

**Monroe County Public Assistance Sanctions, Application Denials, and Case Closings  
in the Context of NYS OTDA Data for Four Large Urban Counties**

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**PRELIMINARY DRAFT**

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**Executive Summary**

The purpose of this report is to compare Monroe County's use of Public Assistance sanctions, application denials, and case closings to that of the other three largest urban counties in New York State: Erie, Onondaga, and New York City. Statistical reports from the NYS Office of Temporary and Disability Assistance (OTDA) website were analyzed to compare the use of welfare sanctions, application denials, and case closings for Public Assistance in four large urban counties: Monroe (Rochester), Erie (Buffalo), Onondaga (Syracuse), and New York City (comprised of five counties but reported as one entity in OTDA data). This report is preliminary in two senses: First, it is largely descriptive rather than an attempt to attribute causes. Second, it draws on only a small part of the wealth of data contained on the OTDA website. Conclusions from this preliminary analysis are as follows:

1. For the past two years, Monroe County has had more recipients sanctioned for [durational] drug/alcohol violations (352 monthly average for 2017) than all of New York City (324 monthly average for 2017), despite the fact that New York City has over ten times as many PA recipients.
2. As of 2017, Monroe County has more recipients sanctioned for [durational] employment violations (629 monthly average) than New York City (335 monthly average), as a result of a drastic decrease in the number of employment sanctions in New York City.
3. Between 2005 and 2017, Monroe County has gone from being tied for the lowest percent of PA recipients under sanction (3.28%) to the highest (4.94%).
4. Over the past several years, the rate at which recipients are sanctioned in Monroe County has been increasing, while the rates for New York City, Erie (Buffalo), and Onondaga (Syracuse) have been decreasing.
5. The rate at which New York City has sanctioned recipients for employment violations has decreased dramatically between 2005 and 2017, with the major drop in the last few years most likely attributable to legislation which has applied to New York City only. This legislation should be extended to the entire state.
6. Over the past thirteen years, Monroe County has consistently denied between 70% and 80% of the applications completed for Public Assistance. This denial rate is consistently higher than that of Onondaga County, Erie County, and New York City. New York City, for examples, denies less than 40% of its PA applications.

## Introduction

This report compares Office of Temporary and Disability (OTDA) statistics on three types of negative Public Assistance decisions by New York City, Monroe County, Erie County, and Onondaga County. These counties were selected because they represent the four largest urban counties. Monroe County includes the city of Rochester; Erie County includes Buffalo; and Onondaga County includes Syracuse. Erie County represents the county closest to Monroe in size, with New York City, of course, far exceeding Monroe in size, and Onondaga being significantly smaller.

The three types of negative decisions reported on the OTDA website are:

1. Monthly Average Number of Recipients in Sanction Status. Sanctions are, in brief, administrative rulings which impose penalties on PA recipients. The majority of sanctions are durational sanctions, in which benefits are suspended for periods of 30,45, 60, 90 days or longer.
2. Application Denials (reported as annual number of cases denied).
3. Case Closings (reported as annual number of cases closed).

Unfortunately, these three measures are reported using different metrics. First of all, sanctions are reported as number of recipients, while application denials and case closings are recorded as number of cases. Since many cases consist of families, the number of recipients and the number of cases are not directly comparable. Therefore, this report does not attempt to combine the three into an overall measure. (This could be done, but only by making several assumptions that may or may not be reasonable).

## Methodology

1. County level data from OTDA reports was transcribed by hand into Excel files by Dr. Murray.
2. Average monthly number of recipients under sanction, application denials, and case closings by county come from the annual "Statistical Reports on the Operation of New York State Temporary Assistance Programs New York State" prepared by the New York State Office of Temporary and Disability Assistance Bureau of Data Management and Analysis. In each type, the data covers the period of July of the prior year to June of the year in my report. These annual legislative reports are available at <https://otda.ny.gov/resources/legislative-report/>.
3. Average monthly number of recipients comes from The NYS Office of Temporary and Disability Assistance, "Temporary and Disability Assistance Statistics" from December of the year in question. The December monthly reports include an appendix with annual data. The numbers used in my report come from Table A-2. This statistic covers the calendar year (not July through June). These reports are available at <https://otda.ny.gov/resources/caseload/>.
4. For each of the three types of decisions, percentages were calculated in order to better compare the rates of decision making in the four districts. The denominator for the percentage is

different for each of the three types of decisions, as explained below. In all, cases, of course, the fraction is converted to a percentage by multiplying by one hundred.

- a. Sanctions: Percentage figures for sanctions are calculated by dividing the average monthly number of recipients under sanction by the average monthly number of recipients. Thus, the percentage calculation is not exact since the numerator starts six months earlier than the denominator; however, this was the best data available in the published reports. It should, perhaps, be called a rate rather than a percentage because of the different time frames; however, the term percentage is used for the sake of clarity. Average number of welfare recipients was chosen as the denominator because the numerator is “average number of recipients under sanction.” This means that both numerator and denominator reflect recipients rather than cases. Average number of recipients is preferable to total county population for use as the denominator because recipients (rather than total county population) are the relevant population to which sanctions can be applied.
- b. Applications Denied: Percentage figures for applications denied are calculated by dividing the number of applications denied by the total number of applications. Data on Applications Approved comes from Table 1: Applications Approved, Total Public Assistance in the annual Statistical Report on the Operations of NYS Temporary Assistance Programs (available on OTDA website). Data on Applications Denied comes from Table 2 of the same document. Total Applications were calculated by adding applications approved and application denials. (For the first several years, there was also a category for “Application Withdrawals,” but this was discontinued in more recent years, so I ignored it and focused on applications completed. The percent of applications denied was calculated by dividing applications denied by the sum of applications approved and applications denied and multiplying by one hundred.

$$\% \text{ Denials} = (\# \text{ Denials} / (\# \text{ Denials} + \# \text{ Approvals})) * 100$$

For example, the calculation for Monroe County for 2017 (July 2016-June 2017) was as follows:

$$\% \text{ Denials}(\text{Monroe}) = (24653 / (24653 + 8522)) * 100 = 74.3\%$$

Since all the application statistics cover the same time period (July – June), these can be considered “true” percentages.

- c. Case Closings: The annual case closings were converted to monthly figures by dividing by twelve. To calculate the monthly percentage of cases closed, the monthly closing figure was divided by the average number of cases. Since, parallel, to the situation for sanctions, the numerator and denominator cover overlapping, but not identical time periods (July-June vs. Jan.-Dec.), these are not “true” percentages; however, for the sake of clarity, they will sometimes be referred to as percentages in this report.

# I. Sanctions: Results for the Four Counties

## Number of Public Assistance (PA) Recipients

Figure 1 presents the average monthly number of Public Assistance Recipients (combining TANF and Safety Net Programs) for the four counties. Not surprisingly, New York City has by far the largest number of recipients – which has remained relatively stable at around 350,000 since 2008 after declining by more than 60,000 between 2005 and 2008.

