

Report by the  
Carolina State Advisory Committee to United States Commission on Civil Rights

March 1971



**WELFARE: THE PERPETUATION OF POVERTY**

SOUTH CAROLINA STATE ADVISORY COMMITTEE

to the

UNITED STATES COMMISSION ON CIVIL RIGHTS

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TABLE OF CONTENTS

	Page
Preface. . . . .	iii
Introduction . . . . .	1
I. Why Dorchester County?. . . . .	1
II. Federal Welfare Funds in South Carolina . . . . .	1
III. Poverty in Dorchester County. . . . .	2
PART ONE - Administration of the Welfare Program . . . . .	4
I. Equal Employment Opportunity. . . . .	4
II. Medical Vendor Payments . . . . .	8
III. Dissemination of Information, Regulations, and Guidelines . . . . .	12
IV. Advocacy of the Poor. . . . .	15
V. Staff/Client Relationships. . . . .	16
VI. Reasonable Time for Decision. . . . .	19
VII. Loose Interpretation of Rules and Regulations . . . . .	20
PART TWO - The Program of Welfare. . . . .	24
Background. . . . .	24
I. Estimation of Need and Percentage Reduction. . . . .	25
II. State Claim Law. . . . .	26
III. Warrants for Arrest of Deserting Fathers . . . . .	27
IV. Food Stamps . . . . .	28
V. Disability Restrictions . . . . .	29
VI. Appeal Procedures . . . . .	30
VII. Failure to Opt For Available Programs Under Federal Law . . . . .	30
PART THREE - Findings and Recommendations . . . . .	32
Introduction . . . . .	32

PREFACE

The United States Commission on Civil Rights

The United States Commission on Civil Rights, created by the Civil Rights Act of 1957, is an independent agency of the executive branch of the Federal Government. By the terms of the act, as amended by the Civil Rights Acts of 1960 and 1964, the Commission is charged with the following duties: investigation of individual discriminatory denials of the right to vote; study of legal developments with respect to denials of the equal protection of the law; appraisal of the laws and policies of the United States with respect to denials of equal protection of the law; maintenance of a national clearinghouse for information respecting denials of the equal protection of the law; and investigation of patterns or practices of fraud or discrimination in the conduct of Federal elections. The Commission is also required to submit reports to the President and the Congress at such times as the Commission, the Congress, or the President shall deem desirable.

The State Advisory Committees

An Advisory Committee to the United States Commission on Civil Rights has been established in each of the 50 States and the District of Columbia pursuant to section 105(c) of the Civil Rights Act of 1957 as amended. The Committees are made up of responsible persons who serve without compensation. Their functions under their mandate from the Commission are to: advise the Commission upon matters of mutual concern in the preparation of reports of the Commission to the President and the Congress; receive reports, suggestions, and recommendations from individuals, public and private organizations, and public officials upon matters pertinent to inquiries conducted by the State Committee; initiate and forward advice and recommendations to the Commission in matters in which the Commission shall request the assistance of the State Committee; and attend, as observers, any open hearing or conference which the Commission may hold within the State.

This report was submitted to the United States Commission on Civil Rights by the South Carolina State Advisory Committee. The conclusions and recommendations are based upon the Advisory Committee's evaluation of information received at its 2-day Open Meeting on April 3-4, 1970, in the Dorchester County Court House, St. George, South Carolina. In reading the report, it must be kept in mind that it reflects conditions, practices, and information at the time of the Open Meeting. This report has been received by the Commission and will be considered by it in making its reports and recommendations to the President and the Congress.

## INTRODUCTION

### I. WHY DORCHESTER COUNTY?

When the South Carolina State Advisory Committee met to select a county for an Open Meeting on welfare, Dorchester County's welfare department was neither significantly better nor significantly worse than others in the State. Although covert complaints were heard about welfare practices in Dorchester County, the same complaints were heard in other counties of the State.

The chief reason for the selection of Dorchester County was the fact that welfare applicants and recipients living there were willing to speak freely and frankly. In the course of surveys conducted to select a county in which to hold an Open Meeting, the U. S. Commission on Civil Rights staff learned that many welfare applicants and recipients in South Carolina hesitated to air their grievances in public for fear of jeopardizing their welfare status if they spoke up.

Although some Dorchester County residents were also afraid, they would not allow their fear to keep them silent. They consented to discuss their welfare complaints both privately and publicly, thus making it possible for the South Carolina Advisory Committee to select Dorchester County for its 2-day Open Meeting. Their courage enabled the Committee to obtain information that otherwise could not have become available.

### II. FEDERAL MONEY IN SOUTH CAROLINA

According to the Southeastern Regional Office of the U. S. Department of Health, Education, and Welfare, the South Carolina Department of Public Welfare received slightly over \$41 million in Federal matching

funds during Fiscal Year 1969. These Federal funds were matched with more than \$11 million in State funds and slightly more than \$100,000 in local funds, making a total expenditure of \$53,610,695 for welfare in South Carolina. Thus, the Federal Government paid 71.3 percent of the cost of such welfare programs as Aid to Families with Dependent Children, Aid to the Blind, Aid to the Totally and Permanently Disabled, Child Welfare Services, Family Services, Medical Assistance Program (Medicaid), Old Age Assistance, and Work Incentive.

From July 1, 1968 to June 30, 1969, the Dorchester County Department of Public Welfare spent more than one-half million dollars for assistance payments, medical program payments, foster home care, and administration.

### III. POVERTY IN DORCHESTER COUNTY

The 1960 census put the number of families in Dorchester County at 5,423 and, of this total, 2,653 were below the poverty level as defined by the Social Security Administration. Just under half the families, 43.4 percent, were nonwhite (not counting a number of families of Indian descent who, in Dorchester County, generally are regarded as "white"), and 85 percent of the nonwhite population was below the poverty level. (See "Community Profile: Dorchester County, South Carolina," Office of Economic Opportunity Information Center, Washington, D. C.).

In January 1969, according to Mrs. Mary H. Kirby, director of the Dorchester County Department of Public Welfare, the department was handling 609 cases, of which 503 were those of black persons (excluding families of Indian descent). Thus, 82.5 percent of the cases were black.

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From the two sets of statistics--Federal and county--it would appear that more than one-fourth of Dorchester County's black population was receiving welfare assistance.

Average payment per welfare case in Dorchester County in February 1970 was \$63.05. There were 1,560 persons covered by these cases, and each person received an average of \$25.26. Of those covered by Aid to Families with Dependent Children, each person received an average of \$18.55.

These meager payments went to only one-fourth of the county's 1,923 poor black families. The lives of the other three-fourths can be sketched from stories told by those who appeared before the State Advisory Committee. They told of denial of aid because of guidelines, exclusions, and other complicating factors. Some owned land which they were unwilling to surrender under the State Claim Law; some were reluctant to swear out warrants to arrest deserting fathers; some were confronted with family situations which presented such complex problems that they would not fit into any of the existing categories of public assistance; some were afraid to go to the welfare office; some were too proud to endure what they felt to be demeaning condescension on the part of welfare workers; and some fell into Federal welfare categories in which South Carolina did not participate.

