
Joint Public Hearing

before

SENATE HEALTH, HUMAN SERVICES AND
SENIOR CITIZENS COMMITTEE, AND
SENATE COMMUNITY AND URBAN AFFAIRS COMMITTEE

*"Testimony from invited speakers to discuss issues related to
Emergency Assistance housing for recipients of Work First New Jersey"*

LOCATION: Committee Room 11
State House Annex
Trenton, New Jersey

DATE: February 5, 2007
10:00 a.m.

MEMBERS OF JOINT COMMITTEES PRESENT:

Senator Joseph F. Vitale, Co-Chair
Senator Ronald L. Rice, Co-Chair
Senator Ellen Karcher, Vice Chair
Senator Barbara Buono
Senator Fred H. Madden Jr.
Senator Loretta Weinberg
Senator Diane B. Allen
Senator Nicholas Asselta
Senator Thomas H. Kean Jr.
Senator Robert W. Singer



ALSO PRESENT:

Eleanor H. Seel
Elizabeth J. Boyd
Robert C. Rothberg
*Office of Legislative Services
Joint Committee Aides*

Jillian Hudspeth
Eugene Lepore
*Senate Majority
Committee Aides*

Victoria Brogan
Nicole DeCostello
*Senate Republican
Committee Aides*

***Hearing Recorded and Transcribed by
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SENATOR RONALD L. RICE (Co-Chair): Good morning.
Hello. Good morning. Have a seat.

I'm going to say good morning again. Act like you're in church. Wake up this morning. I've got to vote on some bills for somebody, I know, sooner or later -- you're not going to get my vote in the affirmative.

I want everybody to turn and say hello to the person next to you. Can you do that? Oh, everybody is afraid, huh? No problem.

Okay. Why don't we call the Commissioner up.

UNIDENTIFIED LEGISLATORS: Good morning.

SENATOR RICE: I'm willing to bet you, when I start asking questions, everybody will perk up. (laughter)

So why don't you say hello, good morning, to my committee?

UNIDENTIFIED SPEAKERS: Good morning.

SENATOR RICE: Thank you. Jesus Christ, you're adults. And you wonder why there are kids out there killing each other, right?

Don't be afraid at the State House. You come and ask for money.

Commissioner of DCA, why don't you come up and say hello to us?

While we're doing that -- while she is seating herself -- this is a Joint Committee of Health, Human Services, and Senior Citizens; and the Community and Urban Affairs. And we're here this morning to try to find out what's happening in the area of shelters, as it relates to our hotels, and motels, and the shelters. There's a difference, and we need to know what the differences are and where the problem is.

You know, with the Lincoln Motel -- where people were put out and transferred to other locations. But that place had substantial violations for a number of years. And there was some finger-pointing as to who was responsible for what: the county, local government, State government.

The Legislative Black Caucus, for your information, had a hearing in Newark last week. And we were really somewhat appalled with the response we got. Because it became clear to us that we need to change some regulations and change some laws. No one knows, really, who is accountable for what, or responsible for what -- they put on paper they know. But then they get to pointing fingers -- meaning departments in the different levels of government.

So we have to go through each Department -- Health, Human Services, Community Affairs -- to find out what we have to do to make life better for our population.

Now, with that, the Chairman of the Health and Human Services Committee should be here shortly. So we're going to do a roll call and then we're going to start this hearing.

So would staff do roll call?

MR. ROTHBERG: As Senator Rice indicated, many of the members of the Committee are fulfilling other obligations around the building and will be here shortly.

The members who are currently present: Senator Asselta.

SENATOR ASSELTA: Here.

MR. ROTHBERG: Senator Singer.

SENATOR SINGER: Here.

MR. ROTHBERG: Senator Weinberg.

SENATOR WEINBERG: Here.

MR. ROTHBERG: Senator Rice.

SENATOR RICE: Here.

SENATOR SINGER: The important people are here, Senator Rice. (laughter)

SENATOR RICE: Okay.

Good morning, Commissioner.

Commissioner, would you enlighten us as to the process, and what is it that your entity is responsible for, as it relates to the hotels, motels, and shelters in this state? We're going to address housing and its permanency at another hearing. But we need to tighten this up.

So if you could elaborate, I'd appreciate it.

COMMISSIONER SUSAN BASS LEVIN: Certainly.

Good morning, Senator.

SENATOR RICE: Good morning.

COMMISSIONER BASS LEVIN: I first want to thank the Joint Committee for holding this hearing. I have with me, at today's hearing, Michele Richardson, who is our Assistant Commissioner; Bill Connelly, who is our Director of the Division of Codes and Standards; and Don Huber, who is the Chief of Staff at the Division of Fire Safety.

Today I'm going to talk about one piece of this problem, and that is the inspections surrounding emergency housing for welfare recipients.

In accordance with the Hotel and Multiple Dwelling Law, the Bureau of Housing Inspection within the Department of Community Affairs inspects all of the state's hotels, motels, and multiple dwellings every

five -- once every five years. The purpose of these inspections is to ensure that these properties continue to meet the basic standards for habitability and safety that are set out in both the law and the regulations.

When violations of these requirements are found, we issue a Notice of Violation. We will perform a reinspection to confirm that all of the violations have been abated. If the owner does not correct any of the violations cited, we impose penalties and press forward to gain compliance.

In October of 2005, DCA entered into an agreement with the Department of Human Services regarding the inspection of motels where families receiving assistance are placed on an emergency basis by the county boards of social services. Unfortunately, these motel placements, which were really intended to be short-term emergency housing, often become longer-term placements because of the inability to find suitable, permanent, affordable housing. With these motels, the Department has undertaken a more frequent inspection system. Instead of the once-every-five-year cycle, we inspect these motels annually. The Department has the authority to inspect motels more frequently than once every five years under the statute. We can only charge a fee, though, for the once-every-five-year inspection.

We make these inspections based on the list that has been provided to us from the Department of Human Services. That list was provided in October of '05, and then again in September of '06. These inspections include basic fire and life safety items such as smoke detectors and carbon monoxide detectors; all of the elements of sound property maintenance, including structural maintenance, insect infestation, waste disposal, sanitary facilities, lighting, electrical hazards, broken glass, building security, elevator maintenance; again, all set out in the regulations.

Our inspectors use handheld computers to report the results of these inspections electronically. And they generate a report, which is given to the property owner. The owner is given a specific amount of time to abate these violations, usually 60 days for routine maintenance. But if there is an eminent hazard, then the violation must be abated immediately or the motel is closed. We will go back and perform a reinspection. And if there are problems that remain uncorrected after the first reinspection, we impose penalties. Our enforcement is continuous. We docket judgments against the owners and attach their assets to gain compliance.

From October 2005 to date, DCA has inspected more than 400 motels under this annual inspection and reinspection system. In almost every case, reinspections were required and owners had to abate violations. In 25 cases, we imposed fines. We closed three motels because of eminent hazards. We have advised the Department of Human Services to move clients out of three other properties while we pursue the abatement of violations with the owners. And 19 motel owners chose not to accept emergency placements rather than to submit to our annual inspections.

As to the motels where we have advised the Department of Human Services to stop placing clients, we make this determination based on a review of the violations cited during the inspection. Routine maintenance violations, such as leaky sinks -- while they are certainly violations -- would not result in our advising Human Services to stop placing clients in a particular motel, even though we do pursue compliance. But where we think the motel is in such poor condition as to be unacceptable for people who are receiving assistance, we have recommended that the placements stop.

While DCA's involvement in the program is relatively new, we do have several recommendations for improvement, which Senator Rice has previously asked us about. First, the Department of Human Services provided DCA a list of approved motels for placement, as I said, in September of 2006. We used that list for the basis for our annual inspections. A number of motels -- approximately 40 -- were added by Human Services after September 2006. We did not have those motels on our list. Therefore, we were unable to conduct the inspections. We have now asked Human Services to provide us the names of additional motels that sign on to the program as they sign on, so that we can do an inspection and put them on our list immediately. And we can then ensure that inspections are completed annually.

We would also recommend a change in the statute that would require an initial inspection for any motel that signs on to the program. That way, the Department can ensure that the hotel -- I'm sorry, the motel meets basic habitability requirements.

While it is possible that the local agency conducts a similar type of inspection, we would suggest a uniform inspection by DCA to ensure that the motel meets the basic requirements.

As I indicated, the list that we get from Human Services is a list that is generated from the county welfare departments. Some municipal welfare departments provide the motel names to the Department of Human Services, but not all, and it is not mandatory. We would suggest that in order, again, to ensure compliance, municipalities be required to immediately report motels being used for emergency placements to the Department of Human Services for their files, and then to the Department

of Community Affairs in order to ensure that we can do some inspections. We can then make sure that we can advise Human Services and the municipality if a motel should not be used for emergency placements.

It is critical, we believe, that municipal agencies report all motels immediately for this emergency inspection program so that we can ensure that we have stepped up compliance.

It has also been suggested that, given the numbers of different agencies that are involved, there is sometimes confusion as to who is supposed to do the inspection. We note that even in the newspaper article on December 23, an employee of Human Services did not realize that Community Affairs was conducting inspections. We are proposing to post, in every motel that is used as part of the program -- and perhaps even other motels -- a large sign that lists a contact number at the Department of Community Affairs, for people to contact if they see issues with respect to maintenance. We are in the process now of getting an 800-number so that it can be a toll-free call, and we can get the information immediately from whoever is on site.

While there are many issues that have to do with placement and funding -- and I know that some of the advocates are here today who will discuss those issues with you, and they are very real and significant issues -- my role here is limited to discussing with you, for purposes of this hearing, the inspection of these motels. We've certainly had an improvement since December '05 -- I'm sorry, since October '05, since we now do inspect annually, as opposed to once every five years. But there are still, as I indicated, some holes in the program that we think could be improved with some legislation from the Senate and the Assembly, and

some improved coordination and communication from the local level up to the State level.

Thank you very much for your attention. And we are certainly willing and eager to work with all of you to address these problems and ensure the health and safety of our residents.

SENATOR RICE: Thank you, Commissioner.

Let me start off with some questions, then I'll let my colleagues raise some.

Accordingly, two years ago, an arrangement was made with your Department and the Department of Human Services for DCA to do inspections. So prior to that, I'm not sure who was doing what. But the question is: Given the transitional nature of these locations, do you feel that yearly inspections are adequate enough? Because there are those of us who feel that these inspections, locally -- regardless of how we work them out -- maybe not your Department -- should be done at least quarterly.

Can you respond to that question?

COMMISSIONER BASS LEVIN: Well, I think the problem that we find is that for the bad actors in the bunch, a yearly inspection is certainly not adequate. The reality, Senator, is that with many of these -- probably almost all of these -- we issue an inspection, we issue violations, and then we are constantly going back for the motel to be correcting the violations.

At this point, we have only recommended shutting down -- or we have recommended shutting down a total of six, based on the poorest of conditions. I think one of the things we should take a look at is whether we should be recommending a closure at an earlier point.

I say that with -- just pointing this out. Several years back, we shut down a number of these motels in Monmouth County. There was a question as to whether they were, in fact, shelters -- in other words, not temporary housing, but more transitional housing -- which would require a license from the Department and greater standards, versus a temporary emergency placement that did not require a license.

When we shut them down, the problem is, many of these families had no place else to go. We worked closely with Monmouth County and with Human Services. But I do think that we need to sort of look at the other part of this issue, and that is: where do these families live? It is a-- And I'm sure you will hear this from some of the advocates. We need to be addressing that issue, as well as the inspection issue. They shouldn't be living in motels. There's no cooking facilities. It's one room. It is not a place for any family to live.

And I just want to say that. I don't think this is the solution to our housing crisis. The way some of the funding is set up, these families are able to get a -- not the families -- the owners of the motels get more money in the temporary housing than is made available for these same families if they were going to use it to rent an apartment. That's just a crazy system. Now, that's about Human Services and Federal regulations. And I'm not going to say that I really understand how that works. But those are the types of things that we do to ourselves. We need to fix that so that we can spend this money in a way that makes sense. And that means getting people into shelters, into transitional housing, with the idea that we get the families into affordable, permanent, safe housing.

SENATOR RICE: The Lincoln Motel is what really spurred, kind of, this hearing and others. Because several years ago, if I recall, we closed a motel down for a similar reason in Parsippany. And then I look at the list-- And I'm not sure if the members of the Committee have it. But if they don't have this list, I would hope that staff will share the list with them. There are quite a few, in Burlington and other counties, of these facilities. We don't know the problems they're having.

But in this case, the Lincoln Motel -- from information I have here -- was fined \$50,000 going back to the year 2000. And we're in 2007, and yet we have a place with no electric, feces and all kinds of sewage stuff coming up, insects, rodents, etc. Is there any reason that you know of that that was never closed down?

COMMISSIONER BASS LEVIN: Senator, let me address this in parts. Part of the issue goes to what you said just a few moments ago. And that is the adequacy of yearly, as opposed to more frequent, inspections. Based on the reports that I received from my staff, when DCA last inspected the motel, which I think was in the Spring of '06, it had violations. But they weren't violations sufficient to recommend closure.

Certainly, based on the news reports that we saw-- Had staff seen those violations at the time, we would have recommended, at the minimum, that Human Services not place any more people there -- although, in this case, there was also a local placement -- and perhaps shut down. The conditions changed over a period of those six months. And so that does go to your point about the need for more frequent inspections.

SENATOR RICE: I have a question. And my understanding is, there are 210 motels that are being used -- at least on the list of the

Department of Human Services -- there may be more. And it's my understanding that since you started to work with the inspections, on behalf of Human Services, 90 have been inspected, there are 63 that are scheduled to be inspected, and 57 have yet -- are not yet due.

My question is: How long is it taking to inspect these? Because you say you inspect annually. But are we going through the whole cycle annually? Because looking at this list, I'm getting the impression that over those two years, we got to 90 of the 210. Are we going to get to 57 more? And maybe I'm reading this wrong.