Figure 1

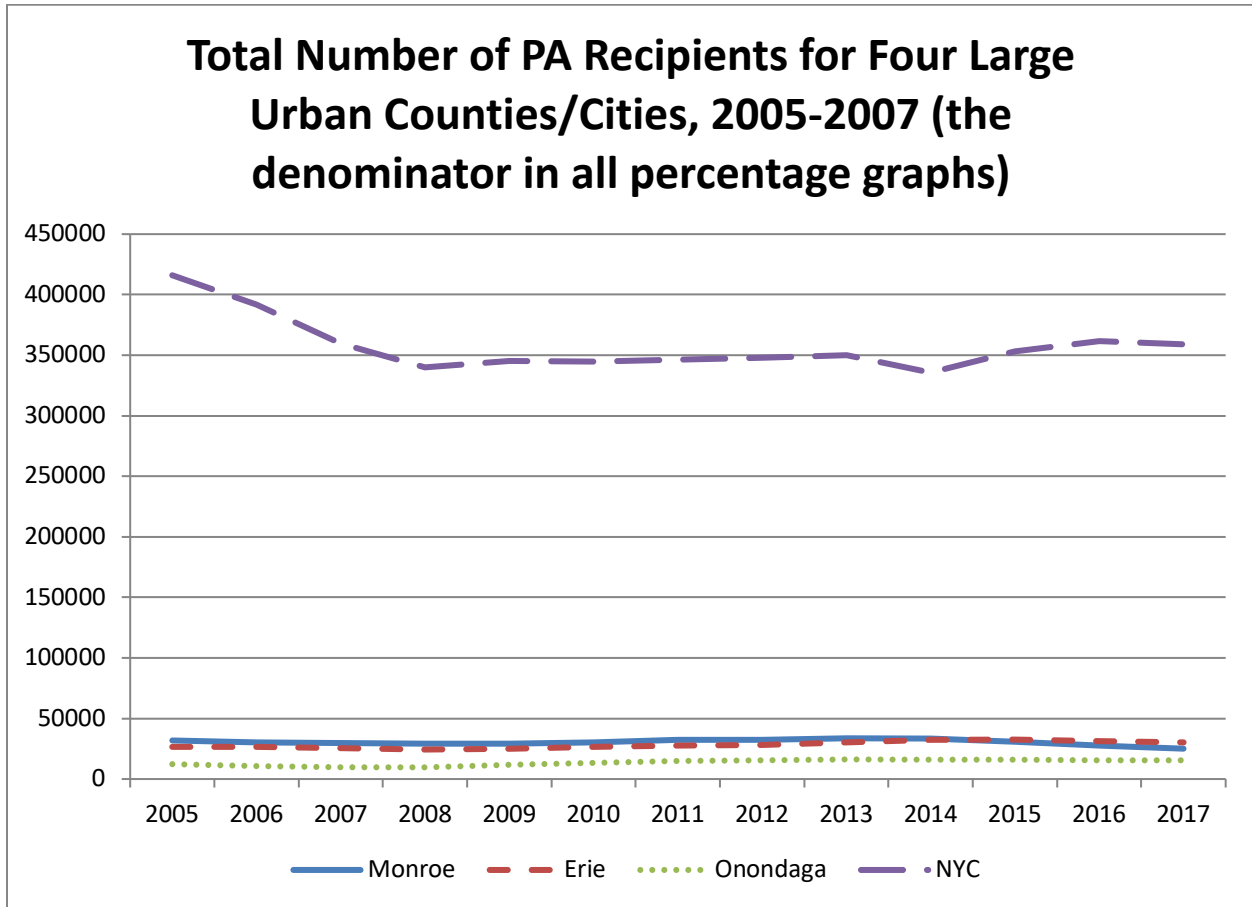
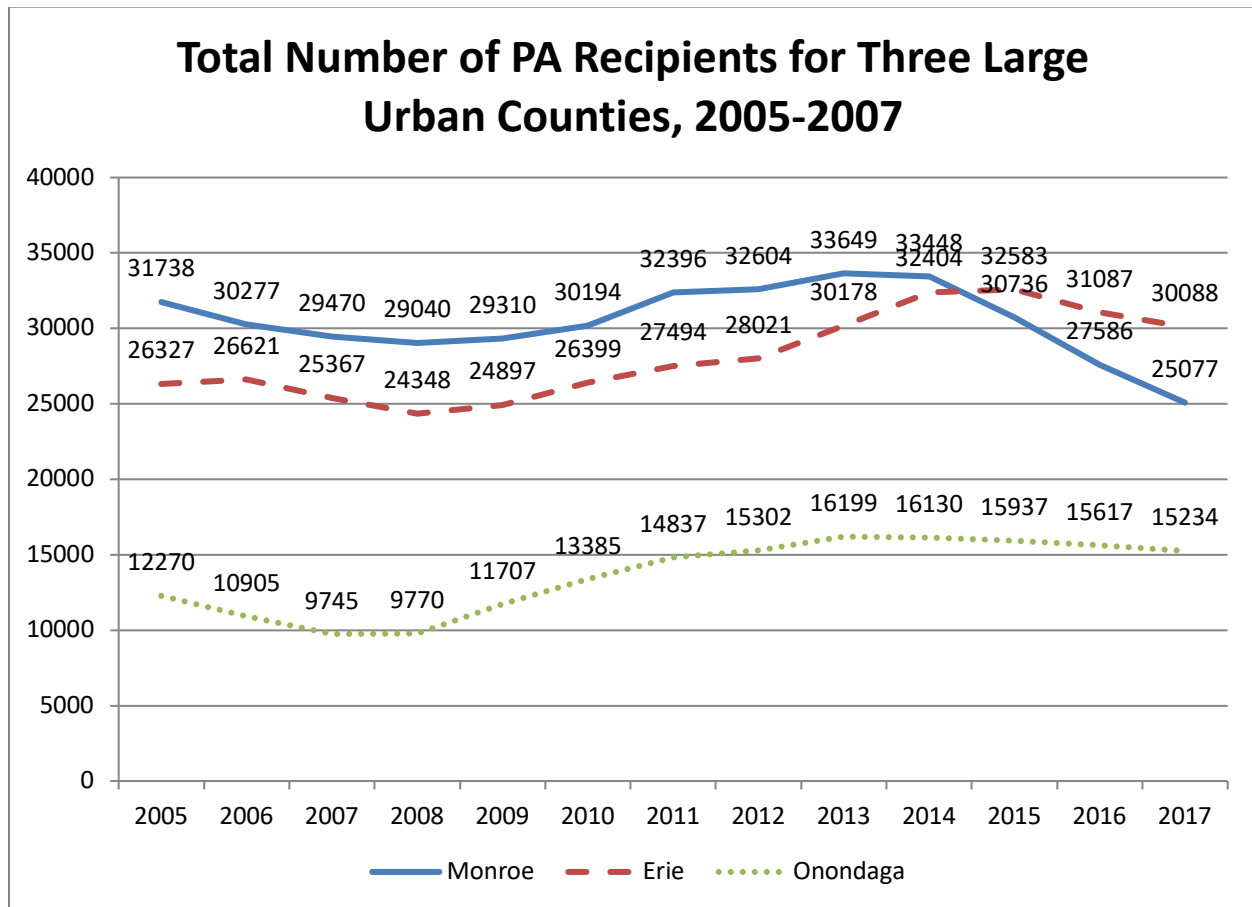


Figure 2 presents the same data excluding New York City so that the reader can get a more accurate picture of the population trends in Monroe, Erie, and Onondaga Counties. As can be seen, over the entire period, Monroe and Erie counties had roughly the same number of recipients, although in the past three years, Erie has surpassed Monroe in number of recipients. Onondaga County has roughly half the number of recipients of Erie or Monroe.

Figure 2



### Number of Recipients Under Sanction

There are several different types of sanctions reported in the annual statistical reports:

1. Employment Sanctions
  - a. Durational
  - b. Non-Durational
2. Child Support Sanctions (Non-Durational only)
3. Drug/Alcohol Sanctions
  - a. Durational
  - b. Non-Durational
4. Intentional Program Violation (Durational only)
5. Other (Non-Durational only)

Durational sanctions are sanctions in which the recipient is barred from receiving public assistance benefits for specific lengths of time (generally 30, 60, or 90 days). These were selected for special

analysis because they appear to be a major contributor to homelessness among the guests at the House of Mercy and St. Joseph's House of Hospitality in Rochester.

In this report, I focus on All Sanctions (Durational and Non-Durational), Durational Employment Sanctions, and Durational Drug/Alcohol Sanctions (the latter two because they are the major types of sanctions reported by Monroe County).

A. Number of Recipients Under Any Sanction

Figure 3 gives the average number of recipients under any sanction for the four urban counties. New York City has the largest number, although that number has fallen dramatically over the 12 year period.

**Figure 3**

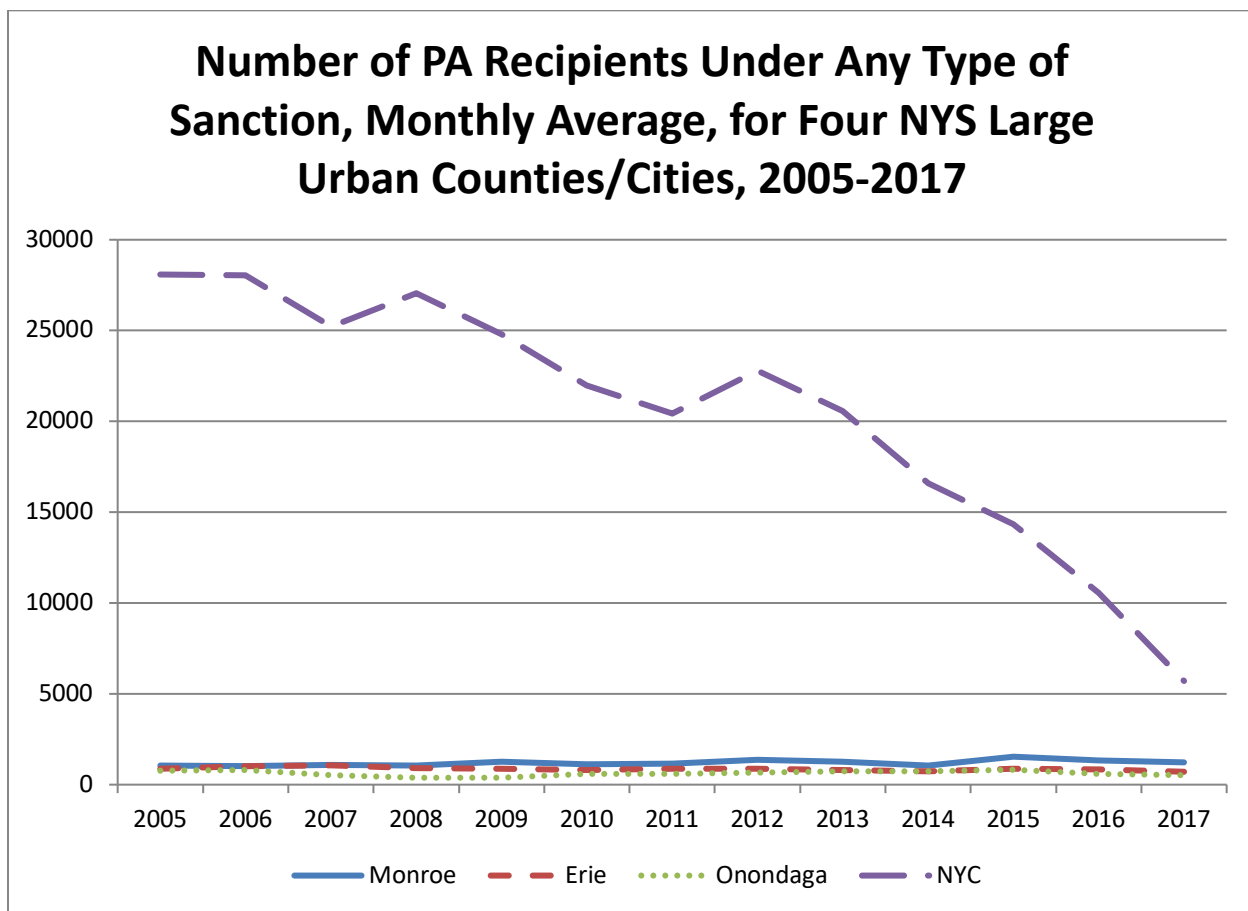
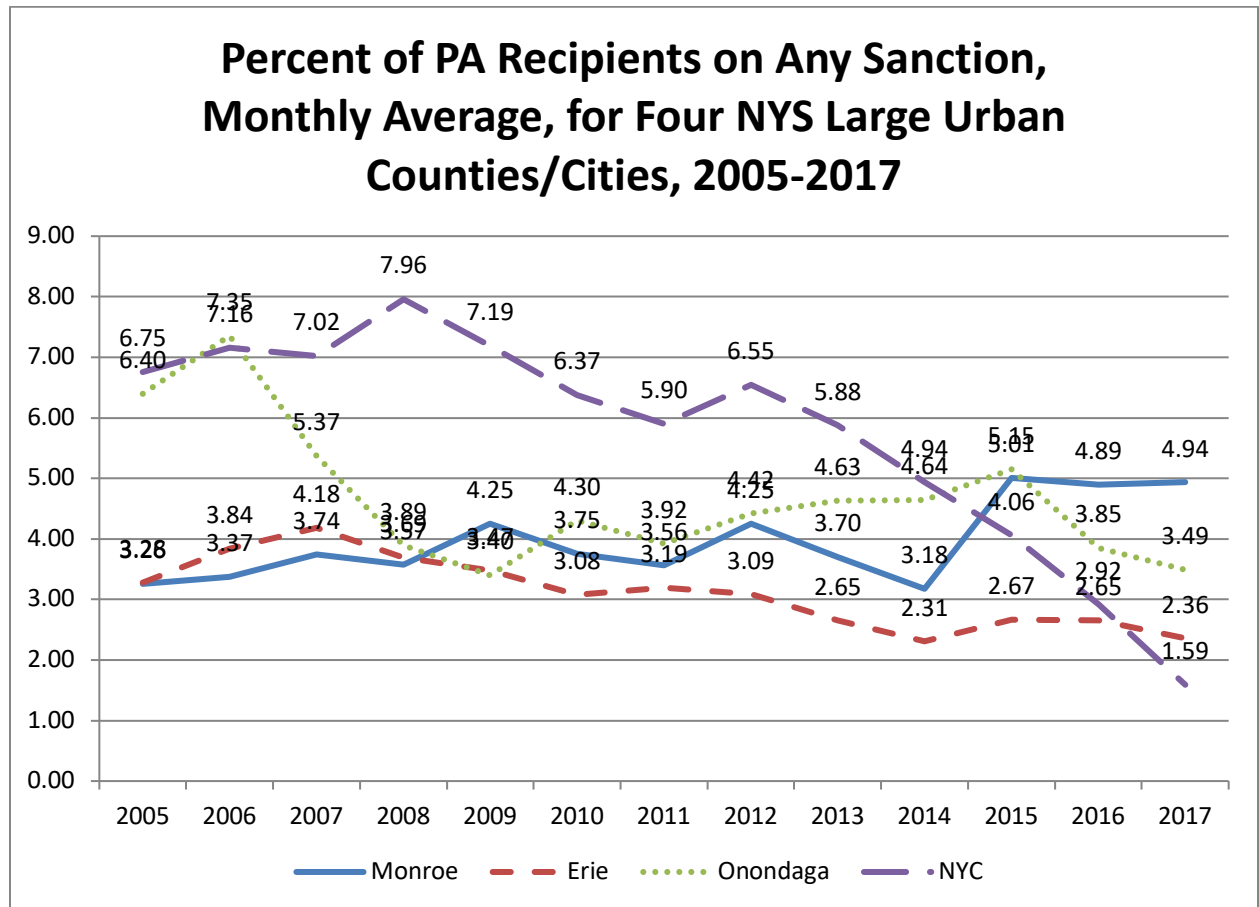


