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UNITED STATES COMMISSION ON CIVIL RIGHTS

DELAWARE ADVISORY COMMITTEE

RE: FORUM ON NUTRITION SERVICES AND THE BLACK ELDERLY

Meeting held on December 3, 1985 at Delaware
Technical and Community College, Terry Campus Building,
Dover, Delaware, 19901.

Committee Members Present:

- William J. Conner, Chairman
- Emily G. Morris, Committee Member
- Ralph Figueroa, Committee Member
- Glen Dale Weston, Committee Member
- Raymond Wolters, Committee Member
- Blanche M. Fleming, Committee Member
- Robert G. Carey, Esquire, Committee Member
- Glover A. Jones, Committee Member
- Jan Blits, Committee Member
- Lynn D. Wilson, Committee Member

Staff Present:

Mr. Calabria and Mr. Binkley

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1 CHAIRMAN CONNER: Which of you is going to speak
2 first?

3 MS. DEVEAUX-WAY: I'll speak first.

4 CHAIRMAN CONNER: Let me just say to the people
5 assembled, the ladies and gentlemen with the name plates are:
6 the two members of our staff from Washington and the members
7 of the Delaware Committee here. My name is Bill Conner,
8 and I'm the Chairman of it in Delaware. And the other people
9 present in the room are here to add their information, and
10 the members of the press as well. So we welcome you.

11 This is Gwen Deveaux-Way, Aging Program
12 Specialist from the U.S. Administration on Aging, and I think
13 that you are located in Philadelphia?

14 MS. DEVEAUX-WAY: Philadelphia, Region III.

15 CHAIRMAN CONNER: And that's in which department?

16 MS. DEVEAUX-WAY: The Department of Health and
17 Human Services.

18 CHAIRMAN CONNER: I think we've got you all pegged
19 now. We know what slot you fit in. Now, tell us what you
20 can help us with.

21 MS. DEVEAUX-WAY: Okay. As I said, the Adminis-
22 tration on Aging is located under the Department of Health
23 and Human Services. The office that we're directly under is

1 the office of Human Development Services. There are 10
2 regional offices for the Administration on Aging. I'm from
3 Region III, located out of Philadelphia. We are responsible
4 for six states; Pennsylvania, Virginia, West Virginia,
5 Maryland, Delaware, and the District of Columbia. My title
6 is Aging Program Specialist. And I am specifically responsible
7 for The Older Americans Act Program in the State of Delaware.
8 I work with the State Unit on Aging, which is the Delaware
9 Division of Aging, and the Director for that Unit is
10 Eleanor Cain. And I believe that she will be here sometime
11 shortly.

12 I'm responsible for providing technical
13 assistance to the State Unit on Aging, and also for monitoring
14 the Older Americans Act Program. The Older Americans Act
15 of 1965 was recently amended, a 1984 amendment, which provides
16 for seven titles under the Act. The first title deals
17 basically with the general administration. The largest title
18 under that Act, the title which receives the majority of
19 the funds appropriated for the Older Americans Act, is
20 Title 3. That's the title I'd like to go into detail with
21 you today.

22 Under Title 3 of the Older Americans
23 Act, there are three parts. Part A is the section which

1 contains the general provisions. Provisions for general
2 administration by the State Unit on Aging, by area agencies
3 on aging, and also the information relative to the State plan.
4 All State Units on Aging are required to develop a State
5 plan before receiving funds under the Older Americans Act.
6 In Delaware's case, there are no area agencies on aged.
7 The funds go directly to the State agency on aging, and the
8 State agency on aging is responsible for disbursing those
9 funds to providers of services under the Act. Delaware is
10 called a single planning and service area. As I said,
11 because there are no area agencies on aged.

12 Under Part B of Title 3, that's our
13 Supportive Services Section, under that section, we provide
14 funds for services such as transportation, crime prevention,
15 elder abuse, health screening, senior center activities,
16 and all of the social or supportive services needed for the
17 elderly.

18 The third part is Part C. Part C of
19 Title 3 is divided into two parts. C1 and C2. This is our
20 Nutritional Services part of the Act. Under C1, funds are
21 provided for congregate meals. These meals are served in
22 senior centers, some churches, wherever the elderly are
23 gathered as a group.

Part C2 is the Home Delivered Meals Program.

And these meals are served, in some cases, directly from senior centers or from other providers to individuals who are home bound. The requirement is that there be at least one meal five days a week. That the meal meets the one-third RDA requirements.

These are the sections under Title 3.

I was asked to talk about the funding for the State of Delaware. The total amount of funds for Title 3 nationally is approximately \$668,000,000. Delaware receives \$3.5 million. Of that \$3.5 million for Delaware, \$1.3 million goes toward Supportive Services. \$1.7 for the Congregate Meals Program and \$356,000 for the Home Delivered Meals Program. As you can see, the bulk of the funding is in the Title 3, C1 Program, the Congregate Meals Program.

Because we feel that there are many elderly who are home bound, and the funding is not at a level to meet the needs of the home bound elderly, we allow for transfers between these titles. So when you see a final report from the Delaware Division of Aging, you may not necessarily see the figures that I have provided you. Because we do allow for some transfers between C1 and C2, based upon the needs of a given State.

1 Other funding coming into the State of
2 Delaware would be under our Title 4 Program, which is Training,
3 Research and Evaluation. For 1985, and all of these are
4 the '85 figures. We are still under continuing resolution,
5 and we have not received the final funding for '86. In
6 fiscal year 1985, under Title 4, we provided Delaware with
7 an administrative supplemental grant in the amount of \$103,000.
8 And that was to maintain the State of Delaware at the FY '84
9 funding level. And that's for the period of April, '85
10 through March of '86. And we would expect that this same
11 amount of funding, at least this same amount, would be
12 available in FY '86.

13 For Title 4A, which is our Education and
14 Training Section, Delaware was provided \$30,000 for State
15 Staff and Network Staff, in the area of training. That grant
16 expires December 31st, and we do not expect that there will
17 be any future funding for Title 4A.

18 They received \$50,000 for what we call
19 Title C, or ombudsman activities and legal services activities.
20 This grant also expires December 31st, and we do not expect
21 that they will receive additional funding.

22 They received an amount of \$14,000 for
23 the development and support of a regional employment conference.

1 This conference is being put on for all of our State agencies
2 in Region III, and it started today in Wilmington.

3 They also received an amount under Title 4
4 from our Discretionary Fund, directly from our Washington
5 office to develop a statewide comprehensive housing counselling
6 program.

7 That's the funding for the State of
8 Delaware for FY '85. It will probably be basically the same
9 for FY '86, for Title 3. For Title 4, they will, as I
10 mentioned, probably receive the \$103,000, but the other
11 funding is not certain. Well, we know for certain that we
12 will not be funding Title 4A and 4C, that's why we provided
13 supplemental funding to the State, to bring them up to their
14 '84 level of funds.

15 At this time, if there are any questions
16 regarding the Older Americans Act, I would be pleased to
17 entertain them, or maybe we will have Sam Parker proceed
18 with his presentation.

19 CHAIRMAN CONNER: Any preliminary questions for
20 Ms. Deveaux-Way?

21 MR. JONES: I'm assume that's five hot meals a
22 week, is it? You said five meals a week at least.

23 MS. DEVEAUX-WAY: At least one meal a day. Five

1 days a week.

2 MR. JONES: Must they be hot?

3 MS. DEVEAUX-WAY: The hot meals are for the con-
4 gregate. The home delivered, they could be hot, cold, canned,
5 dry, etcetera.

6 MR. JONES: And provisions other than that?

7 MS. DEVEAUX-WAY: That they meet the one-third or
8 the "A" requirement.

9 MR. JONES: I see.

10 MS. DEVEAUZ-WAY: Now, we are finding that many
11 of our State agencies are providing more than just the basic
12 one meal, five days a week. They are providing some take-homes,
13 which would be classified as a home delivered meal for weekends.
14 And we are finding that some programs are enlarging to serve
15 maybe a breakfast and things of that sort.

16 MR. JONES: Any encouragement from your office
17 to do likewise in Delaware?

18 MS. DEVEAUX-WAY: We do have an initiative for
19 nutrition productivity. That is, to reach a level where
20 the State agency or the provider is providing more meals
21 with the same dollar amount. So in a sense, we do encourage
22 that the providers look at the costs associated with delivering
23 the meals or servicing the meals, and increasing the number

1 of meals being served.

2 And I'd like to make note that during
3 fiscal year '85, at the beginning of fiscal year '85, Delaware
4 went over the one million mark for servicing of meals during
5 the 12-month period. So we are finding that states are
6 serving more meals.

7 MR. JONES: And the contractors for these services,
8 of course, they were duly notified through the public process
9 so that all bidders could compete?

10 MS. DEVEAUX-WAY: That would be at the State level,
11 the notification.

12 MR. JONES: Yes. But your review process insures
13 that the State is doing that?

14 MS. DEVEAUX-WAY: We review the State agency to
15 insure that there are policies and procedures set forth for
16 competitive bidding processes and so forth.

17 MR. JONES: Yes.

18 CHAIRMAN CONNER: I think the gentleman behind
19 you, Glover, had a question.

20 FROM THE AUDIENCE: Yes. I'm Willie Adams. I'm
21 with the Delaware Cooperative Extension Service here at
22 Delaware State College. Some years ago I did work with the
23 Committee, worked with the Division of Aging, on allocating

1 these funds. For the last several years I have not been in
2 contact with that agency or division. But can you recall
3 the year, what year, or how many years they have been sending
4 funds, or funds were returned to you for not being used?
5 Any grants or any type of proposals? Do we return money
6 because we have not used it?

