

**FOR IMMEDIATE RELEASE**

**Thousands of Impoverished New Yorkers Can Challenge Denial of Benefits**

**New York, October 29, 2003 – U.S. Newswire** – As the result of an order signed October 24th by the U.S. District Court, Southern District of New York (Judge Denise Cote), the notice will soon be in the mail for thousands of poor New Yorkers denied benefits by the City of New York's Human Resources Administration (HRA). In accordance with the settlement, the City will send letters to anyone who was denied public assistance, food stamps or Medicaid benefits after January 1, 2002 and received a standard notice stating that the reason for denial was a "failure to provide complete or truthful information." The settlement requires that the City notify those whose benefits were denied of their right to contest the denial through a state action hearing.

"This is a tremendous victory for the thousands of New Yorkers who were illegally denied essential benefits without sufficient justification," said Randal S. Jeffrey, Assistant Director of General Legal Services Unit at the New York Legal Assistance Group (NYLAG), who brought the action for plaintiffs.

This action arose out of the City's Eligibility Verification Review (EVR) office's illegal denial and discontinuance of public assistance, food stamps, and Medicaid benefits. Former Mayor Rudolph Giuliani established EVR in 1995 to reduce fraud in these programs, but EVR's primary effect has been to inappropriately deny public assistance benefits to thousands of impoverished New Yorkers.

On October 29, 1999, plaintiffs filed class action Roberson v. Giuliani pursuant to 42 U.S.C. 1983. The plaintiffs and the City settled in May 2001. In the settlement agreement, the City agreed to a number of undertakings, including the mandate to provide public assistance, food stamp, and Medicaid applicants and recipients a more specific reason for denials and discontinuances beyond the vague and legally inadequate statement that they "failed to provide complete and truthful information." The City's own survey, conducted as part of the settlement, revealed that the City rarely complied with this settlement provision. From July 8, 2001 through May 2002, the City's survey only demonstrated compliance in 11% of cases.

In May 2003, NYLAG requested that the Court order the City to take steps to remedy past violations and to ensure that the City desists from further violations. Yesterday's court order resolves this request. NYLAG will provide free legal assistance to those whose benefits were inappropriately denied and discontinued to ensure that these New Yorkers receive the benefits to which they are legally entitled.

**About NYLAG**

Founded in 1990, the New York Legal Assistance Group (NYLAG) is a not-for-profit law office providing free civil legal services to low income New Yorkers. A full service agency, NYLAG offers comprehensive assistance. NYLAG provides direct legal services, advocacy through impact litigation, consultation, and numerous volunteer and pro bono opportunities. Last year, NYLAG handled 19,993 cases and benefited additional thousands through successful impact litigation and community legal education. For more information on NYLAG, go to [www.nylag.org](http://www.nylag.org).

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