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December 18, 2017

Deming Sherman, Special Master  
United States District Court  
District of Rhode Island  
One Exchange Terrace  
Providence, RI 02903

Re: *Gemmell, et al. v. Beane*, C.A. No. 2016-0650-S-LDA

Dear Special Master Sherman:

Plaintiffs write to respond to the December 15, 2017, email of Brenda Baum attaching the November timeliness report. While Plaintiffs clearly are aware of Director Hawkins' caution at the last meeting that the November report would show timeliness percentages well below the court-ordered benchmarks due to the emphasis on reducing the backlog, this report is nevertheless alarming.

Plaintiffs applaud the effort of the Department to reduce and eliminate the backlog. However, even assuming: (1) that DHS is not yet confident of its capacity to deliver accurate reporting, and (2) the report may include cases where the Department is waiting on eligibility verification documentation from applicants, the most significant conclusion to be derived from the report is still that almost one of every two of the neediest households in November did not get their applications processed in time.

As you know, the December 1<sup>st</sup> Special Master report references the Department's assertion that the goals of processing all backlogged expedited cases by November 19<sup>th</sup> and all backlogged non-expedited cases by November 29<sup>th</sup> were met, and that DHS was working through remaining SNAP applications needing further client information. Further, the Department was prioritizing processing new SNAP applications, in order to become current.

The Department's just released report encouragingly shows that the number of 30-day applications processed was higher than in prior months. The number of applications processed and determined eligible for expedited processing is also high relative to earlier months. This as well as the expedited processing numbers would support the notion that the agency succeeded in a great deal of backlog elimination, although arguably not all. Our recollection is that, at the last

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meeting, Director Hawkins stated that DHS would be starting December with no backlog. This doesn't seem to comport with the report released on Dec. 15th, which shows 32 expedited cases pending more than 30 days and 218 non-expedited cases pending more than 30 days. Plaintiffs ask that Defendant explain the discrepancy with respect to the backlog at the December 21<sup>st</sup> meeting.

Most troubling, however, is that the percentage of applications for which expedited SNAP was issued within 7 days was only 58.19%. This means, of course, that almost four out of every ten households determined to be the most destitute went without timely assistance during the holiday season.

We request that the State be prepared to discuss the specific concerns referenced herein at our meeting on December 21<sup>st</sup>. Your continued attention to these matters is appreciated.

Sincerely,

//s//

Greg Bass

cc: (By Email) All Counsel of Record