PART ONE

ADMINISTRATION OF THE WELFARE PROGRAM

I. Equal Employment Opportunity

To evaluate employment practices of the Dorchester County Department of Public Welfare, one should look first at the South Carolina Department of Public Welfare. Roy Loyd, director of the State department's division of field services, was asked during the 2-day Open Meeting about equal employment opportunity in his department. This exchange occurred between Mr. Loyd and members of the State Advisory Committee:

Mr. Loyd:

All personnel that is employed by our department is employed through the merit system program. ... The State personnel officer visits as many colleges in the State as possible ... . Actually, we take the qualified people that we have and put them to work. We are not blessed with a number of people that we can even make a choice from. If a person is qualified for the job and is on the register, generally we have a position and there's one on the register and that's that.

Question:

Then there is no procedure of equal employment opportunity at all?

Mr. Loyd:

Only that we employ everybody we can.

Question:

How many blacks are employed in the State department?

Mr. Loyd:

Two.



Question: Out of how many?

Mr. Loyd: I think about a hundred. A little more than a hundred.

Question: And these two are employed in what jobs?

Mr. Loyd: One is a secretary in the Children and Family Services Division and the other one is a clerk in the supply room.

Question: There are no professionals in your office then?

Mr. Loyd: No.

Question: You mean that out of a State the size of South Carolina there has never been any qualified person recruited by your personnel worker who makes these visits to college campuses to work in your department?

Mr. Loyd: We don't have one.

Question: Do you, in order to receive Federal funds, have to sign a compliance that you have equal employment opportunity?

Mr. Loyd: We do have equal employment opportunity.

Each time the question of equal employment arose during the Open Meeting, officials of the State department pointed to the department's participation in the merit system. Beyond that, they gave little evidence of equal employment activity.

At the time of the Open Meeting, the Dorchester County Department of Public Welfare had a staff of 19. The breakdown was:

Director	1
Public Assistance Unit: Caseworkers	3
Children and Family Services Unit: Supervisor	1
Caseworkers	4
Food Stamp Office: Caseworkers	3
Secretary	1
Cashier	1
Homemakers	2
Secretaries (main office)	3
TOTAL	<u>19</u>

The county department has had a black caseworker for about 2 years. According to information presented at the Open Meeting, this caseworker was only employed as a result of pressure exerted by local blacks. Black citizens "hand-carried" a qualified black to the department office to apply for employment and the applicant subsequently was hired.

Today, in a county in which the case ratio is five blacks to one white, and in which white and nonwhite populations are about equal, there are only five black employees out of 19. Since there were no black employees 3 years ago, it would appear that progress is being made. However, the positions occupied by blacks raised some questions, including these:

rt- (1) Both of the homemakers are black, Homemakers do housekeeping chores for incapacitated welfare clients. This is, therefore, a form of maid and errand service.

(2) Each of the county department's three units (Public Assistance, Children and Family Services, and Food Stamp) has one black employee. The black employed in the food stamp office is classified as a caseworker assistant, a position requiring only 2 years of college and 2 years of experience in dealing with people. The blacks in the other two units are caseworkers.

Asked how blacks are sought to fill staff vacancies, Mrs. Kirby replied that "word of mouth" is the best method. She gave no evidence that effort has been made to recruit at South Carolina State, a predominantly Negro college only 37 miles away.

The rigidity of the State merit system was given as the excuse for not hiring more blacks, both on the State and county levels. To be a caseworker in the county department, one must have a college degree and 4 years of experience dealing with people. A caseworker assistant, as already stated, must have 2 years of college and 2 years of experience.

Information given at the Open Meeting indicated that this rigid rule barred many capable persons. Employees of the Community Action Program in the county, employees of the South Carolina Commission for Farm Workers (a private, federally funded program operating an educational center in the county), and some private citizens do work falling within a caseworker's duties. Information supplied at the Open Meeting attested to the skill of these Dorchester residents in pursuing assistance for needy persons who, it seemed, were either unknown or ignored by the county department. At least some of these Dorchester residents,

one would assume, would make excellent caseworkers. Participants in the Open Meeting asserted repeatedly that they went to employees of the Community Action Program and the Farm Workers School for assistance in applying for welfare, rather than to welfare caseworkers. All this raises doubt about the claim, made at the Open Meeting, that the "State merit system provides an equitable method of determining one's capabilities in performing the duties of a caseworker."

## II. Medical Vendor Payments

Title XIX of the Social Security Act of 1965 established the Medical Assistance Program, usually called "Medicaid". This program is designed to make medical care available to those unable to pay for it. Services include in-patient and out-patient hospital care; prosthetic devices; transportation; laboratory and x-ray work; prescribed drugs; and certain insurance premiums under the Medicare program.

South Carolina received \$15,635,600 in Federal funds for Medicaid during Fiscal Year 1969. The Dorchester County Department of Public Welfare, during that period, handled \$170,277.09. Up to February 28, 1970, in Fiscal Year 1970, the Dorchester County Department of Public Welfare had spent \$160,315.23 under this program, at least \$156,583.23 of which had been spent in the form of vendor payments. In Dorchester County there are 10 practicing physicians, four dentists, two hospitals (one private and one public), and seven drug stores. Under Title XIX, welfare recipients have caused an enormous amount of money to flow into Dorchester County for health services.

Despite this fact, however, the Dorchester County Department of Public Welfare, the South Carolina Department of Public Welfare, and the Southeastern Regional Office of the U. S. Department of Health, Education, and Welfare had done nothing to require physicians and dentists to comply with Federal civil rights laws. Every doctor or dentist who receives vendor payments under Title XIX must sign a compliance statement. This statement is reiterated with each invoice sent to the South Carolina Department of Public Welfare. Yet doctor and dentist offices in Dorchester County not only were segregated, but displayed signs indicating "white" and "colored" waiting rooms. The director of the Dorchester County Department of Public Welfare was asked about this practice:

Question: If you found these segregated waiting rooms designated by signs, what action would you take?

Mrs. Kirby: I don't know whether I'd take any.

Question: Would you recommend to the civil rights office that they investigate those physicians out of compliance with the law?

Mrs. Kirby: Well, I don't know.

Mr. Loyd was questioned about the State department's policy concerning segregated waiting rooms in doctors' offices. In particular, he was asked about compliance statements sent in by doctors. "Each of these doctors have signed these compliances," he replied. "We take them at face value until we can get there."

Mr. Loyd then was asked if segregated doctors' offices were not customary throughout South Carolina. "I really have no way of knowing," he answered, "but I would suspect that it is that widespread and we're doing what we can to close it down."

Mrs. Kirby stated: "All doctors signed statements that they are in compliance with the civil rights laws. They're professional men and we're certain that they have integrity."