Figure 4 gives the same data but as a percentage of average monthly recipients. As can be seen, in 2005, New York City and Onondaga County had the largest percentage of recipients under sanction (6.75% and 6.40%, respectively), with Erie and Monroe Counties sanctioning at only around half the rate of NYC and Onondaga (around 3.28%). By 2017, Monroe county had the

highest sanction rate (4.94%), followed by Onondaga (3.40%), Erie (2.36%), and New York City (1.59%).

**Figure 4**

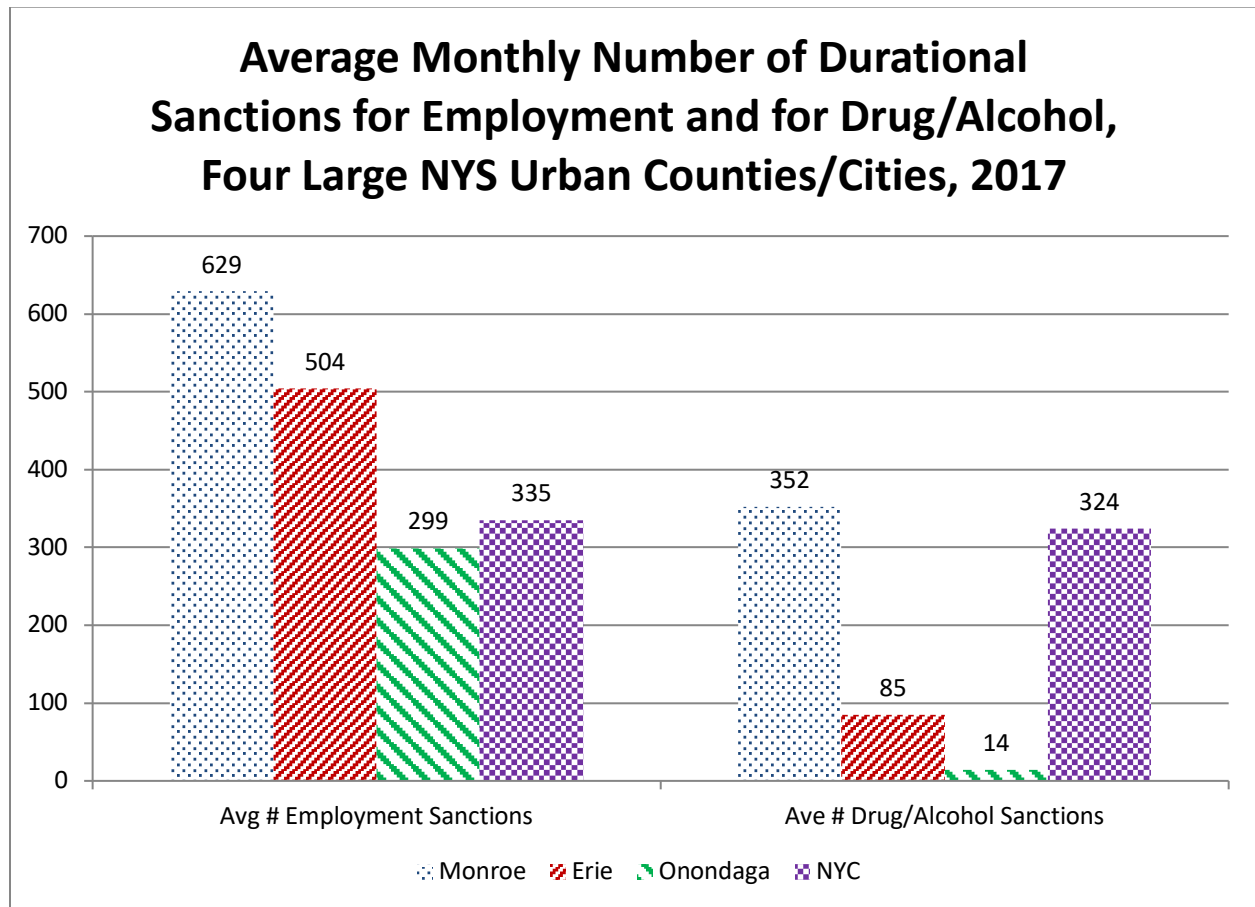


### B. Employment and Drug/Alcohol Durational Sanctions

Figure 5 presents the monthly average number of recipients under sanction for drug/alcohol violations and for employment violations for the four cities for 2017. The data are astounding. Not only does Monroe County have a far higher monthly average number of recipients under durational drug/alcohol sanctions (352) than either Erie (85) or Onondaga (14) counties, but Monroe County has a higher monthly average number of recipients under drug/alcohol durational sanctions (352) than New York City (324)! This is despite the fact that New York City has more than ten times as many Public Assistance Recipients as Monroe County.

Monroe County also has the highest monthly average number of recipients sanctioned for employment violations of the four cities. The number for Monroe (629) is almost double the number for New York City (335)!