7 MS. DEVEAUX-WAY: No. Not really. In fact, there
8 is what's called a reallocation process. In that, when a
9 State does return unused Federal funds, other States request
10 the use of those funds. And Delaware has for years requested
11 reallocated Federal funds. But in recent years, there has
12 not been that much available at the Federal level, as far as
13 reallocation. There have been some cases of returned Federal
14 funds, but they are under the category of unobligated Federal
15 funds. And it's because of the process that exists in the
16 State, that exists for a single planning and service area.
17 And it gets to be a bit technical, in that funds have to be
18 obligated within the fiscal year. Delaware obligates all
19 of the funds, but for some reason if a provider does not meet
20 its full obligation under a particular contract, those funds
21 that are not used revert to being unobligated funds. And
22 it's of no fault to the Division.

23 MR. ADAMS: And cannot be reobligated in the same

1 year?

2 MS. DEVEAUX-WAY: Right. And that's because of
3 our Federal fiscal regulations relative to obligation of
4 funds. And that's just usually a small part. Because that
5 would only relate to a provider that did not complete the
6 terms of a contract. And those funds cannot be reobligated
7 to another provider. If it happens within the fiscal year,
8 then that's no problem. You are talking about maybe less
9 than a thousand, or maybe a couple of thousand in some cases.
10 But we try to keep a handle on that.

11 CHAIRMAN CONNER: Do any other members of the
12 Committee have a question?

13 MR. BINKLEY: I have a question, Mr. Chairman.
14 How does Delaware compare in its supplemental program to
15 other states in the region you are familiar with, or to any
16 standards you may be familiar with in the United States?

17 MS. DEVEAUX-WAY: What do you mean by the supple-
18 mental --

19 MR. BINKLEY: You made some reference to the
20 Delaware State itself supplementing the program that you
21 finance, the way I understood it.

22 MS. DEVEAUX-WAY: No, those were supplemental
23 funds from the Federal government to keep them at the '84 level.

1 MR. BINKLEY: Does the State of Delaware supplement
2 the minimum that you administer? You mentioned one meal a
3 day, five days a week.

4 MS. DEVEAUX-WAY: In some cases, it depends upon
5 the project. The contract.

6 MR. BINKLEY: So there are times when that is
7 supplemented by the State?

8 MS. DEVEAUX-WAY: No, it's not supplemented by
9 the State. It's all under Title 3. But it's at a project
10 that will be providing more than maybe just the one meal.
11 They may be providing some take-home meals or something of
12 that sort.

13 CHAIRMAN CONNER: Out of Federal funds you are
14 saying?

15 MS. DEVEAUX-WAY: Especially -- this occurs mainly
16 during the winter months, when there may be inclement weather,
17 and you might want the elderly to take home a meal for the
18 weekend or something of that sort. It's still all under
19 Title 3. It's not a supplement to Title 3. It's all under
20 Title 3.

21 MR. BINKLEY: Okay.

22 CHAIRMAN CONNER: Mitchell, did you have a question?

23 MR. MITCHELL: Yes, I wanted to ask Ms. Deveaux-Way,

1 you stated that the legal services granted would be depleted
2 on December 31st and would not be reinstated?

3 MS. DEVEAUX-WAY: Right. That's the Title 4C,
4 legal and ombudsman.

5 MR. MITCHELL: How important is that to programs
6 in Delaware?

7 MS. DEVEAUX-WAY: It's very important, and that's
8 why we are providing for that funding under the supplement.

9 MR. MITCHELL: Under the supplemental. How much
10 will that be?

11 MS. DEVEAUX-WAY: It's \$103,000 supplemental.

12 MR. MITCHELL: That will take place --

13 MS. DEVEAUX-WAY: That will take care of that
14 \$50,000 plus that \$30,000 that we normally give, plus an
15 additional amount that Delaware has received in the past.

16 MS. FLEMING: I have a question.

17 CHAIRMAN CONNER: Yes.

18 MS. FLEMING: What was the allocation for the
19 State Housing Council service. I think you said it was
20 discretionary.

21 MS. DEVEAUX-WAY: That's \$75,000. That's a grant
22 under our discretionary program in which all States, and
23 other providers of services to the elderly get to submit

1 proposals under our discretionary grant announcements. And
2 Delaware received an award for their housing counseling
3 proposal.

4 MS. FLEMING: They have already received it?

5 MS. DEVEAUX-WAY: Yes. Just recently.

6 MS. FLEMING: Oh, it was recently?

7 MS. DEVEAUX-WAY: The start-up date was June, '85
8 to June, '86.

9 MS. FLEMING: Thank you.

10 MS. DEVEAUX-WAY: More so of a demonstration-type
11 program.

12 CHAIRMAN CONNER: Any other questions of
13 Ms. Deveaux-Way?

14 Thank you very much.

15 MS. DEVEAUX-WAY: You're welcome.

16 CHAIRMAN CONNER: Mr. Parker? What have you to
17 tell us?

18 SAMUEL S. PARKER: Okay. Ms. Deveaux-Way has
19 provided so much detail that I think I can keep my remarks
20 rather short.

21 My name is Sam Parker. I am the Regional
22 Director for the Voluntary Compliance and Outreach Division,
23 in the Office of Civil Rights, which is located in the

1 Office of the Secretary in the Department of Health and
2 Human Services. The mission of the Office of Civil Rights
3 is to implement and enforce civil rights legislation involving
4 programs which are operated by funds allocated by the
5 Department. Our authority stems from such legislation as
6 Title 6 of the Civil Rights Act of 1964, Section 504 of the
7 Rehabilitation Act of 1973, the Older Americans Act, or
8 age legislation in addition to other legislations involving
9 sex discrimination under the Public Health Services Act,
10 and that kind of thing.

11 Basically, with regard to our involvement
12 in Delaware at this point, I think the legislation that
13 normally we are most interested in is, and that I'm here to
14 speak about, is Title 6 of the Civil Rights Act as well as
15 Section 504 of the Rehabilitation Act. The Office of Civil
16 Rights carries out its responsibilities primarily by conduct
17 of investigations involving compliance reviews which we
18 initiate, as well as complaint investigations which are
19 triggered by the complaint investigations process. Our
20 involvement with the Delaware Department of Aging comes as
21 a result of a planning initiative which we established in
22 1986 to take a look at all the aging programs that are
23 operating within the regional area. During last year, we

1 visited Maryland, and we are presently wrapping up our
2 review of the aging program in Maryland, and we are attempting
3 to do the same -- now we are starting with the Delaware,
4 and next year we will be going into DC and so forth, until
5 we complete all the senior citizens programs involved in the
6 entire region. Delaware was selected as a result of criteria
7 which we apply, including the amount of funds which go into
8 the program, the size of the program, and whether or not
9 we have had any past activities with that particular agency.

10 That's basically it, as far as the
11 operation of the agency is concerned. I would like to open
12 it up now for questions.

13 MR. WOLTERS: Have you received complaints from
14 Delaware that these funds are being distributed in a racially
15 discriminatory manner?

16 MR. PARKER: As of this moment, no, we have not.
17 We have not received any formal complaints filed with our
18 agency.

19 MR. WESTON: Do you require reports, or does
20 someone get a report to see what the composition of the people
21 are who participate in the programs?

22 MS. DEVEAUX-WAY: Our agency receives that report.
23 It's called a Program Performance Report. It's an annual

1 report. We receive it 30 days after the end of the fiscal
2 year. And we have Delaware's report for '85. And for
3 previous fiscal years. From that report we can determine
4 for the appropriate part of Title 3, an unduplicated count
5 of the number of individuals serviced. For example, for
6 Supportive Services, and for Nutritional Services, and
7 Nutritional Congregate Services, and then the Home Delivery
8 Meal Program.

9 MR. WESTON: Does it differentiate between the
10 races, and sexes, and so on, or just --

11 MS. DEVEAUX-WAY: We receive that count based
12 upon the number of individuals served in economic need, the
13 number in social need, and then the number of minorities and
14 non-minorities. We receive that breakdown.

15 MR. WESTON: Some important --

16 MR. PARKER: That is one report that we would
17 ask for as part of our compliance review. And we would be
18 looking to see what the distribution of minorities were.
19 The participation rate of minorities.

20 MR. WOLTERS: Is there anything extraordinary
21 about the participation of the minorities in these programs
22 in Delaware? That is, are minorities greatly unrepresented
23 as recipients of these meals in the State of Delaware?

1 MR. PARKER: I can't answer that question, because
2 we haven't completed our analysis at the time stated, that we
3 would need to look at in order to make that determination.
4 We haven't gotten that far along in our compliance review yet.

5 MS. DEVEAUX-WAY: Now, we have done some preliminary
6 analysis. The information is now being inserted into our
7 computer, and I'm looking for the information, but there was
8 nothing that was that striking about the Delaware information.
9 For example, I'm looking for the information, I guess I didn't
10 bring it with me. But we looked at the percent of the popu-
11 lation, 60 plus, within the State that are a minority. And
12 I believe in Delaware's case, it was about 12 percent. Here
13 we looked at the total number served, say for Supportive
14 Services. And we looked at the number of minorities served
15 for Supportive Services. And I'm not sure of the percentages,
16 but in all cases for supportive nutrition and home delivered
17 meals, the percentage exceeded the percent of population of
18 60 plus minorities within the state. Not to say that that
19 is any measure to go on, the 12 percent, but at least we
20 know that it has exceeded that. And we attempt, through our
21 minority initiative to insure that states are increasing
22 the number of minorities being served, low income minorities.