COMMISSIONER BASS LEVIN: Senator, I'm not sure what that list is. I can tell you that all of the hotels/motels that were given to us in October of 2005 were inspected during that first year. Any motels that were given to us in October of 2006, including those that we had already inspected, are scheduled for inspection within that year. So we did inspect all of those that were on the list.

As I said, I'm not quite sure what the list is that you're referring to. But we do make sure that we see them at least annually. And as I said, because we do reinspections on almost all of these, we've been there multiple times.

SENATOR RICE: The list is a letter from your Department.

COMMISSIONER BASS LEVIN: That probably refers to what we have done for '06 as opposed to the '05 year. Remember, I'm talking from October '05 through October '06 -- that we completed -- and then October '06 through October '07. I apologize.

SENATOR RICE: Okay. Are there any-- What role, statutorily or from regulations, does local government have, or county

government, with these inspections? Because the debate the other night was -- the finger-pointing that these are multiple -- come under the multiple hotel, buildings, kinds of rules. And it's DCA's responsibility. And then folk were saying that's not necessarily true, you have the responsibility. And I've got that in writing somewhere.

I said, "Hold it. Everybody is confused about what roles everybody is supposed to be playing." Is there a statutory role? And there's also two areas here. You have motels, but you have the shelter piece, which is different. Do you inspect the shelters, as well? What's the role of local governments and counties? These are our dollars we are feeding to them to trickle back down. Is there not a role there?

COMMISSIONER BASS LEVIN: Senator, let me take first the motels as distinguished from the shelters. By statute that had already existed, the Department inspected motels at least once every five years. But we have the authority to inspect more frequently. Which is why, as this issue came to us in October of 2005, we agreed to inspect the motels that were on the Department of Human Services' list for emergency placement every year. We could do it more frequently. But as I said, we do inspect at least once every year. But that's only the motels that are used, that are on the county -- I'm sorry, that are on the Human Services list that they get from the counties. If a municipality is running its own welfare department, it has no legal obligation to report those motels to Human Services, although some do.

And so I would suggest, first of all, we might want to require by statute that they report to Human Services.

Human Services, in October of '06, gave us a list of 210 motels. But there are probably an additional 40 or so that have been added since October that we only found out about recently. We've since talked to Human Services about making sure that they give us new hotels as they add on.

Now, for those places with their local welfare offices, they may or may not be doing their own inspections. And some municipalities have property maintenance ordinances, where inspections are done for many properties on a local level. That would be in addition to the Department of Community Affairs' inspections. Those local property maintenance ordinances could apply to motels, but they could apply to all sorts of other properties, as well.

Now, shelters-- To just distinguish it, shelters are licensed by the Department of Community Affairs. They do have inspections that the Department of Community Affairs conducts. The motels -- the emergency temporary placements are not licensed shelters. If they were licensed shelters, they would have additional requirements.

SENATOR RICE: Oh, that's an issue that came up, as well. And it's something that we need you to think about, and the Committee members, and the other Departments. Because -- understand that there may be a population isolated that really should be licensed, but then you don't license hotels/motels because they have other guests coming in. But I also understand they have two- and three-hour stay people coming in, too. And that came up at that--

Let me just end my question there, acknowledge the Chairman of the Health, Human Services, and Senior Citizens Committee is here, and

see if he wants to say anything. And from that point, any questions from the Committee people--

SENATOR JOSEPH F. VITALE (Co-Chair): Just in fairness, I was just in the other Committee hearing. And I just want to catch up to the discussion we've already had.

Do any of the Committee members have anything to say -- ask the Commissioner?

COMMISSIONER BASS LEVIN: I do have one other thing. I want to just respond to Senator Rice.

One of the problems in the families living in these motels -- and there are many -- is that there are virtually no social services provided if they're living in motels. If they're in shelters, they have at least a chance of getting some assistance other than the room and board, so to speak. They have an ability to have some social services that come along with it.

So once the family is put in a motel as an emergency placement, imagine a family of kids living in one room in a motel. It's a pretty bleak existence.

SENATOR VITALE: We have really two different dynamics. One is the motel, and the other is the shelter.

Can you describe for us what services are provided at the shelter level, as opposed to just a motel? And who would be in the shelter versus who lives in a motel?

COMMISSIONER BASS LEVIN: The placements are done at the county level, or the municipal level. I think it's as much about available beds in the shelter -- although there are probably people here today who could better speak to that. In a motel, if there is a caseworker assigned, and

the caseworker has the time, then they -- a DHS caseworker -- then they would be able to provide services. But I think that they're often sort of last on the list in terms of getting help.

In the shelter, there are people running the shelter who have the ability to provide services and help coordinate with county welfare agencies and other outside agencies. So there's an ability at least to try and coordinate services. Now, they're overworked too, and I don't minimize that. But just think about it. In a motel, you have absolutely no one.

SENATOR VITALE: Thank you, Commissioner.

Do you have questions?

Senator Singer.

SENATOR SINGER: Thank you, Mr. Chairmen.

Commissioner, I just have two concerns that haven't been addressed. One is whether it has to be a Mount Laurel type of issue or something else. The county should be accountable for providing shelter for their homeless population. And whether we-- Many counties do not have shelters at all. And therefore they kind of push their problems to some other county. I think we have to look for some incentives, some mandates to look at that issue -- about counties providing for that within their own counties.

And that really kind of leads to the second point I wanted to make. We have a great problem of educational factors with these hotels and motels. Because in my particular -- one of my counties I represent -- many of them are by the shore, which are not in my district, yet people are placed there.

And let me just share what the monetary factor starts to become for municipalities. If the child is moved to Seaside Heights, for argument's sake, and they're from Plumstead Township -- which, you know, is the other side of the county -- the board of education in Plumstead must pay for the transportation of that child from Seaside -- which might take, by the way, over an hour each way, and has to be done by a van, because it can't be done by a school bus or anything else like that. And that can go on as long as that person is there. And I'm not talking about weeks. It can go on for years basically. And the hardship that municipalities have are tremendous in paying for those factors.

We all understand that education is utmost in our concerns. But as long as that person does not claim that motel -- which they can't, really -- as their domicile, and still say that they were domiciled in the original town, they have to continue doing that.

Is the Department looking at that factor as to how we can solve that problem for our municipalities, and we at least certainly have some type of sensible approach to that issue?

COMMISSIONER BASS LEVIN: Senator, you raised two very good points. As to the first, I think just about every county -- I could be wrong -- but just about every county uses motels in some form. Which means just about every county -- I say this in the double negative -- doesn't have enough shelter beds to house the people who need them. They certainly don't have enough transitional housing to help people go from a state of homelessness to a state of being -- of having housing and being a member of society. So it is, clearly, a statewide problem.

Having said that, to your question about education, which came up in the Monmouth County issue -- because same thing -- you had people from one end of the county to the other. Our agency does not address those rules. I think it's a combination of the Department of Ed and the Department of Human Services rules. But it's certainly something that I will be willing to talk to both Commissioners about, to see what we can do to address those rules.

As you can imagine, that's just one of the many problems. It's a funding issue, but it's also -- think of the children and the transitory nature of their education, as they oftentimes bounce from school to school. So the idea, I think, behind this policy was to enable the children to stay in their home district. Well, that makes sense if they're right in the same town, but not if they have to be bused an hour away.

SENATOR SINGER: Let me just -- just one follow-up, to give you how ridiculous it can be. If you were displaced in Atlantic City, for argument's sake, and moved to Newark, you'd have to transport from Newark to Atlantic City.

COMMISSIONER BASS LEVIN: Right. Although, the family could change their domicile.

SENATOR SINGER: But if they don't want to, they don't have to. And I'm only -- just trying to say to you is, we-- I had a bill in at one time that said at least they had to be in a contiguous municipality, that it would at least allow some type of reasonable thing.

All I'm saying to you is-- The problem, Commissioner, is that you're right. It's spread over a number of Departments. And we always get the same response. I understand it's not your Department's problem. And

then Human Services says, "Well, it's really not under our domain, it's Education." And Education says, "Well, it really goes to the rights of the individual." In other words, we kind of just let it continue to go. And I'm only saying to you, we're not talking about a thousand dollars. We wouldn't be here. I'm talking about numbers of \$20,000, and \$25,000, and more per year that municipalities have to pay to transport two children, and not just for-- You know, we have some cases where it's lasted two years and three years.

I'm just saying to you, we've got to solve the problem in its entirety. We have to look to solve the problem. But also for the betterment of the child and the family -- I understand that -- but also for an understanding of the cost factors for the municipalities that have to bare the brunt of it. If the State would pick up the tab, we wouldn't be discussing this. But they don't.

Thank you, Mr. Chairman.

COMMISSIONER BASS LEVIN: Well, Senator, just to continue that, I guess there are two points here. One, I didn't say it wasn't our problem. It's most definitely our problem. What I really meant to suggest is, we don't have -- we, the Department, doesn't have the solution.

But I do just want to point out the, sort of, other side of this. And that is, for the child who might be in a shelter in a nearby town -- because that's really where you have the problem. It's not really Atlantic City to Newark. It's more, they're in a nearby town, but not in the town where they had lived. There is a natural desire on the part of the family to keep the child in the school in the district where he or she had been attending school to cause as least disruption as possible.

The question though is: How do you balance this? Where do you draw the line?

SENATOR SINGER: Just so we clearly understand: In my county, it isn't one case, it's many cases, and it's not close. So I'm only saying to you-- I understand what you're saying. I quoted a ridiculous -- from Atlantic City to Newark. And I understand, if it's the neighboring town, we wouldn't be having this discussion. But when it goes from the shore all the way to the end of the other side of the county -- or, in Monmouth County, the same perspective. If a child would be in Allentown and displaced, and have to move to Sea Bright for a hotel there, it's the same situation.

It's happening. It isn't like it's not happening. In a time where we're pressed for dollars all over the place, it's just, again, another factor for municipalities and boards of ed that is thrown into it.

I didn't mean to say that your Department is not--

COMMISSIONER BASS LEVIN: No, no, I realize. But I wanted to make the point that we do need to solve this problem.

SENATOR SINGER: Right.

COMMISSIONER BASS LEVIN: Frankly, motels are not the solution to this problem.

SENATOR SINGER: Yes. And some of the counties have no shelters at all, so their only shelter is motels or hotels. And that really should stop.

COMMISSIONER BASS LEVIN: Agreed.

SENATOR SINGER: Thank you.

SENATOR RICE: Any other questions from members?

Senator.

SENATOR ASSELTA: Thank you, Senator.

Good morning, Commissioner.

COMMISSIONER BASS LEVIN: Good morning.

SENATOR ASSELTA: First, let me thank you for your sensitivity in understanding this issue. Obviously, maybe your experience as a mayor has helped you with this.

But I think what I'm hearing from you is, legislatively speaking, we must have more reporting from the municipal level up, so you can obviously keep track of some of these other motels that are being utilized. And, obviously, through both Chairmen, that probably could be achieved here.

The other issue: It seems to me that we've established that many of these people, obviously, live in all of our districts and are a constant problem to all our legislative offices, because they call us when they can't find shelter. And as I'm thinking here, it's a resource issue, and it's an issue that can be addressed economically and financially, through the State of New Jersey, if the right resources are placed in the right direction.

I'm just thinking about how much we've spent in the last three years on increased funding to DYFS. And DYFS has a direct relationship with many of these families that are homeless. And knowing how many hundreds of millions of dollars we've directed to DYFS to hire more people to counsel these families, and the FSO networks, etc., etc., wouldn't that money be better utilized to try to create some more affordable housing in some of the areas of the state that really -- the pockets that really need it?

COMMISSIONER BASS LEVIN: Well, I can't really-- Senator, I can't speak to whether it would be better utilized. I think it was clear that we needed more caseworkers at DYFS. And even the instance of these motels, I would suggest to you, shows that we need more caseworkers. Because here these families are put here without really good caseworker cooperation.

What I do want to say -- because you're absolutely right. It is a question of resources. For the past number of years, there's been about approximately \$1.5 million in Federal dollars, and probably about \$2 million -- those are estimates -- in the State budget, through balanced housing funds, that has gone to capital improvements for shelters. This past year, Governor Corzine recommended, and the Legislature approved, a one-time-only, \$5 million capital allocation for shelters to expand or improve. And every bit-- We did a request for proposal. And that \$5 million went out the door as quickly as you could imagine. There certainly is a demand for that money. And, again, I want to emphasize that it should be the full continuum: shelter, transitional housing, affordable housing.

SENATOR ASSELTA: Correct. And I think the shelter issue is just another temporary fix in trying to find a long-term solution here. And at least in my opinion, after listening to, I think, the Commissioner of Human Services, who came before the Senate Judiciary a few months back and said that many of those resources have not made a huge difference in DYFS-- Just looking at my colleagues around this table-- I don't know who is on the Budget Committee here. I don't think anybody. But it should be a consideration. If, in fact, the Human Services Commissioner says that money is not being used as effectively as possible, why not direct it directly

to affordable housing? And I think that's the long-term solution here, not shutting down motels.

Because you even mentioned, Commissioner, that once you shut a motel down--

Where do they end up, Mr. Chairman? They end up in your office, in my office, in many of our colleagues' offices, looking for some place to live. That is not the answer either. We want them to comply, but you don't want to shut them down and put these people on the streets.

So I would think that a prioritized resource allocation, shifting money from DYFS to affordable housing to get these people into better livable conditions, is the answer.

Thank you.

SENATOR RICE: Senator Madden.

SENATOR MADDEN: Good morning, Commissioner.

COMMISSIONER BASS LEVIN: Good morning.

SENATOR MADDEN: And thank you for your testimony.

Just from your position, as the Commissioner, why would a county not have a shelter?

COMMISSIONER BASS LEVIN: I think what the county would say is resources. But the obvious thing is also where you place the shelter. So it's a combination of those two things.

But I do want to emphasize that even those that have shelters-- There just aren't enough places in the shelters. And shelters are only a short-term solution. They're better than motels, but they're still shelters, they're still temporary housing. Many shelters also have restrictions. They'll only take men, they'll only take women. Not all shelters take

children. So particularly for someone with children, the problem is compounded, because there are even fewer spaces for somebody with children. And as I said, when I talked about living in a motel, living in a shelter is not much better for a young child.