The information presented by these two officials can be summarized as follows:

1) Neither the South Carolina Department of Public Welfare nor the Dorchester County Department of Public Welfare regarded the compliance statements as anything more than a necessary form to be filed. Mrs. Kirby expressed no interest in pursuing compliance. The State department indicated that it would pursue investigation of segregated waiting facilities only in the event of complaint and public outcry.

2) The director of the county welfare office indicated in a post-meeting conversation with the staff of the Southern Field Office of the U. S. Commission on Civil Rights that she feared repercussions from the medical field if Federal laws regarding nondiscrimination were enforced. She was afraid that doctors would discontinue medical services for the poor. Welfare recipients then, according to her, would have nowhere to go for medical treatment.

In February 1970 welfare recipients placed \$5,618.61 in the bank accounts of physicians in Dorchester County. This sum covered services rendered during 20 office days. Welfare recipients therefore caused

medical vendor payments to physicians at an average of \$280.93 a day. Since there are only 10 practicing physicians in Dorchester County, this means there is a steady income in Federal funds to each participating doctor. (It should be noted that not all of the 10 doctors participate.)

As early as the spring of 1969 complaints were registered with the Southeastern Office for Civil Rights of the Department of Health, Education, and Welfare concerning segregation of patients in doctors' offices in Dorchester County. In July 1969 an onsite review of the Dorchester County Department of Public Welfare was conducted by the HEW Office for Civil Rights. The matter of segregated waiting facilities was investigated and discussed with the county director in the presence of Mr. Loyd. Despite this discussion, however, apparently no review has been conducted by the county department to determine what the waiting room practice is.

Although this onsite visit occurred 9 months before the Open Meeting, the Department of Health, Education, and Welfare had accomplished nothing more than an exchange of letters and an interview with the State director by the time the Open Meeting was held. No steps had been taken to investigate further or to require desegregation of the waiting rooms, according to information presented at the Open Meeting.

### III. Dissemination of Information, Regulations, and Guidelines

It became obvious during the Open Meeting that the public had encountered considerable difficulty in getting copies of regulations, guidelines, and other information and data concerning welfare in South Carolina and Dorchester County. Again the local situation is best understood in the context of the State situation.

The South Carolina Council on Human Relations, a private, nonprofit organization long active in behalf of human justice, several years ago recognized the public's need for information about welfare rights and regulations. With the cooperation of State welfare officials, the Council published a simple but specific booklet on welfare rights. The booklet explained categories, procedures, rights, and obligations. After publishing the booklet in the spring of 1969, the Council informed Dr. Arthur Rivers, director of the South Carolina Department of Public Welfare, that the Council would make copies available to the department at cost. Dr. Rivers responded by ordering 10 copies. In the face of this disappointing response, the Council next mailed a letter to all county welfare directors making the booklet available to them at cost. No more than 10 county departments responded, and Dorchester County was not among them.

The booklet (called "Welfare Benefits in South Carolina") had been prepared with the cooperation of Dr. Rivers' staff, and Mr. Loyd told the Open Meeting he did not know why the State department had decided against using the booklet or something similar. The director of the Dorchester County Department of Public Welfare explained at the Open Meeting that the county department did have money for such purposes.



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A clear example of important welfare information withheld from the public was supplied by William Runyan, assistant director of the Charleston Neighborhood Legal Assistance Program, Inc. This Office of Economic Opportunity-funded program has had extensive experience in dealing with the welfare system.

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In December 1967 Mr. Runyan filed a suit regarding residency against the State welfare department. In court the State Attorney General cited welfare regulations. Mr. Runyan asked the county welfare office to send him a copy of the State regulations. The county office replied that approval from Columbia [where the South Carolina Department of Public Welfare is located] would be required, but even at the State level he was unable to obtain a copy. (He finally got a copy elsewhere.)

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The State regulations are voluminous and are continuously being revised. They are important because of the brevity of the State welfare code. The code, according to Mr. Runyan, is quite good in the sense that it does not legislate in detail. Rather, it places the burden of regulation upon the State office. Herein lies the problem, according to Mr. Runyan. Regulations are compiled in the State office and limited copies are made available. A copy is available in each county office, but it must be read in the office. "If an attorney can't get the regulations," said Mr. Runyan, "I know welfare recipients can't get a copy."

A private company publishes the South Carolina Code, and many administrative regulations established by the various State agencies are included. But according to Mr. Runyan, even this publishing company has been unable to obtain more than a few of the regulations of the South Carolina Department of Public Welfare. Thus, the regulations of the South Carolina Department of Public Welfare are not included in the volumes of the State Code that normally are found in every lawyer's office.

A poverty law research project at Duke University attempted to collect welfare regulations of the various States. A request was sent to South Carolina, and there was no response. Eventually the Duke project borrowed Mr. Runyan's copy in order to duplicate it.

"Word of mouth" seems to be the Dorchester County Department of Public Welfare's standard means of conveying information to the public. This is particularly evident in the food stamp program. Not only are all welfare recipients eligible for food stamps, but so are hundreds of other families whose incomes fall within eligibility guidelines. Dorchester County's means of informing these families of their eligibility is inadequate.

Josiah Brabham, officer in charge of the Charleston Field Office of the Consumer Food Program, Southeast District, U. S. Department of Agriculture, appeared before the Committee and presented information concerning the operation of the food stamp program in South Carolina. Mr. Brabham asserted that his office maintains a vigorous program of

publicity designed to reach all potential recipients of food stamps. Brochures are distributed, contacts are maintained with civil rights leaders, offers are made to address meetings and church groups. Yet information was received from welfare applicants and recipients and from knowledgeable leaders in the black community that much remains to be done toward informing individuals of their food stamp rights in Dorchester County.

The communications breakdown appeared to be at the local level. Not only were many people unaware of their right to food stamps, but the maze of guidelines, cut-off amounts, rules, and regulations created an atmosphere of confusion and bewilderment. Several instances were mentioned, such as the food stamp caseworker who told a client to produce medical bills totalling \$30 for the month before food stamps were issued. The client was unable to understand that documents proving the medical expenditures would lower the cost of his food stamps. Evidently the caseworker was unable to explain the complex food stamp procedures. The result has been that most new applicants for food stamps come by way of the Community Action Agency or the Commission for Farm Workers, or by way of interested neighbors who inform needy people of their rights and take them to the food stamp office.

#### IV. Advocacy of the Poor

The director of the Dorchester County Department of Public Welfare was asked about "advocacy" on behalf of the poor. Her response dealt primarily with referring welfare clients to other agencies which

could help them. No indication was given that her department felt any responsibility for advocating programs to meet the needs of poor people.

Asked about a State provision for county advisory councils on welfare, the director expressed little commitment to creating one in Dorchester County. The only step taken in Dorchester County was a single meeting in 1969 concerning the possibility of a district advisory council to include five or six counties in the "Low Country" of South Carolina. Mrs. Kirby stated that nothing had occurred since that meeting.

