the number of cases that
5 have been transferred, that have gone into
6 sanction of, transferred into 72--

7 PATRICIA SMITH: 71, yeah.

8 COUNCIL MEMBER LEVIN: 71, scuze
9 me.

10 PATRICIA SMITH: Yes, mm-hmm.

11 COUNCIL MEMBER LEVIN: That from,
12 in a year-and-a-half period, from January '08 to
13 June of '09, 11,616 cases were transferred over
14 there. Of those cases, 11,236 were closed.
15 That's a very high rate, is that, is that, is that
16 in line with what, what your numbers show?

17 PATRICIA SMITH: I don't have the
18 closing reports with me. But you said, "Of those
19 cases," it would be of the total population in
20 that center, which would include the ones
21 transferred in. But I don't know what the number
22 is, but we can certainly get that.

23 COUNCIL MEMBER LEVIN: And that's,
24 that's obviously an extraordinary, that's leading,
25 I mean, that's, that's an extraordinary high

1
2 number of cases, that are closed. My, going back
3 to my concern that cases are going into that
4 sanction area with the number, I mean, the list
5 of, of call-ins, eligibility--scuze me--
6 eligibility call-in categories, is, is very
7 lengthy. And because, if they're not coming in,
8 their case is closed, I mean, we're talking about
9 11,200 cases are closed in the same time period
10 that 11,600--so that leaves 400 cases open out of
11 11,600.

12 PATRICIA SMITH: Isn't, isn't that
13 the number of cases closed within the center
14 itself, meaning that the closings would be out of
15 the entire pool, not the ones transferred in. I
16 think. I don't know what you're looking at,
17 Council Member, but--

18 COUNCIL MEMBER LEVIN: Perhaps, but
19 that's still an obviously, that's an, that's a
20 very, very high rate. I mean, the 11,236 cases--

21 PATRICIA SMITH: I know, but, they
22 just--

23 COUNCIL MEMBER LEVIN: --closed in
24 a year-and-a-half period, is very high, and I
25 could, I can understand why, given the list of, of

1
2 call-in categories.

3 PATRICIA SMITH: Do we know why
4 those cases were closed, sir?

5 COUNCIL MEMBER LEVIN: Well, I
6 imagine that they're, I mean, I don't, but I can
7 imagine that a good number of them are because
8 people were not making their appointments for a
9 lot of these call-in categories. So I really
10 think that it, it deserves--

11 PATRICIA SMITH: We'd have to know
12 that.

13 COUNCIL MEMBER LEVIN: --further
14 scrutiny--

15 CHAIRPERSON BREWER: And I think
16 the issue for all of us is--

17 PATRICIA SMITH: Okay, we'll take a
18 look it, take a look at it.

19 CHAIRPERSON BREWER: --how do we,
20 we do this all day long, I've been talking about
21 it for decades, how do you keep people out of the
22 DHS system, how do you keep them in their
23 apartments. And obviously, you're part of the
24 process, One Shot is part of the process.

25 PATRICIA SMITH: Correct.

1
2 CHAIRPERSON BREWER: Unfortunately,
3 Legal Aid and the rest of us also end up in sort
4 of the chorus. So, it's a longer conversation,
5 it's not about lines, but it's back to this issue
6 of, "Why do we have so many homeless?" I would
7 argue this is part of the problem. But that's
8 another conversation.

9 COUNCIL MEMBER LEVIN: And I would
10 encourage you guys to consult with Gale Brewer on
11 technological issues.

12 PATRICIA SMITH: Yes, and we, we
13 try to do that whenever possible.

14 CHAIRPERSON BREWER: Okay. Thank
15 you very much, for your testimony.

16 PATRICIA SMITH: Thank you.

17 CHAIRPERSON BREWER: Next is Judith
18 Goldiner, from Legal Aid; Susan Bond, from Legal
19 Aid; Liz, Liz Accles, from Federation; and Joel
20 Berg, Coalition Against Hunger. [pause,
21 background noise] Whomever would like to start,
22 Judith, go.

23 JUDITH GOLDINER: Council Member
24 Brewer, my name is Judith Goldiner, I'm the
25 Attorney in Charge of the Law Reform Unit at the

1
2 Legal Aid Society, and I'm joined here today by
3 Susan Bond, who is one of our public benefits
4 experts in our Brooklyn neighborhood office. And
5 I appreciate the oppor--we appreciate the
6 opportunity to testify today, and obviously we
7 have appreciated the leadership of Council Members
8 Brewer, Lander and Levin, and Council Member
9 Foster, on these important issues, and appreciate
10 the opportunity to guide Council Member Levin
11 around the DeKalb Center yesterday. But I'm going
12 to defer to Susan.

13 SUSAN BOND: It's great they've
14 made some--

15 CHAIRPERSON BREWER: Introduce
16 yourself again, if you could.

17 SUSAN BOND: Hi, I'm Susan Bond,
18 I'm a Senior Staff Attorney at the Brooklyn Legal
19 Aid office. And it's great that there've been
20 some technological changes for, especially in food
21 stamps, but we need those same changes for public
22 assistance. And we need them right away. The
23 mail in process for certifications is a big
24 problem. We see clients who are mailing their
25 stuff in that doesn't get opened, it doesn't get

1 answered, it doesn't get input into the computer,
2 and their cases are getting closed. Our clients
3 can't make a phone call and get it returned
4 because the voice boxes are full. They, that's
5 why they're going into the centers and walking in.
6 And that's why we're seeing these huge lines. And
7 we're seeing them all the time. We have clients
8 who are getting sanctioned because they're
9 sitting, they're waiting at the welfare centers
10 for six hours, for--and they're showing up at 9:00
11 o'clock, or maybe they're showing up at 7:00 to be
12 the first on line, but they're waiting in the
13 center once the door opens, for six hours. And
14 they don't get clocked in the door until they
15 reach the receptionist. So, while there's now a
16 great waiting area at the DeKalb Center, they may
17 be waiting there for an hour or two before they
18 get clocked in and sent up to wait in another
19 waiting area. When there are call-in
20 appointments, there have to be set number of seats
21 so people aren't standing for hours. And you
22 know, now that the lines are moving inside, we
23 need to be examining those wait times inside, and
24 the job stats reports only count when people clock
25

1
2 in, not at the receptionist, not while they're
3 waiting in that waiting area. Similarly, we need
4 to have more stuff for the clients to be able to
5 fax, to electronically sign up for public
6 benefits, to get an appointment to come in for
7 public benefits, or to get a phone call, if they,
8 if their phone is working. My clients who get
9 sanctioned, their phones get turned off. Once
10 they get sanctioned, they're behind in their rent.
11 That's when they come to us. And it's a huge
12 problem. The idea that they're going to be using,
13 moving the FEPS providers outside of the welfare
14 offices, where they've been collocated for 20
15 years, is shocking to me. It's a real problem,
16 there have been cuts in the FEPS providers
17 benefits by the states, between ten and 40 percent
18 in The Bronx, 35 in Brooklyn and 40 percent in The
19 Bronx, where most of the poor people live in this
20 City. Now they're going to move them out of the
21 welfare centers, where it's going to be harder for
22 the workers to get welfare printouts and for the
23 clients to have to make yet another appointment,
24 when they're in a housing crisis, is very scary.
25 In Melrose, we know 80 people are showing up every

1
2 day for help with their housing, and we're seeing
3 the lines also in housing court. They're huge.
4 There is a huge problem, crisis in the City, and
5 it's not just at the welfare centers. We're
6 seeing people applying for one shot deals for the
7 rent, it's taking third--three months, we're
8 hearing, from housing court answers. Three months
9 for people to get their application processed if
10 they don't have a Legal Aid or a legal services
11 lawyer on the case. That's not acceptable. The
12 judges are evicting people because they don't have
13 a piece of paper saying it's still in process.

14 CHAIRPERSON BREWER: On my résumé,
15 I put at the bottom, "Hobbies: Getting a one
16 shot." I'm very good at.

17 SUSAN BOND: Me, too. Another
18 thing they've done for food stamps are Saturday
19 appointments. How about Saturday appointments for
20 welfare recipients? My clients go, are working,
21 they're also going to school, or training
22 programs. They need Saturday appointments, also.
23 Let's get into the right century. The other
24 problems we're seeing is, is reducing the rate of
25 punitive sanctions. And the unnecessary case

1 closings, that cause hardship and drive the demand
2 for additional appointments. Once somebody is in
3 the sanction process, it, it means there's a
4 number of appointments. They first, they get a
5 conciliation appointment, that's seven or ten days
6 later, so they have to go to that appointment,
7 they wait on line for hours, they miss school,
8 they miss work. It's not productive, and it's
9 taking a lot of worker time. Then, after that, if
10 that appointment doesn't work, or they don't have
11 the doctor's letter, because that appointment's so
12 quick after the, they're about, they get, they get
13 sanctioned, their welfare benefits are cut by a
14 pro rata share, they're, they're let, they go into
15 electrical arrears, they go into problems with
16 their gas benefits, their phones get cut off, it's
17 harder to get in touch with them, they--and then
18 they end up in the Housing Court, and the Housing
19 Court sees over 300,000 filings a year. And
20 though the courts are just filled with our
21 clients. It's really important to stop this. And
22 in our testimony, we have, that over 55,000
23 hearings were held on employment program issues in
24 a twelve month period, from July '09, to June
25

1
2 2010. And HRA's decision was affirmed less than
3 ten percent. So, I'm not sure where Commiss--
4 Deputy Commissioner Smith's data is about the 80
5 percent affirmation rate. The numbers are very
6 different from what we're seeing. So in
7 conclusion, changes need to be made, and they need
8 to be made now, because where I foresee a cha--we
9 foresee the welfare numbers going up, now that
10 lots of people are timing out of their
11 unemployment, and the, the welfare centers are
12 going to be even more crowded.