23 MR. WESTON: Did you review only on a contractor

1 who is supplying a service, or is it -- who would you do a
2 compliance review of?

3 MR. PARKER: We did a compliance review on the
4 Department of Aging, the recipient of the funds, the primary
5 recipient.

6 CHAIRMAN CONNER: The State agency?

7 MR. PARKER: The State agency. In addition to
8 that, we would also look at the contractor service providers.
9 Or in states where they have Triple A, we would look at the
10 Triple A agency and their contractor service providers.

11 MR. WESTON: If there's a senior center that's
12 serving food, would you particularly be looking at a senior
13 citizens center, or just looking at the data that would be
14 coming in?

15 MR. PARKER: We would look at -- we would actually
16 visit the center itself. Yes, we would do a site visit there,
17 and look at the center from the standpoint of all the programs
18 that were operated by that center which were funded by Title 3
19 funds.

20 MR. WESTON: And Title 3 would be your own credit?

21 MR. PARKER: That's right. We cannot establish
22 jurisdiction in areas where there are no Federal funds.

23 MR. WESTON: Would you visit all facilities, any

1 facility, that had Title 3 funds?

2 MR. PARKER: Yes, we would do -- normally, we
3 would do a random selection of those, because it depends on
4 the number. As the case in Delaware, we would probably look
5 at quite a few because of such a small program.

6 MR. CAREY: If I understand you correctly then,
7 your data would not show or identify those senior centers
8 which reject Title 3 funds, so as to avoid serving the
9 congregate meals to blacks, for example?

10 MR. PARKER: Normally, we would not look at those
11 centers. No.

12 MR. MITCHELL: I'm sorry, I couldn't hear you.

13 MR. PARKER: Normally, we would not look at those
14 centers. The question was, would we look at those --

15 MR. MITCHELL: I heard the question. I didn't
16 hear the answer.

17 MR. PARKER: The answer is, we would not look at
18 those centers where we could not establish funds.

19 MR. CAREY: Is there any way those centers can
20 be identified?

21 MR. PARKER: Yes, through --

22 MR. CAREY: Or perhaps that question would be
23 better directed to Ms. Deveaux-Way.

1 MS. DEVEAUX-WAY: We could provide you with a
2 list of those centers receiving Title 3 funds. That would
3 be more of an appropriate role for the Division of Aging to
4 provide that list to you. But we do have that information
5 in the Regional Office. Those centers receiving Title 3 funds.

6 CHAIRMAN CONNER: Any other questions?
7 Mr. Figueroa?

8 MR. FIGUEROA: Both of you have used the word
9 minority quite a few times. I'm a little mixed up. Those
10 that are not considered minorities, are they getting any
11 assistance? Senior citizens?

12 MS. DEVEAUX-WAY: Certainly.

13 MR. FIGUEROA: When we talk about minorities,
14 I'm one of them, of course, but what about the old citizen
15 that is not considered a minority group. Are they getting
16 assistance? Do you get those figures from the State?

17 MS. DEVEAUX-WAY: Yes. We get a breakdown of
18 the minorities and non-minorities.

19 MR. FIGUEROA: Good.

20 MR. JONES: Mr. Chairman, could we request that a
21 copy of this compliance review be sent to the Delaware
22 Advisory Committee as soon as they are available?

23 CHAIRMAN CONNER: Is that a possibility?

1 MR. PARKER: Well, under the -- you could certainly
2 request it under the Freedom -- well, they are all available
3 under the Freedom of Information Act, once they are closed.
4 During the time that the review is open, and negotiations are
5 still ongoing, of course, we would not release them. But
6 once we have made our final findings and we have negotiated
7 all the corrective action, then those reviews would become
8 public information.

9 CHAIRMAN CONNER: Is there any need for us to go
10 through such a thing as the Freedom of Information Act, or
11 can you just send them to us?

12 MR. PARKER: We can send them to you.

13 CHAIRMAN CONNER: We would appreciate it very much.
14 Perhaps if you got Tino -- contact him, he can receive them
15 on our behalf. When would you expect that that might be
16 available?

17 MR. PARKER: Just for Delaware?

18 CHAIRMAN CONNER: Yes.

19 MR. PARKER: We plan to do the on-site visits
20 and the on-site investigation in Delaware in the first part
21 of January, or maybe the latter part of December, depending
22 upon what other priorities hit us. So we are talking about
23 maybe -- I would say, March, before the letter of determination

1 would be available.

2 CHAIRMAN CONNER: You know, this reminds me of
3 the timing of the expense account procedures of the Civil
4 Rights Commission. But we'd be grateful for the information
5 anytime we can get it.

6 MR. BINKLEY: Mr. Chairman, may I ask the gentleman
7 -- is this the first such complaints review you've made?
8 Do you have data of this nature from last year?

9 MR. PARKER: In Delaware?

10 MR. BINKLEY: Yes.

11 MR. PARKER: Yes. The first -- our first involve-
12 ment with the Department on Aging in Delaware -- we have
13 conducted complaints reviews in other programs, but we are
14 just getting started in aging, in the senior citizens
15 programs, the Title 3 funded programs.

16 CHAIRMAN CONNER: So the answer is you do not
17 have a last year's report on that particular program?

18 MR. PARKER: No, we do not.

19 MS. MORRIS: Mr. Chairman, just for a matter of
20 clarification, because the definition of minority takes on
21 some different kinds of looks, what is the definition of
22 minority as it relates to what you do in your department?

23 MS. DEVEAUX-WAY: We basically use the definition

1 that the Office of Civil Rights uses.

2 MR. PARKER: The definition of minority that we
3 use, first of all, it depends on what legislation we are
4 talking about. If we are talking Title 6 of the Civil Rights
5 Act, which prohibits discrimination on the basis of race,
6 color, national origin or religion, minority has been referred
7 to as Blacks, American Indians, Asians. Basically they are
8 the primary groups. Okay? However, I must specify and make
9 it very clear that the legislation itself covers all people.
10 And under Title 6, it's prohibited to discriminate against
11 anybody based on race, color, national origin, or religion.
12 Now, the term minority really is a borrowed term from the
13 old Affirmative Action legislation under Executive Order
14 11246, which was an Executive Order which was signed by
15 President Johnson to promote equal employment opportunity
16 involving Federal contractors. And that's the -- the
17 definition I gave you is the definition which goes along
18 with the way the term minority is used there. Under Title
19 6, there is no definition of minority. Under Section 504
20 of the Rehabilitation Act, which prohibits discrimination
21 on the basis of handicap, of course, you just have to be
22 qualified a handicapped person, and there is a definition
23 of handicapped, which again has nothing to do with race,

1 color or national origin. So --

2 CHAIRMAN CONNER: You didn't mention Hispanic.

3 Was that a deliberate omission?

4 MR. PARKER: No, I'm sorry, it was not. It was
5 not deliberate. Hispanics, of course, are included, as far
6 as that definition.

7 CHAIRMAN CONNER: Well, we are getting a little
8 behind our schedule here. Does any other member of the
9 Committee have a question? If so, sir, could you hold your
10 question until the end of the meeting, and we will pick up
11 all the additional questions?

12 DOCTOR ADAMS: Well, it seems to be kind of
13 apropos at this point. It's not a long question. But I want
14 to kind of pick it back on a question that was already asked,
15 concerning identifying centers that refused the money in
16 order to -- that they may not serve blacks or serve minorities.

17 CHAIRMAN CONNER: Excuse me, but the gentleman
18 has already said that with regard to the people who do not
19 take money, that he would defer that question to the State
20 people who are coming up next. So we will hold your question,
21 please.

22 DOCTOR ADAMS: Oh, I see, the State people.

23 CHAIRMAN CONNER: We appreciate very much your

1 coming and answering our questions. And we will look to you
2 for that document.

3 MR. PARKER: Okay.

4 CHAIRMAN CONNER: Will you be able to stay with
5 us a bit, because there may be other questions that come up.

6 MR. PARKER: Yes, we will.

7 CHAIRMAN CONNER: Thank you.

8 (Whereupon a change in speakers was made.)

9 CHAIRMAN CONNER: Ms. Cain, I guess you're on
10 the griddle. We're not going to take a break at this point.

11 MS. CAIN: Okay. Good.

12 CHAIRMAN CONNER: We appreciate your being with
13 us today.

14 MR. CALABIA: Mr. Chairman, let me mention you
15 also have John Frazer, who I mentioned is not here presently.
16 But from the State also is Mr. Turner, the Executive Director
17 of the Delaware Division of Human Relations. He is here.

18 MS. MORRIS: They are separate groups, though,
19 they should not come together.

20 MR. CALABIA: That's true.

21 CHAIRMAN CONNER: You don't need to sit along side
22 this lady as long as you are sitting along side that one,
23 right?

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We are hanging on your every word.

MS. CAIN: I might need a piece of paper.

CHAIRMAN CONNER: I thought you came to talk and not to listen. What can you do to shed some light on this bewildering set of facts that was developing here.