The Committee asked Mr. Loyd about the "advocacy" stance of the State Department of Public Welfare. His response indicated that, for the most part, the State office's activity took the form of asking for increased appropriations and for deficit appropriations when money ran out before the end of the fiscal year.

#### V. Staff/Client Relationships

Beyond the various welfare programs, the key to an effective welfare system is the relationship of staff to clients. Based on information presented at the Open Meeting, the relationship between staff and clients in Dorchester County's welfare department is tenuous, to say the least. Participants in the Open Meeting were asked about the use of courtesy titles by the welfare caseworkers. Most participants agreed that caseworkers have begun using titles of respect, although this had not always been the practice. Several participants ~~stated~~ that courtesy titles were used by the whole staff after plans for the Open Meeting became known.

There was, however, deeply disturbing evidence of basic inability

on the part of county welfare workers to relate to black people in a meaningful and positive manner. "They treat us like dogs," stated Miss Telestine Robinson, a welfare applicant. In an interview prior to the Open Meeting, Miss Robinson said: "It's hard for the welfare people to understand that black people need anything else than a little bit to eat."

Mrs. Etwinna Gordan is a 57-year-old grandmother whose welfare payments had been cut off several years ago. Mrs. Gordan was not in good health when she appeared before the State Advisory Committee. She had to be assisted to the participants' table, and she coughed throughout the questioning. Mrs. Gordan is unable to care for herself and lives with a sister. When the sister goes to work, she has to take Mrs. Gordan to a friend's house.

Mrs. Gordan reapplied for welfare last year. While at the welfare office, according to her statement, she experienced one of her "attacks". The intake caseworker, however, insisted that Mrs. Gordan was "putting on" and, therefore, would be denied welfare.

Mrs. Victoria DeLee, a black leader in Dorchester County and a veteran of numerous civil rights battles, stated that going through this intake caseworker, through whom every applicant must go, is "like going through the devil in hell". Mrs. DeLee further reported that a welfare recipient had been told by a caseworker that she should use a kerosene lamp in order to save on her electric bill. This suggestion had been made after the client had questioned the welfare department policy of allowing only \$1.80 for electric bills in estimating household needs. (Mrs. DeLee, incidentally, dated the use of courtesy

titles from a visit in the county by officials from the Atlanta office of the Department of Health, Education, and Welfare,)

The Dorchester County Department of Public Welfare has one employee for every 32.9 public assistance cases (based on February 1970 figures). Minus the staff of the Food Stamp office (which sees most of the same clients as do the other caseworkers) the ratio is one employee for every 44.6 cases. Caseworkers in two units must know the family situation of an average of 195 persons. Nevertheless, the case load in Dorchester County probably is no worse than case loads elsewhere. Similarly, the pay for caseworkers is not extraordinarily low when compared with salaries in other counties. The arguments of being overworked and underpaid have no special application, therefore, to Dorchester County.

Caseworkers do not visit recipients as often as they should. Participant after participant indicated that caseworker visits to their homes are rare and sporadic. Many times, some participants said, caseworkers asked them to come into the department office for a review or for some other reason.

Information at the Open Meeting indicated an inability of caseworkers to deal with anything more than relatively simple family situations. When confronted with a complex situation, according to information presented to the Committee, caseworkers relegated the case to the inactive status or closed it and charged "non-cooperation."

Mrs. Flora Lee Mack is an example. Mrs. Mack, totally blind, was referred to the agency by a physician. Her husband works only when work is available, so their income is uncertain and low. Mrs. Mack has three children and all three, it is reported, face congenital blindness.

The Macks cannot afford the cost of care for Mrs. Mack and the children while her husband works. Yet the Dorchester County Department of Public Welfare seems unable to provide any significant help. There is some feeling that a small sum from the welfare department toward day-care expenses is their right, but the department has not produced this assistance. The case called for, at the very least, referral to other agencies. It has been referred, but only to the vocational rehabilitation service, which has provided intermittent services.

Department of Health, Education, and Welfare personnel mentioned in their report a family with complex problems, and added: "Questions are raised due to agency's inability to either cope with situation or lack of interest."

#### VI. Reasonable Time For Decision

South Carolina welfare procedures allow 60 days in which to decide on an application. Indeed, the regulations declare that it should take no longer than 60 days for the first payment to arrive, unless there are "unusual circumstances".

While no survey was conducted to determine the average length of time to pass on an application, it was clear at the Open Meeting that 60 days is more a hoped-for goal than a strictly observed deadline. Many longer decision times were documented.

William Runyan, the Charleston attorney, said: "Insofar as actual delivery of assistance to people, I personally have represented people who have been denied assistance for as long as 2 1/2 years."

Moreover, a complaint was registered in the Open Meeting about the amount of time used for intake procedures. Mrs. DeLee, who has accompanied many applicants to the welfare office, stated that intake interviews sometimes ran over 2 hours.

#### VII. Loose Interpretation of Rules and Regulations

The Fourholes Community in Dorchester County is populated predominantly by a racially mixed group tracing its ancestry to an Indian tribe. Neither "white" nor "colored", these citizens find themselves categorized in a variety of ways. If Caucasian features predominate in an individual he is considered "white"; otherwise he must use the "colored" entrances in doctors' offices. Welfare statistics list these citizens as white.

The Fourholes Community had its own "school system"--the Fourholes School, a poorly staffed and poorly equipped public school. High school students, although able to attend "white schools", normally have dropped out rather than face harassment and the onesided competition which has been their legacy from an inferior educational background.

The Indian community protested about the school but the complaints fell on deaf ears. In September 1969 Fourholes parents, after attempting to enroll their children in the "white" Ridgeville School, removed them from the Fourholes School. With the aid of college students, the parents established the Fourholes Freedom School.

The county power structure reacted by cutting off welfare assistance (Aid to Families with Dependent Children) for children who enrolled in the Freedom School. This action was based on a section of the State Code which denied welfare for children not enrolled in a school recognized by the State superintendent of education.



Fourholes parents obtained the services of William Runyan and an attorney with the American Friends Service Committee in Columbia. The two lawyers took steps to file a suit in Federal Court. Meanwhile, steps also were taken toward filing an appeal with the South Carolina Department of Public Welfare.

Shortly thereafter, the two attorneys discovered that the State law in question no longer existed. In the words of Mr. Runyan: "The State Department of Public Welfare was enforcing a statutory requirement which had been repealed by the legislature the year before."

Dr. Rivers, director of the State welfare department, was so informed and a hearing was conducted. The children were restored to the welfare rolls and reimbursed for the December checks they had missed.

Mr. Runyan concluded:

Knowing the welfare department and knowing the system and how it is run, I can't believe that the State welfare department or the county welfare department didn't know that this requirement had been a repealed statute -- that this statutory requirement had, in effect, been repealed by the State legislature. Perhaps I'm just a little paranoid or something, but I don't think that this was a pure matter of ignorance. Therefore, I think this, too, is symptomatic of what's wrong with the system in this State.