SENATOR MADDEN: Just a follow-up, again: if I could have a positional statement from you regarding the placing of children in the motels and the like. There's always a concern that the children are being potentially blended with criminals or people that have a speckled past. Could you comment on your comfort level regarding our children being placed in these motels?

COMMISSIONER BASS LEVIN: Certainly, Senator, although I do want to just make clear, I'm hardly an expert in this part of it. The social service part is not what we handle. We're more the bricks and mortar piece.

But just as a mom, I think about-- A motel is a place where most people stay on vacation. They go for a night or two, they sightsee, they go home. For these poor children who live in motel rooms, this is not a day at the beach. They're living in one room. They don't have cooking facilities. And if they do, they're often illegal and dangerous. They're a hotplate in a motel room that shouldn't be there. They're disrupted and displaced from their schools, from their network of people, oftentimes from their extended family. If they're not going to a new school, they're being, as the Senator said, bused a very long distance. These are not-- It's one thing if, God forbid, your house burns down, and you have to stay in a motel for a couple of nights. But it should not be an extended placement for any child, in my opinion.

SENATOR MADDEN: In your opinion, is New Jersey doing enough to ensure that the children that are being placed in motels do not have sexual predators or criminals around their environment?

COMMISSIONER BASS LEVIN: Senator, I don't know enough about the surroundings. So what I know would be sort of what one reads in a newspaper. But I can tell you that it's certainly better for a child to be in a permanent housing arrangement. And whether it's an apartment building or a house, it's a place that the child and his or her family can call home. Certainly, in a motel, people are in and out. It's a very transient environment. You don't know your neighbor. You don't have any possibility of knowing who is around. And certainly it raises many concerns in terms of safety, separate and apart from the building code issues -- but just in terms of the overall safety of a motel.

I don't think-- You know, none of us would want to bring up our children in motels. If you could see these motels, you know we're not talking about the Plaza.

SENATOR MADDEN: No, I'm not making a run at raising children in motels. I'm just trying to get another Commissioner's opinion--

COMMISSIONER BASS LEVIN: No, I understand.

SENATOR MADDEN: --about the overall position the State has in where it places its children and the safety of the children. I'm not advocating for putting children in--

COMMISSIONER BASS LEVIN: No, no, I understand. I think you and I are on the same page, Senator.

SENATOR MADDEN: Thank you.

COMMISSIONER BASS LEVIN: I think we shouldn't be putting children in motels.

SENATOR MADDEN: Thank you for your comments.

SENATOR VITALE: Senator Madden, I just -- maybe I can just, through the Chair--

There are-- Maybe it's an issue that we can raise with Human Services and with the Department of Corrections. Because there are those who are released from-- For example, in Woodbridge, there's the Avenel Detention -- Adult Diagnostic Treatment Center, where your garden variety sex offender is released from that facility, whether they're paroled or they served their full term. Because they are required, in most cases, to have after-care therapy, out-patient services, they will locate in the area that is closest to the facility. So in Woodbridge, for example, there are three motels on this list, all in Avenel, all on Route 1, that house individuals that are in the transitional living environment, and also those who are sex offenders.

And so that question -- that's a great question -- can be raised to those who are here today, hopefully from Human Services; and if not, the Department of Corrections. Because there is a split, in terms of responsibility, there. DOC does bricks, and mortar, and security when they house these individuals. Human Services does it through the treatment piece. And so where the housing piece falls in we can find out today. But that's a legitimate question.

COMMISSIONER BASS LEVIN: I would certainly agree that as a basic minimum, Senator, we should screen to make sure that we're not putting them in the same place.

SENATOR VITALE: Senator Weinberg.

Thank you, Commissioner.

SENATOR WEINBERG: I will put this question before the other Departments that come before us. But is one of the problems here that it's spread across too many Departments of the bureaucracy? We're dealing with Human Services, Community Affairs, now I heard the Department of Corrections.

So I have a problem with how you can all interface and who is in charge of making sure that the family has the best of services.

COMMISSIONER BASS LEVIN: Well, Senator, let me say that our role is very limited. It goes to the inspections. We started doing it in October of 2005, because it was not being done. We're not sure who was doing it to be honest with you. We were under the-- We assumed that the Department of Human Services was inspecting motels before they put families in, but that was an assumption.

And so when-- We took it over in October of 2005 to fill a gap. And I would strongly suggest that we continue that, because we have expertise. I would like to see our authority strengthened to be able to do it more frequently and to be able to look, when we're looking at emergency placements, perhaps to add some additional enforcement powers when we actually are looking at not just a motel, but a motel where we're using State funds to put people. So on that piece, I do think it should stay.

In terms of the interactions between the other agencies, I'm afraid I cannot really speak to that. And I would have to defer that to others to best address.

SENATOR WEINBERG: Thank you.

SENATOR VITALE: Any other questions?

Yes, Senator.

SENATOR RICE: Commissioner, before we let you go, this question needs to be posed to other Departments, but I need it posed to you as well. Is anybody doing background checks on the people who own these “shelters” and, in this case, motels? And the reason I raised that is, it came up at the last hearing that perhaps the owner of this particular facility may have lost a license in another area -- because I understand it may be a doctor or physician -- and that area was one of “health,” which is really Human Services -- but, yet, we’re allowing people to be placed.

And that’s why I raise the question to the other Departments -- what kind of health care are people in motels getting? And we’re paying \$1,500 a month. I can show you my mortgage with taxes is \$1,500-something a month. And that’s only because I refinanced to pull some equity out. And I have a pretty decent-sized house, but I’m comfortable. And there are other responsibilities with that.

But are the background checks being done to see if, across the line, the people we’re working with have already been sanctioned by the government at any level for some extreme violations?

COMMISSIONER BASS LEVIN: The Department of Community Affairs conducts background checks for shelter operators, because we license shelters. We do not conduct any on the motel owners. I do not know if Human Services or the local municipality conducts a background check on them. We don’t license them, so we don’t have any authority in that sense, under the existing statute, to do a background check. I don’t know whether the other agencies do, though, Senator.

SENATOR RICE: So we'll raise it with Human Services. But I need your Department to use your intellect and your resources, along with the other Departments, in some kind of way. If we're going to be placing people in motels, either the rooms-- We go out and we do eminent domain, and we blight-- Well, maybe we have to go in and say, "Well, every room that you use has to fall under this particular certification so at least we know -- we can expect that" -- some kind of way. We just can't say we license and we inspect shelters. But you can put X number of people in a motel. If you have 100 rooms, you could very well have 100 people in there; but because it's called a motel, we have not done the kinds of things to do due diligence.

The final question that I think the members -- if they don't know this -- need to understand is, we keep talking about shelters. Motels -- people go and they stay, I believe, four to six months. But shelters differ. We need to discuss that.

And I hear you talk about a shelter. I'm trying to think, what shelters are you talking about? Because the shelters, I know where I am -- you walk in today, and they'll let you warm up, and they throw you out the next morning. And that's called a shelter. And so I don't know-- Do we have different categories of shelters? Because you made it seem as though it's almost like heaven compared to a motel. And I see the motel as being a little better than the shelter.

COMMISSIONER BASS LEVIN: Well, let me sort of sort this out in a couple different ways. Obviously, there is a wide range, in terms of shelters. And what I was trying to do is distinguish the continuum, shelter to transitional housing, to affordable housing. What we need to be doing is

looking to decrease the length of stay of anyone in either a motel or shelter, so that we can move that family or that individual into a transitional or more permanent housing.

And let me talk about motels for just a moment. They are supposed to be temporary stays. But since there are not enough shelter or transitional housing beds, many of the county agencies put people in motels for a fairly extended period of time. We have made the case that once it reaches a certain point, they are, in fact, shelters, and therefore subject to licensing, which requires a much more significant burden on their part.

When we tried to do this in Monmouth County, many of the motel owners literally refuse to fill out the shelter application. Some did, but some didn't. And those that refused to fill out the shelter applications -- we moved the people out of those motels, but many of them had no place to go.

So I am not, in any way, defending motels or shelters, other than right now saying we can't just say we're not going to put people there. We have to think about where are we going to put people when we close down the motels. And that's the point that I think we struggle with.

The State Rental Assistance Program is certainly a step in the right direction. And we've been working with Human Services and will reinvigorate that effort now with the new Acting Commissioner to set aside a portion of those vouchers specifically for people who are in shelters and going through transitional housing, so that they can get vouchers.

But the point that I want to make-- I'm not suggesting that either of these places is a place that anybody wants to be. To the contrary.

But the solution is in finding more money to provide more in the way of affordable housing. It is a question of resources, to be sure.

You know that, Senator, because you've been involved in promoting the State Rental Assistance Housing Voucher Program.

SENATOR RICE: Can you tell us -- and maybe if you can't, Human Services can answer this. I'm told that we have a surplus of shelter beds in some of these counties. Now, I found that very interesting during the hearings -- from county agencies -- primarily because, as the Senator says, people are walking in my office every day looking to be placed. Some of them don't want to go to a shelter, but-- And I drive my streets.

So are we saying that-- Do we know why this surplus is a surplus? Is it because we're not paying agencies, or is the surplus because the conditions are so bad that people would rather stay in 10-degree weather and take their chances than live inside the facility? But I'm told that there are surplus shelter beds in some of these counties.

COMMISSIONER BASS LEVIN: Senator, unfortunately I cannot speak to that. I'm getting a nod here from someone who is telling me that there are surplus beds. But that is not something that we oversee. So I'm at a bit of a loss here.

I can say that the goal really should be this transitional housing, where people are getting a full range of services, including job training, in order to make sure that we can move people into permanent housing. I always want to stress that that needs to be our goal: to provide permanent affordable housing for these families.

SENATOR SINGER: Mr. Chairman.

SENATOR RICE: Thank you.

SENATOR VITALE: Senator Singer.

SENATOR SINGER: Just to follow up with what Senator Rice was saying, when we deal with the homeless population, many of them do not want to go to the shelters. And I think it goes back to what Senator Madden was talking about, and (indiscernible) too. The screening process in the shelters -- who's there, who's close to there -- it follows suit with all of that. And many, especially families -- unfortunately mostly woman head of households -- just don't want to put their kids -- go to a shelter with their children.

So, I mean, there's an issue of security, there's an issue of what goes on, per se, so that it's a balancing act with that whole issue. And I think we've got to look at whether it's the motel/hotel area or in the shelter area -- the security factor, who's there, the screening factor. And that becomes, I think, almost an impossible aspect of things. As you know, many motel and hotel operators are not going to -- neither do they have the capacity to do so, nor do they have the willingness to do so -- to check on backgrounds, or asking people going in. And I don't know if they can do all that. That becomes a whole other issue too -- whether they can say, "I'm a motel. I don't have to ask if that person is or isn't." And that's really what the issue goes to also.

SENATOR VITALE: Thank you so much, Commissioner, for coming today. And if we have additional questions, we'll forward them to you.

COMMISSIONER BASS LEVIN: Okay. Thank you very much.

SENATOR VITALE: Thank you for your testimony.

COMMISSIONER BASS LEVIN: Thank you all for holding this hearing.

We would certainly be happy to present at another time, along with Human Services and Children and Families, a sort of outline of the motel/shelter/transitional housing process. Because I think it's important that you're shedding light on this aspect today. It really is a continuum of issues. The issues at shelters are every bit as difficult as the issues with respect to motels. And if you would like, at some future point we would certainly be happy to arrange a presentation with both the other agencies and the advocates who are involved in this. And we'd be glad to come back and do that.

SENATOR VITALE: Thank you.

Commissioner, can you also-- Would it be all right if you would -- I don't know if you planned to leave someone from your staff behind.

COMMISSIONER BASS LEVIN: Yes, Michelle Richardson is going to be here.

SENATOR VITALE: Okay, good. Thank you.

COMMISSIONER BASS LEVIN: She is our Assistant Commissioner.

SENATOR VITALE: Okay. Thank you.

I'd like to bring up, from the Department of Human Services, Jeanette Page-Hawkins, Director of the Division of Family Development; and Marybeth Schaedel -- pronounced correctly -- Coordinator of GA and Food Stamps Program.

Thank you.

If both of you would just identify yourselves for the Committee.

J E A N E T T E P A G E - H A W K I N S: Jeanette Page-Hawkins. I am the Director for the Division of Family Development.

M A R Y B E T H S C H A E D E L: Marybeth Schaedel. I'm Coordinator for the GA/Food Stamps Program at DFD.

SENATOR RICE: How are you?

MS. PAGE-HAWKINS: Good morning.

SENATOR RICE: We went through this last week, so it's like the police putting you in the car -- you know the routine. Could you just come and start the routine? And then we'll ask questions. Okay?

MS. PAGE-HAWKINS: Okay.

SENATOR RICE: You probably have answers to some of them based on the last hearing.

MS. PAGE-HAWKINS: Yes, indeed.

Good morning, once again, to Chairman Rice, Chairman Vitale, and Committee members. Thank you for giving me this opportunity to come today to talk about this most important issue and for taking the time to investigate this issue, as well.

I would like to state, before proceeding with my testimony, that there is simply no excuse for the conditions that the people were living in, in the Lincoln Motel. And I want to assure you that the Department of Human Services is committed to making changes needed to prevent a tragedy of this sort -- reoccurrence in the future.

To quote Calvin Coolidge, "We cannot do everything at once, but we can do something." And that's what we are here today to confirm --

that DHS stands ready to do something to address this important issue, along with our other colleagues.

The Division of Family Development, working in concert with municipal and county welfare agencies -- the MWAs and CWAs -- assists low-income individuals and families that are facing homelessness. Emergency Assistance, referred to as EA, is a component of the Temporary Assistance for Families -- for Needy Families -- which is our TANF program. And this is a key to addressing this issue.

