

Marin County criticized for limiting subsistence payments to individuals deemed employable; public meeting will air issues

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Advocates for the poor are continuing to press the county of Marin to amend its policies for providing general assistance payments — in particular a six-month benefit limit for those deemed employable but not working.

County health officials will discuss the program's administration during a public meeting from 6 to 8 p.m. on Tuesday at the Marin County Office of Education, 111 Las Gallinas Ave. in San Rafael.

"This program is serious in need of reform," said Judith Gold, an attorney with the Public Law Interest Law Project. In January 2011, Gold filed suit against the county of Marin asserting that it uses illegal and unfair methods to refuse subsistence aid. The county's general assistance policies have also come under fire from the Marin Peace and Justice Coalition.

"Marin has one of the worst general assistance programs in the state," said Steve Bingham, a San Rafael lawyer and Marin Peace and Justice Coalition member. In addition to the six-month cap on benefits, Bingham faults the program for taking months to determine applicants' eligibility and failing to provide a fair hearing when people are denied benefits or their benefits are cut off. Bingham said neither San Francisco nor Los Angeles counties enforce a cap on their general assistance programs.

But Racy Ming, who oversees the general assistance program for the county, says Marin's monthly general assistance payment of \$387 is the most generous in the state. Ming said some California counties deduct money for housing and health care provided by the government from their general assistance payments.

"We don't do any of that," Ming said. "The \$387 goes directly to the client in Marin."

Ming said the number of individuals receiving general assistance payments has more than doubled from about 200 in the fourth quarter of 2006 to about 450 in the fourth quarter of 2011.

General assistance is last resort subsistence aid that is mandated by the state but paid for by the county. Recipients of general assistance in Marin are allowed to have a monthly income of no more than \$387, no more than \$50 in their checking account and no more than \$600 worth of property. A person receiving general assistance may own a house, if they're living in it, but are not allowed to have more than \$14,000 of equity in the house.

Larry Meredith, director of the Marin County Department of Health and Human Services, said anyone who contests denial of general assistance is provided with an administrative hearing. Meredith said Alameda, Contra Costa and Solano counties all have three-month caps on their general assistance programs.

"So we're twice as generous," Meredith said.

He conceded, however, that the speed with which the county determines applicants' eligibility "hasn't always been as rapid as we would like it to be." Meredith said changes are being made with the aim of

determining eligibility within a one-week period.

County supervisors approved the six-month cap last April as part of a package of revisions to the program's "standards and policies." It was the first changes supervisors had authorized in the program since 1978. Bingham said the package was approved after just six minutes of discussion during a meeting when only three supervisors were present. The package was approved as a resolution, not an ordinance, so no second reading was required.

"We felt that was kind of sneaky," Bingham said.

The suit that Gold filed several months prior alleged that Marin County had been shirking its duty by running its general assistance program "according to ad hoc, unpublished, ever-changing, and often unwritten rules that result in the inhumane termination of last resort aid." The suit is still pending in Marin Superior Court before Judge Faye D'Opal. A final hearing is scheduled for August.

Gold said implementation of the six-month cap was "a drastic change and a disaster for the people affected."

"To us, it's a shame that one of the richest counties in the country treats its residents this way," Gold said.

She said that while a person may be physically and mentally capable of holding a job that doesn't guarantee they will be able to find work in a depressed economy.

But Meredith said that the 20 percent of general assistance applicants who have been deemed employable in Marin have "skills that are valuable and relevant to the marketplace."

"Our jobs people indicate it is absolutely realistic for a person to get a job within two to three months," Meredith said. He said even a part-time job will generally bring in more money than the general assistance payment.

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