MS. CAIN: Well, first of all, I just arrived. So I really don't know what has developed here.

CHAIRMAN CONNER: Well, we had some discussion, just to give you a running start, in our last meeting which was three months ago, concerning the fact that there was some feeling that in Kent and Sussex counties, particularly, and possibly elsewhere, that there might be some inequality in the way that meal programs were being provided to Black people as distinguished from other people. And possibly other minorities as well. In order to try to get a handle on this, we started making some telephone calls through Mr. Calabria here, who is our eyes and ears in between meetings, and eventually wound up talking to you, I guess, and developed that your office would have some light to shed on this, and we have other people that we haven't heard from yet. The only persons who have appeared are the two representatives from the Regional Office of Health and Human Services, who have just given us the broad framework within which they

1 supply funds for you to work with. So that's where we are,
2 and any light you can shed on this, we would be grateful for.

3 MS. CAIN: Well, first of all, when I talked with
4 your representative from Washington, he really did not give
5 me any specifics. So, if you could give me some specifics
6 as to what the allegations are, I would be happy to answer
7 that. Because I really don't know what they are.

8 CHAIRMAN CONNER: Well, that's a good way to get
9 into it.

10 MR. BINKLEY: Well, perhaps she could tell us
11 what this division she has does, and it would give us some
12 framework, without any allegations or anything else.

13 MS. CAIN: The Division of Aging is one of 11
14 divisions under The Department of Health and Social Services.
15 We are the State agency that receives Older Americans Act
16 funds, and our mandate under the Older American Act is
17 to plan and coordinate, and to fund services both supportive
18 services and nutrition services for persons over the age of
19 60. We probably have about 40-some contracts in the community
20 that encompass a wide range of supportive services. We
21 also are funding eight nutrition projects. And we have 44
22 nutrition sites. Last year we served over one million meals
23 throughout the State of Delaware. The entire State is covered

1 with supportive services, such as homemaker home health aid,
2 adult day care, home repairs, telephone reassurance, friendly
3 visiting, legal services. We have a nursing home ombudsman.
4 We have a geriatric screening clinic. We have audiological
5 programs. And in the nutrition program, the entire State
6 is covered with nutrition sites. Everyone in the State of
7 Delaware has access to one of the 44 nutrition sites. There
8 is one in every division within the State. When the nutrition
9 sites were planned, we looked at the demographics. We looked
10 at where the target population was, the target population
11 currently being those that are economically and socially
12 needy. And that is where we have placed our nutrition sites.
13 There is only a few miles that individuals have to travel.
14 There is transportation available to the nutrition sites,
15 and through all of the projects there is also a home delivery
16 meals program. And those individuals who are frail and who
17 do not have access to the nutrition sites do to frailties,
18 do have access to a home delivery meals program. We also
19 advocate for older people. That is also one of our mandates.
20 And we work with other governmental agencies, with the State,
21 with local governments, and also with the private sector
22 in advocating for the needs of older persons.

23 CHAIRMAN CONNER: Now, these folks from the Federal

1 government have explained to us how they supply three and a
2 half million dollars plus some supplements, I take it, mostly
3 through your division for meal purposes. And the question
4 was raised, but not answered, as to whether there was any
5 supplementation of this by the State government. Can you
6 throw any light on that?

7 MS. CAIN: The Federal requirements require a
8 State match. The State is required to match the money which
9 is appropriated to Delaware by 15 percent. The State,
10 through the Delaware General Assembly, matches that money,
11 not all of the 15 percent, but they do put some money into
12 the supportive services, and also into the nutritional services.
13 The rest of the match comes from the project themselves, or
14 from the other local governments or municipalities. And,
15 of course, the State of Delaware also helps to support the
16 Administrative Office of the State Office on Aging. So there
17 is State funds and local funds through other means.

18 CHAIRMAN CONNER: What kind of dollars in round
19 numbers are we talking about?

20 MS. CAIN: Well, in the nutrition program, the
21 State appropriates \$110,000. In the supportive service
22 programs, they appropriate, I think, it's about \$187,000.

23 CHAIRMAN CONNER: Does that -- does supportive

1 service mean overhead, or does it mean more than that?

2 MS. CAIN: No. Supportive service is direct
3 service to older persons, the ones that I mentioned before,
4 such as adult day care, homemaker home health aids, that
5 area. The administration of the division is separate from
6 the supportive services, and also from nutritional services.
7 The Older American Acts only allows us to spend a certain
8 amount of money for administration. The Federal dollars
9 amount to \$300,000.

10 CHAIRMAN CONNER: Any questions?

11 MR. WOLTERS: Have you heard any allegations
12 that these meals are being served in segregated settings?

13 MS. CAIN: No, I have not.

14 MR. WOLTERS: I have the impression that this is
15 sort of an Alphonse and Gaston, you expected us to tell you
16 about allegations, and we expected you to tell us about
17 allegations. I'm wondering if there have been, and perhaps
18 later in the meeting we will find out.

19 MS. CAIN: First of all, I have a reporting
20 system. There is accountability from all of our projects
21 which is required at the State Office, and which is also
22 required by the Federal government. The accountability
23 part of that is program accountability. I know exactly how

1 many people, and the types of individuals that are being
2 served in all of our programs. And, in fact, I have some
3 statistics with me. When I talked with your representative
4 from Washington, he mentioned three particular areas to me
5 in Sussex County. And I have the Sussex County data with me.

6 MR. WESTON: It's possible, I guess, such as a
7 senior center that would be predominantly all one color?
8 Where you have senior centers. And I have an impression
9 that there are senior centers that may be all Black or all
10 White in their composition.

11 MS. CAIN: I have senior centers that are pre-
12 dominantly all white or predominantly all Black. I do not
13 have any centers that are all one or all the other. The
14 reason for that is where they happen to be located.

15 MR. WOLTERS: Have there been any suggestions to
16 you that we use, say, the school buses that aren't being
17 used in the middle of the day to bus these old people around,
18 so that they eat their meals in racially balanced proportions?
19 Has anyone suggested that?

20 MS. CAIN: No, but they are. The nutrition sites
21 are balanced.

22 MR. WESTON: They may not be balanced, but they
23 are balanced from the standpoint of racial composition?

1 MS. CAIN: That's right. And there is transpor-
2 tation available. There is definitely transportation available.

3 MR. WOLTERS: You said that some were predominantly
4 white and others were predominantly black of the senior
5 centers?

6 MS. CAIN: True. That is true.

7 MS. MORRIS: Very true.

8 MS. CAIN: That is true. The seniors -- for instance,
9 in Delaware, you do not have to attend a senior center or a
10 nutrition site where you live. We have not had to resort
11 to that. Everybody in Delaware has the freedom to attend
12 any senior center or nutrition site that they would like.
13 They choose that. And we may have somebody from one setting,
14 or from one area who will maybe travel three or four miles.
15 And in another area, they may only choose to travel a mile
16 or two, depending on where friendships are. Remember that
17 with the older population, some people move from an area
18 where they have lived for maybe 40 or 50 or 60 years, and
19 they have moved into, for instance, a congregate facility,
20 that may be 10 or 15 miles away. And they want to go back
21 to where they spent most of their life, because that's where
22 the majority of their friends are. And we do have some of
23 that.

1 MR. WESTON: You want to share something about that?

2 MS. CAIN: The areas that your representative
3 spoke particularly to me about were the Lewes area, the
4 Millsboro area, and the Milton area. All three of those
5 being in Sussex County. And what I have done is, because
6 I have access to the census tapes of 1980, I have taken
7 those three areas, the Lewes division, the Millsboro division,
8 and the Milton division and I have what the 60-plus population
9 is, what is White, and also the 60-plus population that
10 is Black. Also in those particular areas I have nutrition sites
11 in each one of them. And I also have the total number of
12 people who are eating there. And I have the number and
13 percentage of Whites, and the number and percentage of Blacks.
14 And in every single one of those four nutrition sites, within
15 those three divisions, I am serving more Blacks than the
16 percentage of Blacks in the total aging population. In all
17 three of those divisions.

18 MR. WOLTERS: If you would give us those figures,
19 we can make copies.

20 MS. CAIN: I have a copy for you.

21 MR. JONES: Have you conducted your own quiet
22 review of both program and procedures?

23 MS. CAIN: All of our programs are monitored on a

1 regular basis.

2 MR. JONES: And do you issue reports on a regular
3 basis?

4 MS. CAIN: Yes, we do.

5 MR. JONES: And would you make those reports
6 available to the Chair of the Advisory Committee?

7 MS. CAIN: Well, there is a monitoring report
8 everytime that we go out and monitor a program. There is
9 also an affirmative action plan which is required by each one
10 of the programs. And they have to respond to that plan on a
11 regular basis, on a yearly basis.

12 MR. JONES: And do the contractors periodically
13 issue reports to you?

14 MS. CAIN: No. We do our own monitoring.

15 MR. JONES: And is that a separate part of your
16 review process, or is it inclusive in your overall review?

17 MS. CAIN: I'm sorry, I don't understand.

18 MR. JONES: Is the contractual agreement with
19 contractors, under your Grant Program, is that a part of your
20 review process?

21 MS. CAIN: Yes.

22 MR. JONES: It's not separate from --

23 MS. CAIN: No. It's part of our review process.

1 And, I'm sorry, because when you asked me did they
2 submit reports to us, yes, they do. They submit reports to
3 us on a monthly and on a quarterly basis. We receive both
4 a financial report, and we also receive a program report.