Another example of misapplication of rules and regulations involved the South Carolina Commission for Farm Workers, Inc. The Commission -- a private, non-profit organization receiving funds through the U. S. Office of Economic Opportunity -- operates four basic adult education centers, one of them at Summerville in Dorchester County. About 60 rural residents, many of them welfare recipients, attend each center.

Under Title III of the Economic Opportunity Act of 1964, each student gets a stipend of up to \$27.50 a week to cover transportation, day care for children, lunches, clothing and other expenses connected with attending the classes.

For 2 years, in accordance with a State law, the county welfare department did not count the stipends as income. Later, however, the State law was repealed and the county welfare department reduced welfare checks going to recipients of the stipends, as instructed by State officials. Federal law calling for the disregard of Title III stipends also had been changed, and State officials said they were responding to changes in Federal law.

Thus the Dorchester County and South Carolina Departments of Public Welfare were within the letter of the law in reducing welfare checks. Nevertheless, it cannot be said that the welfare recipients who had their meager checks reduced were properly treated.

Had each welfare client been told personally that his check would be reduced and why? Mrs. Kirby, the county director, could not be certain. Mrs. Kirby said she went to the Summerville Center and talked to the students as a group. However, the State Advisory Committee received information from students at each center who indicated that no notice or explanation was given, beyond receipt of a smaller welfare check the month after they enrolled. The center's staff said Mrs. Kirby did not explain the meaning of the change to the students.

Moreover, information was presented at the Dorchester County meeting indicating that check reductions were not correctly computed. Regulations call for deducting only that part of the stipend not actually used for such expenses as transportation to the school, day care, lunches, and clothing. It appears that an arbitrary formula had been used in deciding what portion of the stipend check would be counted as expenses rather than income. Welfare workers seemed to have made little effort to arrive at the amount of actual expenses to allow in each case. And it was only under pressure from the Commission for Farm Workers that the welfare department began taking these expenses into consideration.

## PART TWO

### THE PROGRAM OF WELFARE

#### Background

The national welfare system gives States a wide variety of choices. Welfare "need" -- as pointed out by the representative from the U. S. Department of Health, Education, and Welfare at the Dorchester County Open Meeting-- is not defined by Federal statute. Each State decides what "need" is. Each State's choice determines how many people will be covered by welfare in that State. Should a State define the law narrowly, thereby excluding large segments of the needy population but giving larger payments to the neediest? Or should that State broaden the definition of "need" to include large numbers of the needy, and give only small sums to each recipient?

South Carolina has chosen the worst ends of both options.

Welfare laws provide open-ended Federal funding. Each welfare category has a formula under which the Federal Government will give grants to a State on a matching basis. Every State has the option of bringing into the State economy an amount ranging from as much as equal matching to almost five times the amount put up by the State. In Fiscal Year 1969 South Carolina put up \$11,311,315. Had the State been willing to appropriate more money, it could have brought many additional Federal dollars into South Carolina.

While the legislature of South Carolina chose not to spend more than \$11 million, the Federal Government in that same year paid out \$19 million in South Carolina for health care alone. So South Carolina has a narrow definition of "need". Not only are few people covered (barely one-fourth

of poverty-stricken families in Dorchester County), but those few who are eligible receive only a pittance.

Perhaps not all the fault lies within the State boundaries. Perhaps the blame lies ultimately with a Federal program which allows a State to be so insensitive.

Information presented at the Dorchester County meeting brought to the surface in a short time a few of the factors that work to the disadvantage of poor people.

#### I. Estimation of Need and Percentage Reduction

The State welfare manual sets out in detail the procedures by which caseworkers of the South Carolina Department of Public Welfare compute a budget for an individual or family applying for welfare. Detailed charts and tables establish minimum food budgets by age group and food required (including green and yellow vegetables, tomatoes, potatoes, milk, eggs, sugar and similar articles of food); minimum clothing budgets (including clothes, underwear, and even safety pins); budgets for water, electricity, fuel, and budgets for shelter. The family is then presented with the department's estimate of its minimum requirements (giving some consideration for special diets, and other types of medical expenditures).

But having had his needs administratively defined, the applicant then finds that the South Carolina Department of Public Welfare uses a certain percentage of that administratively defined budget to decide whether the applicant is eligible for welfare. The manual states:

All other eligibility factors being established an award will be given when the budget shows an unmet need of \$4.00 or more under the agency procedure of taking an established percentage of the total monetary value of the established requirements and subtracting from this figure the total monetary value of income. (p. 81, revised July, 1967, emphasis added.)

The percentage of need is based on annual appropriations and usually is established at the beginning of a fiscal year. The percentage of need (otherwise referred to as "percentage reduction") for Fiscal Year 1969 was 52 percent of the formula-established need. Families with dependent children who receive aid are subject to an even greater percentage reduction if they have more than four children.

Through this complicated procedure a family finds not only that it is subject to a rigid and detailed determination of its needs for food, shelter, clothing, and the like, but also that the South Carolina Department of Public Welfare then says contradictorily that the family will have to exist on only a very low percentage of that established "minimum" need.

## II. State Claim Law

Section 71-86 of the South Carolina Public Welfare Act declares:

There is hereby created a claim . . . against the estate of any deceased person who has received old age assistance, to the extent of the total amount of such assistance paid to such recipient after July 1, 1956.

This claim ranks in priority behind funeral and other expenses of the last sickness, charges of probate and letters of administration, debts due to the public, judgments, mortgages and executions, and rent. An estate that has a gross market value of less than \$500 is exempt.

Mrs. Freddie Hope, of the Atlanta office of the Department of Health, Education, and Welfare, reported that only a few States in Region IV [Southeast U.S.] have such claim laws.

This law means that a welfare applicant must agree to disinherit his or her children from any real property that he or she may have -- however little that may be. If a man, 65 or older, has a few acres which he has acquired, the South Carolina claim law requires that at his death his children cannot inherit that property until the State has satisfied its claim against his estate.

The State law goes further to prohibit the disposal of any property that can be considered a possible resource in pursuing a claim. The law "... provides that a person may not dispose of property in order to qualify for assistance. Therefore, if it is determined that an applicant for assistance has disposed of real property without value received within a period of two years prior to application, he should be advised that he has disposed of a resource and the agency is not prepared to give him assistance until the matter is cleared." (Vol. IV, South Carolina Welfare Manual, page 127, revised 7/67). An applicant, therefore, cannot give his land to his potential heirs in order to avoid the claim law.

### III. Warrants for Arrest of Deserting Fathers

Mrs. Hope also explained that in order for a family to become eligible to receive Aid to Families with Dependent Children, States are required to determine what support is available to deserted children. Some States require court action to make that determination. South Carolina does not require court action, having repealed that provision 2 years ago. However determinations still must be made, according to State regulations, about what resources are available to deserted

children. In practice, this results in a determination by the caseworker and the county department as to whether a court suit should be filed.