Figure 5

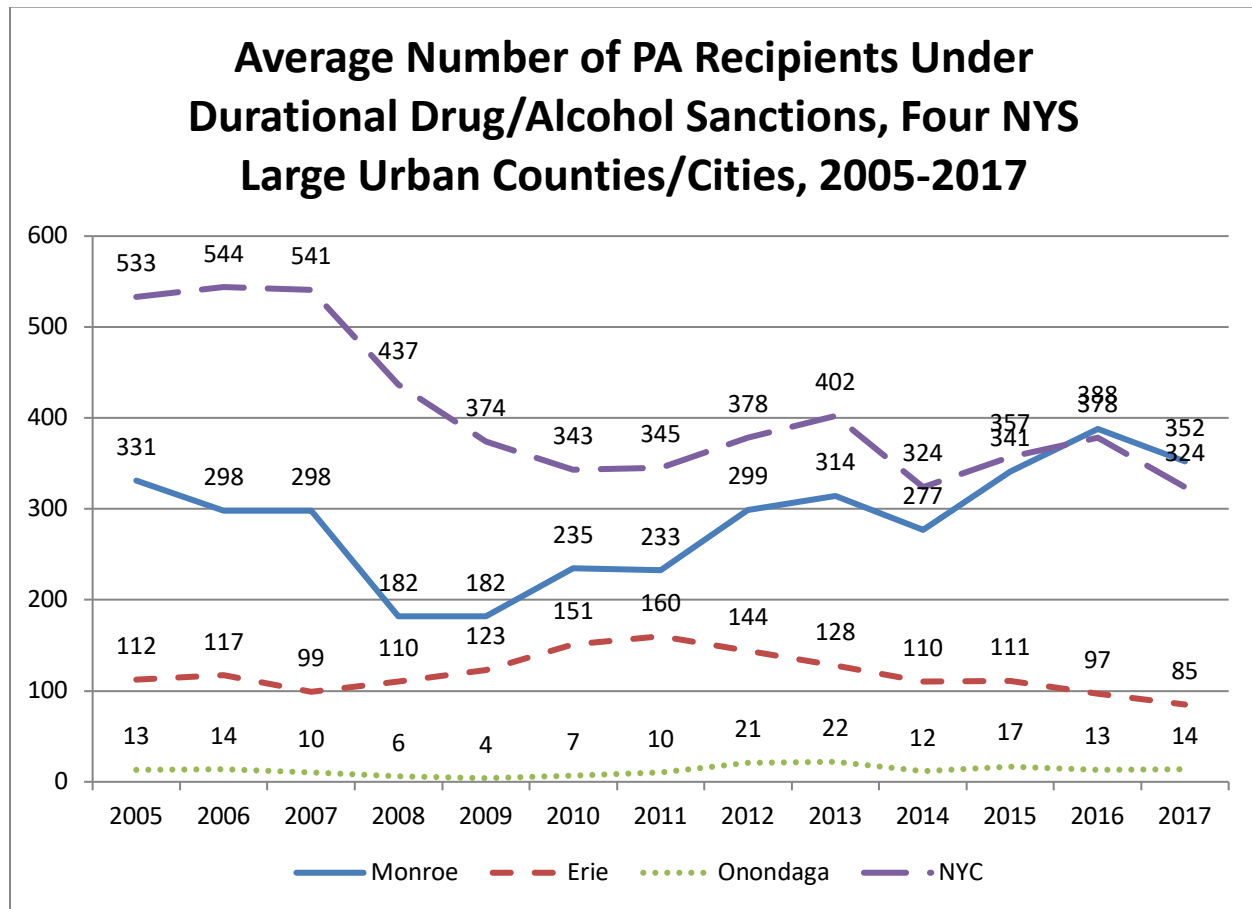


In order to explore this phenomenon in more detail, we will look at the longitudinal data (first for numbers of recipients and then for percentage under sanctioned over time) for durational drug/alcohol sanctions and then for durational employment sanctions.

Figure 6 shows the monthly average number of recipients under durational drug/alcohol sanctions for the four cities.<sup>1</sup> In 2005, New York City had the highest number (533), with Monroe second (331), Erie third (112) and Onondaga last (13). Both New York City and Monroe fell between 2005 and 2007; however, Monroe began to rise until, in 2016, it surpassed the number of sanctioned recipients in New York (by 388 to 378).

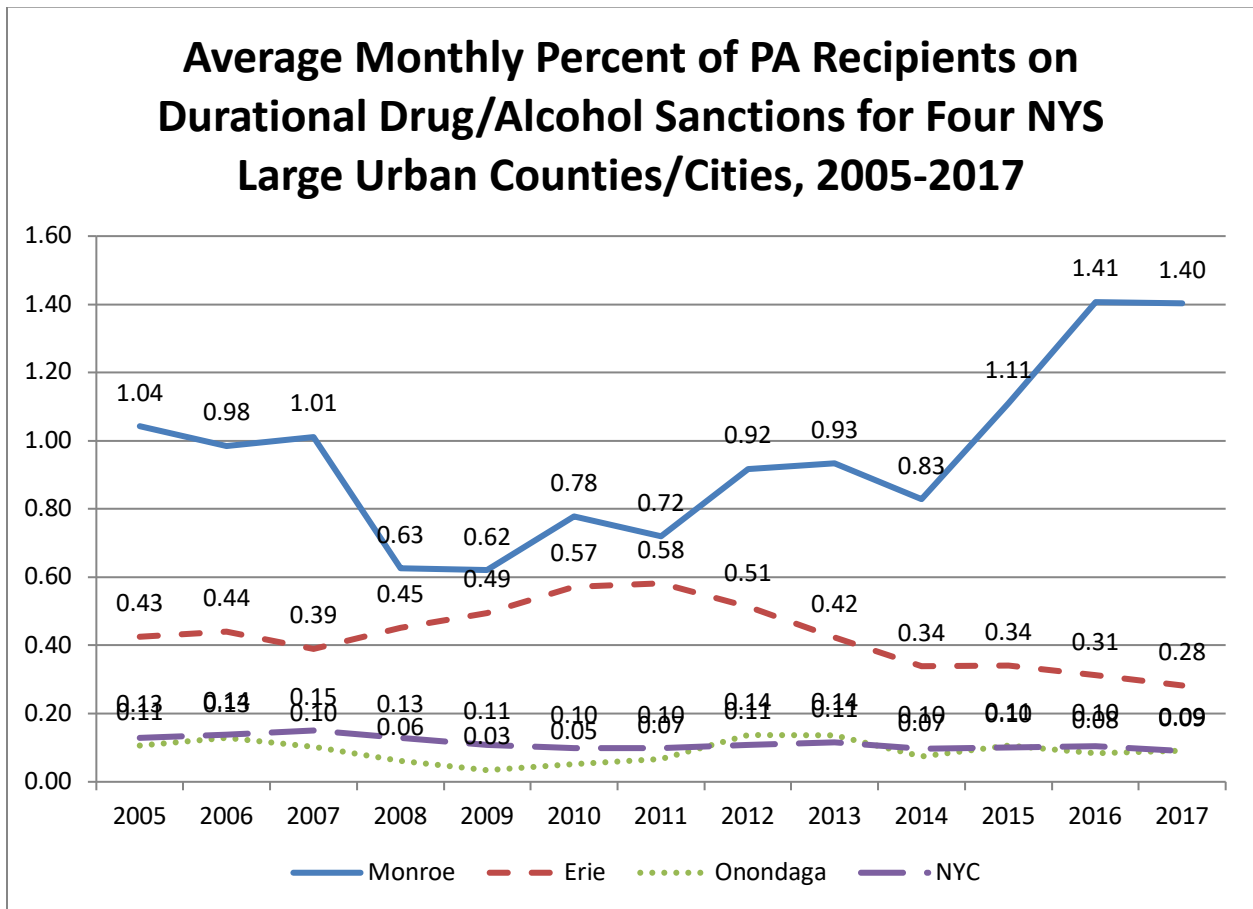


Figure 6



Looking at the percentage of recipients under sanction (see methodology section for calculation), allows for control for the size of the recipient population. Figure 7 presents these results. Consistently, Monroe County had the highest percentage of recipients living under drug/alcohol sanction (between 0.62 and 1.41%) while New York City and Onondaga had the lowest percentages (under 0.15%) and Erie was in the middle (range of 0.28 to 0.58%). Over these thirteen years, the highest rate for any of the other three cities (0.58%) was less than the lowest rate (0.62%) for Monroe.

Figure 7



The pattern over time for durational sanctions for employment violations provides an intriguing contrast to the pattern for drug/alcohol sanctions. Figure 8 presents the monthly average number of recipients under sanction for employment violations for the four cities over the same time period. In 2005, New York City had by far the largest number of recipients under sanction (over 26,000) but that number has fallen steadily until by 2016 it reached around 5,000 and by 2017 it was down to 335. This change was due, not to changes in the rates of "actual" employment violations but due to changes in administrative procedures, and, in the last couple of years, to the enactment of a law in 2015 applying only to New York City, which made it more difficult to issue sanctions for employment violations.

