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# San Francisco PROGRESS

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## At a glance

### Prostitution curbs asked

City legislators have called upon the state legislature to make it easier to arrest and prosecute prostitutes.

Among the items requested by San Francisco's supervisors is a change in state law to allow the City to arrest people who agree to employ prostitutes.

The board also asked that the state increase the maximum penalty for prostitution from six months in jail and a \$500 fine to one year in jail and a \$1,000 fine; that where a mandatory jail sentence is imposed, the county parole board be prohibited from granting parole without the approval of the sentencing court; and that power be given to the City to enact legislation dealing with prostitution.

### JUDGE ORDERS \$166 PER MONTH

## City to fight higher welfare payments

The \$166 monthly general assistance (GA) welfare rate ordered Friday by Superior Court Judge Harry Low is being contested by the City.

Deputy City Attorney Edward Barrett told The Progress he will file a motion asking Judge Low to reconsider his ruling invalidating the \$96 GA rate adopted by the Board of Supervisors Nov. 3. A hearing on the motion is expected tomorrow, Barrett said.

Low's decision said the City's GA grant is not consistent with the state Welfare and Institutions Code and an April Court of Appeals ruling which ordered the City to set standards for welfare assistance.

He ordered the City to implement a \$166 monthly GA rate effective Jan. 1 and to make retroactive payments amounting to some \$366,000 for the period Nov. 15 to Dec. 31, 1976.

Implementation of the order would

add another \$2 million to this fiscal year's welfare budget, according to Edwin Sarsfield, general manager of the Department of Social Services (DSS).

Sarsfield said DSS has already filed a supplemental budget request for some \$1.2 million to cover unbudgeted costs of the current program.

DSS will make no change in the GA grant until given the word by the Board of Supervisors who took over control of the program in November, Sarsfield said.

Litigation over San Francisco's GA rate has been going on since May 8, 1975, when attorney Frederick Furth first filed a class action suit on behalf of GA recipients.

In April, 1976, the Court of Appeals determined that the city's long-standing \$83 monthly GA rate was "arbitrary," and ordered DSS to set

minimum need standards.

In August the Social Services Commission established \$157 a month as a subsistence level.

The Supervisors took no action to boost the GA grant until Superior Court Judge John Benson issued a writ of mandate ordering them to do so on Nov. 9.

The board's response was a hastily called Saturday meeting on Nov. 13 in which it took authority for GA away from DSS and established its own need level of \$96.

Judge Benson turned down Furth's petition to hold the board in contempt for failure to pay \$157 as ordered.

Benson accepted creation of a new standard as a good faith effort to comply with the court order, and allowed the newly established rate to stand.

Benson, who said his jurisdiction was limited to the contempt issue be-

fore his court, refused to review the adequacy of the \$96 rate.

The "court review" which was provided for in the Court of Appeals decision was finally undertaken by Judge Low last week.

Low determined that the Supervisors' GA rate did not fall "within the fixed boundaries" to its discretion set forth by the Court of Appeals.

Barrett still maintains the \$96 grant is valid under law because the welfare code allows local boards to set standards at their discretion. "The City standards are not arbitrary," Barrett said. "They are based on a needs analysis provided by consultants Robert B. Carleson & Associates."

Clyde Stitt, one of the attorneys for the plaintiffs, counters that the Carleson report shows it costs more than \$160 a month for a single person to subsist in San Francisco.