

October 17, 2017

Jeri Flora-Culley
Assistant Secretary for Economic Self Sufficiency
Department of Children and Family Services
1317 Winewood Blvd.
Tallahassee, FL 32399-0700
Jeri.Flora-Culley@myflfamilies.com

RE: Urgent Request for Additional DSNAP Registration Sites and
Accommodations in Miami-Dade County

Dear Ms. Flora-Culley:

We are writing on behalf of our clients and constituents who are impoverished children, families, elderly and disabled individuals who need food as a result of Hurricane Irma. As you are no doubt aware, the failures of the DSNAP program in Miami-Dade County created public health concerns, hardship, and risk to vulnerable populations. It also failed to serve innumerable eligible individuals who need food.

The rollout of DSNAP in Miami-Dade County was wholly inadequate on every level. Serving all of Miami-Dade County, a county of over 2.7 million people with a 20% poverty rate according to 2016 U.S. Census estimates, with only five DSNAP registration sites open for only five days could only result in chaos. Despite USDA's Disaster SNAP Guidance providing that "states that anticipate large crowds should plan for sufficient staff and application sites large enough to accommodate the volume of applicants," DCF failed to adequately staff and provide sufficient application sites to accommodate the reasonably anticipated number of applicants in Miami-Dade.

The turmoil was magnified when residents realized that Saturday and Sunday were the last chance they had to receive disaster assistance, resulting in a panicked rush on the DSNAP centers by those who either just learned about the program that day or were busy working during the week and could not make it to a center earlier.

Across the five DSNAP sites in Miami-Dade County, we observed poor organization, lack of any notice to applicants, insufficient accommodations for disabled or elderly individuals, and arbitrary site closures by both Miami-Dade police and DCF workers, some early in the morning when the site was scheduled to be open until 7:00 pm.

Several sites and their parking lots were blocked off by Miami-Dade police; forcing applicants to park on the side of roads or in surrounding neighborhoods and walk long distances in the heat to get to the sites. Sometimes, after these difficult walks, residents learned the site had closed.

Many people from across the county stood in line in the hot sun without any shelter or water for anywhere from five to twelve hours before being allowed into a DSNAP staging area. Some even brought their own tents and camped overnight in front of sites hoping to get relief to provide food to their families. Several more applicants were turned away, despite waiting for many hours, because the sites were suddenly closed down due to inevitable public health and safety concerns, including heat exhaustion.

Even after deciding to close down sites, DCF gave no public notice that it had done so—in fact, at the time of this letter, DCF has still not released any official statements about site closings. Without any information to the contrary, residents of Miami-Dade County continued to stream towards the now-closed DSNAP sites, only to be rebuffed at the gate.

Even now, rumors are proliferating online about other sites that are not in fact service centers, or DSNAP registration sites hosting extended days and hours. Again, without any word otherwise, Miami-Dade residents are left to travel to these sites and then be rebuffed.

Even those who were able to navigate this system and receive benefits experienced risk and hardship. For many, the wait time outdoors in public parks averaged 5-6 hours. Some individuals passed out due to the heat, and many had to leave the sites because they were unable to stay due to health concerns. These concerns weigh heavily on the elderly or disabled in particular, who were given no reasonable accommodations over the weekend while they stood in the sun for hours such as those provided earlier in the week, including separate “special needs” application tents and lines.

In light of these serious shortcomings in execution, and the numerous eligible families and individuals whom you did not serve, we request that you:

- **Immediately devise and announce a plan to open and operate additional DSNAP sites in Miami-Dade County for a minimum of two weeks**, through the end of October, and reassess after that time to determine if unmet need remains.
- Provide for a faster, more organized process for registration.
- Adopt, as provided by the USDA Guidance, the following best practices to providing reasonable accommodations and interview access to vulnerable populations: Satellite application sites strategically located to serve vulnerable populations; Special public transport to and from application sites; Home visits to conduct the interview for applicants with disabilities that make them otherwise unable to visit the application site; and Skype or similar technology to facilitate off-site interviews.

- If registration continues to be held in tents in public parks, provide water for hydration while waiting and cooling areas.
- Provide adequate accommodations as required by the Americans with Disabilities Act and the Rehabilitation Act for disabled individuals, including, but not limited to, providing alternatives to requiring that applicants with disabilities appear on-site.
- Seek permission from USDA to waive the requirement that registrants appear on-site.
- Release official information in a timely fashion regarding where registration sites are, what hours and what days they will be open; and ensure that sites remain open as announced and that they are not closed early or arbitrarily.

Thank you for your consideration of these extremely urgent and important requests. We would be happy to discuss them further should you require any clarification.