Previously, the Department of Public Welfare required that an applicant for Aid to Families with Dependent Children go to family court to obtain a support order. In many cases, it seems, the address of the deserting father had to be furnished to the court. Often this address was unknown to the mother, and the court denied the support order. The applicant then was turned down for welfare because she was unable to obtain the support order. According to Mr. Runyan, this practice has been discontinued.

However, in many cases, regulations still work against needy families because of the degree of discretion vested in county departments. In the case of illegitimate children--who do not, in the words of Mr. Runyan, "have a strong lobby"--a mother usually is required to file court action against the father. When the father or his location is not known, or when the father is known but happens to have a family, hardships are worked upon mothers who must initiate court action. While the logic of the requirement is understood, it nevertheless puts a burden on families with acute needs.

#### IV. Food Stamps

The food stamp program is administered by the South Carolina Department of Public Welfare and its county offices under the auspices of the U. S. Department of Agriculture (USDA). Food stamps provide a means by which, theoretically, a family can supplement its food budget by purchasing coupons on a sliding income scale. The coupons can be redeemed for food at approved grocery stores. A four-person household with a net monthly



income of \$100 can purchase, for \$25 a month, food stamps which can be redeemed for \$106 worth of groceries.

USDA Coupon Issuance Tables, effective February 1, 1970, set food stamp eligibility limits, but South Carolina established monthly net-income ceilings considerably lower than the USDA table. In the four-person household, for example, the USDA table allowed monthly income up to \$360, but the South Carolina cutoff line was only \$160. If it wished, the State could cover more poverty stricken families by raising the income ceiling. The only cost to the State would be administrative expenses.

Again, because of the hesitant manner in which the State responds to the needs of poor people, thousands of families which need and deserve participation in the food stamp program are denied it.

#### V. Disability Restrictions

The requirements for Aid to the Permanently and Totally Disabled are such that it is doubtful that the program is relevant to the needs of many. The applicant must demonstrate that he is incapable of performing almost every function necessary for existence. One participant at the Open Meeting stated that she was asked by a caseworker if she did anything to care for herself. She replied that she usually turned back turned back her bed each morning. The caseworker then informed her that she was probably not eligible for Aid to the Permanently and Totally Disabled.

The logic for these stringent requirements for Aid to the Permanently and Totally Disabled is apparent: the State fears a "flood" of applicants if the "gates" were lowered. The State's severe restrictions force

thousands of citizens who have serious and dangerous physical handicaps to shift for themselves--in some cases purely on a mendicant level.

#### IV. Appeal Procedures

Mr. Runyan told the State Advisory Committee that he felt the South Carolina appeal procedures were not only adequate but good. The manual for welfare workers spells out rigid procedures. Caseworkers must inform an applicant or recipient both verbally and in writing that he has the right to appeal any decision affecting his case.

However, the information presented at the Open Meeting suggested that much is lacking in the ability of the welfare officials to communicate in an understandable way with applicants and clients. Moreover, the staff of the U. S. Commission on Civil Rights, in conducting interviews with citizens prior to the meeting, came into contact with many who were extremely reluctant to go through the appeal process. Several even reported that caseworkers had told them, in aside comments, that it would be "better" for them if they did not appeal.

While it is difficult to produce concrete proof, the atmosphere which prevailed at the Open Meeting indicated that such practices occur. In such an atmosphere, the validity of the meaning of "right to appeal" is questionable.

#### VII. Failure to Opt for Available Federal Programs

South Carolina has decided against participating in several Federal programs. Two prominent examples are Aid to Families with Dependent Children with Unemployed Fathers and Emergency Assistance for Families with Children.

The reasoning behind this failure to obtain increased benefits for needy families is, again, the spectre of hordes of welfare applicants. If these programs were instituted with the limited funds that the legislature has been appropriating for welfare, payments to present recipients would be cut almost in half. South Carolina's failure to participate in available programs to alleviate poverty increases the number of poor people omitted from welfare coverage and thereby perpetuates poverty.

## PART THREE

### FINDINGS AND RECOMMENDATIONS

#### Introduction

The South Carolina State Advisory Committee, in its Open Meeting on Welfare, April 3-4, 1970, in St. George, South Carolina, found many civil rights problems in the Dorchester County Department of Public Welfare and the South Carolina Department of Public Welfare. Findings regarding the operation of the welfare program in that county and State follow:

In brief, the South Carolina State Advisory Committee found blacks and Indians to be at the mercy of the arbitrariness of the staff of the Dochester County Department of Public Welfare. The poor people of the county, particularly blacks and Indians, have found little support in achieving their welfare rights from the South Carolina Department of Public Welfare and the U. S. Department of Health, Education, and Welfare. Throughout the Open Meeting, it was apparent that the system of public assistance constituted a concerted effort on the part of local, State, and Federal officials to deny poor people, in particular black and Indian people, the potential with which to break the cycle of poverty. The findings present in detail the absence of a fair and equitable welfare system.

The South Carolina State Advisory Committee to the U. S. Commission on Civil Rights, in conjunction with each finding, has made recommendations which, it is felt, would expedite substantial improvements in the welfare system.

FINDING: The South Carolina State Advisory Committee found that equal employment opportunity in both the Dorchester County Department of Public Welfare and the South Carolina Department of Public Welfare is a fiction. There were only two black employees in the entire central office of the South Carolina Department of Public Welfare, giving strong evidence of discrimination. While the Dorchester County Department of Public Welfare has improved its employment practices within the past year or so, it is evident that the agency is reluctant to employ blacks on more than a token basis in each of its units.

RECOMMENDATIONS:

The South Carolina State Advisory Committee recommends that:

- 1) The Dorchester County Department of Public Welfare publicize openings and actively recruit black employees, using more creative, affirmative, and realistic methods to do so. Recruiting should be conducted at predominantly black colleges in the area, such as South Carolina State College and Claflin College. This recruiting should be done by black staff of the Dorchester County Department of Public Welfare.
- 2) The Dorchester County Department of Public Welfare place employees in programmatic units without regard to their race.

- 3) The South Carolina Department of Public Welfare establish a full-time position of Equal Employment Opportunity Officer in its State office. This office would be responsible for recruitment among minority citizens in the State; for evaluation of employment practices at all levels of the Department of Public Welfare, with authority to make recommendations for improved procedures and policies; and for the handling of all civil rights complaints relating to employment practices.
- 4) The South Carolina Department of Public Welfare immediately evaluate the employment practices of the Dorchester County Department of Public Welfare and correct the racial imbalance of the staff of that agency.
- 5) The U. S. Department of Health, Education, and Welfare institute a full, complete, and immediate investigation to be conducted by the Office for Civil Rights, U. S. Department of Health, Education, and Welfare, into the employment and programmatic practices of the South Carolina Department of Public Welfare. The U. S. Department of Health, Education, and Welfare is urged to freeze all promotions, reassignments, and hirings in the South Carolina Department of Public Welfare, and all its county offices, until an affirmative program of equal employment is activated.
- 6) The U. S. Department of Health, Education, and Welfare institute a full, complete, and immediate investigation to be conducted by the Office of State Merit Systems, U. S. Department of Health, Education, and Welfare, of the personnel practices of the South Carolina Department of Public

Welfare and all its county offices. The Office of State Merit Systems should arrive at a definition of equal employment which can serve as a guide for the South Carolina Department of Public Welfare and its county offices.