5 MR. JONES: So would you make the summaries then
6 available to the Chair of the Advisory Committee?

7 MS. CAIN: No problem.

8 CHAIRMAN CONNER: Fine. We would appreciate it.
9 Mr. Weston?

10 MR. WESTON: A clarification of the program. What
11 is the contrast between a contract versus a program? What
12 do you mean by program when we've been using it?

13 MR. CAIN: Contract is our contract between the
14 Department of Health and Social Services and whatever the
15 project or program is out there. What that does is, it
16 states what the objectives are. It also is including the
17 budget and, of course, all of the assurances. That's the
18 contract.

19 The program or the project, the words
20 are synonymous there. They happen to be the individuals
21 programs that were funded, and that we have the contracts
22 with.

23 MR. WESTON: One contract may be involved in a

1 number of programs?

2 MS. CAIN: Yes. That's true.

3 CHAIRMAN CONNER: Ms. Morris?

4 MS. MORRIS: Ms. Cain, I know very little about the
5 senior programs, so any question I ask you is simply a layman's
6 question. I am looking at my own hometown of Lewes. And I
7 notice that there's a Lewes Cheer Center. I got some
8 information on my own. A Lewes Cheer Center and also a Lewes
9 Senior Center. The Lewes Cheer Center, no doubt is a nutri-
10 tional program? Is that right?

11 MS. CAIN: That's right.

12 MS. MORRIS: Predominantly nutritional or all
13 nutritional?

14 MS. CAIN: Well, all of the nutrition programs
15 also have -- all of the nutrition sites also have a program.
16 In other words, they have arts and crafts. They have all
17 kinds of educational programs. So it's inclusive of both
18 the nutrition and also the other programs for the older
19 people.

20 MS. MORRIS: Sure. Well, naturally, I'm going to
21 check my own hometown.

22 MS. CAIN: That's right.

23 MS. MORRIS: I did check. I did make some phone

1 calls after this came to the attention of the Commission that
2 there had been some allegations. And I did ask about the
3 participation at even these centers in Lewes. One is a Lewes
4 Cheer Center located on Savannah Road, and the other is a
5 Lewes Senior Center operated on McFee Street. Now, whether
6 or not the information is factual or not, I don't know. But
7 I will tell you what was told to me. And that is, that at the
8 Lewes Cheer Center, the majority participation is Black. And
9 that at the Lewes Senior Center, the majority of the partici-
10 pation is White. Is there any reason for that? Because in
11 the town of Lewes, there has always been very excellent race
12 relations. People get along very well there. But is there
13 any reason for that?

14 MS. CAIN: Well, I cannot speak for the Lewes
15 Senior Center. We do not fund the Lewes Senior Center. We
16 do fund the Cheer site there which is at Hewling Cove. I
17 can give you the statistics for Hewling Cove. In the Lewes
18 division, which encompasses not just the town of Lewes, but
19 on the map here which I have outlined for you, it includes
20 the entire Rehoboth/Lewes area, which is quite a large area.
21 The White, the percentage of Whites in the older population
22 is 94.5 percent, or 3,355. This is according to the 1980
23 census. The number of Blacks, 60-plus, number 188 in that

1 entire division, or 5.3 percent. When I look at Hewling Cove,
2 wer are serving at Hewling Cove a total of 363 people. 93.9
3 percent are White, or 341. And 6.1 percent are Black, which
4 is 22. So, as you can see, we are serving over, somewhat
5 over the percentage of Blacks, as they appear in the Lewes
6 division.

7 MS. MORRIS: That was made very clear at Hewling
8 Cove.

9 MS. CAIN: That's just Hewling Cove. I cannot
10 speak to the Lewes Senior Center, because we do not fund that.

11 MS. MORRIS: Do you know if they get any funding
12 at all?

13 MS. CAIN: The Lewes Senior Center receives a
14 Grant in Aid from the State General Assembly each year.

15 CHAIRMAN CONNER: Mr. Figueroa?

16 MR. FIGUEROA: Ms. Cain, I hate to see in our
17 own country old people going to bed hungry. Do you think
18 most of the senior citizens in the State are aware of your
19 programs? Do they know where to go for a meal?

20 MS. CAIN: Well, all of our programs have out-reach
21 workers. We also have a case management program. The out-
22 reach workers are out there making contact with community
23 agencies, and hopefully they are getting the information out.

1 I am sure that every senior citizen has not been reached in
2 Delaware. We also use the news media. We also have brochures.
3 But I think the main thing is, there is an out-reach program.

4 MR. FIGUEROA: Good.

5 CHAIRMAN CONNER: Do you know, is Mr. Frazer with
6 us now?

7 MR. CALABIA: Yes, he is.

8 Could I just raise one question?

9 CHAIRMAN CONNER: Yes.

10 MR. CALABIA: As we mentioned over the phone in
11 our conversation, there were these three centers which you
12 have looked into, and the question of the Grant in Aid program
13 did come up, because, for example, I mentioned one center,
14 and I forgot which one it was, but you couldn't identify it,
15 and we both assumed that perhaps it was one of the ones funded
16 by the Grant in Aid program, over which you have no jurisdiction.
17 But, apart from centers where there are nutrition programs
18 which are funded by other people, the allegation was that
19 there might be some centers which decline public funds, so
20 that they could avoid having to serve minorities or Blacks,
21 in this case. To get at that kind of a question, I wonder
22 if you could tell us now or later what proportion of senior
23 centers there are in Northern Delaware, basically, New Castle

1 County, which do house nutrition centers, in contrast to the
2 proportion of senior centers under your jurisdiction, which
3 don't house senior centers? And if there are any, then we
4 begin to get to the allegation that was raised. That there
5 are some which declined its funding. The question would then
6 be, what reasons do they have for declining funding? Now I
7 know, probably you are not prepared to give that --

8 MS. CAIN: No, I'm not prepared to give it. I
9 could probably give almost all of it off the top, even without
10 looking at it. Almost all of the senior centers in the State
11 are also nutrition sites. Not all of them. There are some
12 in New Castle County that aren't.

13 CHAIRMAN CONNER: Are not what, Ms. Cain?

14 MS. CAIN: That are not nutrition sites. And in
15 the City of Wilmington, for instance, Clarence Frame is not a
16 nutrition site. Northeast Senior Center is not a nutrition
17 site. Newark Senior Center is not a nutrition site. In Kent
18 County there is Harvest Years in Dover. There is Frederica.
19 In Sussex County, there is Lewes. Cape Henlopen. And Indian
20 River. There may be one or two more. But, as you can see,
21 in each one of the counties and the City of Wilmington, there
22 are senior centers that are not nutrition sites, but out of
23 all the senior centers throughout the State, the majority of

1 them are also a nutrition site. But I can get you that exact
2 information. I may have missed a couple there, but I have
3 the majority.

4 CHAIRMAN CONNER: Ms. Cain, when you say those
5 enumerated ones are not nutrition sites, are you telling us
6 that they do not use the funds available through your office
7 to provide a nutrition program, or do you mean it more broadly,
8 that they are not providing any kind of a nutrition program?

9 MS. CAIN: Well, I can't answer as to whether
10 they are providing a nutrition program. Most of them are
11 doing things differently. Some bring a bag lunch. Some of
12 those centers probably have a covered dish occasionally.
13 Some may have a few nutrition items on a regular basis. It
14 isn't that they are not taking advantage of the funds that
15 are available. First of all, when we went ahead and planned
16 for the nutrition program, we looked for several things.
17 One is, we looked for a program that was open five days a
18 week. Because we serve five days a week at every one of the
19 nutrition sites in Delaware. Some of those programs are not
20 open five days a week. So that was a factor right there.
21 Others are not handicapped accessible. Everyone of our
22 nutrition sites are handicap accessible. And that's important
23 for us. And so that eliminated some. Others also did not

1 want to be part of a nutrition program. Not because of who
2 they would be serving, but because of the reporting system,
3 is that they preferred being independent. And they have that
4 opportunity to do that. But, as you can see, most of the
5 nutrition sites, when I say that there are 44 in the State,
6 most of the senior centers are nutrition sites, also.

7 MR. CALABIA: Again, these do not include the
8 Grant in Aid centers? You are not speaking of them?

9 MS. CAIN: Some of the nutrition sites are within
10 senior centers that also receive a Grant in Aid. Yes. And,
11 in fact, many of these senior centers in this State, they
12 have multiple choices. They receive State money. They receive
13 Federal money. They receive United Way money. Some of them
14 receive revenue sharing. Some of them are getting local
15 contributions from foundations, from corporations. They are
16 comprised, many of them, of many different resources.

17 MR. CALABIA: But, just finally, during our con-
18 versation, I gathered from you that there still were a set
19 that did not get funds from you, but might have gotten Grant
20 in Aid funds?

21 MS. CAIN: The ones that I named, the ones that
22 I named, senior centers that do not have nutrition sites,
23 those few that I named in all three counties, and the City

1 of Wilmington, do receive a Grant in Aid. But not Federal
2 funds. Because they are not a nutrition site.

3 CHAIRMAN CONNER: Mr. Frazer, why don't you come
4 forward, sir, and join us.

5 MS. FLEMING: I wanted to ask a question. Did you
6 say that the Lewes senior center was Grant in Aid funded, or
7 privately funded?

