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## Lawsuit Aims to Increase State's Basic Welfare Grant

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[New York State](#) has not raised its basic payment for people on welfare since 1989, forcing many recipients to skip meals, wear hand-me-downs and spend many days confined to their homes because they lack the \$4 needed for a subway trip, according to a lawsuit filed on Monday.

Lawyers representing a group of welfare recipients filed the class-action lawsuit, accusing the state of violating a Depression-era constitutional provision that requires it to provide adequate financial assistance for its neediest residents.

Known as the basic welfare grant, the payment is a benefit of last resort for poor people who do not receive other assistance, like unemployment or disability insurance or workers' compensation. In New York, it is available to families and single adults, and it is meant to cover the cost of essential expenses like clothing, toiletries and transportation.

Although the state has one of the most generous welfare policies in the country, allowing certain recipients to opt out of work requirements and providing benefits indefinitely, many people are still struggling, the lawsuit says. They cannot afford a telephone or a trip to the library to use a computer, according to the suit, so they have a hard time getting work because employers cannot easily contact them. And because they are ashamed of their predicament, they isolate themselves from relatives and friends, the lawsuit says.

“You know how they say you have the working class, the middle class and the rich? I’m below all that,” said a plaintiff, Warren Taylor, 50, who worked as a pressman for 25 years but lost his job in 2003 after injuring his thumb; he has not been able to find steady work since.

“I’ve just had to learn to do without,” Mr. Taylor said.

The lawsuit names six other plaintiffs, and all of them had long work histories but turned to welfare after losing their jobs because their company went out of business or the workers were injured or they had no money to pay for a license necessary to perform their trade.

As the nation braves its worst economic crisis since [the Great Depression](#), welfare rolls, long in decline, have begun to creep up in parts of the state, including Orange and Nassau Counties, according to statistics from the [State Office of Temporary and Disability Assistance](#). On Nov. 18 in Utica, a fight erupted outside the Department of Social Services over who was first in line as a large crowd waited for the welfare offices to open.

“We can no longer say, ‘Let’s wait until next year.’ That’s exactly what we’ve doing for almost two decades,” said [Douglas Lasdon](#), the executive director of the [Urban Justice Center](#), which filed the suit in State Supreme Court in Manhattan with the law firm Paul, Weiss, Rifkind, Wharton & Garrison.

Still, an increase in the welfare benefit is likely to meet resistance from those who say that such a move would send the wrong message, especially given the state’s already expansive benefits. In New York, once federal welfare benefits run out, families and individuals can continue to receive payments; the state and New York City or the county where the recipient lives split the costs. (California has a similar provision.)

“It’s an ongoing dependency that has escaped the federal rules,” said Lawrence M. Mead, a professor of politics at [New York University](#). “And to me, it is unreasonable to raise benefit levels if you don’t require a whole group of people on welfare to go to work.”

The basic welfare grant is \$137 a month for an individual. A family of three receives \$291. Together with a maximum of \$400 in housing aid, the assistance puts the family at less than 75 percent of the federal poverty level, according to an [analysis](#) by the [Center on Budget and Policy Priorities](#) in Washington. (Recipients also qualify for food stamps and receive health care through [Medicaid](#).)

The lawsuit does not call for a specific increase, asking instead that the court force the state to determine what a reasonable amount would be.

“The state fiscal situation has worsened considerably, and the governor has made clear that we have to balance the state budget,” David A. Hansell, the commissioner of the Office of Temporary Disability and Assistance, which administers the benefit, said in an interview last month. “But he’s also made clear that he won’t do it in a way that jeopardizes those who are in need.”

The welfare system, founded during the Depression, long provided fairly uniform benefits to the nation’s poor regardless of personal circumstances and with no time limits. But as welfare rolls grew, critics balked that the system had created an underclass of people who lived off government money with no obligation to do anything in return.

Welfare reform aimed to change that. Signed by President [Bill Clinton](#) in 1996, it required most recipients to work and limited the federal assistance to a maximum of 60 months. But the change also gave states flexibility to design their own programs.

Last year, the Assembly’s Social Services Committee held hearings on the adequacy of the basic grant and concluded that cost-of-living increases had “reduced the real value of the welfare grant, making it nearly impossible or families to meet even their most basic needs,” according to its report.

The Assembly then suggested raising the grant by 10 percent a year over three years, at an annual cost of \$76 million to the state, said Assemblyman Keith L. T. Wright, the committee’s chairman. But the proposal did not advance in the Senate, and Gov. [David A. Paterson](#) did not incorporate it into his budget.

“It’s an absolute abomination that this grant hasn’t been raised in so many years,” said Assemblyman Wright, of Harlem. “That these folks on public assistance are able to live at all on less than \$200 or \$300 a month is a true testament to their survival skills.”

One of the plaintiffs, William Quiñones, 54, who had worked as a security guard for 15 years until asthma attacks forced him to leave his job, said he draws his sustenance from Frosted Flakes, canned ravioli and cold sandwiches. Anibal Diaz, 52, eats pizza, waffles and frozen dinners. Mr. Taylor, the former pressman, buys frozen chicken drumsticks and rice and tries to stretch them as far as he can.

They said their food stamps and welfare money run out halfway through the month, and each has ways to cope. Mr. Quiñones eats breakfast every other day, along with one other meal. Mr. Diaz, who has schizophrenia, munches on a doughnut in the morning and a few chicken wings later on. Mr. Taylor visits a food pantry near the South Bronx housing project where he lives.

“I pick up a loaf of yesterday’s bread, some canned food,” he said.

Mr. Taylor and Mr. Quiñones do odd jobs a few hours each week to comply with the requirements of the welfare program. But neither one has a phone nor know how to use a computer well, so they say it is hard to apply for a job when a prospective employer cannot contact them.

Both applied to courses through a state program for people with disabilities; Mr. Quiñones wants to train as a paralegal, and Mr. Taylor wants to learn the new technologies of the printing business.

“I’m looking at the classifieds for a position as a pressman, but there’s nothing there,” Mr. Taylor said. “Everything is computers these days, and I’m kind of illiterate when it comes to that.”