**FINDING:** The South Carolina State Advisory Committee found that enforcement of Federal civil rights laws regarding services purchased under Medicaid has been overlooked continuously by the Dorchester County Department of Public Welfare, perfunctorily noted on a token basis by the South Carolina Department of Public Welfare, and, in essence, ignored by the U. S. Department of Health, Education, and Welfare.

**RECOMMENDATIONS:**

The South Carolina State Advisory Committee recommends that:

- 1) The U. S. Department of Health, Education, and Welfare conduct an immediate investigation into why State and county officials have allowed discriminatory services to continue to be given by doctors and dentists in Dorchester County and other counties of the State.
- 2) The U. S. Department of Health, Education, and Welfare immediately freeze all Medicaid funds until compliance with Federal laws is established.
- 3) The South Carolina Department of Public Welfare and the Dorchester County Department of Public Welfare immediately investigate all doctors, dentists, nursing homes, hospitals, and other recipients of medical vendor payments under Medicaid in Dorchester County regarding segregated services.

FINDING: The South Carolina State Advisory Committee found that the rules, regulations, policies, and procedures of the South Carolina Department of Public Welfare and its county offices are virtually unavailable to the public.

RECOMMENDATIONS:

The South Carolina State Advisory Committee recommends that:

- 1) The South Carolina Department of Public Welfare develop a more responsible attitude and a more positive program through which the public--in particular, welfare recipients--can have access to up-to-date and complete copies of the Department of Public Welfare policies and procedures. The South Carolina Department of Public Welfare should create a position in its central office to release information to clients about policies and procedures.
- 2) The South Carolina Department of Public Welfare utilize public service time on commercial stations and educational television to familiarize the public, particularly welfare recipients, with welfare rights.
- 3) The South Carolina Department of Public Welfare publish and distribute a simplified version of its policies and procedures in order to inform welfare applicants and recipients of their rights.



4) The Dorchester County Department of Public Welfare and all other county welfare offices maintain sufficient copies of up-to-date manuals of policies and procedures of the South Carolina Department of Public Welfare to give to the public, particularly welfare clients, on demand.

**FINDING:** The South Carolina State Advisory Committee found that despite legislative provisions for county advisory councils on public welfare, the Dorchester County Department of Public Welfare has displayed only perfunctory interest in the creation of such a council. This, the State Advisory Committee found, was indicative of an attitude which expresses no interest in advocacy on behalf of the poor. The State Advisory Committee further found that other than making periodic appearances before fiscal committees of the legislature, the South Carolina Department of Public Welfare gave no indication of a stance of advocacy in behalf of its clients.

**RECOMMENDATIONS:**

The South Carolina State Advisory Committee recommends that:

1) The Dorchester County Department of Public Welfare create a county advisory council on public welfare under the provisions of the Public Welfare Act of South Carolina (Section 71-35). For this council to be relevant in advising the Dorchester County Department of Public Welfare, it must have a racial representation corresponding, at least, to the racial proportions in the county. In addition, the State Advisory

Committee feels it is imperative that welfare recipients also be members of this council.

2) The South Carolina Department of Public Welfare move toward creation of advisory councils on public welfare in every county, along the lines outlined above.

3) The South Carolina Department of Public Welfare require county directors and county boards of public welfare to seek advice and consent from such county advisory councils on public welfare.

4) The South Carolina Department of Public Welfare assume a role of advocating, on behalf of its clients, any and all programs in the State that could help poor people.

**FINDING:** The South Carolina State Advisory Committee found considerable evidence to support the contention that staff of the Dorchester County Department of Public Welfare is lacking in ability to communicate with welfare applicants and recipients, particularly across racial lines.

**RECOMMENDATIONS:**

The South Carolina State Advisory Committee recommends that:

1) The Dorchester Department of Public Welfare, in selecting staff, give more weight to sensitivity to poor people than to formal academic training.

- 2) The Dorchester Department of Public Welfare bring about a black-white ratio in all units of its staff which is at least consistent with the racial proportions in the county.
- 3) The Dorchester County Department of Public Welfare inaugurate an intensive in-service program whereby its staff can be sufficiently trained regarding the values and culture of poor people, particularly blacks and Indians.
- 4) The South Carolina Department of Public Welfare, in cooperation with the University of South Carolina School of Social Work, devise an attitudinal test to measure racial and cultural attitudes of the staff dealing directly with welfare applicants and recipients.
- 5) The South Carolina Department of Public Welfare conduct an immediate check into procedures about which there has been misunderstanding on the part of welfare clients, such as income disregard and percentage reduction, in order to determine the reasons for these communication failures. In addition, the South Carolina Department of Public Welfare should immediately identify administrative procedures which have kept welfare applicants and recipients from fully perceiving their rights. This should cover such matters as staff attitudes, arbitrariness of caseworker decisions and actions, provision of information on appeal, and other aspects of welfare rights. The South Carolina Department of Public Welfare should take steps to correct these matters.

FINDING: The South Carolina State Advisory Committee found that the time in which to make a case decision is unrealistic on two points:

- 1) Reaching a case decision within 2 months is only a stated policy and a goal which is rarely realized.
- 2) Even if the 60-day limit for a case decision were to become a reality, the fact remains that within 2 months a difficult situation can become an emergency situation for a poor applicant awaiting approval for welfare assistance.

RECOMMENDATIONS:

The South Carolina State Advisory Committee recommends that the South Carolina Department of Public Welfare adopt an affidavit method for welfare application. Under this method, assistance would be granted solely on the basis of the applicant's declaration of resources and need, with provision -- as under the Internal Revenue Service-- for subsequent investigation of a sample of cases.

FINDING: The South Carolina State Advisory Committee found that the Dorchester County Department of Public Welfare and the South Carolina Department of Public Welfare had been lax in abiding by their own rules and regulations on a number of occasions. The situations regarding the Fourholes Freedom School and the South Carolina Commission for Farm Workers were examples. The State Advisory Committee is of the opinion that these two controversies were not exceptional cases, but rather pointed toward an effort to "clean the rolls" of as many recipients as possible,

or, at least, reduce their payments. While these two issues have been resolved, the State Advisory Committee feels that a question remains as to whether the departments will abide by their own rules and regulations.