8 MS. CAIN: The Lewes senior center does receive a
9 Grant in Aid. I do not know what other funds they receive.
10 But I do know that they receive a Grant in Aid.

11 MR. CAREY: But they don't receive your funds?

12 MS. CAIN: They do not receive Federal funds. No.

13 MR. CALABIA: And, therefore, do not report to you?

14 MS. CAIN: They are required to submit a quarterly
15 financial report.

16 MR. CALABIA: A financial report, but not a program-
17 matic report, or --

18 MS. CAIN: That's correct.

19 MR. CALABIA: -- or anything that deals with
20 composition of the participants or beneficiaries?

21 MS. CAIN: That's correct.

22 CHAIRMAN CONNER: Ms. Cain, would you just stick
23 with us a few minutes now while we talk to Mr. Frazer, because

1 these two programs seem to be interlocking to some extent.
2 And since they are both at the State level, we might have
3 questions back and forth.

4 Mr. Frazer, would you describe your
5 responsibilities, and tell us what you can about this problem?

6 MR. FRAZER: The Delaware Code in establishing
7 the Office of the Controller General states that our primary
8 function is to assist the Joint Finance Committee, which is
9 comprised of members from the House, the State House, and
10 the State Senate. And their primary responsibility is
11 arriving at the State Operating Budget for each year. Also,
12 along with that, they have been putting a recommended Bill
13 together for the General Assembly's consideration for Grant
14 in Aid. I have with me today a copy of our most recent Grant
15 in Aid legislation that was passed for the current year.
16 I supplied a copy to Tino through the mail. And, in assisting
17 the committee, various organizations applied to the committee
18 for consideration for Grant in Aid. We have an application
19 that we mail out each year to those current recipients, and,
20 of course, we entertain any requests for new individuals
21 who would like to be considered for Grant in Aid funding
22 each year. When we receive the applications, the staff,
23 including myself, review the applications, and do any work

1 as requested by the Joint Finance Committee. This year, in
2 particular, the Committee broke up into groups of two members,
3 plus one staff person. And we did a tour around the State
4 on a selective basis of various Grant in Aid recipients.
5 Their sites and so forth.

6 CHAIRMAN CONNER: Now, we have been discussing,
7 and you heard part of our discussion, the question of whether
8 meals are served at these State funded agencies and, if so,
9 whether the attendance is integrated attendance, or whether
10 it is segregated racially. What is your information on that
11 point?

12 MR. FRAZER: I have no information whatsoever in
13 regard to that.

14 CHAIRMAN CONNER: What about the visits you made?

15 MR. FRAZER: One -- well, I would say I have no
16 idea about the visits the other four members of our staff
17 made. I know one visit that the Committee members and myself
18 made to the Indian River Senior Center and, of course, the
19 day we happened to be there, they were closed. The place
20 was completely empty. We just toured the facility and asked
21 the people, the staff that happened to be there a few
22 questions about their operations. But we didn't get into
23 this question, certainly not at all.

1 CHAIRMAN CONNER: Do they have a meal program there,
2 or don't you know?

3 MR. FRAZER: They said no that they did not. I
4 believe there's a Cheer center or something down town they
5 were sending the individuals to go there for their meals and
6 then come back for various activities within the senior center.

7 MS. FLEMING: Is that Indian River in Millsboro?

8 MR. FRAZER: Millsboro. That's correct.

9 MS. FLEMING: And they receive Grants in Aid?

10 MR. FRAZER: I would have to look here at the
11 bill -- I'm sure they do, or we wouldn't have made a visit.
12 But like I say -- yes. They did receive a Grant in Aid for
13 the current year of \$29,600.

14 MS. FLEMING: And while you are at that list,
15 would you look up the Lewes Senior Center?

16 MR. FRAZER: Which one?

17 MS. FLEMING: Lewes Senior Center.

18 MR. FRAZER: Lewes Senior Citizens Center received
19 \$17,414 for the current fiscal year which was July 1st to
20 June 30 of '86.

21 MS. FLEMING: Thank you.

22 CHAIRMAN CONNER: Are there other questions of
23 Mr. Frazer?

1 MR. JONES: Yes. Do you exercise any oversight
2 responsibility at all in light of the Grants in Aid program?

3 MR. FRAZER: This is a piece of legislation that
4 the General Assembly appropriates the funds for Grant in Aid.
5 We have what we call an epilogue section in the back with
6 the various stipulations and requirements and so forth. And
7 I mentioned that Tino has a copy. Section 11, and I will
8 read it here:

9 "The Controller General may from time to time
10 conduct performance audits on any non-state
11 agency for which funds are appropriated in this
12 Act."

13 And this just merely clarifies and
14 informs Grant in Aid recipients that they are subject to a
15 review.

16 MR. JONES: Now, does that apply to fiscal matters,
17 or does that apply to programs as well?

18 MR. FRAZER: It could apply to anything. I'm
19 unaware of this problem until today. We have not had any
20 complaints in our office. We're fiscal staff for the legis-
21 lature, the Office of Controller General. Any legislator
22 could come to us with any type of problem and ask us to
23 investigate.

1 MR. JONES: So in a sense you are the review agent
2 for the Joint Finance Committee?

3 MR. FRAZER: In terms of Grant in Aid -- we are
4 the fiscal staff for the Joint Finance Committee. I don't
5 know what you mean by review agent?

6 MR. JONES: Okay. So let me redirect my question.
7 Do you conduct any review process at all associated with
8 the Grant in Aid program?

9 MR. FRAZER: Like I said, it's basically upon
10 request. And as Section 11 says, we may conduct performance
11 audits. We did do one a couple of years ago on a recipient.
12 But it had nothing to do with a senior center or nutrition.
13 This Bill, many types of organizations receive Grant in Aid,
14 one section would be Division of Aging Senior Centers,
15 that's where I read some of the figures from. Then, the
16 arts, historical, cultural, tourism, one time appropriations.
17 Family and Youth Services, handicapped, alcohol, drug abuse,
18 neighborhood and community services, fire companies. Veterans
19 organizations. Whoever applies.

20 MR. JONES: So yours is largely fiscal accounting,
21 I gather?

22 MR. FRAZER: Ours is largely assisting the Committee
23 and arriving at the recommended Grant in Aid legislation to

1 the General Assembly for their consideration. We assist the
2 Committee in putting the Bill together. We do the same with
3 the Budget Bill, the operating budget for the State of
4 Delaware.

5 MR. JONES: So there is no aspect of the program
6 to which you would give particular attention?

7 MR. FRAZER: No.

8 MR. JONES: Would you have any recommendations
9 on that?

10 MR. FRAZER: On this specific problem?

11 MR. JONES: On reviewing programs?

12 MR. FRAZER: No. I wouldn't as a staff member.
13 My boss may.

14 MR. JONES: Yes. Is testimony given to the Joint
15 Finance Committee on program review?

16 MR. FRAZER: We have public hearings, and that's
17 something I failed to mention in my opening remarks. We
18 have, on a selected basis, we will select a category each
19 year, and we will have people come in for a public hearing
20 before the Joint Finance Committee.

21 MR. JONES: And there is no time in your recol-
22 lection, in which sanctions have been imposed because a
23 particular recipient was not in compliance with the guidelines

1 issued by the Joint Finance Committee?

2 MR. FRAZER: Not to my knowledge.

3 MR. JONES: And, again, there has been only one
4 "review" by your office?

5 MR. FRAZER: Yes. We were asked to look into one
6 organization and we did so.

7 MR. CALABIA: Do the guidelines include any stipu-
8 lations regarding non-discrimination?

9 MR. FRAZER: Not in terms of the epilogue of the
10 Bill. Here's another section for fiscal year '86, it is the
11 legislative intent that a Grant in Aid recipient listed in
12 Section 1 and 2 of this Act shall not be entitled to receive
13 any funds appropriated by this Act unless certain financial
14 information has been received by the Office of the Controller
15 General on or before July 26, 1985. Basically, that is a
16 copy of the most recent audit report.

17 MR. JONES: Yes.

18 MR. FRAZER: But I just want to clarify for the
19 forum that our function in the Office of the Controller
20 General is to assist, or the primary function in terms of
21 the Delaware Code is to assist the Joint Finance Committee,
22 not to be doing fiscal or management audits on State agencies.
23 But we can and do have the power to do so by the Delaware Code.

1 MR. CAREY: Mr. Chairman?

2 CHAIRMAN CONNER: Yes.

3 MR. CAREY: Mrs. Cain, how would you feel if the
4 General Assembly in its next Grant in Aid Bill inserted in
5 its epilogue the requirement that the senior centers which
6 do not accept Federal money, report to you, or be subject to
7 your jurisdiction?

8 MS. CAIN: Well, if they chose to do that, there
9 would have to be staff in order to make those monitoring
10 visits.

11 MR. CAREY: It sounds like a quid pro quo before
12 the Joint Finance Committee.

13 Thank you.

14 CHAIRMAN CONNER: Ms. Morris, did you have a
15 question?

16 MS. MORRIS: No, I think before I had a chance to
17 ask it, John very quickly cleared it up by saying what his
18 main function is. Because I was leaning towards this gentle-
19 man. I do know that we operate under public accommodations
20 in this State, and it would seem to me that any senior center,
21 or anybody else receiving public money, that's what we are
22 talking about, Grant in Aid money, is taxpayers money, and
23 that they would be subject to rules and regulations, or the

1 provisions of public accommodation. I'm a little bit amazed
2 that somehow the senior citizens are separated from one
3 another to some extent, where you have all White centers and
4 all Black operations and so forth. May I direct a question
5 to Mrs. Cain, now?