Figure 8

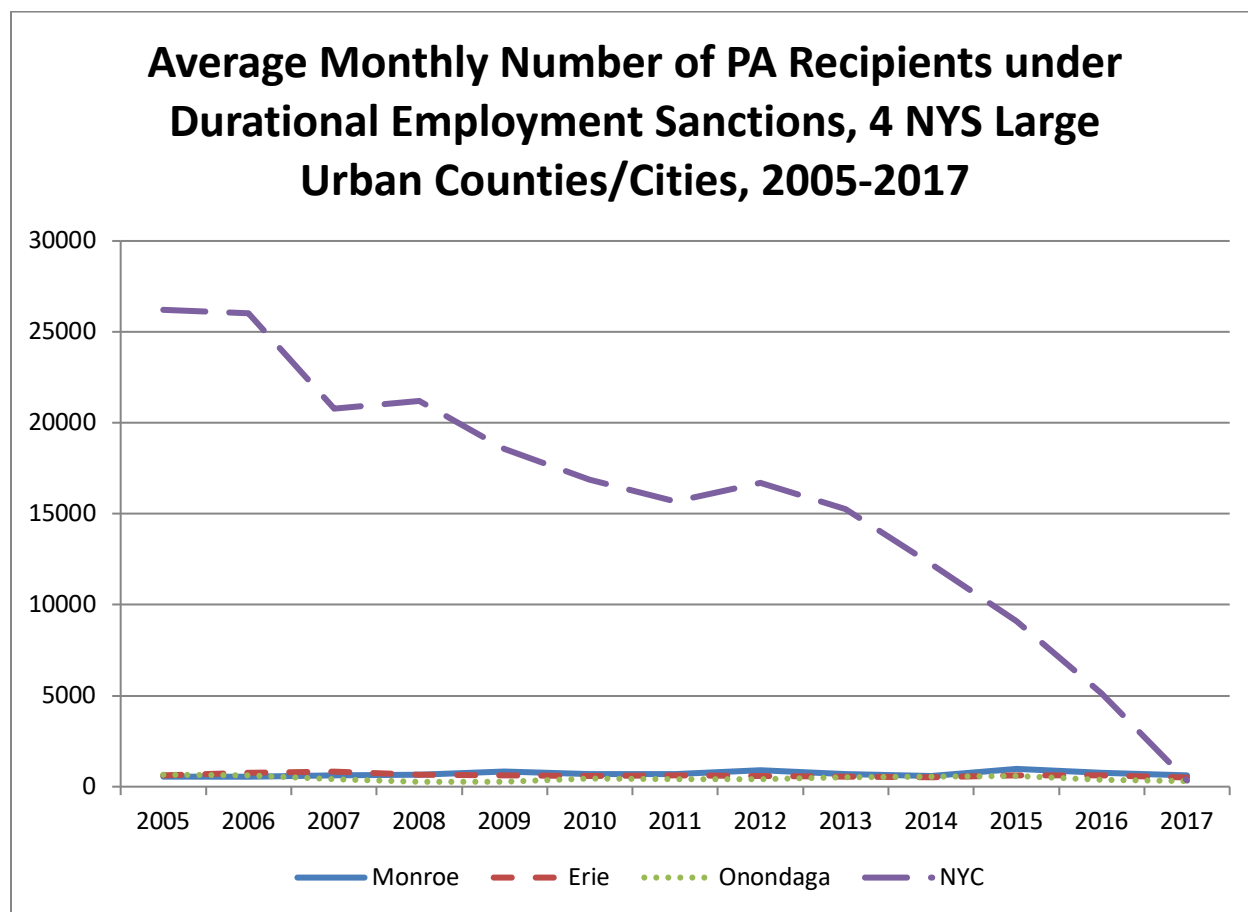
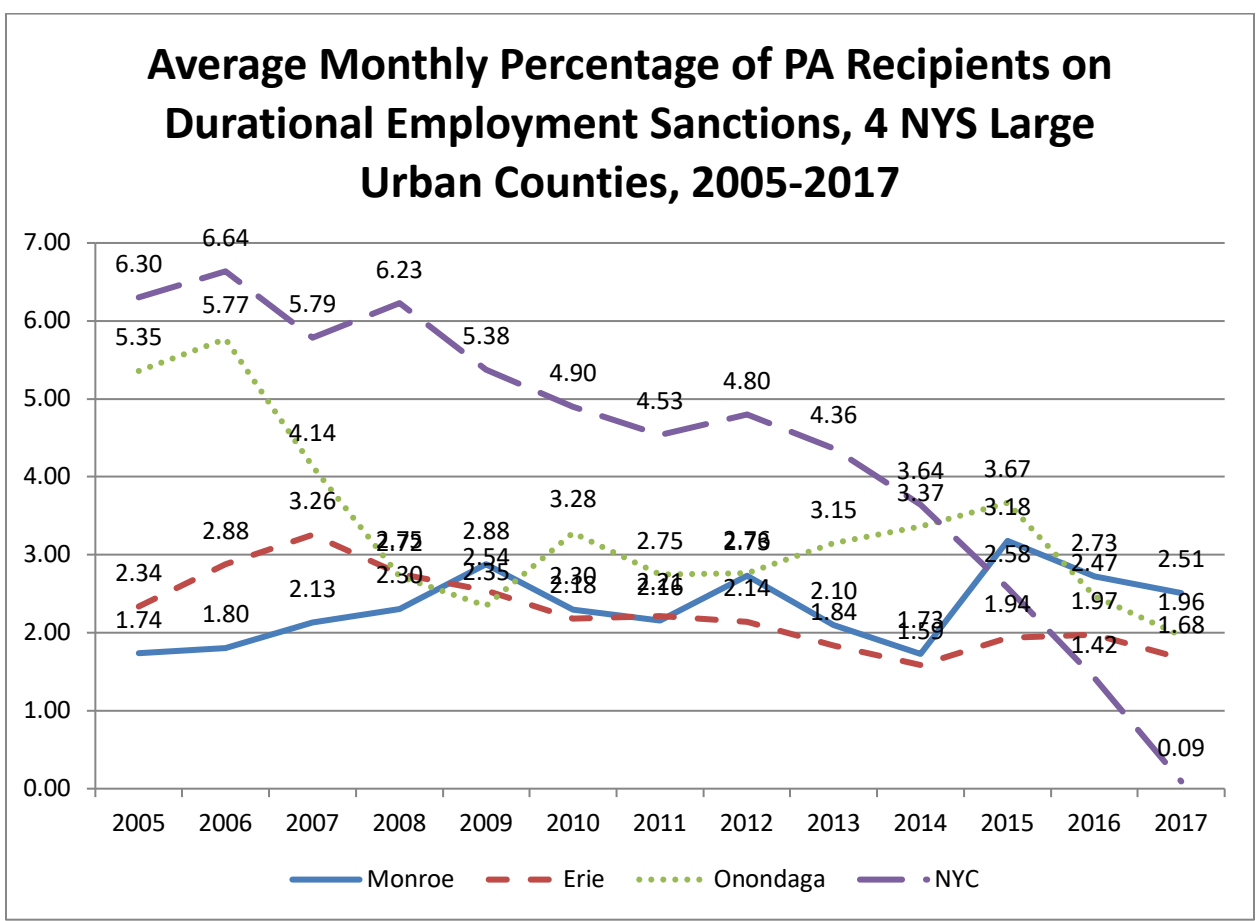


Figure 9 presents the same data calculated as percentage of monthly average recipients. Viewed in percentage terms, New York City and Onondaga County started off with the highest percentages of recipients under sanction (6.3 and 5.35%, respectively). Monroe County had the lowest percentage of PA recipients under employment sanctions (1.74%). By 2017, the order of the counties had changed dramatically, with Monroe being highest at 2.51%, followed by Onondaga (1.96%) and Erie (1.68%), with New York City having by far the lowest percentage (0.09%). Monroe County is the only one to have increased its use of durational employment sanctions between 2005 and 2017.

Figure 9



**Conclusions**

At this stage in the analysis, it seems reasonable to draw the following conclusions. It seems very unlikely that the pattern of sanctions among the four counties examined can be explained by differences in actual rates of “sanctionable behavior” in these counties. Rather, the differences seem to reflect differences in sanctions policies and procedures among the four human services administrations. Sanction policy in Monroe County appears to be much more harsh than that of the other counties, and a serious study of the actual implementation of sanction policy in Monroe County compared to the other counties should be initiated.

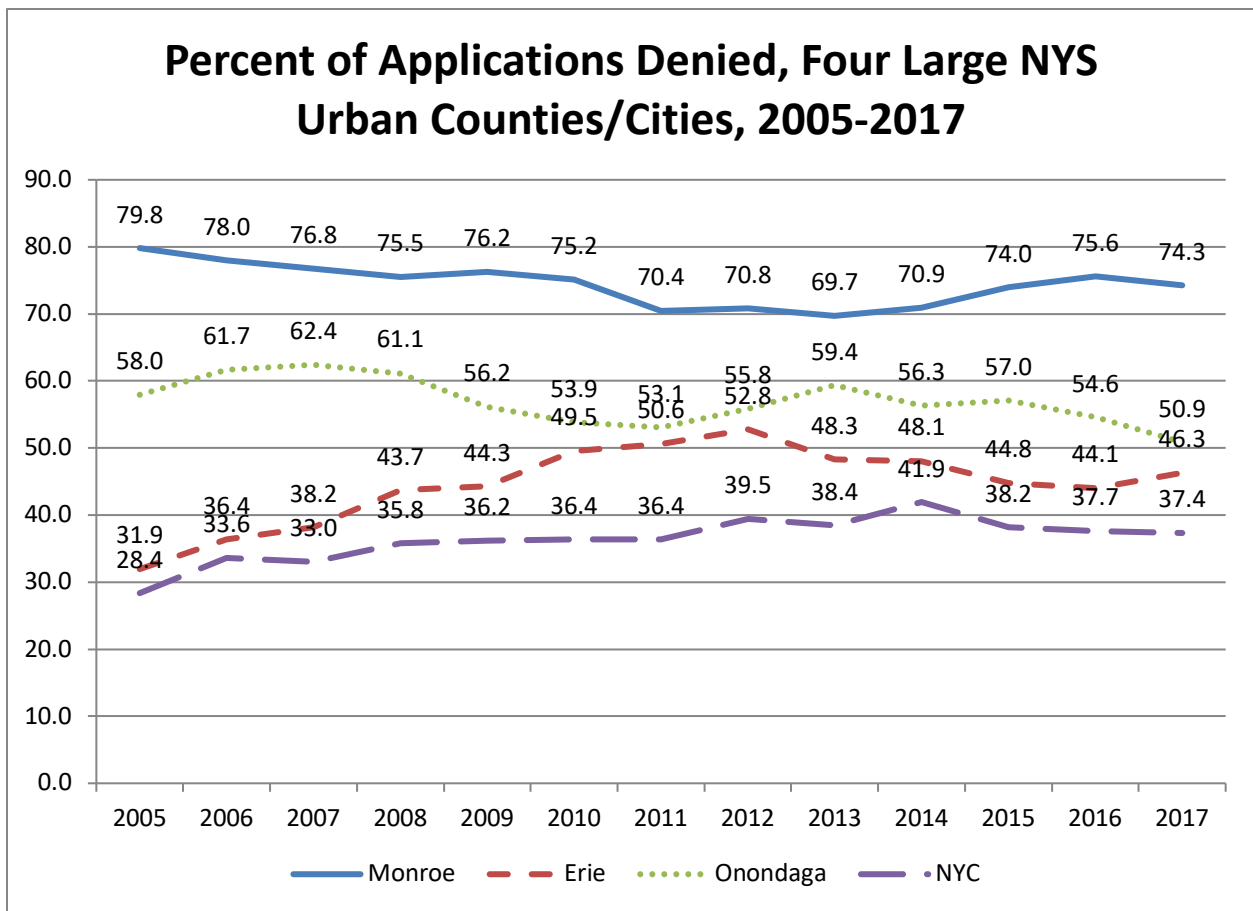
The fact that Monroe County had more recipients under drug/alcohol sanctions, and more recipients under durational employment sanctions, than New York City, despite the fact that New York City has a public assistance population more than ten times the size of Monroe County, is, quite frankly, outrageous, and points to a misuse of administrative power within Monroe County. The discrepancy in

employment sanctions began only in 2017 and can be accounted for by legislative changes applying only to New York City. The discrepancy in drug/alcohol sanctions, however, seems to be a matter of long term differences in how sanctions policy is carried out.

## II. Applications Denied: Results for the Four Counties

Figure 10 gives the percent of applications denied by the four urban counties between 2007 and 2017. As can be seen, Monroe County denied between 70% and 80% of Public Assistance applications throughout this entire period. The county with the next largest denial rate, Onondaga, never denied more than 62.4% of applications. Erie never denied more than 52.8% of applications, and New York City never denied more than 39.5%. Thus, Monroe County has nearly twice the denial rate of New York City.