Emergency Assistance is a State-supervised and county or municipally administered program. It means that the development of potential sites for emergency placements, and actual placements of individuals and families, is the responsibility of the county and municipal welfare agencies in active consultation with the public assistance client.

DFD acts as the oversight agency to the CWAs and MWAs in a number of ways. DFD sets TANF policy, develops regs concerning who will receive EA and under what conditions, as well as establishes rates for the various placements; reviews proposals for increases in rates to emergency shelters; and grants seasonal and other waivers in certain requirements on a case-by-case basis.

In order to receive EA, a person must also be eligible for welfare. As I indicated before, that's TANF -- that's the Temporary Assistance to Needy Families; or General Assistance, which is GA for single individuals or childless couples; as well as receiving Federal Supplemental Security Income, the SSI benefits program.

In an average month, EA is provided to 5,252 TANF families, 6,491 GA recipients, and 1,490 SSI recipients. EA can be in the form of

Temporary Rental Assistance, which is referred to as TRA. And it's provided in a private home or apartment. And for most cases, this is the most preferred method of EA -- short-term emergency housing in a hotel/motel or shelter facility. Or the money is also provided and assistance provided for prevention services, such as the payment of back rent or utilities, in order to preserve existing housing and to ensure that one does not become homeless.

The majority of our placements utilize TRA. Because you are subsidizing rent or mortgage in a permanent apartment or home, TRA is the preferred form of assistance. As of September 2006, there were 5,252 TANF families receiving EA. That is, 3,177 receiving TRA in their own apartment or home; 496 were in hotels or motels; and 366 were in shelters. Another 1,700 or so were receiving preventative or other services, such as payment of security deposits or moving expenses.

While the counties and municipalities try to limit the number of people that are placed into homeless shelters and -- I'm sorry, placed into homeless hotels and motels, as these placements are costly and, as indicated in previous testimony, very disruptive to families. And there are some cases where there are simply no other options, as also has been stated.

Over the past two years, the number of people in the hotels/motels has remained fairly consistent. Some counties have no emergency shelter facilities, such as Burlington, Ocean, and Monmouth. In other counties, the shelters may be full or unable to accommodate an illness or another special need, or a family with a male child over 16. Some of our clients have mental and physical health problems that make it difficult to secure and maintain safe and affordable apartments.

For people on SSI, placement options include rooming and boarding houses that accept the SSI payment rates. Many of these facilities have closed, leaving little or no affordable options for these clients.

The counties and municipalities try to limit the average stay spent in motels, again because it's costly and very disruptive. The goal is to move persons into permanent housing as quickly as possible, utilizing TRA as much as possible. While the average motel stay is approximately three months, there are those cases where people remain in motels long beyond that, because they're unable to locate affordable and permanent housing.

And that is why we entered into an agreement with DCA in 2005 to have their inspectors perform annual inspections of facilities utilized to place homeless families by the county welfare agencies. Normally, hotels and motels are on a five-year inspection cycle, which you heard from Commissioner Bass Levin. But because the families were remaining in these facilities for extended stays, DCA suggested annual inspections to ensure life safety issues were addressed.

As a result, DFD requested a list from the county welfare agencies of all the hotels they were using at that time for homeless clients. Last Fall, in an effort to update the list, DFD surveyed both county and municipal welfare agencies to obtain a list of hotels and motels that they utilize to place both individuals and families. That accounts for the added number that DCA mentioned.

Unfortunately, information regarding the Lincoln Motel was not included on the updated list. DFD staff is currently working with Newark city welfare officials to ensure that the list is comprehensive and all-inclusive. In the future, DFD will extract shelter payments on a quarterly

basis, by vendor, to compare to existing shelter and motel lists, to confirm that all vendors are registered by the counties and municipalities.

Once DCA inspects a hotel/motel under its escalated schedule, any facility that has life safety issues is immediately identified and communicated to staff at DFD. We then advise the CWA and/or MWA to cease placing in that facility. Since beginning this process, DCA has recommended we cease utilizing three facilities, which you've heard. And we have instructed the CWAs, and they have not utilized these facilities. Our local county and municipal welfare agencies often perform their own inspections, either on a routine visit or due to client complaints. They may then cease placement until the facility comes up to standard.

DFD is committed to working together to ensure that our clients are placed in safe, decent housing, be it in a temporary situation or permanent housing.

I want to thank you for this opportunity to testify and share with you the words of a great President from the State of New Jersey, "Provisions for others is the fundamental responsibility of human life."

I'm happy to answer any questions that you have at this time.

SENATOR RICE: Thank you very much.

If it's okay with my Co-Chair -- if I could start the questioning.

The whole idea of these hearings is to find out what's happening statewide, based on what recently happened at the Lincoln Motel. So I'm going to point back to the newspaper article -- where you indicated in your statement -- and the newspaper article kind of created some confusion or contradiction.

DCA indicated earlier that the Lincoln Motel was not inspected because it was not on their list. And they get a list from the Department of Human Services, based on an agreement to work with you. The new Director of Health and Human Services in the city of Newark indicated that even though this place had a thousand violations in 2004 -- and this goes back to 2000 -- that they were placing people, because the location remained on the approved shelter list provided by the State.

At the hearings the other day, everybody, if you recall, started pointing fingers as to who was responsible for what. Can we talk about this list? Now, if we're saying in Newark -- meaning the Director of Health and Human Services -- new Director -- that there is a list approved by the State, then the question is: Why did DCA not have that list? Or are there different lists? Because I look at the State list that I have, and I did not see the Lincoln Motel on the State list.

Can you kind of just walk through these lists? Who is responsible for the lists? How do we get the lists?

MS. PAGE-HAWKINS: Yes. The list that you have, Senator, is an updated list. And Lincoln would not be on there, because it is not in use.

Let me walk back through the process. As indicated, in '05 we started compiling a list. And that list came from the CWAs, initially, of the hotels/motels that they were utilizing. It was not until this year that we included the municipalities. I do believe that Director Vizcarrondo was misled in terms of an approved list from the State, as the State Department of Human Services -- as indicated in my testimony -- we do not directly contract with shelters, hotels, or motels. That direct contracting is

done with the CWAs and the MWAs. So the list that she possibly was referring to is a list -- an in-house list that her staff had compiled. But we did not get a list from them when we requested a list from the municipalities.

SENATOR RICE: Okay then.

And you made a statement that it's the county and locals that do the contracting with these motels, etc. The dollars to the county come directly from us. Is that correct? Aren't these Federal dollars coming in through the State, passing through?

MS. PAGE-HAWKINS: Yes, that's correct. We contract with the CWAs and MWAs. Money therefore flows for services. We reimburse them for services they offer on our behalf to the constituents in the municipalities.

SENATOR RICE: Do we oversee or approve the contract prior to them doing the final award of contract, since we have the administrative responsibility for overseeing the dollars that we are contracting out?

MS. PAGE-HAWKINS: In the past, no we have not overseen the contracts. We, however, do see contracts, and budgets, and etc., when we do the rate adjustments, and etc.

SENATOR RICE: So we rely totally on local government to get a contract with some provider. We don't go up, as the State, to take a look at it prior to placing people? We just take their word for it basically?

MS. PAGE-HAWKINS: In a shelter situation, DCA would review the shelter to make sure it is appropriate for placement. However, with a hotel/motel -- which these hotels and motels have been in existence for many years, at the height of homelessness, back into the '80s -- we do

not go and do an inspection. However, we do get the paperwork, we set the rates. And the hotel and motel rates are set in regs.

SENATOR RICE: Do you believe your Department should, prior to a final contract signing, inspect the location and determine whether or not that contract should be awarded?

MS. PAGE-HAWKINS: I believe that DCA is the more appropriate entity to do that review. And we, of course, would provide assistance in regards to if social services are going to be offered. We would certainly want to make sure that they are appropriate.

SENATOR RICE: Do we background check the people on these hotels? Because it was brought out, if you recall, that the owner of this particular place may have lost a medical license for whatever reasons -- some violations of law, if you will.

MS. PAGE-HAWKINS: DHS does not do background checks. I am not certain as to whether the locals do background checks.

SENATOR RICE: Do you think we should be doing background checks and trying to see if, in fact--

Let me give you an example. If we bar someone from the state from doing demolition, we can't really have them circumvent it by moving in another direction that's pretty much the same. They may do something else, but not in the same category. Don't you think we should want to know more about the owners and the participants of these facilities?

MS. PAGE-HAWKINS: I would say yes. I believe that when we try to ensure the safety and welfare of folks that have been put into our care, yes, it would be our responsibility to know who is actually providing that service.

SENATOR RICE: One other question, and I'm going to pass it on to my colleagues.

Can someone-- I'm trying to find out why we have a surplus of shelter beds in some of the counties. Is that because we're not paying? Is that because people don't go? It's a combination of both? And if they're not going, why would they not go? Because if they're not going because of the condition, we shouldn't -- they shouldn't be contracted with us anyway.

MS. PAGE-HAWKINS: There may be a surplus of beds in certain localities due to the population may have decreased. For example, in the Essex-Newark area-- In the past two years, the State has been over -- giving oversight to the Newark Municipal Welfare Office. And as a result, we have cut the population of recipients receiving GA who, in turn, were spending a great deal of time in some of the shelters in that area. So that may be one example.

Another example is that some people do not want to go into shelters for various reasons. Some people like to go into the hotel and motel because it offers them more freedom to do what they would like to do. Because when you're in a shelter, a transitional facility, there are social services and certain rules and regulations that may find -- may be found to be kind of prohibitive to the individuals and their families residing in those facilities.

So there are various reasons as to why people will not go into shelters. And, to be very honest, there may be some questionable shelter conditions, as well, that will keep a person from going. As I indicated in my testimony, we do have people who have emotional problems. And, many times, they do not do well in that kind of environment, as well.

SENATOR RICE: Just a follow-up on that before I relinquish-- You indicated that you cut people off. The people I know you're cutting -- not you personally -- that get cut off are homeless. They were doing better before they got cut off. And that's why I was concerned about the number of beds, because of the way we revised this welfare system. We have not increased -- and we'll talk about that later -- the cost of living, or at least the inflation -- as the Federal have done with SSI -- going back 20-plus years. So it's like that's going to compound that whole population.

But the question I want to raise, since we're on this subject: Are we isolating or categorizing people -- not from a discriminatory perspective -- but are we mixing, say, people with maybe transmittable disease, that need a different kind of care, with others? I mean, how do we know what this mixture is, and what are we doing? How do we get health care? If I'm spending \$1,500 a month, who is providing health care, who is monitoring the facility, and things of that magnitude?

MS. PAGE-HAWKINS: In regards to special populations that may have health problems, generally the clients self-disclose whatever health problems they have, as well as through case assessment with their CWA/MWA worker. Given that information and documentation in regards to the condition that they may be exhibiting, they will be linked to health services through case management. In terms of sheltering people with special needs, oftentimes these are some of the people who have to go into the motels, because the shelters could not accommodate them on some occasions.

SENATOR VITALE: Thank you.

I have-- Before I ask the members, I just wanted to ask two questions. The first is about the conditions at the Mayflower (*sic*) Motel -- hotel. And it was my understanding, at least -- or is my understanding that those who lived there all had some form of medical condition. Is that right?

SENATOR RICE: Do you mean the Lincoln Motel?

SENATOR VITALE: The Lincoln Motel, I'm sorry.

SENATOR RICE: We used to have a Mayflower, too.

(laughter)

SENATOR VITALE: No, not Mayflower.

MS. PAGE-HAWKINS: Yes. Upon investigation, the majority of the individuals living there were unemployable. That's the category that we utilized for those folks who have a health condition -- that they're unable to work. I do not know what were some of their health problems. But I could assume that some were mental health issues -- both substance abuse and mental health issues. And they may have been individuals with HIV and AIDS, as well.

SENATOR VITALE: So let me paint a picture for you of this motel -- of this hotel. You have individuals with mental conditions that range from substance abuse, to mental health, to any other number of conditions, all commingled in the same hotel, in the same environment. And my question I guess, is, what is-- What kind of oversight does the county welfare agency, or the city welfare agency, or DHS provide, on an ongoing basis, for the welfare and the care of these individuals? And I would suspect that there are overall health and mental health care needs that have to be met on a regular basis. And they're commingled together, so that's one problem.

The second problem is -- or challenge is, how are they treated, and how often are they treated, and what does their case management picture look like?

MS. PAGE-HAWKINS: In regards to the oversight and services that they receive, first, let me say that in this situation, the CWA -- Essex County Welfare Agency had not placed in that particular facility in over two years. So we're talking about Newark Municipal Welfare -- had been placing individuals there. They would have case managers that would see the clients generally in the office, as I understand it. The Department of Human Services really has not been involved in that level of going out to the facilities and making sure that the clients are receiving the social services that they need.

SENATOR VITALE: It would seem to me -- and I'm not going to go into it -- we're not going to draw any conclusions out of this hearing, at least today. But -- that the rules that we've established, and those with whom we enter into agreements, whether it's the city or the county welfare agencies -- at the end of the food chain or the beginning of the food chain is the Department -- is the State of New Jersey and the Department of Human Services. And it is really our more global responsibility to ensure that the counties, and municipal welfare agencies, and others are doing their job; and that those with -- to whom we're providing the services are -- those are protected, and those services are met.

Is there a difference between emergency temporary homeless shelters and just regular shelters that we use for these populations?

MS. PAGE-HAWKINS: No, they're basically one in the same. Well, let me say, on a continuum, you could have an emergency shelter that

would only care for an individual family for a very short time period until they transition to a more stable setting. For instance, say there was an eviction. And the night -- they needed shelter for the night. And the next day they may go to a shelter that is more suited for the family, as opposed to the one they were originally placed in, that was short-term and they were just helping out.

And then they could then transition on to a transitional homeless facility, which has a gambit of social services -- very rich social services that help move people from homelessness to permanent housing. And actually my background reflects the experience in working in a transitional facility for many years.