6 CHAIRMAN CONNER: Where are these all White --

7 MS. CAIN: But they're not. We don't have all
8 White centers and all Black centers. We don't have that.

9 MS. MORRIS: Predominantly White and predominantly
10 all Black?

11 MS. CAIN: Predominantly, yes.

12 MS. MORRIS: Okay. You've got one or two of the
13 other, but it's predominantly. Let's be realistic about it,
14 really. And whether it's intended to be that way or not,
15 that's not the issue. The issue is what actually goes on
16 and what really happens.

17 MS. CAIN: I think that what you have to do is,
18 you have to look at where those centers are.

19 MS. MORRIS: Regardless of all that, I know there
20 are other variables, but I'm just saying it seems strange
21 that when you get to the ripe old age, that that would happen.
22 And it does happen. Whether it's intended to happen or anybody
23 makes it happen, it happens. And I think that's unfortunate.

1 That's all I'm saying.

2 MS. FLEMING: Before you put away your papers,
3 would you give me the figures on Grants in Aid for the Lewes
4 Cheer Center?

5 Is it on your list of Grants in Aid?

6 MR. FRAZER: No.

7 MS. FLEMING: What were you saying to him?

8 MS. CAIN: The Lewes Cheer Center does not have
9 Grant in Aid.

10 MS. FLEMING: They do not?

11 MS. CAIN: They do not. They are a nutrition site
12 under Sussex County Senior Services. Sussex County Senior
13 Services is a nutrition project for Sussex County. They are
14 responsible for the nutrition sites. And when I say they
15 are responsible for, they make the funds available that
16 hire the staff and that provide the meals at the individual
17 sites. They are not a senior center as such. They are a
18 nutrition site, and there is a difference.

19 MR. CAREY: But Lewes Senior Center does get a
20 Grant in Aid?

21 MS. CAIN: Yes.

22 MR. FRAZER: Yes, they do. They are on the list.

23 MS. WILSON: Ms. Cain, you have no oversight over

1 the Grant in Aid senior centers, is that what I understand?

2 MS. CAIN: We are responsible to receive from them
3 on a quarterly basis a financial statement, which we do.

4 MS. WILSON: Why do you need that if you have no
5 connection with them? You seem to know the names of them,
6 the Lewes Senior Center. And you have told us they are not
7 all White or all Black, but you have no control over the
8 Lewes Senior Center, except this quarterly financial report.

9 MS. CAIN: Well, the quarterly financial report
10 is in the epilogue. It states in the epilogue of the Grant
11 in Aid Bill exactly who is to receive a quarterly financial
12 statement. And the Division of Aging is one of those agencies.
13 The Lewes Senior Center, I don't know who goes to the Lewes
14 Senior Center. I have no idea. The Lewes nutrition site,
15 which is called the Cheer site at Hewling Cove, I do know
16 who goes there because that's Federal dollars that provides
17 for that nutritional meal each day.

18 MS. WILSON: So there is no oversight over the
19 Grant in Aid senior centers which don't receive Federal funds?
20 Or other State funds?

21 MS. CAIN: Not by our office.

22 MS. WILSON: And not by the Controller's Office?

23 MR. FRAZER: The section she is referring to is

1 Section 8 of the epilogue. Again, Tino has a copy of it.

2 MS. FLEMING: I am trying to get a figure for this
3 Lewes Cheer Center, regardless of where the source is. I want
4 a figure.

5 MS. CAIN: The Lewes Cheer Center does not get a
6 Grant in Aid. The Lewes Senior Center does, but not the
7 Lewes Cheer Center.

8 MS. FLEMING: I understand that. But they must
9 get some funds for operating. What is the source of the funds
10 and the amount?

11 MS. CAIN: They do not get individual funds. The
12 funds all go to Sussex County Senior Services. They are the
13 ones that get all of the nutrition money in Sussex County.
14 The people who are operating the Cheer site at Hewling Cove
15 in Lewes are on the payroll of Sussex County Senior Services.
16 Okay? The food in Sussex County is prepared at a central
17 kitchen, which is at the Georgetown State Service Center.
18 Each day the food is prepared there on site, and it is trucked
19 out to the individual nutrition sites in Sussex County. At
20 the nutrition sites, the staff, which is paid for by Senior
21 Services is responsible to get that food on the table and
22 to also package the home delivered meals which leave that
23 particular site.

1 MS. FLEMING: All right, let me come at it this way.

2 MS. CAIN: Okay.

3 MS. FLEMING: What is the cost of the operation
4 for the staff? It seems to me that we now have a distribution
5 center.

6 MS. CAIN: Right.

7 MS. FLEMING: Okay. So what is the cost for the
8 staff? What is allocated for the staff at that center?

9 MS. CAIN: I would have to look that up.

10 MS. FLEMING: I would like to have that.

11 MR. BINKLEY: Mr. Chairman?

12 CHAIRMAN CONNER: Yes.

13 MR. BINKLEY: Would Ms. Cain tell us the title
14 of the position, or the description or name of the position
15 of the person to whom you report? Who is your supervisor?

16 MS. CAIN: My supervisor is the Secretary of
17 the Department of Health and Social Services, Thomas Eiker.

18 MR. BINKLEY: Thank you.

19 CHAIRMAN CONNER: That place that distributes
20 the food, is that a State agency you are referring to,
21 Ms. Cain?

22 MS. CAIN: No. It's a private non-profit corpor-
23 ation. Sussex County Senior Services. And they are housed

1 in the Georgetown State Service Center because the State
2 Service Centers throughout the State are the offices for
3 not only many of the public agencies, but also many of the
4 private agencies. We also have a central kitchen there, too.

5 CHAIRMAN CONNER: Ladies and gentlemen, we are
6 just a little behind our schedule. So could we excuse these
7 folks but ask them to stand by?

8 MR. JONES: Yes. Mr. Chairman, there's one
9 question of clarification, just for the record.

10 CHAIRMAN CONNER: All right.

11 MR. JONES: Ms. Deveaux-Way and Ms. Cain offered
12 that the minority representation was a minimum 12 percent
13 as reflected by the State population. And Ms. Cain further
14 offered, I believe, that the minority involvement exceeded
15 the representation among the elderly population. Now, just
16 for purposes of clarification, that does not suggest, however,
17 that there are more minority involved than there are minorities
18 represented on a percentage basis. Is that not so?

19 MS. CAIN: The percentage of minorities being
20 served is greater than the percentage of minorities in the
21 older population.

22 MS. JONES: Now, does that mean, then, that you
23 are meeting obligations that some other agency should be

1 meeting? That's what I thought I heard, and that's why I
2 want the record to reflect it.

3 MS. CAIN: No. Because there is no other agency
4 that is serving the nutrition program to persons over the
5 age of 60.

6 MR. JONES: The question is, how can you have more
7 people in a category than there are people in that category?

8 CHAIRMAN CONNER: I don't think that's what she
9 said, Glover.

10 MS. CAIN: I didn't say that.

11 MR. JONES: I want, for the record, clarification.

12 What I want to know, for the record, is
13 how can you have more persons defined by SMSA for a given
14 geographical area, categorized as aged or elderly, than the
15 numbers would represent? Because the response is that you
16 serve more than those numbers indicate.

17 MS. CAIN: All right. In some of the nutrition
18 sites, for instance, there are people who are coming in from
19 different divisions. And when I'm talking about divisions,
20 I'm talking about census tract divisions.

21 MR. JONES: All right, fine. That's why I want
22 the record to reflect that. Because it would seem that the
23 sum of the parts would exceed the whole.

1 MS. CAIN: No. You've got to take the whole,
2 okay?

3 MR. JONES: I did.

4 MS. CAIN: You've got to go ahead and take the
5 total numbers of persons in one nutrition site.

6 MR. JONES: So I think the record is clear --

7 MS. CAIN: -- So you are not serving 100 percent
8 of the people.

9 MR. JONES: I think the record is clear now that
10 you draw people in from different census tracks.

11 MS. CAIN: Yes, because if you remember, I said
12 that in Delaware, an older person is free to go to any senior
13 center or nutrition site that they wish.

14 MR. JONES: I understand.

15 MS. CAIN: And I also clarified that by giving
16 some of the reasons why that they go back to where they may
17 have lived 40, 50, or 60 years.

18 MR. JONES: No problem.

19 CHAIRMAN CONNER: We have one other group of
20 people representing the State of Delaware, Mr. Andrew Turner
21 and his associate. Is Mr. Minus with you?

22 MR. TURNER: Yes.

23 CHAIRMAN CONNER: And Dolores Drummond as well?

1 MR. TURNER: Yes.

2 (Whereupon a change in speakers took place.)

3 CHAIRMAN CONNER: When I first got acquainted with
4 you, Mr. Turner, you weren't passing out pamphlets. This is
5 a new aspect of your personality.

6 MR. TURNER: We all change. And in most cases
7 for the good, right?

8 As you see, my name is Andrew J. Turner, Jr.
9 I am the Director of the Division of Human Relations for the
10 State of Delaware, to the Human Relations Committee. On my
11 right is Edward Minus, who is Field Representative in the
12 Dover office. On my left is Ms. Dolores Drummond, the Field
13 Representative from the Georgetown office.