13 JUDITH GOLDINER: And we address it
14 in our written testimony, but because Council
15 Members Lander and Levin spent a lot of time on
16 this, we obviously very much support reducing the
17 number of unnecessary appointments that people are
18 called in for.

19 CHAIRPERSON BREWER: Thank you very
20 much. Next?

21 LIZ ACCLES: Hi, I'm Liz Accles,
22 Senior Policy Analyst at the Federal of Protestant
23 Welfare Agencies. Thank you for the opportunity
24 to testify today. I am also going to speak about
25 welfare. FPWA has housed the economic justice and

1 social welfare network since 1989. We have a
2 policy and advocacy committee that launched an
3 access to assistance campaign that's looking to
4 overcome, it's a coalition based effort, to
5 overcome barriers to cash assistance. And I just
6 want to start that one of the most striking things
7 to me about this, the testimony from HRA, is that
8 the overcrowding as it relates to food stamps, and
9 the demand going up over the last several years,
10 makes sense. Even if it's not being responded to.
11 But at the same time, during the most harsh
12 economic crisis in recent years, welfare has
13 stayed flat. So, this notion, there's a complete
14 disconnect here that's very important, that not
15 exist and that we as a whole address that. Two
16 quick things from the economic justice network, we
17 did a, a survey in 2010 to get a sense of what's
18 happening to people at the centers, why they're
19 dropping out, what's happening. 46 percent of the
20 people that responded said wait times were a
21 reason that they couldn't get help; almost 40
22 percent were facing eviction; 73 percent, food
23 insecurity; 32 were, had trouble seeking
24 employment as a result; and 27 percent had trouble
25

1
2 accessing healthcare. We also had folks at the
3 Northern Boulevard Center during the summer in the
4 Melrose Center, and there were lines, as everyone
5 knows, throughout the day, and many people online
6 were waiting to either get their mailing address
7 corrected, or submitting pay stubs. Little,
8 little things like that.

9 CHAIRPERSON BREWER: My LL
10 scenario.

11 LIZ ACCLES: Yes, exactly. I'm
12 going to try not to repeat what other folks have
13 said. You know, in earlier meetings with high
14 level HRA staff, they've often said that they
15 don't control the front door. And we I think
16 disagree here, that that's the case. WE know that
17 high numbers, in terms of food stamps, and I'm
18 sure in the application end, from, result from the
19 Great Recession, but numerous administrative
20 errors, intensive processes for submitting
21 documentation and receiving documentation,
22 inadequate communication systems, and the lack of
23 investment in automation and technology. Now, we
24 know that the, the food stamp and Medicaid use of
25 technology may be imperfect, but it's highly--

1 those technologies are not in any way applied to
2 the, to the welfare program. And they should be.
3 Facilitated online enrollment, telephone
4 applications, there are also examples looking at
5 other programs in New York State, unemployment
6 insurance program, telephone applications--you can
7 call in to recertify, you can call in to claim
8 benefits. These things exist. And this, welfare
9 should not be excluded in the, these processes.
10 This is what adds to a program whose caseload has
11 stayed flat, has, adds to the crowding at the
12 centers. I mean, this, this is clear. There are
13 also, there are models, there's a place called
14 "the benefits bank" that puts in place online
15 submission of applications and such, for a broad
16 array of applications, for benefits. We applaud
17 HRA's efforts with the automation of the budget
18 letters, that was a good effort, there should be
19 many more things that take place along those
20 lines. The elimination of discretionary
21 appointments was, went, gone through thoroughly,
22 so I'm not going to do that. What I am going to
23 say about the appointments, though, and as it
24 relates to Center 71, is that this leads to
25

1
2 churning. So it's not just about whether those
3 appointments mean that people go to the centers,
4 the overcrowded centers, to make appointments, and
5 they're saying, "No, they don't, they're going
6 other places," or they're already there. But
7 unforgiving, rigorous, often hard to meet
8 requirements, to meet this most basic assistance
9 program, means that people that are income
10 eligible get denied, get thrown off, Center 71 is
11 a prime example. That leads to churning, so that
12 people still need the benefits, and they're coming
13 back and coming back and coming back, getting
14 kicked off and coming back. So, you know, we feel
15 at FPWA that truly the agency, when it comes to
16 welfare, does a great disservice to the people
17 that they're charged to serve. And that it's
18 really in their mission to get benefits to people,
19 not just some people, not just the more favored
20 program, but to everyone. Thank you for the
21 opportunity to talk today.

22 CHAIRPERSON BREWER: Thank you very
23 much. Joel?

24 JOEL BERG: Hello, I'm Joel Berg,
25 Executive Director of the New York City Coalition

1
2 Against Hunger, and thank you again for this
3 Committee for keeping a laser like focus on these
4 issues. I actually want to first start with
5 praise for the City, and for HRA, and the food
6 stamps program. The dramatic rise in food stamps
7 benefits from 2008 to 2010 clearly was the prime
8 reason we did not have a full scale sort of
9 starvation/famine crisis in New York City. It
10 added over a billion extra dollars to the pockets
11 and stomachs of low income families. It is true
12 that there were increases around the rest of the
13 state and the rest of the country, I do a lot of
14 traveling around the rest of the country, but I do
15 want to give the City particular credit that the
16 City and State did not engage in wholesale layoffs
17 of social service employees. Many other
18 municipalities, many other states did that, so if
19 anyone still here from HRA say we never give 'em
20 credit, we're giving you credit. And--

21 CHAIRPERSON BREWER: HRA is still
22 here.

23 JOEL BERG: Okay, there are a few
24 left. And I must say, the food--because the, the
25 benefit levels and the caseloads have increased

1
2 nationwide, and yet the caseworkers have not,
3 either stayed stable, in other places dropped, the
4 percentage of tax dollars spent on overhead in the
5 food stamps program has dramatically dropped.

6 Before the recession, I calculated it was about 15
7 percent, which honestly is more efficient than the
8 vast majority of charities. Since the recession,
9 it's less than ten percent, it's an

10 extraordinarily efficient program, and for the
11 conservatives out there listening, any New York
12 Post readers, I'll remind people it's a voucher
13 program, that supports private industry. That
14 being said, I think the City's done a pretty good
15 job on management with these challenging

16 resources, but my intention to be positive today
17 was deadened, you know, throughout the testimony,
18 when even though the management they're doing as
19 well as they can, the policy decisions they make
20 over and over and over again, make the situation
21 worse, and honestly I don't think we're having a
22 fair and transparent and open discussion of the
23 facts. Every month HRA publishes, some months
24 later than others when they don't want media
25 attention, but every month they publish on their

1
2 website, the numbers of how many people are
3 getting food stamps. To find a percentage, you
4 take the number that got it in December, minus the
5 number who got it in January, take the difference,
6 and then divide by January, to get to one percent.
7 Given a team of HRA senior officials here, some of
8 whom may have had a calculator in their pocket,
9 perhaps they could've confirmed the Councilman's
10 claim that it was a one percent increase, when
11 there's seven percent increase statewide. Almost
12 more important than that, six of the last twelve
13 months--six of the last twelve months--there's
14 been a decrease in food stamps participation.
15 We're told that's, "Oh, a statistical, that's just
16 how it happens." For a few years in a row, there
17 was not a single month drop. So we've heard two
18 explanations. Both can't be true, but we've herd
19 'em both, sometimes in the same morning from the
20 same table, that one it's statistically
21 meaningless; or b) "Oh, it's great news 'cause the
22 economy's getting better." I don't know which to
23 go through first, but how can it be statistically
24 meaningless when we're so different than the rest
25 of the State, when after years of monthly

1
2 increases, we had six month drops. And by the
3 way, even if people are not recertified on time,
4 and they're restored to the rolls later, a)
5 obviously that has a disruption in their family
6 feeding patterns; and b) it costs the State and
7 the City more money because it costs more money to
8 put someone back on the rolls than to keep them on
9 the rolls. So, it's not a statistical blip. And
10 I heard from, I love Deputy Commissioner Smith, I
11 think she's a fine public servant, but to hear her
12 keep saying, "I've heard from economists things
13 are getting better," I'd love you to ask those
14 economists to testify here. When you have other
15 hearings on why is homelessness so bad? Why is
16 food insecurity so bad? Why is poverty so bad,
17 after years of the Mayor saying, "Oh, we have
18 nothing to do with the national economy, it's all
19 going to be the brilliance of my CEO process
20 that's going to be the only place in the whole
21 country that's smart enough and bright enough to
22 fix the problem," now that we know homelessness,
23 hunger and poverty are increasing to record
24 numbers, they say, "Oh, it's not our fault, it's
25 the economy." So, if the economy is so good, that