SENATOR VITALE: Can you tell me-- My last question is: Can you tell me what kind of security is provided at these facilities, whether it's at the hotels or the shelters? Maybe there is a second question in there somewhere. And I'll ask-- What kind of security is provided? Because I've heard from individuals who are in the business, who are on the ground -- and not the social workers themselves, people involved at the some of the various crisis centers -- that they'd rather live on the street than go to some of these shelters or to some of these hotels, because of the conditions and because of the safety issues.

MS. PAGE-HAWKINS: Each facility provides a level of security. I can't say for sure. I would say, once again, the transitional homeless facilities -- they usually have 24-hour security. In some of the hotels/motels, they usually have it from six in the evening until six in the morning.

SENATOR VITALE: Lastly, there are-- I've looked through the list of those shelters and motels in every county. And there seems to be a -- motels, rather -- those types of facilities in 20 of the 21 counties, but not for shelters. How many-- And I know that the issue of sex offenders who are released, and who are homeless -- who are -- don't have permanent residency, or even temporary residency, and they're placed in some of these motels. I can speak from experience in my hometown, where we have three motels that are used for transitional housing. But they're also used, from my understanding, for those who are released from the Adult Diagnostic Treatment Center in Avenel. And they are paroled -- or sex offenders who have completed their terms.

The motel owners are unaware of their status. And we're mixing them in with the public, we're mixing them in with people who are in transitional housing. And it doesn't seem to me to be a safe environment, because none of those folks are noticed.

The Department of Human Services and the Department of Corrections interface this issue. The DOC is bricks and mortar, and they do the incarceration; and DCF -- or, I'm sorry, DHS provides for the treatment and counseling, both in those facilities and in terms of aftercare. What do you know about the placement of homeless sex offenders in some of these motels?

MS. PAGE-HAWKINS: It is an issue that we have been examining for a while. We have interfaced with the Department of Corrections in regards to notification. Our CWAs and MWAs have received training in regards to Megan's Law and sex offenders in general. The answer to your question is that the CWAs and MWAs do everything

possible not to mix the populations. And I can indicate, in many of the counties, they make a Herculean effort not to mix the populations.

SENATOR VITALE: But it's not guaranteed that it can't happen or won't happen. But they make every effort for it not to happen.

MS. PAGE-HAWKINS: Exactly.

SENATOR VITALE: Thank you.

Senator Asselta.

SENATOR ASSELTA: Senator, just to shed a little light on this: This particular issue I had to deal with about a year ago-- The Board of Parole has some oversight and has the ability to place incarcerated individuals who then are eligible for parole into those particular facilities. And so, once again, with a combination of DOC and the Parole Board, the communication between them and local government would be a big help on that case, and particularly in your community.

I've had meetings with the Parole Board, and they are very sensitive, now, to those particular issues.

SENATOR VITALE: Thank you.

Senator Singer.

SENATOR SINGER: Thank you, Mr. Chairman.

You know, I had noticed that there are different types of facilities in every county. For example, Providence House runs a facility in Ocean County, through Catholic Charities, for battered women, and children, and families; Harbor House runs it for runaway teens in Ocean County. Burlington County has a Providence House run by Catholic Charities. Volunteers of America operates in Burlington.

Is there one group that takes a look at all these facilities and sees what is lacking where, and provides any incentives to the counties to either provide those facilities or work in a facility?

MS. PAGE-HAWKINS: I'd have to say that that rests with the local planners and providers of CWAs and MWAs. They know best what are the needs in their communities, and they're able to better coordinate. As you indicated, there are -- in several of the counties there are domestic violence shelters. There are shelters for children, and that falls under DCF. Shelters for families and individuals as indicated -- the CWAs, MWAs -- they contract with providers, given what they feel are the gaps.

SENATOR SINGER: Just through the Chair, just so we have a clear understanding. For example, Monmouth County, the only shelter I know about for families is -- the Salvation Army runs a shelter in Asbury Park. But my bigger concern is, number one, realistically, county welfare boards-- As you know, when we did the consolidation, many municipalities gave up their welfare departments to counties, which is a big savings of money, which took it one tier away from the people. We saved the money locally -- and there was no question about it, it was a savings of dollars -- but again, we took that closeness to the people that needed it one step away from them, to the county facilities. And in the more rural counties that I represent -- and I know Senator Asselta does also -- no one wants a shelter in their town. County welfare boards have no authority to place one, build one, or do that. It really rests on government, and government is not going to do that because that's something no one wants to tackle. Is the State doing anything about that? I realize we're saying, "Well, it's really a county problem." But in essence is, the money and the incentives come from the

State level. Is the State doing anything, saying you've got to deal with this issue within your county, you've got to provide those facilities in your county?

MS. PAGE-HAWKINS: That is a very hard thing to tackle, because home rule in the State of New Jersey really impedes a lot of what the State would dictate. And once again, I have to respond by indicating that it is felt that the local structure be through their Human Service Advisory Council. The CWAs and their social service providers within the counties know what their needs are, and they advocate for those needs with the State. And of course, if we find there is a need for a particular service in a county, we do address it; but that does not make a county take our suggestion.

SENATOR SINGER: So again, I go back to what both of you have talked about as Chair people. There really has to be one person responsible across the board. And at some point, counties have to share some of that responsibility, Mr. Chair. I just think, you know-- Realistically, the Department can't make them do it. Home rule is something that's all important, but there's also an accountability to the morality of providing these services to these individuals -- that it's easy to say they're in a hotel. We can't control what goes on in a hotel and motel, we know that. Maybe the owner has a good background check, but they don't check everybody who works in the motel, or hotel, or everyone that lives around the area. But it's a very co-mingled problem that we don't address. As I said to you, no one wants it in their backyard, no one wants it in their town, no one wants to deal with it. And therefore, what happens is, we're stuck with dumping people in motels and hotels.

SENATOR VITALE: Good point.

Senator Weinberg.

SENATOR WEINBERG: Thank you, Mr. Chairman.

To follow up with what Senator Singer has said, has there been anybody from the State that's looked over all the counties and determined what is lacking in each county, whether or not they have the power to enforce?

MS. PAGE-HAWKINS: We know that in Burlington, in Monmouth, and Ocean there are no shelters. However, the State does not have the authority to say to these counties, "You must construct a shelter."

SENATOR WEINBERG: No, no. That's not my question.

My question is, has anybody looked at the entire State of New Jersey and said, "This county has great services for victims of domestic violence. It has great networks for GA assistance, but no family shelter" -- that kind of a study, whether-- I'm not talking about what your authority is to fill in the gaps, but has anybody done an overall State study to determine--

MS. PAGE-HAWKINS: No.

SENATOR WEINBERG: --what the gaps are?

MS. PAGE-HAWKINS: No State study has been done. But informally, we are attuned to what are some of the needs in the various counties.

SENATOR WEINBERG: By the way, listening to this, I'm quite proud to say that Bergen County apparently is way, way ahead of many other counties. We have--

SENATOR VITALE: You said Bergen County?

SENATOR WEINBERG: Yes.

SENATOR VITALE: Is that a (indiscernible)?

SENATOR WEINBERG: We are building a new family shelter -- the County is -- in the City of Hackensack. We do have a current family shelter -- inadequate, but currently operating. And as I said, there'll be a new one that will be aimed particularly at families with children. And certainly we've got a great network of transitional housing for victims of domestic violence. So I'm surprised, actually, to hear how much farther ahead we seem to be than some of our sister counties around the state.

So a little plug for Bergen here. (laughter)

SENATOR ASSELTA: Mr. Chairman, probably because Bergen County, through the Chair, is the largest county in the State of New Jersey and has many more resources than counties, in particular, down south. So that's a great advantage for Bergen.

SENATOR WEINBERG: I didn't mean to set up a competition. I'm sorry, Senator Asselta. (laughter)

SENATOR ASSELTA: No, it's pretty understandable. It's pretty understandable why Bergen would have it.

SENATOR VITALE: Anybody have questions? (no response)

Thank you very much. Thank you.

We have three or four -- well, four or five individuals here representing advocacy groups around the state. And before we get to that, the next group -- and our final group of government is Nick DiRocco, New Jersey Association of Counties; Bruce Nigro, Essex County Division of Welfare, and President of the New Jersey County Welfare Directors Association. Also here today is Joseph Kunzmenn, from Somerset; Bob

Ellis, Camden County Director; and I think, it's Dan Boas, from Burlington County. If you'd all like to come up, grab a seat; and if there isn't one there, you can drag one from the front row. If you all want to testify, or if you have one or two people that want to, that's great.

Thank you.

NICK DiROCCO: I'll start it off.

Good morning, Chairman Rice and Chairman Vitale. My name is Nick DiRocco. I'm the Legislative Director for the New Jersey Association of Counties. I want to thank you for the opportunity to address you on Emergency Assistance housing. As you are well aware, New Jersey's 21 counties administer welfare services statewide. And I'm very fortunate to have with me today representatives of the New Jersey County Welfare Directors' Association. To my direct right is Bruce Nigro, President of the Association. And these folks are really the experts, and I'd like to turn the microphone over to them.

SENATOR VITALE: Thank you.

BRUCE NIGRO: Good morning, and thank you for the opportunity to address your Committees. I made this presentation before the Legislative Black Caucus Committee last week, and for some purposes of brevity, I will try to summarize my presentation. And we do have copies for your Committees.

I'd really like, first, to address the role of county welfare agencies in New Jersey. We are required to provide emergency assistance to eligible individuals, who receive temporary assistance for needy families, General Assistance, and SSI recipients -- Supplemental Security Income recipients. We prefer, in doing that, when they're potentially eligible for

EA, to evaluate them. And we have to evaluate them on: are they homeless -- in an eminent state of homelessness -- and technically, through the regulations -- through no fault of their own or no opportunity to plan in advance.

In most county welfare, if not all county welfare agencies, when we do have people who are eligible for Emergency Assistance, we'll opt to keep them in their apartment and to provide temporary rental assistance. However, there are times when families or individuals are already homeless or they're not allowed to stay in their apartment by the landlord, and we must place them in alternative housing. We all prefer to place them in shelters. In some instances, there are insufficient shelters in the counties, and they must rely on motels or hotels. And in some instances, they must rely on out-of-county hotels or motels, because either the ones they're using are filled or they have insufficient supply.

I'm in Essex County -- have a luxury. We're one of those counties that have a significant number of shelters. We actually only have one family in a hotel, and that is for disability reasons, for accommodation under ADA rules. Most shelters are virtually -- no shelter can comply with ADA requirements. And that's something you may want to look at in the future, at helping to fund that. We do have some General Assistance clients in hotels. But unfortunately, as I said before, there are issues with Burlington, Camden, Sussex County -- all have issues regarding how they house their families.

I also want to repeat that we, in Essex County, had nobody in the Lincoln Motel in East Orange. We had not used it for years, because it didn't meet our requirements.

As to our role in looking at shelters, motels, alternate arrangements, DCA-licensed shelters -- DFD sets the rates, we place people in them. As for Essex County, we send our staff into those facilities when the service declines to make sure what's going on in them; and number two, to ensure that the facilities are being maintained at a certain level. We don't have the staff who are inspectors, but we do have staff who go in there and provide social services. And I do have some staff that go in and monitor these facilities. That's one reason why we weren't using the Lincoln Motel. I personally have been in several of the facilities to ensure that they're suitable for our clients.

One of the issues is, is that shelters or Emergency Assistance is very expensive. Just to give you an idea. In Essex County, 30 percent of what we pay out in TANF benefits are for Emergency Assistance. We're paying out approximately \$4.8 million a month for TANF. For General Assistance for the municipalities that we have consolidated -- and that does not include Newark -- we're paying between \$900,000 and \$1 million a month, and close to half of that is for Emergency Assistance.

SENATOR VITALE: Excuse me.

Can you describe the Emergency Assistance, how you break it down?

MR. NIGRO: Well, again, the breakdown -- most of it is for temporary rental assistance, but it would also be for back rent. And a high count is for shelters, motels, because their rates are much higher. I mean, we pay \$700 for an apartment. You're going to have two people in two different apartments, it's \$1,400; but one motel or shelter may cost you 1,500. In Essex County, we also have five transitional housing facilities

which provide a full apartment and a wide variety of social services. And I would stress, that would be better than using shelters.

We don't provide shelter for nonwelfare clients or non-SSI clients. Some county welfare agencies do administer what's called *shelter support housing funds*, which come from HUD. In Essex County, we have another agency that does that, but that's very limited. So you have many people who don't qualify for welfare who may not have a funding source to put them in a shelter. And that may be the issue why you see some people on the street.

SENATOR VITALE: Can you tell us about the back-rent issue, and how that--

MR. NIGRO: Back rent -- we do pay back rent. We pay up to three months of back rent, that's under regulation. And in some instances, we can get waivers to pay more through the State. But again, if somebody owes six months back rent, regulations may preclude us from keeping them in their apartment. So, in fact, we then have to put them in a motel or shelter. So again, to me, it would be preferable if we can pay the back rent, keep them in that apartment, keep the child in the school system where they're going, or at least they don't have a transportation issue.

SENATOR VITALE: How do you determine whose back rent you're going to pay? What kind of a situation defines that?

MR. NIGRO: There's an application for Emergency Assistance we take. Number one is, if the client's still in the apartment, we will evaluate the back-rent situation. There are times a landlord will not keep the client in there, that they thought they've been disruptive or they just don't want to deal with it. Or there are some landlords who may not want

to deal under our rules and regulations on payments. But if the landlord does agree, if it's within three months, we will make that payment automatically. If it seems that we have a plan that we can go beyond that, we will submit a request to the State DFD to waive the three months. They normally approve it. The issue is that Emergency Assistance is technically time limited under the regulations, too. So you need to have a plan to try to keep them in some permanent housing situation. And again, it's also what the rent is. If the rent is so exorbitant that in six months they're not going to be able to stay there, or there could be another problem, that could be an issue also.

One of the things I think I want to address is the fact -- is why are people homeless? And there's really -- quoting from a position paper that the Directors Association did a couple of years ago, there are two main reasons, that you can centralize, why people are homeless. One is economics. They don't have enough money to pay their rent, or they don't have enough resources to pay their rent. That's almost an easier population to deal with for us. Because if we can supplement them, if they can be eligible for welfare, we can help them and stabilize them in an apartment.