RECOMMENDATIONS:

The South Carolina State Advisory Committee recommends that:

- 1) The South Carolina Department of Public Welfare publicize its policies and procedures among welfare recipients and the general public so that the rights of individual welfare applicants and recipients will become public knowledge, thereby making the individual's rights more secure.
- 2) The South Carolina Department of Public Welfare instruct its county offices, in particular the Dorchester County Department of Public Welfare, to maintain a more responsible attitude in dealing with welfare cutoffs and recipients' rights.
- 3) The U. S. Department of Health, Education, and Welfare develop a more vigilant attitude in monitoring the South Carolina Department of Public Welfare and its county agencies to see that rules and regulations are observed.

FINDING: The South Carolina State Advisory Committee found that a large number of needy persons go without public assistance and related programs in South Carolina because of:

- 1) South Carolina's failure to provide Aid to Families with Dependent Children to children of unemployed parents and to opt for other available programs;
- 2) Underestimation of financial need and a policy of paying only 52 percent of estimated need;
- 3) Arbitrary and erroneous denial of aid to persons who are eligible under South Carolina standards;
- 4) A climate of fear, caused by official abuse and intimidation of welfare applicants and recipients, which deters many eligible poor people, particularly blacks and Indians, from applying for aid or protesting improper actions of agency officials;
- 5) Lack of interest in seeking out those who qualify for public assistance but are unaware that assistance is available;
- 6) The State Claim Law, which has forced many--particularly elderly citizens who would qualify for Old Age Assistance--to choose between welfare, with a subsequent loss of land they may own, and the pride of owning land that would be passed on to their children. [Only a few States in the Southeast have seen fit to pass such a law];
- 7) The caseworkers' power to decide whether applicants for Aid to Families with Dependent Children should file warrants against deserting fathers.

RECOMMENDATIONS:

The South Carolina State Advisory Committee recommends that:

- 1) The South Carolina Department of Public Welfare make every effort to use all available welfare programs so that citizens of South Carolina will not be discriminated against because their State fails to participate in programs operating in other States.
- 2) The U. S. Department of Health, Education, and Welfare establish a national standard of need (adjusted to local variance in cost of living). This standard should be higher than the starvation level and assistance should equal 100 percent of estimated need (thereby abolishing the percentage reduction mechanism).
- 3) The U. S. Department of Health, Education, and Welfare require strict adherence to the rules and regulations of the South Carolina Department of Public Welfare in determining eligibility for public assistance.
- 4) The U. S. Department of Health, Education, and Welfare deal effectively with the climate of fear created by the South Carolina Department of Public Welfare and its county offices and with the lack of interest exhibited by these offices in seeking out welfare applicants.
- 5) The South Carolina Department of Public Welfare actively seek the repeal of the State Claim Law.

6) The U. S. Department of Health, Education, and Welfare remove all elements of arbitrariness on the part of case-workers regarding issuance of warrants for deserting fathers by abolishing this requirement completely.

**FINDING:** The South Carolina State Advisory Committee found that welfare payments in all categories were grossly inadequate. Aid to Families with Dependent Children was especially low, causing the Committee to feel that AFDC recipients had been discriminated against.

**RECOMMENDATION:**

The South Carolina State Advisory Committee recommends that: The South Carolina Department of Public Welfare ~~eliminate~~ differentiation in assistance given to different categories, except for allowances for medicine, special diets, and other relevant considerations, and raise allowances in all categories above the poverty level.

**FINDING:** The South Carolina State Advisory Committee found that the U.S. Department of Health, Education, and Welfare has failed to secure South Carolina's compliance with Federal standards because

- 1) HEW has not effectively exercised its statutory powers of regulation and enforcement; and
- 2) its present enforcement powers are inadequate.



RECOMMENDATIONS:

The South Carolina State Advisory Committee recommends that:

- 1) Congress give the U. S. Department of Health, Education, and Welfare the power and the ability to require compliance of the South Carolina Department of Public Welfare with all appropriate Federal standards and laws.
- 2) The U. S. Department of Health, Education, and Welfare, upon determination of noncompliance with Federal standards, administer the welfare program of South Carolina (and the affected political subdivision) until compliance is assured.

FINDING: The South Carolina State Advisory Committee found that requirements for Aid to the Permanently and Totally Disabled were exorbitantly strict and inequitable in comparison with those in other States.

RECOMMENDATION:

The South Carolina State Advisory Committee recommends that the Department of Health, Education, and Welfare establish a uniform, detailed, and equitable Federal definition of permanent and total disability.

FINDING: The South Carolina State Advisory Committee found that the Federal food stamp program has not supplemented South Carolina's inadequate welfare programs meaningfully because:

- 1) too many persons are excluded;
- 2) food stamp assistance is inadequate;
- 3) the ability of welfare workers to communicate the complicated guidelines and regulations is questionable;
- 4) inadequate publicity of the availability of the program has caused many families and individuals to be unaware of the program.

RECOMMENDATIONS:

The South Carolina State Advisory Committee recommends that:

- 1) The U. S. Department of Agriculture require the South Carolina Department of Public Welfare to raise the exclusion ceiling for the food stamp program to take in all needy people within the State.
- 2) The U. S. Department of Agriculture lower cost of food stamps even more than the stated guidelines of February 1, 1970.
- 3) The South Carolina Department of Public Welfare provide intensive in-service training for food stamp workers in communicating with recipients.
- 4) The U. S. Department of Agriculture move toward a requirement that any person declared ineligible for food stamps have an opportunity for a fair hearing before the effective date of the determination.
- 5) The U. S. Department of Agriculture Consumer Food Programs Office, develop better means of informing potential recipients of food stamps of the program. Utilization of public service time on commercial media should be seriously considered.

FINDING: The South Carolina State Advisory Committee found a number of weaknesses in the welfare structure in South Carolina. The South Carolina State Advisory Committee was pleased that, at the time of the meeting, welfare reform measures were in Congress in the form of the Administration's Family Assistance Plan and the alternative proposed by Senator Fred R. Harris of Oklahoma (National Basic Income and Incentive Act).\*

RECOMMENDATION:

The South Carolina State Advisory Committee recommends that the U. S. Commission on Civil Rights urge Congress to pass legislation similar to the Harris bill (National Basic Income and Incentive Act) designed to reform the welfare system. The South Carolina State Advisory Committee feels, however, that the following amendments to the Harris bill should be considered:

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\*Mrs. Louise Lander, staff attorney at the Columbia University Center on Social Welfare Policy and Law, graciously appeared at the Open Meeting to outline welfare reform legislation pending in Congress. Because other welfare reform legislation has been proposed since that time, a summary of Mrs. Lander's presentation is omitted from this Report. The South Carolina State Advisory Committee deeply appreciates Mrs. Lander's assistance and the contribution she made to the Open Meeting.

- 1) The omission of work requirement until the Nation has a full-employment economy.
- 2) A provision making the Federal Government the "employer of last resort", offering work at adequate wages and under decent conditions, with accompanying training where needed.