1
2 people no longer need cash assistance, they no
3 longer need food stamps, I hope your next hearings
4 say, "Why is the economy so bad, according to you,
5 that we have record numbers of, of homelessness?"
6 I will say that I was glad that the Councilman
7 pressed, and I'm glad that, on the question of "Do
8 people have to come back for non-required
9 appointments?" And the difference between the
10 original answer and the actual answer was fairly
11 stunning, I must say, as a slightly interested
12 audience member. And I must say, I hate to praise
13 the press, but I will, by all accounts there are
14 fewer wait times than a few months ago. And
15 there's no question that was because of the
16 Council's interest, the Public Advocate's
17 interest, the Speaker's interest, you know, the
18 Governor's intervention, and the media. And in
19 fact, one office in Fort Green, I job by
20 occasionally on Bergen Street, a food stamps
21 office, two weeks in a row it had long waits; a
22 few weeks later I came back for a press conference
23 with the Public Advocate, the waits weren't there.
24 So, if that's improvement, whatever it took,
25 that's a great improvement. Just a few quick

1 things on some of the supposed facts mentioned
2 today. You hear the City come up with these
3 statistics of, of the PAI, what they call the
4 Program Access Rate, we're doing better than any
5 place, you know, other than Philadelphia. USDA,
6 which produces those numbers, says they are not
7 accurate numbers, and they should not be used to
8 determine the relative program participation in
9 municipality and state, by the official USDA
10 numbers, we are doing very poorly indeed, way,
11 way, way behind places like Maine, that have 100
12 percent participation, and way, way behind even
13 more similar states, like Pennsylvania. So the
14 facts are the facts. But let's say, let's say
15 they're correct, let's say the numbers that USDA
16 says, "Don't use," and they use are right. And
17 miraculously we have 85 percent participation in
18 the City. That means 15 percent of eligible
19 families, many of whom are working, many of whom
20 are forced to go to soup kitchens, or food
21 pantries, aren't getting benefits, and they're
22 declaring victory? If 15 percent of the calls to
23 the Police Department or the Fire Department in
24 this City were unanswered ... there'd be a massive
25

1
2 outcry. The only reason you can even imagine
3 videos like that, is because poor people have such
4 little political power. One other statistic about
5 fair hearings, the Empire Justice Center, I
6 believe the name of the group, put up a study on
7 fair hearings about problems that were supposedly
8 caught with finger imaging. The City lost 97
9 percent of the time. And I'll just close with
10 mentioning that in addition to the finger imaging
11 that requires office visits and to mention, in
12 addition to the other issues that Councilman
13 Lander elicited from them, there's also the issue
14 of the work requirements, for able bodied adults
15 without dependents. The vast majority of the
16 country understands that we're in a deep, deep
17 recession, that people are looking hard for work,
18 and that people who are looking for work and can't
19 find work, can still be able to get food as
20 they're looking for work. In the old Irish Potato
21 Famine, the British cut off food for people who
22 were unemployed, and then they could get employed
23 'cause they were starving. It's not quite that
24 bad here, but it's the same ridiculous logic, the
25 vast majority of municipalities around the country

1
2 understand that if you're looking for work, you
3 can get it; if you can't get it, you should get
4 food. And that actually requires far more
5 paperwork and more office visits for the City than
6 if they accepted the waiver. It's yet another
7 instance of a policy decision creating more
8 problems for the City that just doesn't make
9 sense. I just will end, but the City will say,
10 "Oh, if you're calling for that, you're calling
11 for ending work requirements for food stamps
12 recipients." I would call for that, but that's
13 not what taking the waiver would do, it would
14 merely say, "If you're actively looking for work
15 and you can't find it, you can still get the
16 food." And just close with this, I do not think
17 it's helpful, the Mayor's comments further
18 stigmatizing the food stamps program. On the John
19 Gambling Show, he actually compared food stamps
20 participants to terrorists. Talking about finger
21 imaging, he said, "We'll never know how many
22 terrorists the police department captures, just as
23 we'll never know how many fraudulent people finger
24 imaging captures." I suggest the Mayor of the
25 City of New York sounding like Newt Gingrich. And

1
2 it's a pretty low bar to go to, and I hope we
3 could expect better. Food stamps reward work,
4 they strengthen families, they help private
5 businesses. I hope we could have a broader
6 consensus that we should continue expanding, and
7 not declare victory when even by the City's
8 numbers 15 percent of hungry families aren't
9 getting the federal benefits their tax dollars
10 have paid for. Thank you.

11 CHAIRPERSON BREWER: Thank you very
12 much. We've been joined by Council Member Van
13 Bramer from Queens. I just have a couple of
14 questions and then others might. One is for Joel,
15 with the Governor talking about getting rid of
16 imaging, do you think that's a real possibility?

17 JOEL BERG: I believe the Governor
18 has shown that he's serious when he says things,
19 so he hasn't said if, and or but, he said he's
20 going to do it. So, there's still some details
21 over which populations will be covered or not,
22 whether it's entirely eliminating the process for
23 food stamps only families. HRA is correct that it
24 is required by state law for cash assistance only
25 households, but we've heard virtually no one in

1
2 the City's getting cash assistance any more, there
3 are nearly 3 million people on Medicaid, nearly
4 two million people on food stamps, and about
5 300,000 people on cash assistance. So, it will
6 soon be a very low, a very low number, so we are
7 extraordinarily optimistic that there will be
8 quick action.

9 CHAIRPERSON BREWER: Okay. And
10 Liz, I have a question regarding the technology
11 for those who get cash assistance. Do you
12 participate in any of these supposed discussions?
13 Or does anybody with HRA regarding changes that
14 you'd like to see within the system? In other
15 words, they talked about an outside advisory
16 group, but I'm just wondering, given your
17 incredible amount of work at the Federation, if
18 you are, if there is such a group, and what they
19 do.

20 LIZ ACCLES: We've raised this
21 issue numerous times with HRA, as with OTD, on the
22 State level, since they're doing many initiatives,
23 with no movement.

24 JUDITH GOLDINER: And Legal--

25 CHAIRPERSON BREWER: Go ahead.

1
2 JUDITH GOLDINER: --Legal Aid does
3 as well, and we echo those--they're not, they have
4 a meeting, but they're not interested in
5 meaningful change.

6 CHAIRPERSON BREWER: I want to, we
7 could stay here all day; unfortunately, we have a
8 time constraint. I want to say thank you for your
9 incredible testimony, commitment, it's fabulous.
10 Thank you very much.

11 JUDITH GOLDINER: Thank you.

12 COUNCIL MEMBER FOSTER: Oh, yeah,
13 thank you very much for being the advocates, and
14 making sure to get us the information. As you can
15 see, we're in transition. And I'm going to call
16 this next panel. Please be mindful that we have
17 to be out of the room by 1:00. [background
18 comment] I'm sorry, 12:45, because there's
19 another hearing. So, Sienna Fontaine, okay, have
20 a seat; Mr. Camino--[background comment] Camacho,
21 oh, I don't see an R, but that's all right.
22 [background comment] Oh, okay, well--Is he Louis?
23 Okay. Yeah. Tanya Wong, thank you. Tanya?

24 TANYA WONG: [off mic] Ye, I'm
25 here.

1
2 COUNCIL MEMBER FOSTER: Oh. I'm
3 sorry. And Professor Conrad Johnson. [pause,
4 background noise] Mr. Camacho? [background
5 comment, "Yes."] Okay, great. Thank you. You
6 can start in whatever order and just introduce
7 yourself for the record.