The second problems are those that associate around the social issues -- drug, alcohol abuse; mental illness; family violence. That's a much more challenging population to deal with. In Essex County, we have a major problem with housing SSI clients, because many of them have mental health issues. We'll put them in emergency housing, we'll get them into a boarding home, we'll get them into an apartment, but they wind up not staying there. They may get kicked out of boarding homes. They may get

kicked out of the apartments because of their emotional state. So we cycle some of these clients through our system over and over again.

We also offered a number of suggestions, and the critical thing is, is we're not talking about affordable housing. We're really talking about low-income housing. The State Division of Family Development has a standard of need that's required under the law. That standard of need for a family of four is somewhere around \$2,000. A welfare grant for a family of four is \$488. And in Essex County, a one-bedroom apartment is \$800. There is a disconnect there. And as Senator Rice mentioned, welfare grants have not been raised in approximately 20 years. So our recommendations come from that background.

We believe that low-income housing inventory must be expanded, not just affordable housing, but real low-income housing. We would also like to see New Jersey expand the Earned Income Tax Credit to an increasing number of the eligible working families for that program, and to maintain the working poor in their housing. We are recommending that the minimum wage should be increased -- what you have done -- and we appreciate that. We believe that the State should establish -- and they actually established the State Rental Assistance Program, but we believe that needs to be expanded. We also believe that the welfare grants need to be adjusted. One area is in -- when I was a worker at first, rent was considered separate and apart from the basic grant. So we may need to consider, then, instead of having a pure, flat grant, we put in a rental amount.

In the event that that does not happen, I would add, from my personal position, that we provide that once somebody is eligible for

welfare, we give them an automatic rent supplement, as opposed to handling it as Emergency Assistance. The Emergency Assistance, for welfare staffs, is very time consuming. We probably spend more time on an Emergency Assistance application than on just a normal application for welfare, because you're taking a separate application, which is done basically manually. We are evaluating all the information, we're trying to document the information, we're trying to negotiate with landlords; and then we have to develop a service plan with these clients to ensure that they have a plan to try to resolve their homelessness issue. And then we have to review this on a regular basis, virtually monthly. And it's a challenge on that workload when we know that the grant does not pay for the rent.

We also endorse the idea of increasing the welfare grants, and a regular cost-of-living increase, so that it is not a political issue every year as to what's happening. Virtually every other program involves cost-of-living increases. And we also endorse the State DFD new pilot initiative to increase -- or disregard earned income, from 50 percent to 75 percent. Many times when our clients get a job, they lose welfare benefits. And subsequently, they lose their Rental Assistance. So now a family, at minimum wage, is making \$1,000, \$1,100, \$1,200 a month -- no longer qualifies for welfare, and no longer can get the Rental Assistance they were getting. Virtually every day I get a phone call from a working poor family that gets a letter from Tenancy Court saying -- and my phone number is on there -- and there's not much we can do but refer them to other sources and hope somebody has some money for them.

SENATOR RICE: Senate Bill 2525 addresses the Earned Income Tax Credit. The initial income tax credit bill was my legislation.

We couldn't meet the (indiscernible) because of the politics, but the new bill takes out the income limit. So if you qualify for the Federal 38222, then you still qualify, and that should resolve that issue, if I can get it passed.

MR. NIGRO: And we would endorse that.

SENATOR VITALE: We do have -- the Commissioner of Health is here, and we have four or five other individuals who want to testify from different groups. I know there are others here today, but I'd asked if you have anything additional to add to your testimony. Would you like to say a few words, do you feel compelled to testify, or has he covered pretty much everything?

DAN BOAS: Well, actually, Mr. Nigro did cover most of the points. But again, I would just really like to reemphasize that with 21 counties in New Jersey, there are 21 different needs and levels of resources within those counties to address this problem, and that has to be taken into consideration when we look at this.

SENATOR RICE: What's your county?

MR. BOAS: I'm from Burlington County.

SENATOR RICE: You got something like 31 motels down there.

MR. BOAS: Well, actually, we were at 37 last year, but due to--

SENATOR RICE: Twenty-nine -- you have 29 now.

MR. BOAS: Well, we're down actually even lower than that. We're down to 25, because a number of municipalities have rezoned, or

looked to zone for redevelopment that includes these areas that incorporate motels.

SENATOR VITALE: Would you state your name, please, for the record?

MR. BOAS: Oh, I'm sorry.

Dan Boas, Director for CWA, Burlington County.

SENATOR VITALE: Thank you.

Thank you all for coming, and for the work you do.

MR. NIGRO: Thank you.

MR. BOAS: Okay, thank you.

SENATOR VITALE: D. Miller and Maura Sanders, from Legal Services of New Jersey.

MELVILLE D. MILLER JR., ESQ.: Thank you, Senator and Senator Rice. Thank you for permitting us to speak briefly today. There is a very short, true one-pager which we gave to staff, which you should have, which summarizes our points.

Our perspective -- Legal Services of New Jersey has been in the forefront of advocacy around homeless issues for three decades. Our perspective is, as you consider the immediate steps that you might take to end another Lincoln-like situation, and particularly think about legislative change, we would ask that you keep six other possibilities in mind at that time -- other legislative steps that are, to us, necessary and germane.

One is to take steps once and for all to limit the number of hotel and motel placements, and the length of them, by setting a limit -- except for emergency circumstances or something like that -- extreme circumstances -- of three months, so that there really is pressure on the

system to find more permanent, more suitable housing, especially for families with children.

Secondly, reform the system so that EA is provided with and added by the counties with an attitude of preserving people in existing housing. Right now, there's a variety of bureaucratic steps and barriers which cause people who have not yet been evicted to have to wait until they've actually lost the housing and are in the street. That's kind of a nonsensical step -- we really need to put a greater priority on the preservation of existing housing situations.

Third: Fault -- the famous fault within the Emergency Assistance program is -- at this point can be a permanent lifetime, effectively, bar to receiving assistance. A person who makes a mistake in life should not be permanently kept from being able to access emergency housing assistance. That's the way things are now. There really needs to be a change there.

Fourth, as you probably know, EA is, itself, time-limited to a basic 12-month period. There are a couple of extensions possible for families; one for individuals or low-income individuals who have not worked or have a spotty work history, have disabilities, and other challenges preventing them from working. They are, in the vast majority of situations, simply unable to be able to arrange their lives, find a job, get onto the job payroll, have increases in wages sufficient to allow them on their own to find housing. All of that in 12 months or 18 months, or even two years. It's a fantasy. And it's the fantasy that the whole time-limit system is predicated on. That really has to change. It can change in EA.

Fifth, for all of those who have been successful finding jobs and are making the move from welfare to work and getting off welfare, it's critical that Emergency Assistance, as a fallback safety net, be available for those people for some reasonable period. We suggest one year -- it could be less than that -- after they leave welfare, in case something befalls them in their lives which throws them back into a situation where they need Emergency Assistance. Those are the key recommendations.

I would just make one observation, since you asked the representatives of the two departments who spoke what was going on, was there any agency or any within their departments that had responsibility for looking at the overall housing situation among very low income people, welfare recipients, and that sort of thing. The answer, frankly, in State government is, "No." And it's quite strange, and ironic, and, ultimately, tragic that the DHS, the Department of Human Services' role, which is by any measure the closest of all of the State agencies to low-income people and closest to their needs, has no person or group within it charged with keeping track of this data and this information. And among other things, articulating and reporting on a regular basis, both to the public, the Legislature, and also to the one agency, the State government DCA, which is charged with housing. So as you think about legislative change and steps you can take to avoid another Lincoln Motel situation, that may be yet another step that could be taken rather easily to force the State to keep a constant running tab of true low-income housing needs in the state.

We'd be happy to answer any questions.

SENATOR RICE: No, I don't have any real questions. I just want to indicate we're going to look at this whole issue, but there are going

to be things we are going to agree and disagree on. I don't believe that we should lengthen 12 months. I believe the State should meet a responsibility of isolating and identifying the population they have. Everybody is not the same, characterization-wise. There are people who can work tomorrow. But there are laws that we refuse to pass to assist them in getting the job-- For example, you've been out of jail for the last five or six years, you've never been in trouble again. That's not everybody, but it seems like there are categories that we can (indiscernible) those things and let those people move forward. You know, we tell people we're going-- If you have a driver's license, we're going to take the registration, rather than pulling the legislation saying if you have a parking ticket, you keep your registration. You just don't get your license suspended -- do community service.

And so I think what we do is compound the problem by creating (indiscernible). Public housing was never set up to be permanent, but yet we have generation after generation, because this government's way of closing the doors to that population -- and we know basically, with that population, who they are and what their needs and concerns are. But there are other things that we can look at from this, and I know that the Senator has made a suggestion, because I think there are some things we have to legislate we do right away. For example, to make sure of why we are there, we do quick inspections. But there's some other things that become clear. We're not going to resolve it this hearing and the one we had last week, because of the complexity of this issue and dynamics surrounding it, and all the confusion that we have set up over the years in regs and statutes, if you will -- which seem not to have any real substance to them, to be quite frank about it. And so, we're going to have to go back and look.

But I know people in your position and others have to drive home, "This is the way you do it." But sometimes we think we're helping, but we're doing more harm by putting the system in a position not to do what it's supposed to do. I mean, don't tell me that someone can stay someplace a year and, as a system, we can't situate them some kind of way, if they have the ability to be situated.

And the final thing I want to say on this whole issue, as we deal with affordable housing and other issues, the other problem is that New Jersey is a very wonderful state. Anybody comes here -- they hear we're doing something, so they come in from elsewhere and they land here. And we can't keep giving to a population that just moved in town. Eventually, people have to understand that, you know, you better check in to see if there's any space where you're moving to, regardless of the condition or job opportunities. Because we have to really deal with that situation. We can only (indiscernible) build so many houses, we can only cater to so many individuals with needs, etc., that's coming in-state from "elsewhere" when the community is not providing.

But I want to at least say that to you, from a legal service perspective. I hear what you're saying, but I'm not sure about expending, and not making room.

MR. MILLER: Senator, the one thing that I would say is we'd be happy to work with you on specific housing that -- responses to meet the needs of re-entering former prisoners, or others who have been kept from being able to work, because of their prior conviction. That's an area of deep concern for us.

SENATOR VITALE: I think what we'll do is, going forward -- I spoke to Senator Rice and Senator Singer -- I'm sure the members of this Committee will agree that we have a -- we would establish some sort of a joint task force and look at this thing on a longer-term and a short-term basis. And I would think we could better operationalize all these services and make changes that make sense. We learned today, at least -- and then Senator Rice learned at his -- the Black Caucus meeting -- is that so many services are spread out over so many different departments. I don't want to say it's a lack of coordination, but there are coordination issues. And not so much accountability issues; but there are many issues when you do that, that not only relates to this issue, there are other services provided by the State where the same thing happens. Sometimes that makes sense, sometimes it doesn't; and I think, in this case, I'm going to take a hard look at how this is all operationalized, and look to you for your opinion and your assistance, as well.

MR. MILLER: Happy to do that.

SENATOR VITALE: Thank you.

MR. MILLER: Thank you.

SENATOR VITALE: Thank you very much.

Thank you, Maura.

SENATOR RICE: We're going to get ready to wrap this up. We just have to get the Commissioner up here, Commissioner Jacobs from the Health Department. And then we're going to have three people come up, and that's going to wrap.

And I want to thank you for being patient and taking the time to come down, so we're going to take the time to hear you.

How are doing, Commissioner?

COMMISSIONER FRED M. JACOBS, M.D.: I'm doing fine, Senator. Thanks for asking.

Senator Rice, Senator Vitale, good morning; members of the Senate Health, Human Services and Senior Citizens Committee and the Senate Community and Urban Affairs Committee, meeting jointly.

I want to thank you for this opportunity to outline the services that the Department of Health and Senior Services provides to those who receive emergency housing assistance. After I briefly outline some of these services, if you have any questions, I'd be happy to attempt to answer them.

I recognize -- I think we all recognize how vulnerable the homeless population is in our state and how difficult it may be for people in transitional housing to connect with services, because their priority, of course, is keeping a roof over their heads. The Department of Health works very closely with the Department of Human Services. We work closely with them to make sure that those families that are living in transitional housing are aware of, and have access to, the health programs and social services offered by our two Departments. And although the Department of Human Services has the primary responsibility for providing services to families and individuals receiving Emergency Assistance, the Department of Health and Senior Services is proud to offer an array of health services to low-income individuals, including community health centers; the Women, Infants and Children program, the so-called *WIC* program; postpartum depression screening; lead case management; reproductive health services; rapid HIV testing, and medication and support services to those with HIV/AIDS.

Local health departments also serve as a resource for low-income families to find out what medical and other health care and social services are available in their communities. And local health departments also provide information on Family Care, cancer screening, community health centers, WIC facilities, low-cost pharmaceutical programs, as well as other services. And public health and housing inspectors working for local health departments consult with HMO case managers to coordinate care and share information for children with high lead levels.

The Department's lead case management program is designed to identify and remove children with high blood levels from the homes that are making them sick. So nearly 1,000 children -- 80 percent of whom are on Medicaid -- with blood lead levels of 15 micrograms per deciliter or higher are assisted throughout this program each year. And working with the Department of Community Affairs, a nurse case manager and a certified lead inspector assess the home and the environment. They provide lead education and nutritional counseling, and ensure medical follow-up.

Reducing health disparities and increasing access to health care for the poor and for minority and multicultural populations, as you know, has been a priority for me in the two year that I've served as Commissioner. And in fact we all, in the Department, view it as the core mission of the Department. We are a public health department, how could it be otherwise?

The Department has worked hard over the past several years to expand access to health care for the poor and uninsured by expanding the number of community health centers. The 75 community health centers now present statewide provide comprehensive medical and dental care to

nearly 300,000 patients a year who are either uninsured or on Medicaid alone. And those two combined are about 88 percent of all the patients that are seen.

