

For Immediate Release

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**Class Action to Help Immigrant Residents Access Food Stamps
NYLAG Fights for Holocaust Survivors, Other Immigrants in Need**

(June 24, 2002) Today, the New York Legal Assistance Group (NYLAG) and co-counsel are filing an action against the New York State Office for Temporary and Disability Assistance, on behalf of immigrant state residents who are denied state-funded food stamps. *Teytelman v. Wing* challenges the state's restrictions on certain classes of resident immigrants, who arrived in the United States after August 22, 1996 and are otherwise eligible to receive food stamps. NYLAG is joined by co-counsel, The Legal Aid Society, The Welfare Law Center, the Greater Upstate Law Project, and the Northern Manhattan Improvement Corporation, who are representing legal permanent resident immigrants from around the world who are children, disabled, victims of domestic violence, and elderly, including Holocaust survivor Yankel Teytelman and his wife.

Mr. and Mrs. Teytelman, the lead plaintiffs in the case are NYLAG's clients. "This elderly couple exemplifies the difficulties with arbitrarily setting dates that ultimately deny otherwise eligible individuals with basic entitlements," said Constance Carden, Esq., Director of NYLAG's Special Litigation Unit. The Teytelmans, both 73 years old, came to the United States from the Ukraine in 1999 under parolee status to escape religious persecution. At age 11, the Nazis occupied Mr. Teytelman's village and killed almost all the Jews, including his parents and two oldest siblings. He became separated from his only surviving sister and wandered homeless and begging for two years until a local woman let him stay at her house. The woman's daughter eventually became his wife. The Teytelmans' neighbors harassed and persecuted them because they were Jewish. With the aid of his sister, who Mr. Teytelman finally located after 25 years, the couple was granted humanitarian parolee status in 1999 and came to New York in 2000, with sponsorship from a 65-year old cousin. Mr. Teytelman, who suffers from chronic bronchitis and high blood pressure, and his wife, who has arthritis, heart problems and uses a walker, receive \$470 a month through public assistance for shelter and basic medical needs, but were denied Food Stamps, because of their immigration

status. The sponsoring cousin helps by paying part of their rent from her earnings as a home attendant. Because of their extremely limited income, the Teytelmans rely on canned food from a local food bank, which they cannot afford to supplement with other fruits and vegetables.

“The Teytelmans applied for food stamps twice in 2001, but were denied because of their immigration status,” said Ms. Carden. “If they were eligible for food stamps, they could receive an additional \$248 monthly for food.”

NYLAG and co-counsel celebrated a victory for immigrants in similar classes earlier this year in *Aliessa v. Novello*, when the New York State Court of Appeals unanimously ruled that New York’s refusal to provide Medicaid coverage to otherwise needy and eligible lawful New York immigrants “impos[es] on plaintiffs an overly burdensome eligibility condition having nothing to do with need, depriving them of an entire category of otherwise available basic necessity benefits.” *Aliessa*, like *Teytelman*, stems directly from the implementation of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, and New York’s Welfare Reform Laws.

“We believe the *Teytelman* action is equally valid to the *Aliessa* decision,” said Ms. Carden. “The only reason these immigrants are denied food stamps is because of their national origin and the date they arrived in the United States.” Like the decision in *Aliessa*, Ms. Carden noted, this class affects at least 12,000 legal immigrant residents in New York State.

New York Legal Assistance Group (NYLAG) provides free legal assistance to New York’s most at-risk, low-income populations, including the elderly, immigrants, victims of domestic violence, children with special needs, people with HIV/AIDS and others seeking their rights.

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