8 [pause, background noise]

9 TANYA WONG: Good morning, Council
10 Members, my name is Tanya Wong, I am the
11 Government Benefits Coordinator at Legal Services
12 NYC. I'd like to thank the Council and the
13 General Welfare Committee for calling these
14 oversight hearings and speaking out for the
15 voiceless in New York City, and New York's most
16 vulnerable population. Legal Services serves
17 thousands of clients, low income people, through
18 our twelve neighborhood offices and have been
19 doing so, we're the largest provider for civil
20 legal services in New York City for the past 45
21 years. In, over the, perhaps nearly two years
22 ago, I think I, we testified here about how
23 application barriers affect people with
24 disabilities, disparately affect people with
25 disabilities, and people with low or limited

1
2 English proficiency. And today, and my testimony
3 this time, is focused on how application barriers
4 impact and make it particularly difficult for
5 clients who are working, clients who are facing
6 eviction, and clients who are facing domestic
7 violence, or fleeing domestic violence, and how
8 difficult it makes it for those particular
9 populations to access benefits. HRA's policies
10 and practices, and HRA's response to the economic
11 recession, has been twofold, with regard to its
12 cash assistance program. It is, they have made it
13 harder to access benefits, cash assistance
14 benefits, and they are closing more existing
15 cases. That is how they're maintaining the
16 welfare rolls, and that is why the cash assistance
17 rolls have actually decreased since the economic
18 recession started. The, I think other panelists
19 have touched upon the--I just also want to make a
20 distinction that cash assistance program, the
21 initiatives that they have implemented in the food
22 stamps and Medicaid program, are different from
23 what has happened to the cash assistance program.
24 And I want to underscore that the cash--when we
25 talk about the cash assistance program, we are

1
2 talking about important work supports like the
3 FEPS, Family Eviction Prevention Supplement, and
4 childcare assistance, which are things that people
5 need, working people need, to maintain employment
6 in New York. So, I think that many of the other
7 panelists talk about the reduction, the very easy
8 reduction of unnecessary appointments. HRA has
9 been very explicit about, in their resistance to
10 doing online enrollment and application for, for
11 cash assistance applicants, and New York, low
12 income New Yorkers cannot afford this. I want to
13 touch upon, I think other panelists will talk
14 about technological innovations that can be
15 implemented at the cash assistance program, like
16 in Medicaid, they do a fax in program for spend
17 down, to establish spend down. They do online
18 enrollment, mail in recertifications. These are
19 all things that HRA could implement in its cash
20 assistance program to ease access to benefits.
21 Other, one other, the Legal Aid panel did talk
22 about the delays in accessing one shot deals,
23 rent, to pay rent arrears, and we are likewise
24 seeing similar delays, but I just wanted to add
25 that in addition to the processing time of

1
2 approximately three months, to get an approval,
3 once the approval is done, it then takes the job
4 center another three months to issue the checks.
5 And that's coming from our Manhattan legal
6 services advocates, who are dealing with the
7 Dyckman Job Center, which is a model job center.
8 Likewise in the one shot application process,
9 there are at least three mandatory call in
10 appointments. HRA's satellite offices in the
11 Housing Court, have really performed
12 inconsistently throughout the boroughs, and in
13 Brooklyn they're pretty good, but in Queens all
14 they do is send the clients to the local job
15 centers. So, you could eas--they could easily be
16 processing one shot approvals, processing--you can
17 get conditions approvals, they can be accepting
18 those documents at the courthouse--they're in the
19 Housing Court file--and facing them into RAU,
20 that's the centralized rental assistance unit that
21 approves the one shot applications. And RAU
22 should be processing the check issuance
23 simultaneous with the approval, so that you don't
24 have these long wait times. Obviously, they would
25 need to be assigned more staff to do this. But

1
2 it's just unacceptable to have three to six months
3 delays in cases where there is an eviction
4 pending.

5 COUNCIL MEMBER FOSTER: Do you have
6 written testimony that you handed out?

7 TANYA WONG: Yes, it's, this very
8 long thing, which is really not that long, it's
9 normal, the testimony's only eight pages, but I
10 have--

11 COUNCIL MEMBER FOSTER: Okay.

12 TANYA WONG: --I have appended to
13 it.

14 COUNCIL MEMBER FOSTER: The reason
15 I'm asking, and I apologize for doing this, but I
16 have to speed you up--

17 TANYA WONG: Okay.

18 COUNCIL MEMBER FOSTER: Just--

19 TANYA WONG: I'll take one more
20 minute to wrap up. I just--

21 COUNCIL MEMBER FOSTER: Thank you.

22 TANYA WONG: --want to underline
23 that the auto-posting practice of closing cases
24 automatically if something isn't inputted in the
25 computer, is a practice that needs to be stopped

1
2 immediately, investigated. It violates the law,
3 and leads to unnecessary, very high financial
4 costs and unnecessary human suffering. And
5 lastly, I just wanted to underscore, to highlight
6 something in their overcrowding action plan. They
7 plan to transfer all sanction cases now to Center
8 71, and as Council Member Levin pointed out, there
9 are, there are huge problems at Center 71. Center
10 71 effectuates back door, full family sanctions by
11 sending out numerous, I think there was 60,000
12 call ins in a year-and-a-half period for mandatory
13 appointments. And they're closing cases like
14 crazy at Center 71. So that's HRA's response to
15 the crisis, is to close cases, more cases, and to
16 make it harder to access benefits. Thank you for
17 the time.

18 COUNCIL MEMBER FOSTER: Thank you.

19 [background comment] Yeah, you can just go down
20 the line.

21 LOUIS CAMACHO: Hello, my name's
22 Louis Camacho, thank you for the time allotted to
23 me to be able to present what's going on with my
24 particular case. I am a client, I actually
25 receive public assistance, and I'm here to--

1

CHAIRPERSON BREWER: Oh, good.

2

3

LOUIS CAMACHO: --fill you in on

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the dilemma and the odyssey that was getting

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public assistance. I applied last April 26th, of

6

which I have all the documentation here. And I

7

was not approved until August. Initially I was

8

told that it's a 45 day approval period, which I

9

couldn't understand why it would take 45 days,

10

when in 45 days you get approved, but in 45

11

minutes you get terminated from the program, which

12

I find quite interesting. Add to that fact that

13

I'm a veteran, so for me to actually apply was

14

taking my pride into consideration. So I'm here

15

also representing all the veterans that are in the

16

public assistance category, that are basically

17

humiliated by what we were told, and we are told

18

on a regular basis. And so, I went and I applied,

19

I did not get approved within 45 days period. And

20

I went asking why. I have gone to the CBO that I

21

was assigned to, which was a Goodwill in The

22

Bronx. I went to every single appointment as, as

23

I'm supposed to, 'cause I do not know the system,

24

so I go as I'm told. They said, "No, we're," you

25

know, "we're over, we have too much paperwork,

1
2 it's going to take two weeks, come back in two
3 weeks, come back in two weeks." I was told,
4 "Sorry, you'll just have to wait." And I said,
5 "Well, I don't have any food stamps, my rent is
6 already four months behind." By this point I had
7 already sold all my furniture, and some books, to
8 try to catch up at least halfway with my bills
9 that I was behind on. And they said, "We're
10 sorry, I'll give you emergency food stamps." Came
11 back a couple of days later, because my emergency
12 food stamps did not go through. I was told,
13 "Well, we're sorry, but we don't give emergency
14 food stamps, you have to wait." I came back
15 approximately eleven times during this time
16 period, and I have all the paperwork here. It was
17 quite interesting to hear the HRA staff say that
18 there is not a way to find out how much of a wait
19 period, 'cause it's very simple: when they give
20 out these coded cards, there's a time stamp on the
21 top. When you come to see the person you have to
22 see, that person then has to type in the time that
23 they see you. Which is something very simple to
24 correlate. I am not a technical guru nor whiz,
25 but I'm pretty sure that a simple printout of

1
2 timeframe is possible. During this timeframe, I
3 also was, had a medical issue that arose, and even
4 though I'm a veteran, I had not gone to the VA. I
5 went to the VA, I found out that I had tumors in
6 my throat, which a couple of months later I found
7 out that I have cancer. During this timeframe, I
8 tell the workers there [time bell] I tell the
9 workers there that I have not received my
10 Medicaid, nor food stamps, any public assistance,
11 "We're sorry, we can't help you." Spoke to The
12 Bronx Borough President, they put me onto a phone
13 number which I did not know existed, that you can
14 call in for help. I called this number, this
15 number is a local number, not an 800 number. From
16 there they said, "Oh, I spoke to the person,
17 they'll help you out." Again, nothing happened.
18 Again, nothing happens. I keep calling to this
19 phone. I finally get in contact with the person
20 at the center, Ryder, that I'm supposed to have
21 reached in the get-go, which she was like, "Well,
22 why didn't anyone tell you to come here to me?"
23 Because whenever I asked for help, I was told
24 there was no help. Spoke with the Assistant
25 Director of the facility. I spoke with the

1
2 gentleman directly three times, he said, "I will
3 fix it, it will be fixed, no problem," it was
4 never fixed, until I reached the Borough
5 President's office. By the time it was fixed, I
6 got a letter and I was told by Ryder that I am not
7 even supposed to be there, I'm a veteran, I have
8 to go to the veteran's center in Brooklyn. And
9 they closed my case, because I'm getting
10 transferred to the vet center, in Brooklyn. So
11 when I get to Brooklyn for my first appointment,
12 they're like, "Why are you here? Your case is
13 closed." During this time, the next day, I'm
14 scheduled to have my first of many surgeries that
15 I've had. I said, "Well, you know what, I can't
16 deal with this, I'm having my surgery." The young
17 lady at the Brooklyn Center is a godsend, she
18 actually has done the best she can to help out my
19 situation, has clarified a lot of the issues. But
20 the reality is that somewhere along the way, the
21 system is broken. How that system got to be where
22 it's supposed to be a computerized system, it
23 escapes me. It also escapes me the simple math.
24 Mr. Levin pointed out there was 11,600 people were
25 sent to a center and 11,200 people were then

1
2 closed. It's simple math. If 11,600 people were
3 sent to a center, and 11,200 people were closed,
4 it doesn't matter if there was other people
5 already there that's part of that center, they
6 just only accepted 400 of the people that were
7 transferred, it's simple math. Even I figured
8 that out sitting there listening to this. And why
9 the persons just couldn't accept the reality was
10 beyond me. It's also mindboggling that--and it's
11 typical of what I've found out with my experience
12 at HRA--that they would just leave before hearing
13 any of the other testimony of people like myself
14 that have gone through this. The Ryder Center--

15 COUNCIL MEMBER FOSTER: There,
16 there still is HRA staff here.

17 LOUIS CAMACHO: I understand that,
18 but I'm pretty sure that--

19 COUNCIL MEMBER FOSTER: No, I'm
20 not--I'm just letting you know that--

21 LOUIS CAMACHO: Right, I know, I
22 understand that, and I am pretty sure it'll be a
23 bullet point in a follow up, "Oh, what happened
24 afterwards" thing over coffee. I'm sorry if I
25 sound cynical, but this has been the type of

1

2 service I've received through HRA.