From a human dignity standpoint, people would much rather go to a community health center, see a family physician, have continuity of care, than sit for hours in a hard, plastic chair waiting to get a minute with a doctor who knows nothing about their medical history and can do no follow-up. So the Department is spending \$40 million this year on community health centers. And over the past two years, the Department has worked collaboratively with the centers on a very special statewide initiative to improve the care for asthma patients, and now we're going to start with diabetes patients and an obesity-prevention program, and others.

Now, some uninsured patients have had difficulty finding dialysis facilities willing to provide care. Legislation to address this is pending in both Houses of this Legislature -- S-1250 and A-2925 -- sponsored by Senators Vitale and Karcher, and Assemblymen Conaway and Chivukula. The legislation would require free-standing renal dialysis facilities to provide a percentage of their treatment to the uninsured, just like hospitals in this state do.

Now, in the area of maternal and child health, the supplemental nutrition known as W-I-C -- the WIC program -- serves 250,000 clients, half of whom are on Medicaid. The program provides nutritional counseling; and checks to pregnant and nursing mothers for infant cereal, juice and formula, milk, cheese, juice, eggs, and fresh fruit and vegetables during the growing season. It's very important and, actually, very crucial to their continued good health.

Approximately 120,000 women -- 16 percent of whom are on Medicaid or are Medicaid-eligible -- receive reproductive health services each year that are funded by the Department. And these services include physical exams and Pap smears, pelvic and breast exams, prenatal care, pregnancy testing, HIV counseling, and emergency contraception, and diagnosis and treatment for sexually transmitted diseases. And we also provide a comprehensive set of prenatal services to 28,000 pregnant women through the HealthStart Medicaid program, which expands Medicaid eligibility for pregnant women.

In the area of HIV/AIDS, the Department offers rapid HIV testing and counseling in every county at 164 publicly funded sites, including hospitals, community health centers, local health departments, and Planned Parenthood clinics, and in social services agencies like the Hyacinth Foundation. More than 90,000 people have actually gone through and taken this test since it was introduced in November of 1993.

In Newark, for example, this testing is offered at the Newark Beth Israel Medical Center, Columbus Hospital, St. Michael's Medical Center, St. James Medical Center, the Newark Health Department, the Newark Community Health Center, and the University of Medicine and Dentistry of New Jersey -- the University Hospital.

The Department has worked hard to increase awareness and the use of the rapid HIV test. In recent years, we funded an outreach campaign to encourage Hispanic and African-American women to get tested. That campaign included print materials, TV, and advertisements on sides of buses, radio ads in English and Spanish, and a unique program for disseminating information through hair salons -- not a classical public

health venue, but that's where the people are, those hair salons -- located in 10 New Jersey cities with the highest incidence of HIV infection. And last year, the Department received a national Vision Award. We received the first place award from the Association of State and Territorial Health Offices for efforts to expand HIV testing. That was a national award, and we're very proud of that recognition.

Another important service the Department provides to those with HIV/AIDS is the Aids Drug Distribution Program. Life-prolonging and life-saving AIDS medications -- and as a matter of fact, many other medications -- are provided to nearly 7,000 clients each year through this program. And Federal Ryan White funds enable the Department to provide medical, dental, and home health services to more than 11,000 people.

HIV/AIDS patients also receive health insurance premium assistance and rental assistance. And these services are crucial because New Jersey has the highest proportion of women with HIV/AIDS in the country, the third highest number of individuals -- of kids with HIV/AIDS, and the fifth highest cumulative number of HIV/AIDS in the nation. And 75 percent of those living with HIV/AIDS are minorities.

I hope that this brief overview and this information has provided you with some feeling for the services the Department offers to lower-income individuals and families receiving Emergency Assistance, and I'd be happy to attempt to answer any of your questions.

Thank you.

SENATOR RICE: Thank you, Commissioner.

You indicated that you have a lot of services you try to make people aware of. What role do you have, if any at all -- and I believe you

should have one -- as relates to health care at the shelters and the motels? Do you have a process or a system that sends physicians directly to these locations to provide these services, rather than depend on people to, on their own volition, try to figure out how to get across town -- give them transportation, given the fact that resources are scarce to get them to the center? I mean, is there a relationship there with the local health departments? How do we deal-- I mean, I'm spending \$1,500 -- me, meaning the State -- a month for a motel. I don't know who's feeding the folks, how they're getting health-care treatment, etc. We know that a lot of that population is the population you're talking about, with transmittable diseases. We can isolate better if someone would just listen to me and give me the residential facilities for HIV patients.

You know, what is the Health Department role, if any? Because I believe there should be one. I'm not so sure if it's substantial or not, from that conversation on that.

COMMISSIONER JACOBS: Yes, I don't think it's much. Actually, Human Services has the primary responsibility, although our local health departments do-- I'm sorry. (referring to PA microphone)

I believe the Department of Human Services has the primary responsibility, but our local health departments, for whom we have collaborative interest at least, do probably have more of a role. In my own experience, in my own background, I know making physician house calls to these areas are very important and very much appreciated. And it doesn't necessarily have to be physicians; it could be advanced practice nurses or physician assistants. But some medical individual who can go, do an

assessment, and then follow up. But right now, I don't think we have much in the Department of Health.

SENATOR RICE: Would you make note to have your staff research that, to find out what the counties are doing and what the local governments are doing? Because we're going to be coming back to this. I see a different role for your Department.

For example, I know in the City of Newark -- at least when I was there on council -- we used to approve, periodically, some dollars to bring in nurses and others to go directly to shelters. I'm not sure what's happening with motels. I'm not even sure what's happening in shelters now throughout, but it seems to me there's got to be a medical linkage there with Human Services, rather than dependency or expectation that someone is going to take themselves to where they should be, given the population we're addressing.

COMMISSIONER JACOBS: I'd be happy to do that. I'll also speak to Acting Commissioner Velez, and see whether we can't coordinate some of this stuff together.

SENATOR RICE: Thank you.

Senator, any questions?

SENATOR MADDEN: I'm okay, Mr. Chairman.

Thank you, Commissioner.

SENATOR RICE: Okay.

Tell your staff I would suggest they start to do substantial research and pay attention to this, because I don't see our State having a Human Service role, and no health-care role. Maybe it should all come under the Health Department. I don't know. But the point is, is that it

needs to be addressed, and we're coming back to it. Because I'm not -- I'm not fluent about HIV and residential stuff. You know my thing about detox centers and residential. And this population right now is integrated into these hotels, at 1,500. And I have a real problem with that, particularly when we don't know the condition of our kids, etc. It's nice to talk about statistics, but New Jersey is not one for helping anybody, substantially, when they give statistics. And by the way, when you talk about the -- and congratulations to you on your appointment -- when you talk about education, we did a lot of work, if you recall our response to lead legislation. And everyplace I went, I've seen lead signs on buses, billboards, TV. They even started calling me *Mr. Lead*. I thought they were talking about my head. Well, you promised me two years ago we were going to do a massive public relations on HIV and AIDS. I haven't seen a bus or billboard roll out yet, or TV, or the stuff we did for lead. So rather than trying to respond to it, I think it's important for this population, too. Would you make sure you, kind of, send us something, through the Joint Committee, to let us know when you expect to spend some money and start that process? And don't give me the budget thing. You know, we always have a budget, but you got some money now. I know you, partner. Okay?

COMMISSIONER JACOBS: Yes, sir.

We'll be looking at it right away, and we'll be back to you shortly, Senator. I appreciate your congratulations.

SENATOR RICE: Thank you.

Next, these are the final speakers. I'm going to bring them all up, because they do represent our community and our agencies. I have Joyce Campbell, from Catholic Charities Diocese of Trenton; I've got my

good friend -- long-time friend -- former Councilwoman Sandy Accomando, who is out there -- I think she's doing some research on the census now; and we have another one of my little right and left hands, and always there trying to help the community, that's Ms. Dawn Martinez. Dianthe -- I've never used that name. Okay. Why don't we let the three of you determine who wants to present first.

SANDY ACCOMANDO: My name is Sandy Accomando.

SENATOR RICE: Sandy, hit your button.

MS. ACCOMANDO: Okay.

My name is -- is it on (referring to PA microphone)? My name is Sandy Accomando, and I'm currently Chairperson of the New Jersey Alliance for the Homeless, a group of some 40 service providers who specialize in services to the homeless. I'm also the CEO of the Apostles' House in Newark, a social service agency which specializes in services to homeless families and currently operates an emergency shelter for families.

One of the ways I feel I have some expertise other than that, is that I was formerly employed by the Essex County Division of Welfare. In 1988, I was a supervisor of the newly formed Homeless Unit. This is a period of peak homelessness in Essex County. At one point, there was as many as 750 families in hotels and motels, as far away as Linden and Hazlet. I supervised workers who were stationed in the hotels and paid many visits to the various hotels myself.

I'm not going to go into what the situation is at the hotels. I think we all know that. But I would like to clear up some semantics regarding shelters, hotels, motels, etc. Commercial shelters are hotels and motels, and they are truly in a class by themselves. They are, in essence,

warehouses which provide bed and bath, and nothing more. They breed an atmosphere of drug use, violence, and prostitution; and no services are required for placement in any of the hotels.

About two years ago, I called the operator of the Lincoln Motel and volunteered to have my staff come and do some social services to the people there, and he didn't want to have any of that. He didn't want to hear about it and he would not cooperate with it.

Noncommercial shelters -- and here's where the semantics problem comes in -- the stereotypical shelter is an armory, or a large facility with cots. People wait on line at 4:00 to get in, and they leave at 7:00 in the morning. There's another type of shelter. And it's a shelter such as the one we operate, which has been called a *shelter* for 24 years. And perhaps we need to look at changing the semantics. They're usually smaller facilities, and are committed to providing safe, decent, and clean housing for homeless people. They usually provide basic support services, such as information, and referral, and advocacy. Some provide a wider range of services, including substance abuse, mental health, employment services, medical services, etc. Most provide 24/7 security.

You talked about the fact that there are unused shelter beds. The fact of the matter is, the statistics that Ms. Page-Hawkins gave you are the emergency assistance statistics. Currently, I have a 42-bed facility. I have 32 people in there. Nineteen are emergency assistance. The others are funded by other means which are not reported through the State. So the figures that come through as emergency assistance do not accurately reflect the homeless situation in New Jersey.

In our recent homeless count on the 25th of January, in Essex County the preliminary count was 1,922 homeless people. I use eight sources of funding to have my shelter make ends meet -- United Way, Victoria Foundation, private contributions, Social Services to the Homeless. So Emergency Assistance is not the only funding available.

The bottom line is that New Jersey is in the midst of a housing crisis. And while the Legislature has been very generous in implementing the State Rental Assistance Program, it has not been able to keep up with ever-growing needs of very, very low-income people. And we are seeing more and more homeless every day. Homelessness is not a one-size-fits-all situation. We need to develop a statewide strategy which uses all of the resources -- shelters, transitional housing, leased apartments, supportive housing, and permanent housing -- to address the needs.

The Alliance has been advocating for three or for main things that need to be done. One, an interagency task force on homelessness. It was begun several years ago under the title *The Policy Academy*, and we hope that it will be reinstated in DCA, addiction services, etc. We also -- and this was part of the Governor's transition plan or report -- the development of the Office of Homeless Services to coordinate all services to the homeless from all departments. Three, a commitment to developing housing for people below 30 percent of the median income -- very, very low-income people. And also, as an aside, I personally would like to see a statewide formal network of sites for the homeless when the temperatures get below a certain temperature, where there are no questions asked, and it's just an opportunity for people to come in out of the cold.

I thank you for the opportunity to speak.

SENATOR RICE: Thank you.

Just a quick question. I'm still trying to get a grip on this surplus of beds. And you're right, that's why I was trying to get Human Services to kind of address, and other people -- but they kind of went around it -- the shelter thing. There is a difference between a St. Rocco, maybe a St. Rocco-- A facility like that, where you go and you stay two hours and they kick you out, and they argue with you, so somebody else can come in-- We've got to keep that in perspective. But facilities like yours, which have been doing a great job-- If you have 32 slots, for example, why would you have surplus with the need out there?

MS. ACCOMANDO: Because as much as I would like to place people for free -- and many times we do -- my staff has to be paid, my utilities have gone up 25 percent, my health insurance has gone up 147 percent in five years. I need to meet the expenses of operating a shelter. And the fact is that the Governor, yes, put \$5 million out there for upgrading shelters and creating new shelter beds, but there's no operational dollars to make the shelters run. We depend on the emergency assistance payments or, as I do in my facility, seek other funding for those beds. So--

SENATOR RICE: So technically then, when Essex County says that, "We have *X* number of surplus beds," when it comes down to the reality, they only have those beds primarily because we're not funding at the level that's needed.

MS. ACCOMANDO: Yes.

SENATOR RICE: But we're acting like, in some cases, people don't want to be there when, in fact, locations like yours -- versus say the

other ones, they throw them out -- they want to be there, but you can't accommodate them in terms of expense.

MS. ACCOMANDO: Yes.

SENATOR RICE: Go ahead.

MS. ACCOMANDO: The other thing is, as Commissioner Page-Hawkins stated, some people don't want to come to a shelter because we have rules and regulations. We do mandatory drug testing. Your kids have to be in bed at 8:00. You have to be in the house at 9:30. And it's more freedom to be in a hotel. And some people who have made bad choices all their life continue to make bad choices, and would rather go to a hotel. To me, there is no justification for having children in hotels. But it is a function of funding, it really is.

SENATOR RICE: What do you get-- You see, that's the other confusion we have. We still haven't gotten clarity, even though they told us over and over -- what? -- we are paying \$1,500 per person or per family. And it really came down to -- what we got was, "Well, it depends on what space they need." Well, I don't know what that means, you know -- and they talk about two rooms. But just assume -- what does it cost per whatever, a bed -- per bed? I'll put it that way.

MS. ACCOMANDO: Our cost per--

SENATOR RICE: Yes.

