

Alameda County welfare cutoff plan rejected

Charles Burress, Chronicle Staff Writer

Thursday, July 24, 2008

A judge has struck down an Alameda County plan to cut off welfare payments to recipients that the county deems employable.

Alameda County Superior Court Judge David Hunter ruled Tuesday that the county's Social Services Agency has the authority to terminate those who are capable of working but the agency's definition of employable is too narrow and would unfairly deny aid to those who need it.

General Assistance welfare benefits for about 3,000 recipients were scheduled to be cut off July 1, but attorneys representing those receiving aid obtained an injunction from Hunter last month halting the cutoff until the court could resolve the issue.

"The County may not merely substitute for 'employability' a wholly different concept like 'able-bodied and competent,' because to do so excludes people who are not employable by virtue of their lack of skills, lack of experience, lack of language fluency, age or other factors," Hunter wrote in his ruling this week.

The agency decided late last year to terminate General Assistance benefits, after six months' notice, to employable recipients. Among the reasons were the county's financial plight and a reported influx of welfare-seekers from nearby counties where benefits are denied to those who can work.

Attorneys for the recipients said the county's plan was illegal for three reasons: an improper definition of employable, lack of authorization by the county Board of Supervisors and incomprehensible notices of the pending cutoff. Hunter found that the supervisors had granted sufficient authority, and he declined to rule on the wording of the notices.

Judith Gold, an attorney for the recipients, acknowledged Wednesday that the county has authority to cut off those who are employable but said that if the county follows the judge's ruling, very few individuals would be cut off.

Agency spokeswoman Sylvia Soublet said Wednesday, "Of course we're disappointed with the court's ruling." She said the agency will consult with county counsel's office before deciding what to do.

Asked if one option might be to continue the plan of cutting off employable recipients in accordance with Hunter's ruling, Soublet said, "The ruling basically leaves that door open."

A working group consisting mainly of two supervisors and top county administrators was named last month by the Board of Supervisors to examine the issue and report back to the board within four months.

E-mail Charles Burress at cburress@sfchronicle.com.

<http://sfgate.com/cgi-bin/article.cgi?f=/c/a/2008/07/24/BA0711U8RC.DTL>

This article appeared on page **B - 2** of the San Francisco Chronicle

San Francisco Chronicle Sections

[© 2008 Hearst Communications Inc.](#) | [Privacy Policy](#) | [Feedback](#) | [RSS Feeds](#) | [FAQ](#) | [Site Index](#) | [Contact](#)