3 COUNCIL MEMBER FOSTER: Let me
4 interrupt for a minute.

5 LOUIS CAMACHO: Sure.

6 COUNCIL MEMBER FOSTER: Are you ...
7 Ms. Fontaine, working? Is he one of your clients
8 or--?

9 SIENNA FONTAINE: Yes. I'm Sienna
10 Fontaine, I'm a Staff Attorney at Legal Services
11 in The Bronx. Mr. Camacho was just recently
12 referred to us, through our relationship with the
13 VA Hospital, in The Bronx. We're working with
14 veterans. And so, all of this happened prior to
15 him reaching us for services.

16 COUNCIL MEMBER FOSTER: Can you
17 make sure to follow up? I don't know who's
18 council district he lives in The Bronx, but can
19 you--I will have my staff--

20 LOUIS CAMACHO: Ruben Diaz, of
21 which did not return any of my phone calls.

22 COUNCIL MEMBER FOSTER: City
23 Council. He's--Diaz, Sr.?

24 LOUIS CAMACHO: Yes.

25 COUNCIL MEMBER FOSTER: Okay,

1
2 that's the State Assembly. So it may be--anyway,
3 doesn't matter, I'm going to put Martin from my
4 staff to get a card from you because I want the
5 Committee, your case in particular, to get some
6 follow up and it's not going to be a update over
7 coffee, because I think ... or I would say, as to
8 not sound cynical, also, I am hoping that it is
9 the exception and not the norm.

10 LOUIS CAMACHO: Sadly to say, from
11 the veterans that I have spoken to, this is the
12 norm for us veterans.

13 COUNCIL MEMBER FOSTER: I, that, I
14 felt that, I know that, I work very closely with
15 the, The Bronx veterans, and so I understand that.
16 I was trying to give the benefit of the doubt.
17 But if--

18 LOUIS CAMACHO: But either way, as
19 being a veteran, I'm a veteran 'cause I
20 represented the people of my country. So that
21 means I rep--I'm here now to representing the
22 veterans, but all those people that are sitting
23 there for hours--

24 COUNCIL MEMBER FOSTER: Oh, yeah.

25 LOUIS CAMACHO: And it was a total

1
2 disgrace, that that would happen. The indignation
3 of being told that a veteran is a no one, a
4 nobody, and just a number like everybody else, and
5 just sit down and be quiet, infuriated me to no
6 end. And I did walk out. So, I admit on that
7 particular appointment, yeah, I didn't, I wasn't
8 there when I got called.

9 COUNCIL MEMBER FOSTER: Okay.

10 LOUIS CAMACHO: So, they got one on
11 me.

12 COUNCIL MEMBER FOSTER: That's
13 fine.

14 LOUIS CAMACHO: Out of the eleven
15 appointments that I went to, the eleven times that
16 I went, I get, kept being told, "Come back, come
17 back, come back." At Ryder, that was the
18 experience that I had. Ms. Clark, again, at the
19 Center for the Veteran's Center, has done
20 everything in her power to try to fix everything.
21 She should get a medal, a star or City Employee of
22 the Year--

23 COUNCIL MEMBER FOSTER: Whatever
24 they give out.

25 LOUIS CAMACHO: --for her work, and

1
2 her diligence, in trying to fix as much as she
3 can. But even she admitted that she can't fix
4 what was done at the Ryder Center.

5 COUNCIL MEMBER FOSTER: Okay. Ms.
6 Fontaine, I don't know how much you want to add--

7 LOUIS CAMACHO: Oh, and by the way,
8 I'm sorry, I have a Fair Hearing tomorrow, because
9 I couldn't go to work because I was on cancer
10 treatments.

11 COUNCIL MEMBER FOSTER: Yea, so,
12 so, please, I'm actually going to have to leave,
13 and Council Member Levin is going to take over,
14 'cause I have to vote at a Committee hearing at
15 12:30. I'm leaving my staff person here to make
16 sure we get all the contact information, so that
17 we can follow up on your case and make sure the
18 Committee follows up. And Mr. Camacho, we'll work
19 to see what we can do starting today forward,
20 including tomorrow, with the Fair Hearing, however
21 we can assist.

22 SIENNA FONTAINE: Okay, thanks.
23 Again, I'm Sienna Fontaine, I want to thank Mr.
24 Camacho for coming with us today to testify. I
25 want to thank the Council for having us here and

1
2 giving us this opportunity. I'm really just here
3 as a voice for my clients in The Bronx. Since
4 2009, I've been working solely on public benefits
5 issues. All of my clients are on public
6 assistance, food stamps or Medicaid, or are trying
7 to get one of those programs. Mr. Camacho's
8 experience is typical of most of my clients.
9 Typical of my experience, when I've gone with
10 clients to the job centers. And so, really I want
11 to focus on the things that happen once they're in
12 the center, not when they're outside waiting, but
13 once they're in the center, the things that seem
14 to prevent them from having timely resolutions of
15 their issues. So first, you know, my clients are
16 experiencing multiple problems, and what I'd like
17 to call the "transfer of required information." A
18 lot of the experiences described by other
19 panelists fit into this category. Information is
20 reported to a case worker or someone in the
21 center, regarding something essential, but the
22 reported change never gets applied, resulting in
23 more days at the center trying to get it fixed.
24 I've represented clients whose public assistance
25 cases have been closed because required documents

1
2 that they either brought personally or have sent
3 in the mail, have disappeared. Most clients
4 report never being able to reach their caseworker
5 on the phone. Can't leave messages, even in that
6 rare chance that they get to leave a message, they
7 never get a call back. And when that happens,
8 they of course go down to the center to find out
9 what's going on and try to get, to talk to
10 somebody, leading to more wait, more times there,
11 backlog. This inability to connect with
12 caseworkers and get things done leads to
13 disastrous outcomes, as we've talked about: food
14 stamps aren't getting received, people are hungry,
15 people are in housing court, losing childcare--the
16 list goes on. Usually, the only way a state, or a
17 client can resolve this is at a state fair
18 hearing. I'll be attending the hearing tomorrow
19 with Mr. Camacho. I'm often advising clients on
20 how to document everything. So much of our
21 information sharing with client is how to document
22 the steps you took so that when we go to the fair
23 hearing, which is going to happen, you can show
24 the judge that you did everything possible, and
25 that actually you were there that day, and

1
2 actually you did drop off that document, because
3 you got it stamped or you got somebody to sign
4 their name on your way out the door. [pause]
5 Second, clients are given misinformation, that
6 either brings them to the center for multiple
7 unnecessary appointments or keeps them at the
8 center waiting for longer than necessary. Each of
9 these scenarios leads to backlog, and people
10 waiting to be served. Which I believe results in
11 caseworkers then trying to hustle to get people
12 out the door, and many, many mistakes are made in
13 that process. I can't count the number of times
14 I've listened to a client describe a day at the
15 center, in which they've been misdirected in the
16 first instance, to go to a particular floor [time
17 bell] waited hours before being told they were in
18 the wrong place, and then being redirected to
19 another floor where they again have to wait a
20 number of hours to see the right person. I
21 screened a client last week, who is requesting
22 emergency assistance for a move, an emergency
23 move, she's a victim of domestic violence. She
24 went downtown for an eligibility appointment, was
25 told to go back to her center in The Bronx, car

1
2 fare wasted, where she was told to wait for her
3 caseworker. She waited two-and-a-half hours, and
4 then was told by the same person who told her to
5 wait, that actually her caseworker had called in
6 sick that day. It's just these types of mistakes
7 that are human error, really, in a lot of senses,
8 but should, should not be happening, are wasting
9 time, people who have serious emergencies are not
10 getting dealt with. And it wastes the time of the
11 staff, it wastes the time of our clients who
12 really need to provide for themselves and their
13 families. Lastly, clients are given a meaningful
14 opportunity often to correct problems when they
15 arise. We usually see this play out in
16 conciliation appointments or fair hearing
17 conferences, MDR appointments. We spoke earlier
18 of mandatory dispute resolutions, which are a good
19 thing. We want clients to be able to resolve
20 their problems before having to go to a fair
21 hearing which wastes more time and more
22 appointments and, and more money. But oftentimes
23 my clients are going to have these, have their
24 issues resolved, and the caseworkers don't have
25 time to hear them. They are literally pushing

1
2 them out the door, saying, "You have to take it to
3 a fair hearing." I will write--go ahead.