MS. ACCOMANDO: Our cost per bed is approximately \$47 a person, per night. That's for 24-hour shelter coverage, three meals, mental health -- mental health subsidies, mental health services, substance abuse; and the expenses of running the facility.

SENATOR RICE: And does that cover everything, or is that the amount that needs to increase, and we just need more operational dollars?

MS. ACCOMANDO: The problem is that it's not 32 people all the time. Sometimes it's 21 people, sometimes it's 40 people. It's not a constant source of income. There was a study done about five years ago by a group called Engquist, Pelrine and Powell, at the behest of the Department of Human Services. And they came up with some ideas about better ways to fund the shelter services. And one of them was -- had to do with almost a menu system, where there was a basic -- which they called *hots and a cot* -- which is hot meals and a place to stay. And then the more services you provided, the more additional dollars you would get. So that the payment was not, as I said, one size fits all.

SENATOR RICE: Ask you a question, because this is important too, to me and to us. Your \$47 -- so if I'm coming to, say, Apostles' House, and I'm a solo; or if I have a spouse and a child, I can still come to Apostles' House.

MS. ACCOMANDO: We only serve women and children.

SENATOR RICE: Okay, well--

MS. ACCOMANDO: Yes.

SENATOR RICE: Well, women--

MS. ACCOMANDO: Yes. Women and their children, right.

SENATOR RICE: --with children. So if I -- a woman -- had two children and come there--

MS. ACCOMANDO: Right.

SENATOR RICE: --you could service them with--

MS. ACCOMANDO: Yes.

SENATOR RICE: That's 47 per person?

MS. ACCOMANDO: Right.

SENATOR RICE: Okay. Which is interesting because -- Human Services is still here, right? I'm looking at a document where we're giving motels, for one person, one room, \$50 per day; two persons, one room, \$60 per day; three persons, one room, \$75 per day. So, I would assume, Sandy, if you could get \$50 per person a day, you're still providing services. Then I'm not getting a motel.

MS. ACCOMANDO: Oh, absolutely.

SENATOR RICE: That was the question I raised before.

MS. ACCOMANDO: Absolutely.

SENATOR RICE: Let me go back to Human Services.

If my colleagues have to leave to go to the Senate session, go ahead, but I'll deal with them later. This is important.

Let me ask you a question. I think I got the answer to this, but I want to go on record. The motels provide no additional services, right? In other words, once someone is placed in a motel, the services that Apostles' House is talking about are not provided within that, say, \$50 per day, is it?

MS. PAGE-HAWKINS: No. As I indicated earlier, shelter and transitional housing facilities, they offer a rich social service package. The document you're referring to is -- those are rates up to--

SENATOR RICE: The hotel?

MS. PAGE-HAWKINS: Yes. Those are up to. And the rates are set in regs for the motels and shelters (*sic*).

SENATOR RICE: Right.

MS. PAGE-HAWKINS: Not the shelters, just the motels and hotels.

SENATOR RICE: So in theory -- and I may be wrong, I haven't done the math -- but if I had a single woman with four children, \$105 per day for two rooms, I'm better off placing her at Apostles' House than a motel, in theory. Because there I'm getting, for my dollars -- even if I have to increase another \$10 -- I'd be saving long-term, because I'm getting the services that they probably get someplace else in the first place, I would suspect. Is that correct?

MS. PAGE-HAWKINS: Yes.

SENATOR RICE: Okay.

MS. PAGE-HAWKINS: And this is -- and we are talking about up to 105.

SENATOR RICE: Right.

MS. PAGE-HAWKINS: But once again, I have to go back and reiterate what I said, and Sandy Accomando also supported -- many times when placements are being made by the CWA, that mother may opt out of a shelter. They try their best to do shelters first before motel placements. What will happen on some occasion is that they will sabotage the shelter placement and find themselves in a motel, because they--

SENATOR RICE: So it would be to our advantage, as we look through this, to change the rules and let people know our job is to help you. You're not so far gone yet, that you understand that we're trying to help you and we're playing by certain rules. And therefore, anybody in the motel has to play by the same rules being played by in the other locations. See, this is where there's no option to doing. And if you opt not to be

helped, then we can't really -- it's called *tough love* -- be concerned about you being homeless, if we're trying to help. And at some point in time, those children will get help with or without your participation.

So we're going to have to go back and revisit laws that say, "Look, we love you," but those of us who are Christian understand the (indiscernible) where you've got to help yourself, too, now. We can't do more than provide the locations and the services; but you're not going to play that game with us, whether you have a drug problem or not. And that's why I'm angered about detox facilities and things like that.

But I just wanted to be clear. Because if it bothers me when I'm paying 1,500 a month, no services -- and I guess they get food stamps. Maybe they do, maybe they don't; I don't know. But yet, I can go to the Apostles' House and almost be, to some reasonable degree if there's cooperation, guaranteed the basic services and then some cooperation. Which is saving me money long-term, if I can keep someone healthy because they're not out there.

I just wanted to kind of put that in perspective. But thank you.

Why don't the other two ladies -- stay right there, Sandy; everybody can stay there. Why don't either one of you--

JOYCE CAMPBELL: Thank you.

I'm Joyce Campbell, from Catholic Charities, and I'm the Director of our Community and Government Relations. And I'll keep it brief, because so many people have covered the whole motel issue.

We are the only 24-hour homeless provider in Burlington County which, as you've heard before, does not have a shelter. We've been doing that for 20 years, so we're extremely familiar with the issue of using

motel/hotel; which I know you're familiar that they've really decreased, also, in Burlington County.

The one issue I really wanted to bring to the attention of the Committees, however, is that in addition to emergency assistance dollars that the State pays for folks to go to motel/shelter when they're homeless, there are other State dollars -- Social Services to the Homeless. We have a contract in Burlington to provide shelter placement through that, for people who are not eligible for Emergency Assistance. And basically, what we're talking about is a working poor population, which we have seen increase dramatically. We also have another contract with the Department of Children and Families, where some of the funding comes from the State and some comes from Federal Social Services Block Grant. It's for those people that I wanted to, kind of, also draw attention to -- say there are other State dollars going to this placement. And particularly in counties where there's no shelter, it's very, very difficult to find places. We've had complaints from families before, which we work with the Health Department in Burlington County. But one of the issues that concerns us a lot is folks don't bring their concerns. It's great that we have yearly inspections. But in between, the folks that we house are just so thankful to have a roof over their head, so that-- I guess what I'm trying to say is, the number of complaints that we get are probably really even underreported from those individuals.

And the other issue being, those folks who are paying for themselves to live there on and on and on -- because they just can't get out of that cycle of repairing their credit, from having been evicted -- in live-in motels with children, for months and years at a time. Basically, the bottom-

line issue, which I think everybody has understood today, is a lack of affordable housing. And over the years that we've done that, that certainly is a major factor. But really, I just want to draw attention, as I said, to the fact that there are other folks that some State dollars are being used to pay for motel placement. And really, anything that you can do to help protect the families that have no other place to live, I'd appreciate it.

SENATOR RICE: Thank you.

We know we have to address affordable housing, but that's not going to be the Governor saying we're getting 100,000 a house, and it's going to happen overnight. The Governor will have to work with my Committee on that, and we're going to have to have a lot of hearings to get a grip on what that means. In the interim, we have to address this homeless population that's out there, from the human services, health, as well as shelter perspective, and deal with these children as we move along.

I mean, all of us know that the Bush administration has been trying, and this is-- I'm not beating up on Republicans. But the reality, they've been trying to cut housing moneys and they're going to do it for the poor for quite some time. It looks like they're heading that way. So that compounds our problem here at the State. Then we're talking budget deficits and priorities, and we're also talking about property tax relief. And so, we're going to have to see where we go with that. But my major concern is that we come up to protect people immediately while we move forward.

Senator Vitale and I have already discussed getting a task force to deal with this situation. But not one that's going to be strung out there doing globs of research that's not necessary -- we have done enough of that -- but to talk about real solutions, in terms of resources and coordinating.

And I think we need to do that real soon -- if staff can get with the Senator and we put in a bill to move it -- primarily because we're getting ready to go into budget. And I understand the governor, every year, whichever governor it is, about where we are going; but I get very adamant about poor people, and housing, and people's needs when it comes to budgets, and I don't see anything that addresses our needs. And that's why I want answers on why you have beds empty, and why you have to rely on someone to donate a dollar to you when we have a responsibility to take care of kids in this state.

Senators, do you have any-- Any senators have any questions?

SENATOR MADDEN: No, sir.

SENATOR KARCHER: No, thank you.

SENATOR RICE: Okay.

Dawn.

I'm sorry, Senator Karcher. I didn't see you sitting there.

SENATOR KARCHER: I'm here.

Dawn.

D I A N T H E D A W N M A R T I N E Z: Dawn Martinez, Confidential Aide to Mayor Wayne Smith in the Township of Irvington. And in that capacity, I run the Township Social Service Agency.

A couple of things: One of the points I was going to make, which I made last week, was about the population that are served through block grants and other funding that end up in these hotels and shelters as well. And one of the things that struck me, as I was listening to today's discussion, is that all of us, we're placing people-- We don't have a collaborative daily conversation. So the populations that are being mixed

up, as you talk about the different health, substance abuse, mental issues, is an everyday occurrence in both shelters and in hotels. Because nobody really looks at it from that perspective. If I call, as an agency, to refer somebody, I don't know who else has referred people to that same entity and what those people might have and represent. So that's something to be considered.

The other thing is, as we all talk about these collaborations, when you talk about DCA having the responsibility of doing inspections for hotels and motels, I stated last week that municipalities are actually-- We had been, in the past, especially in Irvington, spanked for inspecting a motel because they fall into DCA's regulations. So we're supposed to do a once-a-year inspection based on fire regulations. Then if my fire inspector realizes that there is something else wrong, we can't cite that hotel or motel. It has to go back through a DCA process. And so that should be looked at and changed, so that municipalities could be helpful, since we're there every day and we better know what's going on in our hotels and motels. Yet we cannot do anything to address them without coming back to the bureaucracy.

I also stated last week -- and Bruce Nigro spoke to it -- is that we need to look at what these families are being given to live off of and how we change that process, or we'll just continue to have this subset of populations that are homeless because they can't afford to live anywhere else. And when you look at even welfare -- there was a lot of conversation about Emergency Assistance today -- but nobody really talked about, people only have up to one year of services under Emergency Assistance. So if they exhaust all of their Emergency Assistance and welfare, then they come to

agencies like mine, where they get funded through other services that really aren't looked upon. I can still service that same welfare family, but because they've used up all of their State dollars towards Emergency Assistance, they can still be homeless and need a place to go. But nobody looks at that comprehensive package of: How do we address these instances with mental health issues, substance abuse -- all of these various components -- instead of just shifting them from one set of funding to another? Because that's basically what we had been doing, especially since welfare reform.

And I worked in DFD when welfare reform was first instituted a number of years ago. And one of the reasons why I left DFD, unfortunately, was because I said that I did not believe that the welfare regulations were helping the population we were intended to serve. All it did was shift around who receives benefits under what systems. But that's not helping families become self-sufficient. And we really need to look at that.

And the other thing is that I know we have some conversations going on creating a statewide plan to address homelessness. But I can say, as a person involved in it, it is a pretty haphazard process. And we really need to look at how we come up with a comprehensive plan to address homelessness in the State of New Jersey, understanding the differences in the counties as to circumstances, families, etc., so that we can get to the next stage.

Sandy mentioned the statewide survey that was done on the 25th of January. And if you just compare what we did in New Jersey to what I saw happening in New York, the difference is even how that population is counted to ensure that we get an accurate count. New York

was calling for all kinds of volunteers. They had a 24-hour operation. They had all kinds of other services that they put into this one-day count. In New Jersey, every county was responsible for their own. It had no statewide plan in that sense, outside of the loose connection of what entities are attached to agencies. But how we can really get an accurate count? Because I know we had a little over 1,000 people in Essex County. We have probably tripled that, at least, in terms of homeless people, but they're not accurately accounted for because of how the process is done. So all of those things need to be looked at and addressed as we serve this population.

SENATOR RICE: Thank you very much.

Any questions from my colleagues? (no response)

We're going to end on this.

Let me just say to you that I'm very happy you came to go on record.

Dawn is always quiet. I didn't know she could speak so well. (laughter) She knows what's going on. She just smiles in the community all the time. She knows what's going on -- no wonder she be beating us up when she have to.

But this is important, and I think the Department of Human Services is listening, and you hear very well -- you need to go back and start paying attention to this, because we're going to pay attention.

I will be getting with Senator Vitale in terms of getting some folks together to start work on this initiative right away to see where we are. To me, there's some immediate things that need to be done to protect. Number one, to make sure we don't have the "Lincoln Motel" scenario again while we're figuring out how to deal with funding and services to this

population. Then the question is-- One of the things I am going to be doing is doing legislation to require at least quarterly inspection, if not monthly, because the population does come and go, and people do tear up, and there are changes, and landlords do flip and shift without our knowledge. But I think that relationship with DCA needs to be in Human Services -- you'd be directly with the locals. I mean, I don't have a problem with DCA backing up Human Services, going a year. But the question is whether or not we're using local government inspectors right now. I'm not sure. And if we are, then we need to enhance that.

We may have to provide some additional dollars for Human Services and DCA to have people whose sole job is to go in regularly. See, I don't have a problem with paying somebody to visit hotels everyday. That's your sole job. I've got four in Essex County. I've got the shelters. So you just ride around every day and report back to the State; and they're going to come in once a year. I don't know how we're going to deal with that, but I do know we can't wait one year to inspect these facilities and then waste six years before we decide to close one with all those violations and fines pending.

Now, I also know that we can't wait for a task force to tell us the background checks on people, to find out whatever relationships they have out there, whatever licenses they lost or if it's relevant to what they're doing, as relates to this problem. And that's problematic.

So with that, let me thank each of you.

We're late. We're going to take care of property taxes now.
Thank you very much.

(HEARING CONCLUDED)