Figure 10



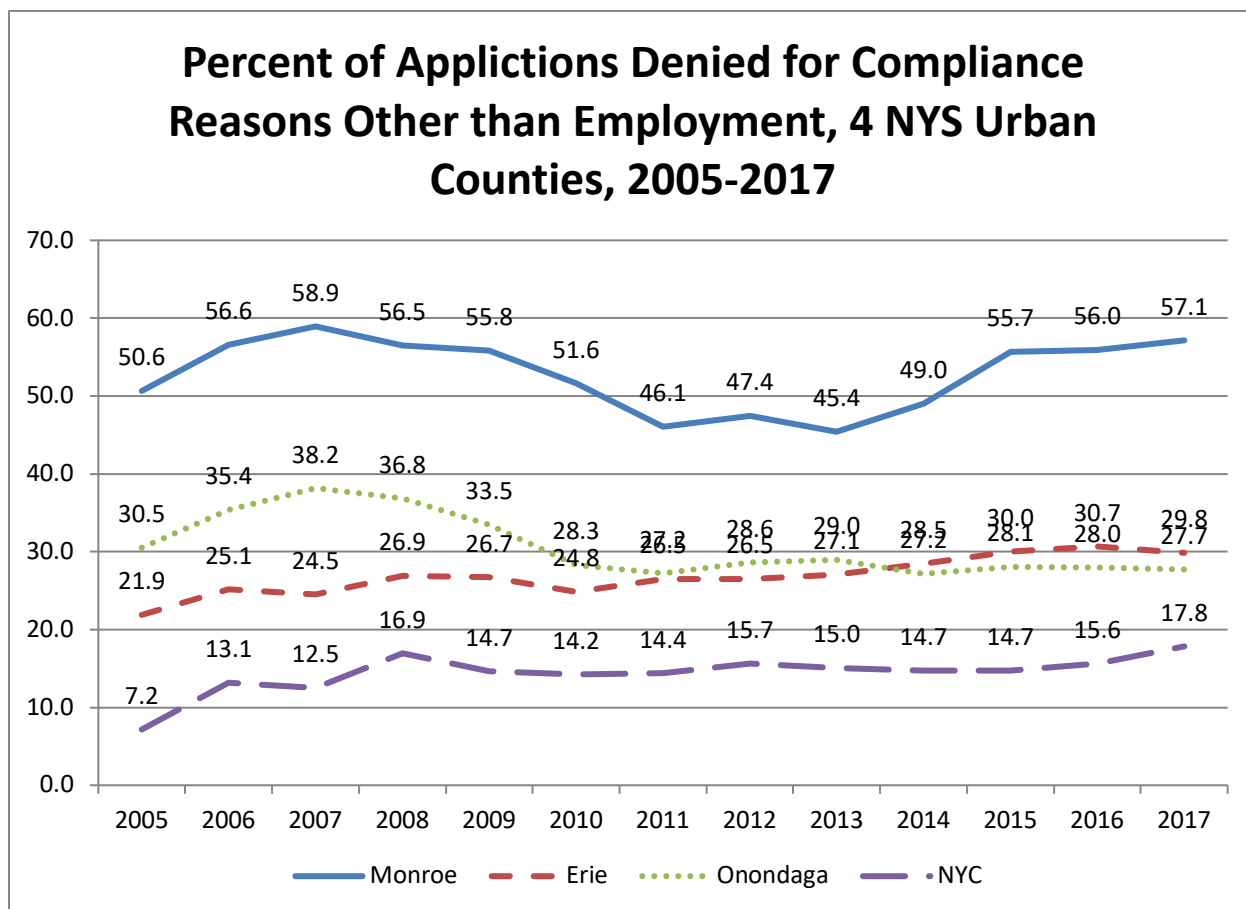
The question becomes: why are 70% to 80% of applications being rejected in Monroe County? OTDA breaks the data down by the following types of case closings:

- Financial
- Residence

- Employment Compliance
- Other Compliance
- Other

Thus far, I have only examined the compliance closings, but the results indicate that the plurality, often the majority of case closings are for “other compliance” (i.e., compliance reasons other than employment). Results are contained in Figure 11. As can be seen, between 45.4% and 58.9% of Monroe County applications are denied for compliance reasons other than employment compliance. This is consistently far above the other three counties.

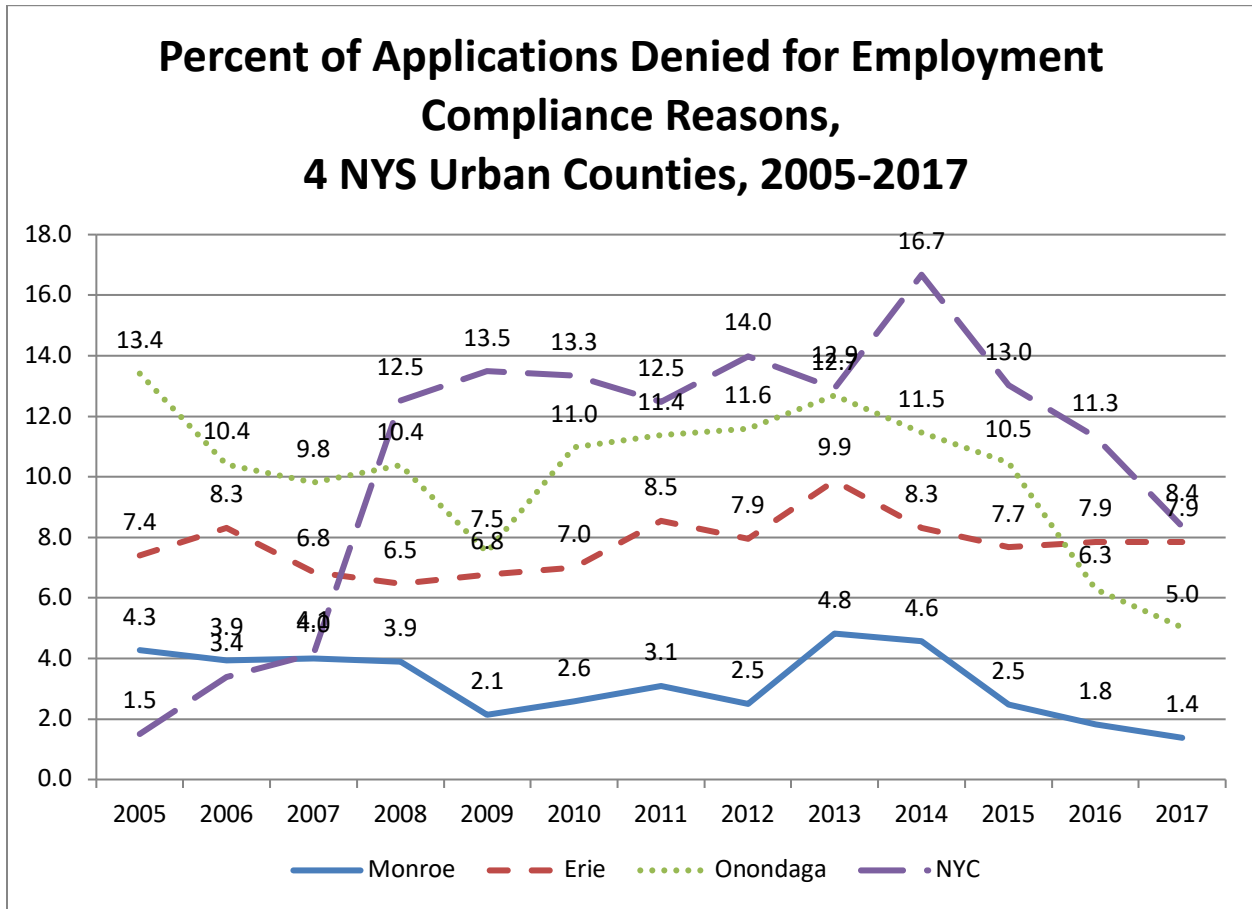
**Figure 11**



Monroe County’s “lead” over other large urban counties in application denials appears to be accounted for primarily by compliance issues other than employment. Unfortunately, although these constitute an enormous percentage of denials in many counties, OTDA apparently does not require counties to break down their compliance denials into other categories.

Denials for employment compliance are a much less important factor. Data for this are given in Figure 12. Interestingly, except for the first few years, Monroe County has had the lowest rate of denying applications for employment compliance reasons.