4 COUNCIL MEMBER FOSTER: [off mic]
5 I'm sorry to cut you off. [on mic] I'm sorry to
6 cut you off. Is what you're talking about,
7 documenting now, in your testimony?

8 SIENNA FONTAINE: Yes.

9 COUNCIL MEMBER FOSTER: Okay.
10 Thank you. Because--

11 SIENNA FONTAINE: So I will wrap
12 up--

13 COUNCIL MEMBER FOSTER: --we have
14 ten minutes and one more panel, I apologize.

15 SIENNA FONTAINE: Okay, so, real
16 quick I will just give these recommendations,
17 based on the things that I've seen. The agency
18 has to make better use of technology. And make it
19 available for our clients, so they can
20 electronically drop off documents, you know,
21 record information, and create a record of
22 compliance for the things that they're doing so
23 they're not always have to go to a fair hearing
24 months, months, months down the road to prove what
25 they, you know, what they were there to do.

1
2 Frontline staff at the centers has to be better
3 trained and more familiar with the processes at
4 the agency, so that that misdirection doesn't
5 happen, and it happens a lot. They need to be,
6 they need to efficiently put people where they
7 need to be. And lastly, HRA staff must be trained
8 and retrained so that they don't give people
9 misinformation when they're actually meeting with
10 them, giving them wrong information that brings
11 them back to the centers on a number of occasions
12 for no reason, and they must be encouraged to
13 resolve problems at the center level, really hear
14 the clients, and resolve their issues so that they
15 don't have to always be pushed towards going to a
16 fair hearing. So thank you, I want to thank you,
17 Council Member Foster, for your work with our
18 clients in The Bronx, all of the Council for
19 having us here today.

20 COUNCIL MEMBER FOSTER: Thank you.

21 Sorry.

22 CONRAD JOHNSON: I'll be brief,
23 which will be the first for a law professor. I'm
24 teaching at Columbia Law School for 22 years,
25 we're the folks who brought you the video that,

1
2 that opened the hearing. I just wanted to say few
3 things that may not have been said already. We
4 make a practice of working with public interest
5 organizations, to try and help them integrate
6 technology into their service delivery systems.
7 And as such, we have studied that throughout the
8 City, throughout the judiciary. There are many
9 contributing factors to the problem of
10 overcrowding. The one I want to touch on that has
11 been mentioned briefly, is auto-posting, which is
12 a computerized process under which clients are
13 presume to have missed required appointments,
14 unless an HRA staff member indicates otherwise by
15 affirmatively recording in the computer the
16 client's attendance. This program assumption has
17 a disastrous effect on those in need of
18 subsistence benefits and is often incorrect. I
19 began doing fair hearings in the late 1970s, I
20 continue doing them now. One thing that was true
21 then is true now: human error is inevitable.
22 Only now it's compounded by a computerized
23 presumption that creates additional error.
24 Charles Babbage, the father of computers, coined
25 the maxim, "Garbage in, garbage out." And that's

1
2 what you have with auto-posting, a presumption
3 that someone hasn't made an appointment leads to a
4 change of events that creates more and more visits
5 at overcrowded centers that contribute to the
6 problem. Given what we've heard here today, and
7 the time limits that we have, I have two
8 suggestions. One is this, end the simple practice
9 of, of auto-posting. Instead, use technology to
10 flag when data needs to be inputted, and let
11 somebody make a considered opinion about what data
12 needs to be inputted. Secondly, I'm glad to hear
13 that the lines have disappeared outside the
14 centers; I am concerned, as you are, Councilman
15 Levin, about lines within the center. But I would
16 offer through my clinic to coordinate a set of
17 video patrols where folks in public interest
18 advocacy groups or folks who were clients of HRA,
19 could send to us pictorial evidence of whether the
20 lines crop up again after the hearing closes, so
21 that we can make sure that this problem is
22 properly addressed.

23 COUNCIL MEMBER LEVIN: Thank you
24 very much, Mr. Johnson. I want to thank the
25 entire panel. We're going to be continuing to

1
2 monitor. I can speak for myself, but I imagine
3 that my colleagues as well, that we're going to
4 keep a very close eye on the centers that are
5 either in or close to our districts, and making
6 sure that this is not, that what has been done is
7 not just a temporary fix or a Band-Aid, but taking
8 into account all of your suggestions, we think
9 that there could be, you know, a much better
10 system in place, but I do appreciate all the
11 advocacy. Mr. Camacho, I really want to thank you
12 for coming down to testify, and for sharing with
13 us your experience. I wish you well in your fair
14 hearing tomorrow, but then also with, with health
15 issues. And, and with everything. But I do thank
16 you for your service to this country, and I thank
17 you for coming down to testify as well. Thank you
18 all very much.

19 CONRAD JOHNSON: Thank you.

20 COUNCIL MEMBER LEVIN: We have one
21 final panel, and I do want to let everybody know
22 that we're trying to keep this, please adhere to
23 the time restrictions on testimony. We have Ralph
24 Palladino [phonetic], Kathleen Nuello [phonetic],
25 Rose Legaviello [phonetic], Legavlio Miller

1 [phonetic], and Edwin Pierson. And you can go
2 ahead and begin.

4 RALPH PALLADINO: Begin? Okay. My
5 name is Ralph Palladino, I represent, I'm Second
6 Vice President of Clerical Local 1549, District
7 Council 37. We represent the eligibility
8 specialists in the Medicaid and also the food
9 stamps centers. The centers--I'm going to direct
10 also that you look at the testimony, not only
11 mind, but Eddie Rodriguez, our President, who has
12 an attachment who goes, and it goes center by
13 center, talking about all the long waits that
14 people have online. And we estimate it's four to
15 six hours in almost every center, especially as
16 the day wears on; early in the day it might be an
17 hour, but then it builds up to four-six hours.
18 And in my testimony, about F45, there's more
19 details about that. But the biggest issue that we
20 see is the lack of staffing, for one thing; and
21 the other thing is the, they've closed centers,
22 they've closed at least two centers that we know
23 of, and maybe up to four. But when you close
24 centers, obviously people have to go to other
25 centers. And if you have a situation where we

1
2 have 972 eligibility specialists who work in food
3 stamps. They determine eligibility. However, the
4 staffing in HRA has it at 1,060 that they could
5 actually staff. And there is a list out there
6 where have close to, there's four lists with about
7 5,000 people looking for these jobs. And they
8 only plan to take 44 people, and yet they have 88
9 more that, 44 more that they could fill. But, if
10 you look at the demand, 65 percent increase
11 statewide in the use of food stamps since 2006.
12 Mostly in the City. But yet staff has been cut.
13 So how do you increase the numbers of people,
14 close centers, and then reduce staff and expect
15 not to have waits. So, 47 percent of the people
16 who are eligible for food stamps in the City don't
17 get them because of the lines. So we have some
18 recommendations. One is that we think we should
19 increase eligibility staff by at least 200 people,
20 which is about ten percent, which we estimate
21 would bring, they would be able to service about
22 100 clients each center more. The other one is
23 expand the number of centers. And why not expand
24 them even into places like City hospitals, where
25 people obviously they have Medicaid application

1
2 programs and hospitals, although they've closed
3 some of them recently, and we'll be back to you on
4 that. But the thing is, why not have a food stamp
5 type centers in public hospitals where you have
6 access to people? Decentralize. Instead of
7 having everyone in one stop shopping in one
8 center, where everyone is, it's chaotic, you
9 should do that. The other thing is you can
10 utilize what they have in HHC, which is a client
11 navigator title, or you can use clerical
12 associates, in, that already exist in HRA. And
13 those are people who actually go out in hospitals
14 and they talk to the clients, they inf--they're
15 information people, they can go out online to talk
16 to people and find out if they're in the right
17 line, have the correct documentation. And also,
18 they are interpreters. So, they speak, they're
19 multilingual. Which you have to be multilingual
20 to deal with the public. So, I think if you
21 listen to some of that also look at that POS
22 [phonetic] system, the computer system which slows
23 down and when an error is made, it has to go all
24 the way back to the beginning again. So, all
25 these things are leading to the wait. And I'll

1
2 just say one last thing, that the people coming in
3 for service and blaming the employees that they
4 see first. We do not set policy for the City, and
5 we do not set policy for HRA. I just want the
6 public to know that. We feel abused by this whole
7 system, too. And some of our members collect food
8 stamps, are eligible for it, by the way. And are
9 homeless. So, we're part of the system here, we
10 want to make it better. And I'll just introduce
11 Kathleen Nuello, who's a staff member, and also
12 frontline worker in HRA, just to talk about what
13 H--some of the things that HRA had said in their
14 testimony.

