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Class Action Plaintiffs Seek Contempt Order Against Suffolk County Department of Social Services For Failure to Provide County's Neediest with Food and Medical Assistance

Suffolk County, New York – The Empire Justice Center and the National Center for Law and Economic Justice (NCLEJ) filed a contempt motion in federal court today on behalf of a plaintiff class of low-income Suffolk County families hit hard by the recession. The motion charges that the Suffolk County Department of Social Services (SCDSS) is violating a 2009 court order by systemically failing to provide the families with timely food stamps and Medicaid. The court order in *Maryann C. v. DeMarzo* requires SCDSS to ensure that desperately needed food and Medicaid are available to eligible families quickly. NCLEJ and the Empire Justice Center, relying on data provided by the State of New York and Suffolk County have determined that SCDSS has continued to delay providing assistance to a large number of eligible families despite the court order.

“The SCDSS Commissioner was aware at the time he agreed to terms of the court order that the need for assistance was expected to increase. Both the court order and the law are very clear that regardless of the number of applicants, these essential benefits cannot be delayed. These laws are on the books to ensure that the poorest and most vulnerable among us do not suffer because of bureaucratic delays,” stated Linda Hassberg, Senior Attorney in Empire Justice Center’s Long Island office and co-counsel to the class action lawsuit.

Plaintiffs are asking the Court to appoint a Special Master with knowledge of public benefits administration to assist the court. “The County has not met many of the benchmarks for compliance in the two years that the court’s mandates have been in effect,” said Laura Redman, staff attorney of NCLEJ and co-counsel in the lawsuit. “Plaintiffs believe that more oversight is needed to ensure that the court order is followed and that people’s basic needs are met in a timely manner.”

The lawsuit was originally filed by low-income families and individuals with urgent medical needs who lacked money to even buy food, and SCDSS was taking far longer to address these crisis situations than

the law allows. The court order requires SCDSS to meet federal mandates in delivering federal assistance to unemployed and other poor families. Although SCDSS has made some progress, “unfortunately, we are still getting many calls from class members who don’t have enough food or who need medical treatment and are waiting far too long for SCDSS to provide assistance,” said Ms. Hassberg. The delays also put added burdens on local agencies that help the poor. “Soup kitchens, food pantries, and hospital emergency rooms are already overwhelmed by the demand in this County. The failure of SCDSS to act promptly is placing unnecessary strains on the limited resources of these organizations,” noted Ms. Redman.

Empire Justice Center is a non-profit legal services organization with offices in Albany, Rochester, White Plains and Central Islip, located in the Public Advocacy Center of Touro Law Center. Empire Justice provides support and training to legal services offices statewide, undertakes policy research and analysis, and engages in legislative and administrative advocacy. The organization also represents low-income individuals, as well as classes of New Yorkers, in a wide range of poverty law areas.

The National Center for Law and Economic Justice advances the cause of economic justice for low-income families, individuals and communities across the country. NCLEJ has forged an ambitious agenda of litigation, policy advocacy, and support for low-income organizing. They work in partnership with national public interest advocates, private law firms, legal services lawyers, and grassroots groups.