In light of the serious nature of these concerns, and the urgent food needs of the populations we serve, we ask that you contact us to announce your plan to remedy this situation by the close of business on October 18, 2017.

Sincerely,

JoNel Newman
Melissa Swain
Thomas Voracek
UNIVERSITY OF MIAMI
HEALTH RIGHTS CLINIC

Alana Greer
Oscar Londoño
Meena Jagannath
COMMUNITY JUSTICE PROJECT

Marcia Olivo
MIAMI WORKERS CENTER

Jennifer Hill
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Susan Windmiller
LEAGUE OF WOMEN VOTERS MIAMI DADE

Caroline Lewis
THE CLEO INSTITUTE

Natalie Castellanos
FIU LAW COMMUNITY LAWYERING CLINIC

cc: Tonyaleah Veltkamp, Economic Self Sufficiency Program Manager
tonyaleah.veltkamp@myflfamilies.com

Lynn Hewitt, Assistant General Counsel
Lynn.Hewitt@myflfamilies.com

October 25, 2017

Jessica Shahin
Associate Administrator, SNAP
U.S. Department of Agriculture
3101 Park Center Drive
Alexandria, VA 22302
jessica.shahin@fns.usda.gov

Robin Bailey
Regional Administrator
Food and Nutrition Service
U.S. Department of Agriculture
61 Forsyth St., SW Room 8T36
Atlanta, GA 30303-3427
robin.bailey@fns.usda.gov

RE: Urgent Request Seeking Additional DSNAP Registration Sites and
Accommodations in Miami-Dade and Broward Counties

Dear Ms. Shahin and Mr. Bailey:

We write on behalf of our clients and constituents who are impoverished children, families, elderly and disabled individuals who need food as a result of Hurricane Irma. Despite the widespread and well-documented failures in the Florida Department of Children and Families administration of the DSNAP program in Miami-Dade and Broward Counties, the Agency has proposed to remedy these failures by essentially re-creating the same failed model.

We have previously communicated our overall concerns to the Agency and to Mr. Bailey. (See attached October 17 letter to Ms. Flora-Culley). We have received no response from DCF to this letter and the concerns raised in it, including the very real public health and safety concerns as well as due process and notice issues.

We write to you now to bring to your urgent attention the complete absence of adequate accommodations in DCF's plan (and remedial plan in Miami-Dade and Broward Counties), especially for elderly and disabled individuals. USDA Guidance urges multiple best practices to provide reasonable accommodations and interview access to vulnerable populations, including: Satellite application sites strategically located to serve vulnerable populations; Special public transport to and from application sites; Home visits to conduct the interview for applicants with disabilities that make them otherwise unable to visit the application site; and Skype or similar technology to facilitate off-site interviews, DCF has neither implemented nor adopted any of them. Given the heat and past turnout, these alternative measures should have been proactively pursued for all vulnerable populations. Instead, once again the Agency plans to require all applicants, including frail elderly and disabled individuals, to report to a public park, make a line that can reasonably be expected to last for hours and will likely begin the night before, in the hopes that an agent will observe their disability and move them up in the line. This cannot be considered a reasonable accommodation for persons with disabilities, nor is it an acceptable or dignified process for the thousands of working families in desperate need of this food assistance.

We note that you conditioned your approval of DCF's plan on "demonstration of commitment and ability to provide human comforts (water, restroom facilities, etc.), for D-SNAP applicants, including reasonable accommodations for the elderly or disabled." Reasonable accommodations are, of course, not just human comforts. Accommodations for mental and physical disabilities are required by Section 504 of the Rehabilitation Act and Title II of the Americans with Disabilities Act. We urge you to conclude that DCF's current plan to remediate the previous problems in Miami-Dade and Broward Counties is insufficient to accommodate elderly and disabled applicants, and to require that DCF immediately adopt additional procedures to accommodate these applicants, including those described in the Guidance issued by your office.

Thank you for your attention to this request.

Sincerely,

JoNel Newman
Melissa Swain
Thomas Voracek
UNIVERSITY OF MIAMI
HEALTH RIGHTS CLINIC

Christopher M. Jones
FLORIDA LEGAL SERVICES, INC.

Natalie Castellanos
FIU LAW COMMUNITY LAWYERING CLINIC

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MIAMI WORKERS CENTER

Andrea Mercado
NEW FLORIDA MAJORITY

cc: Gail Hoffman, Civil Rights Director
Southeast Regional Office, FNS
Gail.Hoffman@fns.usda.gov

Jeri Flora-Culley, Assistant Secretary for Economic Self Sufficiency
Florida Department of Children and Families
Jeri.Flora-Culley@myflfamilies.com

Lynn Hewitt, Assistant General Counsel
Florida Department of Children and Families
Lynn.Hewitt@myflfamilies.com

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