15 COUNCIL MEMBER LEVIN: Thank you,
16 Mr. Palladino.

17 KATHLEEN NUELLO: Hello. I just
18 want to say that--

19 COUNCIL MEMBER LEVIN: Sorry,
20 please identify yourself for the record.

21 KATHLEEN NUELLO: Okay, sorry,
22 Kathleen Nuello, DC37 Grievance Rep, plus I'm City
23 entitled as an Eligibility Specialist. The
24 locations I cover, or when I talk to the staff,
25 they state, "If you let them finish the case from

1 beginning to end, one time, that'll eliminate the
2 client coming in two and three times." What
3 happens, they have the cli--the staff take the
4 documents, let the client leave, take the
5 documents, let the client leave. But the volume
6 of cases that are coming in, when you put those
7 cases to the side, the next day it's going to be
8 the same. So now you have a mountain of cases,
9 that gives you a backlog. IF you go ahead and let
10 them turn in the document, send it into the
11 computer system to their queue, where they get the
12 document, they can complete the case when the case
13 is, the client brings it back. That'll eliminate
14 the overcrowding. Oh, and the telephone
15 interviews are a problem because if I'm the
16 eligibility specialist, I'll get four 9:00 o'clock
17 appointments, this person'll get four 10:00
18 o'clock appointments. So, meanwhile, while I'm on
19 the phone call with the first appointment at 9:00
20 o'clock, the other three 9:00 o'clock appointments
21 are waiting. I've had meetings with management
22 trying to get them to distribute 9:00, 9:00, 9:00,
23 9:00, 10:00, 10:00, 10:00, so we all just continue
24 from a 9:00 o'clock appointment to a 10:00 o'clock
25

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2 appointment, to 11:00, instead of the 9:00 o'clock
3 people waiting for me to get to them.

4 COUNCIL MEMBER LEVIN: Are you
5 serious?

6 KATHLEEN NUELLO: I'm serious.
7 Yes.

8 COUNCIL MEMBER LEVIN: Okay,
9 that's, that's outrageous.

10 KATHLEEN NUELLO: Right, and I've
11 had meetings trying to get them to, all on the
12 same page, and if all the centers worked on the
13 same page, we'd have less overcrowding, the
14 clients would be in one time, the second time the
15 most, just to turn in their documents. Most of
16 the time, they're coming in now to see what
17 happened. They have their receipts, showing that
18 their documents, they brought in their documents,
19 but the case hasn't been worked on because again,
20 take the documents, let them go, the cases pile,
21 and you can't get to the cases.

22 COUNCIL MEMBER LEVIN: Sorry, so
23 how long are these, these appointments, these
24 phone appointments? So you got the four 9:00
25 o'clock appointments, but each, how long does each

1
2 one--

3 KATHLEEN NUELLO: It could be from
4 45 minutes to an hour. Depending.

5 COUNCIL MEMBER LEVIN: So someone
6 has a 9:00 o'clock appointment on the phone, and
7 they don't, and they don't get to be on the phone
8 with the representative until--

9 KATHLEEN NUELLO: It--

10 COUNCIL MEMBER LEVIN: --a
11 specialist until noon?

12 KATHLEEN NUELLO: Possibly, yes.
13 And then the end of the day, there's people that
14 are sitting at home or wherever they're waiting to
15 get their call. They don't get the phone call.
16 So that client comes in the next day to see why
17 they didn't get their phone call.

18 COUNCIL MEMBER LEVIN: Right.

19 KATHLEEN NUELLO: So you have
20 clients in the center for returning documents two
21 and three times, finding out why they didn't get
22 their phone call. The thing with the CBIT
23 [phonetic] card, trying to get their card, that's
24 the other thing, if you separate the centers from
25 a job center to a food stamp center, I know when

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2 I'm getting unemployed, I'm, I have to wait for my
3 unemployment checks, so I want to just go get food
4 stamps, I don't want to go to a job center. But I
5 now go into the center, wait on the line to find
6 out I'm in the wrong place. Or if I went, and I
7 know I'm going just for food stamps, that
8 eliminate the line waiting for the job centers.

9 COUNCIL MEMBER LEVIN: Thank you
10 very much, Ms. Nuello.

11 KATHLEEN NUELLO: Okay.

12 COUNCIL MEMBER LEVIN: We'll follow
13 up on that.

14 ROSE LOVAGLIO MILLER: Good
15 afternoon, my name is Rose Lovaglio Miller, I'm
16 the Vice President for the Social Services
17 Employees Union, Local 371. And I'm here to
18 discuss the overcrowding in the job centers.
19 That's who we represent, the job opportunity
20 specialists. And as our sister union has said,
21 the workers are also victims of the, of the
22 system, unfortunately. The, you know, I have
23 written testimony, I'm not going to read, but
24 unfortunately they're dealing with a lot of "do
25 more with less." Okay? And that's what really is

1
2 the cause of this whole problem, because it's
3 unrealistic to expect individuals who I might have
4 been seeing 25 to 30 individuals in the past, now
5 you expect me to see 50 to 100, in a single day.
6 The workers are overwhelmed, I have literally had
7 individuals say to me, "I don't want overtime.
8 I'm tired of being here." They have neglected
9 their own families. If they decide to leave when
10 they're mandated to stay, they're subject to the
11 disciplinary process. They have, in the past,
12 volunteered to come in in the morning, stay late,
13 work through lunch, even though we tell 'em not
14 to, you know. And it's not getting better. We
15 have had several meetings with HRA, trying to give
16 them suggestions as to how to try and make it
17 work. The bottom line, though, the only way its'
18 going to get better in any of these centers,
19 especially the job centers, is for more staff. I
20 heard HRA speak that in February they're looking
21 to hire an additional 50 jobs. That's not going
22 to cut it, because as fast as they hired 'em, the
23 attrition rate is, is out of control. They,
24 people are leaving because the work is just so
25 overwhelming. So, I, I hear what individuals are

1
2 saying, about bringing in electronics and
3 technology and all of that. But in the job
4 centers, that would be a difficult task, because
5 you have to do the face-to-face, to deal with the
6 different issues that are going on in this
7 person's life. So it's not something that they
8 can do as in food stamps where they were able to.
9 We have been working with them, about doing a
10 quick service, where you do have someone that,
11 like a navigator, that can go out, find out what
12 the problem is, and maybe direct them quicker.
13 We've spoken to them about changing the amount of
14 call-ins they do. Because HRA on any given day,
15 calls in about 250 to 300 clients. But they can
16 control that number, they can't control the number
17 of people that walk in off the street. And our
18 workers on--4:00 o'clock in the afternoon, there
19 are 300 people sitting in the waiting room, still
20 waiting to be seen, from 9:00-10:00 o'clock in the
21 morning. So, we are really here because again
22 they have closed centers, so there's less space,
23 so you have more people going into one particular
24 job center. We have security concerns, because
25 the clients are just aggravated and frustrated

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2 from sitting there all day. They tend to get more
3 volatile and have a unsafe work environment. And
4 it, the bottom line, it all comes back to
5 staffing. We cannot, humanly, it is not humanly
6 possible to continue to work at the level that the
7 workers are working at, and think it's going to
8 succeed or get better. [time bell]

9 COUNCIL MEMBER LEVIN: Thank you
10 very much. I just want to, just add two things.
11 First, the mantra of "do more with less," is
12 totally a false thing. It, you can't do more with
13 less when you're already doing 100 percent, it
14 doesn't, it doesn't work that way.

15 ROSE LOVAGLIO MILLER: That's
16 right.

17 COUNCIL MEMBER LEVIN: And so any
18 time that I hear that phrase, I start to freak out
19 a little bit. [laughter, crosstalk]

20 RALPH PALLADINO: How about nothing
21 with nothing at some point.

22 COUNCIL MEMBER LEVIN: That's
23 right. And, and secondly, I went, I did drop in
24 at the, at the DeKalb Center yesterday, and I was
25 really impressed with the quality of work that

1
2 staff was doing, that I saw. It was, I was
3 really, truly impressed with the level of
4 professionalism, and also how attentive everybody
5 was. So, I want to--

6 RALPH PALLADINO: You went at the
7 end of the month, you should go at the beginning
8 of the month, and you'll see a big difference.

9 COUNCIL MEMBER LEVIN: Yeah, yeah.
10 But I do--

11 ROSE LOVAGLIO MILLER: But the
12 staff, the staff continue to be professional.

13 COUNCIL MEMBER LEVIN: They're
14 always professional. [crosstalk] I was, I was, I
15 was impressed by, by the members of your union,
16 so--

17 ROSE LOVAGLIO MILLER: Thank you.

18 RALPH PALLADINO: Thank you.

19 COUNCIL MEMBER LEVIN: And, sorry,
20 do you have anything to add, sir?

21 EDWIN PIERSON: Yeah, my name is
22 Edwin Pierson, I'm a retired administrative law
23 judge, just retired at the end of December. And I
24 handed in a three page document, and I'll try not
25 to repeat all that, but I do want to highlight

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2 many points that have already been raised here, to
3 reiterate that my experience holding about 1,000
4 fair hearings a hear, as to what I have seen
5 through the fair hearings that I have held and of
6 course written decisions. To me, the most
7 important thing, and with all due respect to two
8 staff members sitting here, is that I feel that
9 the main problem is that the applicants or
10 recipients, for benefits, whether they be cash,
11 medical or food stamps, are treated often on the
12 presumption that they're trying to defraud, to
13 cheat, they're lying to the HRA. A good example
14 of that is that if you just look at Commissioner
15 Doar's statement to the Huffington Post, back in
16 November, where he, when talking about finger
17 imaging, he stated, "At the present time, HRA
18 identifies nearly 2,000 duplications through
19 finger imaging." What he doesn't reveal, and I
20 think it's, the Council ought to be looking into
21 that, when they see a duplication because of
22 finger imaging, they have a couple choices under
23 the regulation. They can refer it to civil or
24 criminal authorities, and of course that would be
25 probably the many, much more serious events; or

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2 they can go in and ask for basically a
3 disqualification hearing, a fair hearing. And it
4 would be interesting to see how many of those,
5 what he calls 2,000 cases, are actually, you know,
6 ended up in a way that was in favor of the agency.