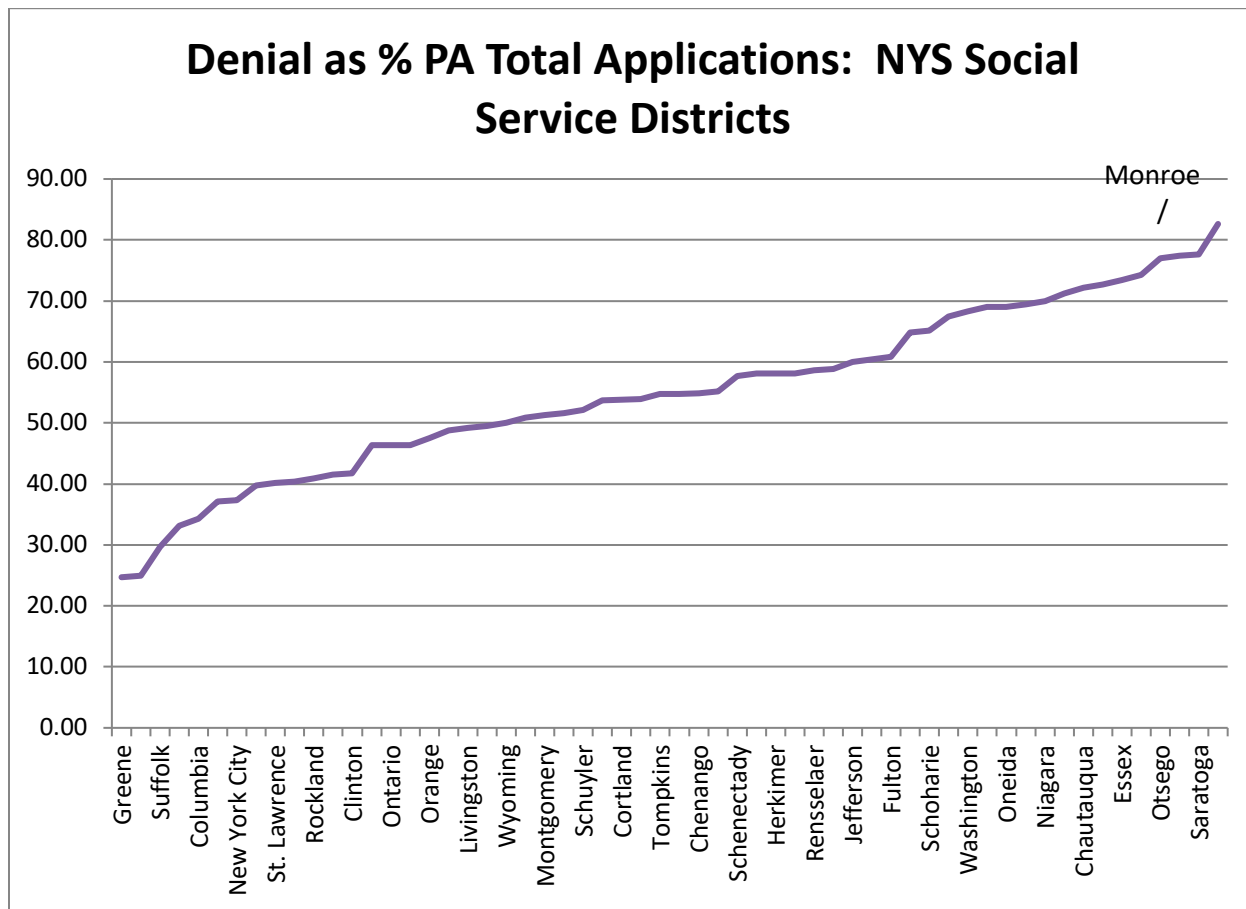
Figure 12



**Monroe County Application Denials in the context of All Sixty NYS Social Service Districts (Counties)**

Figure 13 depicts the percent of PA applications denied (for all reasons) between July 2016 and June 2017 for all sixty NYS Social Service Districts (i.e., counties, with the exception of New York City, for which OTDA combines all five boroughs/counties). Monroe County, with a denial rate of 74.3%, ranks fifth from the highest, exceeded only by Otsego (77.0%), Lewis (77.4%), Saratoga (77.6%), and Chemung (82.6%). (I repeated this analysis using a three year average (2015-2017) with the same results in terms of Monroe County’s ranking). The four counties which exceed Monroe all have relatively small numbers of applicants. Chemung was the largest with 2815 applications in 2017, compared to Monroe’s 33,175. Lewis was the smallest, with 332 applicants.

Figure 13



**Conclusion**

Consistently rejecting 70% to 80% of PA applicants is way out of line with other New York urban Social Service Districts. There needs to be an investigation into the Monroe County procedures and policies which lead to such an outrageously high rate of rejections.

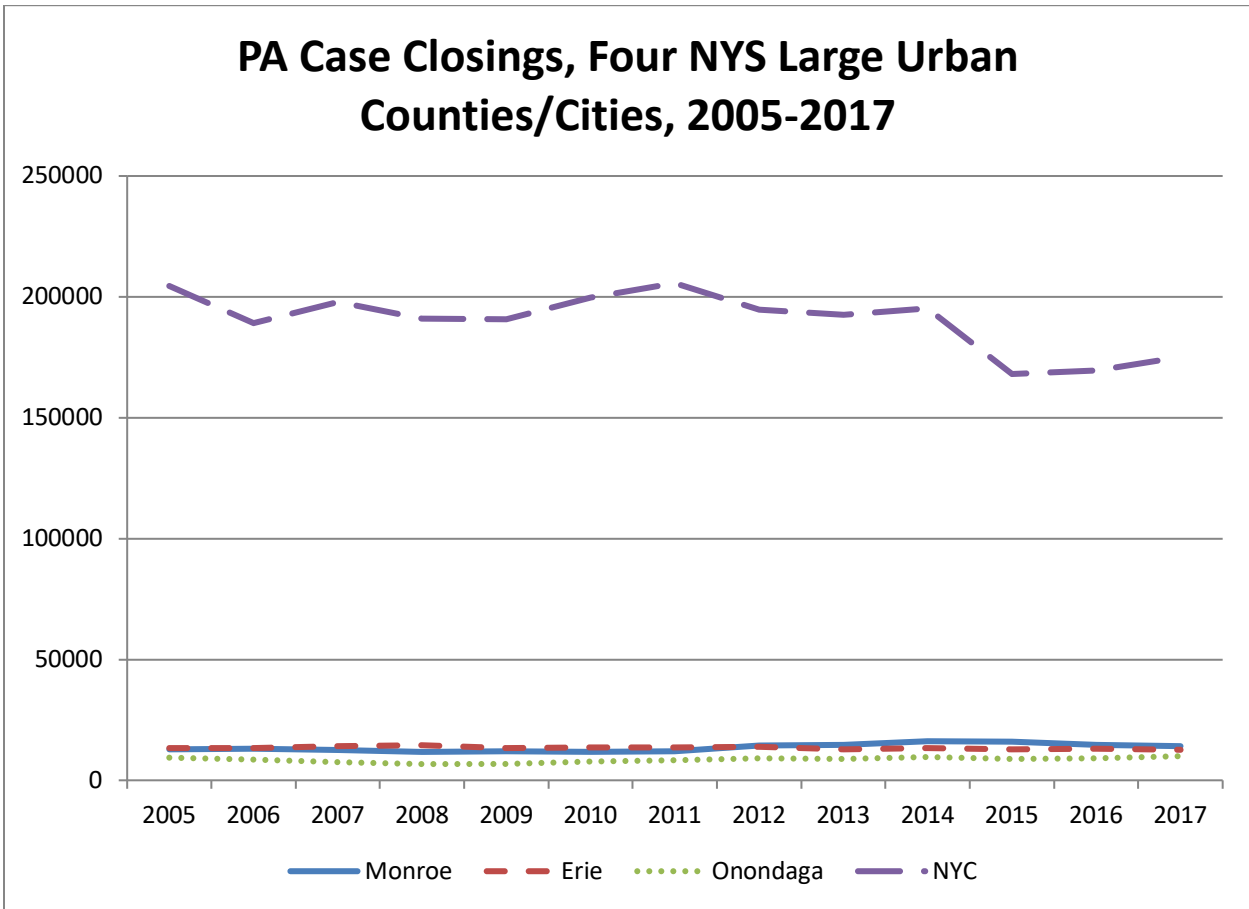
**III. Case Closings**

Among the four large urban SSDs, New York City has by far the largest number of annual case closings – 175,179 for July 2016 through June, 2017. Monroe County follows with 14,014, then Erie with 12,627, and Onondaga with 9,986. If one converts to monthly average case closings, the results are: New York City, 14,598; Monroe, 1,168; Erie, 1,052; and Onondaga, 832.

Figure 14 gives the annual number of cases closed for the four Social Service Districts.

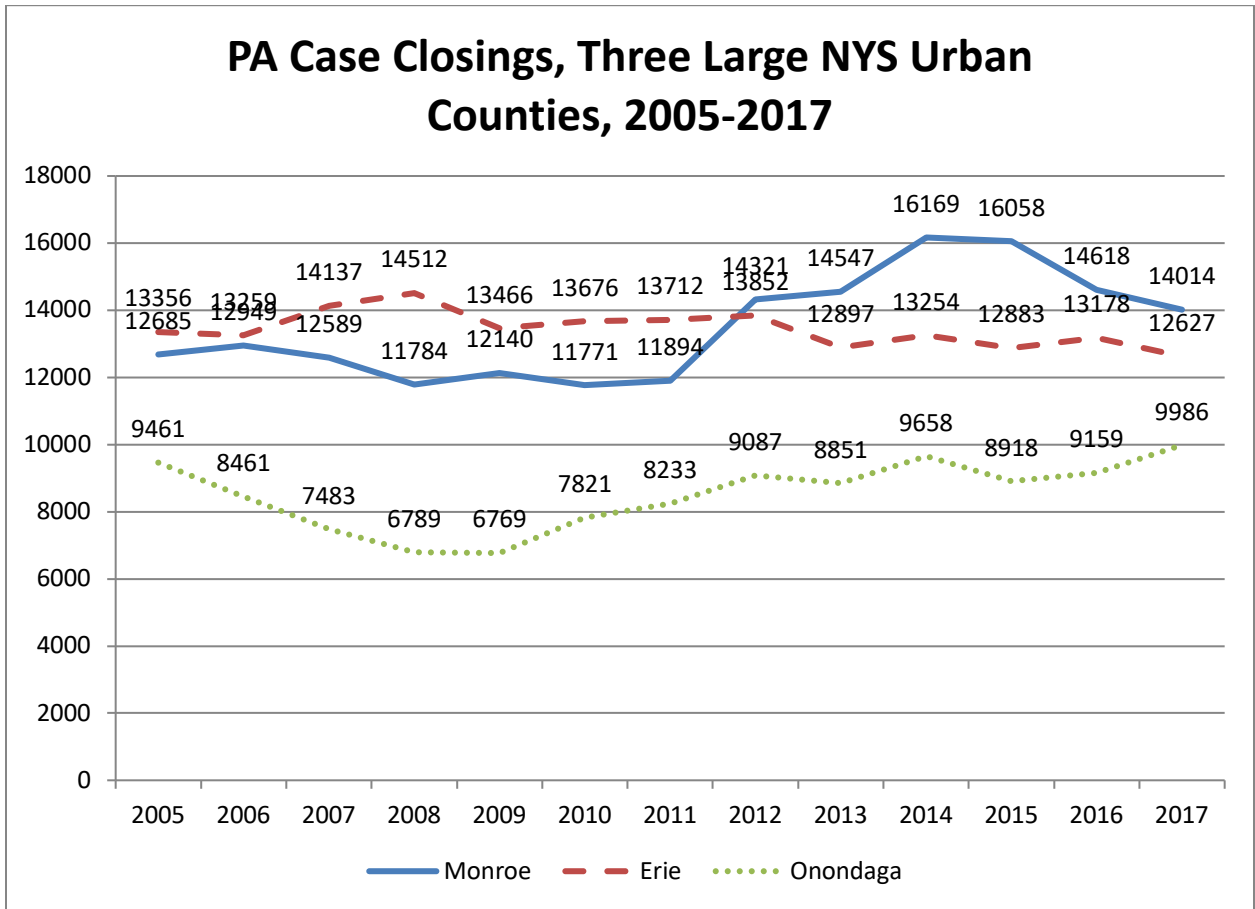


Figure 14



Since the numbers for New York City far outstrip the smaller counties, Figure 15 gives the annual numbers of cases closed for Monroe, Erie, and Onondaga so that the differences between the three counties can be compared. Monroe County in 2005 was slightly below Erie in sheer numbers of case closings, but moved ahead in 2012 and since then has had the largest number of case closings of the three counties.

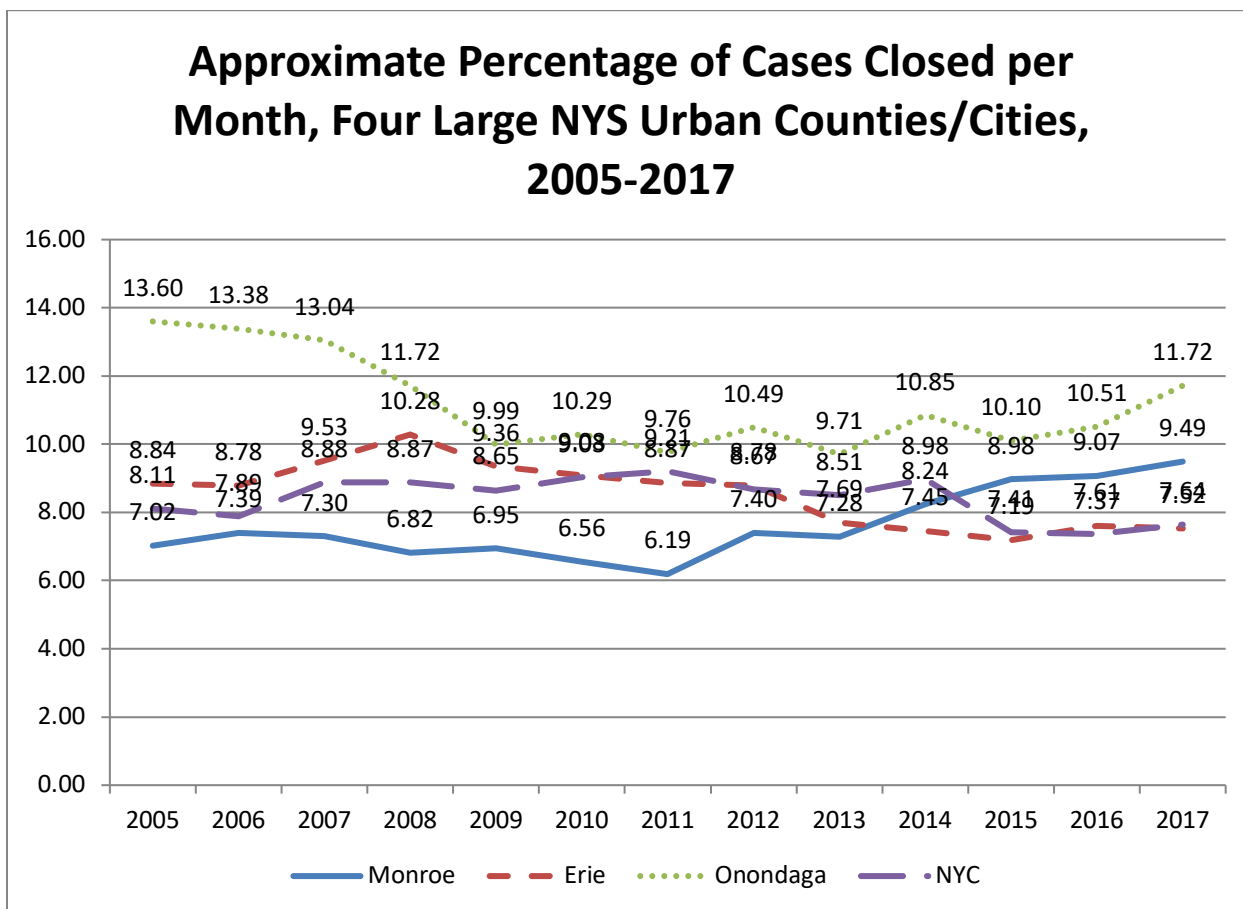
Figure 15



Ideally, to calculate the percentage of cases closed, one would divide the total annual case closings by the unduplicated annual number of cases. Unfortunately, the latter statistic is not available in published OTDA documents. Therefore, the best approximation I could come up with was to divide the monthly average case closings (annual divided by twelve) by the average monthly caseload. Since the case closings are tabulated for July (e.g., of 2016) through June (e.g., of 2017) and the average monthly caseload is on a calendar year basis (January through December), the result is not a true percentage. It is the best that can be done with the available data; however, it may be misleading during times of rapid caseload or case closings change, since the overlap between the numerator and the denominator is only six months.

Figure 16 presents the (approximate) monthly percentage of cases which are closed for the four SSDs.

Figure 16



In these terms, Onondaga has consistently closed the highest percentage of PA cases per month. Monroe County began 2005 with the lowest percentage of cases closed per month (7.02%), but this percentage has been increasing since 2011 with the result that, for the past three years, Monroe County has been below Onondaga but above Erie and New York City.

## Suggestions for Further Research

### A. Further Research using Data already available from OTDA

Further topics which can be addressed using available OTDA data include:

1. Further comparison of the four counties on subtypes of negative decisions (e.g., Intentional Program Violations)
2. Comparison of all NYS counties (perhaps combining data from several years to stabilize the rates of the many counties with very small public assistance caseloads).
3. Breakdown of these analyses into specific PA programs (particularly TANF and Safety Net).

### B. Further Research which would require additional data from OTDA and/or Monroe County DHS.

1. For Monroe County, analysis of the number and percentage of requests for shelter by homeless persons which are denied because the person is under sanction by DHS.
2. The OTDA data on case closings and application denials for “compliance” issues lists only two reasons for these decisions: “employment,” and “other.” In most counties, the number of “other” reasons far exceeds “employment” reasons. OTDA should break down the “other compliance” category into more specific reasons for closings and dismissals. (In addition, OTDA should add footnotes explaining its terms in some detail to the website containing the statistical reports.)
3. OTDA should further break down data by (1) single person versus family cases, (2) gender of the recipient “head of household,” and (3) race/ethnicity of “head of household.”

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<sup>i</sup> This report focuses on durational sanctions as subsets of total sanctions for two reasons: (1) Monroe County overwhelmingly employs durational rather than non-durational sanctions for both drug/alcohol issues and employment issues (See Table 23 of the *2017 Statistical Report on the Operations of New York State Public Assistance Programs*). According to the *Monroe County Department of Human Services DHS 101* (Updated March 2017), all sanctions are “until compliance.” “That means that the individual is ineligible until they comply, or it has been determined that they are no longer required to comply.” (p. 23) Non-durational sanctions are simply until compliance. However, durational sanctions are described as follows: “Some sanctions have a durational period attached to them. In these situations, the individual will have to serve out the durational period and comply before the sanction can be lifted. However, drug and alcohol sanctions can be ‘cured’ if the client enters a Congregate Level II facility **and** the DHS CASAC determines that the level of care is appropriate.” (p. 23) Non-durational drug/alcohol sanctions are to be applied when the recipient “fails to comply with drug and alcohol screening or assessment requirements”. Durational drug/alcohol sanctions are to be applied when the recipient “fails to participate in mandatory substance use treatment or fails to document participation”. The sanction for a first offense is “45 days and until compliance”; for a second offence “120 days and until compliance;” for a third failure “180 days and until compliance” (unless the client enters a level II treatment facility which is deemed appropriate.

Comparing New York City and Rochester for 2017 (July 2016-June 2017) reveals an intriguing difference. Monroe County had a monthly average of 352 recipients under durational drug/alcohol sanction but only 35 under a non-durational drug/alcohol sanction. New York City had 324 recipients under durational drug/alcohol sanction; however, it had 539 recipients under non-durational drug/alcohol sanction. Thus, only 9% of Monroe PA recipients under drug/alcohol sanction had a non-durational sanction, while 62% of NYC PA recipients under drug/alcohol sanction had a non-durational sanction. Do these figures truly reflect a major difference in behavior by Monroe versus NYC PA recipients with drug/alcohol issues, or does it reflect a difference in the way the two Social Service Districts apply the regulations? This is an example of the type of issue I would like to explore as I pursue this inquiry, although I suspect it could only be answered accurately by someone in possession of individual level data.

It can be argued that if this report had considered total (durational plus non-durational) drug/alcohol sanctions, that, for 2017, Monroe County would be shown to have fewer recipients on drug/alcohol sanctions (387) than New York City (863). However, Monroe County still has a rate of drug/alcohol sanctions that is six times higher than any of the other three cities. (Monroe County = 1.54% of all PA recipients; Erie = 0.35%; Onondaga – 0.26%, and NYC = 0.24%). Future research will explore these data longitudinally; however, the choice to focus on durational sanctions in this preliminary report remains valid because the focus of the analysis is on Monroe County DHS and these were the major types of sanctions being experienced by Monroe County PA recipients.

It should be added that extending the analysis of employment sanctions to include non-durational sanctions would not change the basic results because these are applied very infrequently in the four counties under study. In fact, Monroe had the highest number of non-durational sanctions for employment (28), while Erie had 8, Onondaga had 6, and NYC had none.