7 COUNCIL MEMBER LEVIN: Right.

8 EDWIN PIERSON: And then,
9 furthermore, what I would like to point out, is
10 that the, on that same point, is that one wonder
11 how closely the staff at HRA are being monitored
12 because recently a former employee, Vinnie Sykes
13 [phonetic] was, pled guilty for her role in
14 getting through a conspiracy, \$7 million of food
15 stamps, churning out more than 1,000 fake food
16 stamp cases. So, you know, the agency has to be
17 looking at their internal operations, I think more
18 so than presuming that applicants or recipients
19 are trying to cheat the system out of any
20 benefits. Now the only other few things I want to
21 raise is also, someone else also questioned that
22 win rate of 80 percent. [time bell] I don't know
23 if that's including the decision when they go to
24 fair hearing, when they don't have the documents
25 and they withdraw.

1
2 COUNCIL MEMBER LEVIN: I don't
3 think so, 'cause I asked them about that, as well.

4 EDWIN PIERSON: Oh, you did.

5 COUNCIL MEMBER LEVIN: I think so.

6 EDWIN PIERSON: Well, 'cause my
7 impression, and we had always been told, that
8 their win rate is under ten percent.

9 COUNCIL MEMBER LEVIN: Right,
10 right.

11 EDWIN PIERSON: So that's a very
12 misleading--I also want to comment on Center 71.
13 Any time I had a calendar that involved Center 71,
14 even when the City representative who came to the
15 fair hearing to bring packets, they also would
16 feel this was going to be a terrible day, because
17 one, they often did not have the documents to
18 support what Center 71 was doing. Bear in mind,
19 Center 71 is one agency, one center, on 16th
20 Street that services everybody--

21 COUNCIL MEMBER LEVIN: The entire
22 City of New York.

23 EDWIN PIERSON: --from all five
24 boroughs.

25 COUNCIL MEMBER LEVIN: Yeah.

1
2 EDWIN PIERSON: So people have to
3 come into that borough. They're also not just
4 servicing people who have been sanctioned because
5 the mother, as in most households involves a
6 mother, was sanctioned, but it might be because a
7 18 year old or 19 year old, who's no longer in
8 high school, failed to keep an appointment, and
9 that person was sanctioned, and they, the case
10 gets shifted to this intensive services center.

11 COUNCIL MEMBER LEVIN: With 60,000
12 call-ins a year.

13 EDWIN PIERSON: That's right.

14 COUNCIL MEMBER LEVIN: Yeah.

15 EDWIN PIERSON: And bear in mind
16 that often the mother will come to the hearing,
17 sometimes with our without the 18 or 19 year old,
18 and when it's without it's because the mother is
19 telling me that they don't want to participate in
20 the work program. And they've asked to have the
21 person removed from the case and nobody's doing
22 anything about it. But I can almost assure you
23 that close to 100 percent of the cases that I
24 overheard from Center 71, the City lost, bec--
25 principally because they didn't have the documents

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there. And I'll try to speed up--Oh.

COUNCIL MEMBER LEVIN: Sorry, would you then recommend, I mean, you would, that there need to be some major changes to the way that the City uses Center 71.

EDWIN PIERSON: I, I think it should be eliminated. There's no reason why each of the center, where the sanction occurred, because someone did not make their appointment, but when they went to conciliation, they said, "I was sick that day." And the Center says, "Well, where's proof that you went to the doctor?" And the person says, "Well, I didn't go to the doctor." And they say, "Well, then you don't have any documentation." In response to that, I would just ask, "When was the last time anybody here who was out sick for a day, the next day their boss said, 'All right, let me see your doctor's letter proving that you went to a doctor that day?'" So this creates many problems if they don't have a foolproof documentation--on the issue of documentation, let me give you another example. There'll be a document from the doctor's office and somebody will have written over one of the

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2 letters, like October, oh, possibly because their
3 ballpoint pen didn't work. Okay, the, the center
4 generally considers that an altered document, not
5 accepted.

6 COUNCIL MEMBER LEVIN: No good,
7 right, right. Just, just to add one other thing,
8 is that--

9 EDWIN PIERSON: Yeah.

10 COUNCIL MEMBER LEVIN: --all of
11 those 60,000 call-ins a year are not state or
12 federally mandated appointments, right?

13 EDWIN PIERSON: No, they're not.

14 COUNCIL MEMBER LEVIN: All right.

15 EDWIN PIERSON: Not state
16 mandated. Now, I do want to comment on Mr.
17 Camacho, the recip--the applicant and recipient.
18 His experiences, I would see an example of that at
19 least once a day when I held fair hearings.
20 Hearing the same kind of go around. Now, when
21 they didn't act on his application within 45 days,
22 the agency had the obligation to tell him, "You
23 have a right to ask for a hearing," because that's
24 a failure to act within the time limit, "and you
25 can also reapply." But apparently nobody told him

1
2 that. Also, one other last thing, and then I'll,
3 I'll, I know you're running out of time. The
4 Deputy Commissioner--what? You ran out?

5 COUNCIL MEMBER LEVIN: Ran out.

6 EDWIN PIERSON: Fitzger--
7 Fitzpatrick said, I noticed that every time she
8 commented about people giving documents and then
9 they would get a receipt, that is pure baloney.
10 Whenever I would ask people, "Did you get a
11 receipt?" my, the appellant would say to me, "What
12 do you mean by receipt?" And I would turn around
13 and pull from the back of my desk a copy of a
14 sample receipt, and say, "Have you ever seen
15 this?" And they would look at it and say, "No,
16 I've never seen that." And I'd say, "Well, I'll
17 give you a copy the next time go around, tell 'em
18 you want a receipt." Well, since I've been doing
19 this for the last, I'd say four or five years,
20 I've seen more receipts. And I've been doing it
21 despite the fact that my boss said that was a City
22 form and I didn't have a right to hand it out.
23 But I, I, you know, was basically could care less
24 and if the boss wanted to try to fire me based on
25 that, he could try it. And let me just see if

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2 there's any other--Oh, and then the last thing is
3 on languages. On the food stamp application form,
4 it says at the very top, and by the way, to apply
5 for food stamps, all you need to do is give your
6 name, address and phone number, and you have an
7 application date. That, if they have a long line,
8 that's all they need to take, and then they can
9 get back in touch with the person later to get
10 whatever supporting documents. But on that
11 application form it says, "Do you need English or
12 Spanish?" Well, guess what? The policy directive
13 of the City says "All documents should be given in
14 at least seven different languages."

15 COUNCIL MEMBER LEVIN: Yep.

16 EDWIN PIERSON: And of course, I'm
17 sure you know, Mayor Bloomberg's Executive Order
18 of several years ago. So nobody is following
19 that. So that if you're either, if you're not
20 English speaking or Spanish speaking, but you're
21 one of those other five languages, you're sort of
22 out of luck.

23 COUNCIL MEMBER LEVIN: Sort of,
24 yeah.

25 RALPH PALLADINO: Doing more with

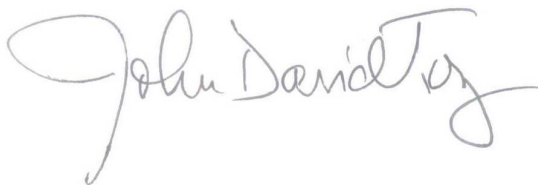
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less.

COUNCIL MEMBER LEVIN: Well, thank you very much, Judge Pierson. I do appreciate everybody's testimony. This is, these panels, the recent panels are examples to me of why sometimes we should be doing the panels before HRA testifies. [laughter] So that, so that they're, they're, I know that they're here, but, but it would be good for the, for the higher ups to hear it as well. But thank you all very much for your testimony, I apologize to everybody for, for running late here. We are going to close out this hearing, I do want to thank everybody for staying and we will be following up on all of the important issues that were raised today at this hearing. Thank you all very much, this hearing is closed. [gavel]

C E R T I F I C A T E

I, JOHN DAVID TONG certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

A handwritten signature in cursive script that reads "John David Tong". The signature is written in dark ink and is positioned to the right of the printed word "Signature".

Signature

Date February 28, 2012