14 Those of you who know little or not enough
15 about the Division of Human Relations, we are an agency of
16 State government who came into existence around 1961. And
17 the State Human Relations Commission was formed to promote
18 amicable relations among racial and cultural groups that
19 were having problems in the State. And conduct surveys,
20 public hearings, and make recommendations to the Governor.
21 Presently, we are responsible for the enforcement of housing
22 law, as you see in the pamphlet, and public accommodations
23 law. The complaint process is also in the pamphlet. And

1 aside from that, we ameliorate differences in neighborhoods
2 and whatever setting comes to our attention. Recently, we
3 have been in the school system in Downstate Delaware, in the
4 Milford District, to ameliorate some tension. We have also
5 been in the Middletown schools. Our Human Relations Com-
6 missioners adjudicate cases that are brought to their attention
7 in the form of complaints. Three Commissioners hear complaints
8 in an adjudicatory fashion and make a decision. By the way,
9 we have 28 Commissioners in the State of Delaware, which is
10 a lot more than some other states who are 10 times the size
11 of Delaware. We have seven from each county, and seven at
12 large, representative of the population of this state, a
13 cross section, having to do with race, cultural background,
14 etcetera.

15 The question at hand regarding the aging
16 problem, and discrimination as such, I'd like to say this,
17 I have learned more today about what exists here in Delaware,
18 as far as any controversy or problems having to do with aging,
19 than I knew. This was brought to our attention a couple of
20 weeks ago. And I checked with staff in all three offices.
21 By the way, we have staff in Georgetown, Wilmington and
22 Dover. And none of those staff persons had received any
23 information in the way of complaints or otherwise regarding

1 a discriminatory practice. We do believe that had we received
2 such a complaint, it could have been investigated under our
3 public accommodation law, in the service and facility portion
4 of that law.

5 I won't belabor your time, because we are
6 running late.

7 CHAIRMAN CONNER: We appreciate your coming, not
8 only because we are glad that perhaps some new facts came
9 to your attention through our efforts here, but because we
10 have talked about your agency at our last two meetings,
11 and several members, including the Chairman, has expressed
12 the hope that we could cooperate on various things. And this
13 is the beginning of it. And I'm glad that you are here, and
14 I hope that if there is anything that we can do to be useful
15 to your agency, or where there are problems that you think
16 we ought to look into in addition to your agency, I hope you
17 will let us know, because, as you see, our staff resources
18 while brilliant are small in number. And they are at some
19 distance from our community. So we need all the guidance we
20 can get.

21 MR. TURNER: Thank you for being here, and I hope
22 that you will use this as a research for us, or an outreach
23 for us. I would like to just make one statement here in

1 enlightening the Advisory Council, that in the past, our
2 native Americans in Millsboro had felt left out. We have
3 now established a liaison between our native Americans in
4 the Millsboro area, which numbers some 1153 American Indians,
5 and they are moving in a direction to become now a real part
6 of the Citizenry of Delaware.

7 CHAIRMAN CONNER: Are they members of a particular
8 tribe, or are they scattered among the numbers?

9 MR. TURNER: They are Nanticoke Indians.

10 MS. FLEMING: Nanticoke.

11 CHAIRMAN CONNER: I wonder if any of the members
12 of the committee or staff have questions that they would like
13 to put to Mr. Turner?

14 MR. JONES: Mr. Turner, how many complaints in
15 the last year, and what is the capacity of utilization, of
16 your staff? Two hundred percent?

17 MR. TURNER: Two hundred and fifty.

18 MR. JONES: That answers the question.

19 MR. TURNER: In FY '85, we investigated 41 housing
20 complaints. The Commission itself had 36 hearings. We had
21 seven public accommodations complaints. We had 73 intake
22 complaints on FEP cases. We serve as intake process for
23 the anti-discrimination unit. One of the things that this

1 Commission perhaps could help us deal with is the unification
2 of two state entities. The Anti-discrimination Section is
3 located in the Department of Labor. And they investigate
4 equal employment. We are located in the Department of
5 Community Affairs, and we investigate everything else per-
6 taining to human rights and civil rights. We are among a
7 small percentage of the states in the United States that have
8 that split. And we find that we do a certain portion of the
9 Anti-discrimination Section's work and get no credit. And
10 we are not -- we don't get paid for it. So if they were
11 combined, we could utilize services as well as manpower.

12 MR. CAREY: Why haven't they been combined? Is
13 that political?

14 MR. TURNER: Yes, it is.

15 CHAIRMAN CONNER: Mr. Carey, I don't know why
16 your mind, of all people's, should leap to that possibility.
17 But I won't ask you, either.

18 Our experience shapes us all, however.

19 MR. BLITS: I think the issues on the minds of
20 many of us have to do with the fact that there seems to be
21 a disproportion in the racial composition of some of the
22 meal centers. And some senior centers don't serve meals,
23 some people think perhaps to avoid serving Blacks. Do you

1 have any reason to believe that there is a racial motive in
2 the latter, or that there's a civil rights issue in any of
3 these problems that have been discussed?

4 MR. TURNER: I would avoid really giving a positive
5 answer on that, the only thing I can say is that we did a
6 housing testing program in this State last year. And as a
7 result of that housing testing program, discrimination does
8 exist in the State of Delaware. And if it exists in housing,
9 I would suspect that it would exist in other areas.

10 CHAIRMAN CONNER: Let me ask this, Mr. Turner.
11 If we are able to develop facts that appear to us to call for
12 some kind of action, do you think that the Commission and its
13 staff would be interested in receiving this fact, and if
14 they agree with our analysis, doing something about it directly
15 through your agency?

16 MR. TURNER: Definitely.

17 CHAIRMAN CONNER: So that's an instrument, in other
18 words, that's available.

19 MR. TURNER: I cannot speak for the Commission.
20 But I would certainly promote it as a Director.

21 MR. BINKLEY: Mr. Turner, does your Commission
22 have what are called Commissioner initiated complaints?

23 MR. TURNER: Yes, it does.

1 MR. CALABIA: You mentioned that under the rubrick
2 of public accommodations, you could look at questions related
3 to the aging. And where there is minority aging encountering
4 certain problems. We have heard that there are, at least a
5 few centers, senior centers, which report fiscally, but not
6 programmatically to anyone, and certainly, apparently, to no
7 one in State government. So with respect to those centers,
8 since it's unclear as to what could be described as going on
9 in those centers programmatically, it obviously is unclear
10 as to whether there is discrimination. On the other hand,
11 one might raise a question about discrimination, especially
12 those in agencies such as ours. What would you suggest with
13 respect to monitoring these centers, which apparently have
14 no programmatic responsibility at the moment, nor reporting
15 responsibility regarding program participation on the part
16 of minorities and other protected classes?

17 MR. TURNER: I would just ask you one question,
18 who would be doing the monitoring? My agency?

19 MR. CALABIA: That's what I'm asking, who should
20 be doing it? Apparently it's not being done.

21 MR. TURNER: I think the responsibility should
22 be that of the agency who is administering the funds. That
23 is definitely where the responsibility lies. I think from

1 the Federal all the way down.

2 CHAIRMAN CONNER: What he is talking about, though,
3 Mr. Turner, is Grant in Aid agencies. Monitoring the Grant
4 in Aid funds.

5 MR. CAREY: He is also talking about the same
6 problem he just mentioned with respect to the Department of
7 Labor. That it shouldn't be bifurcated.

8 CHAIRMAN CONNER: In all fairness to our friends
9 of the General Assembly of Delaware, I think it's worth
10 noting because not everybody here is familiar with our
11 procedures, that the Grant in Aid funds have been receiving
12 more intensive review at the time when they are being
13 allocated, and more questions have been raised about whether
14 they were being properly handed out, and whether particular
15 agencies should be funded at all. And questions about whether
16 member of the legislature should be members of the Board of
17 Directors. I think the answer was no the last time around,
18 wasn't it? So I wouldn't want the impression to get abroad
19 that nobody is looking at these agencies. Everybody is
20 looking at these agencies. So, possibly the real problem
21 is that instead of having somebody responsible for seeing
22 that they do the right thing, everybody is looking at them,
23 but nobody is doing anything.

1 MS. FLEMING: I think what you are referring to,
2 if I may extend that a bit, is a process by which people are
3 applying for Grants in Aid. They have had that review committee
4 coming out of the university, and they have done extensive
5 work on the process of that. But when it comes to the actual
6 granting of the aids, I think it's still highly political.
7 I don't think we've moved very far on that one.

8 MS. MORRIS: And, also, Mr. Chairman, I don't
9 think that the area of discrimination has been touched upon
10 at all by the Joint Finance Committee.

11 CHAIRMAN CONNER: It could be though.

12 MS. MORRIS: Yes, it could be. And that's where I
13 think that perhaps our best input might be.

14 CHAIRMAN CONNER: If we had somebody on our
15 Committee with real political clout, who happens to be in
16 Dover, she might bring it up.

17 Mr. Figueroa?

18 MR. FIGUEROA: Mr. Turner, you said something about
19 discrimination against renting a place. Suppose somebody
20 comes over and complains to you about discrimination because
21 they won't rent them a place, right? Okay, they get a place,
22 and that place is falling down. It's not fit for an animal
23 to live there. But he had to rent it because, especially, if

1 he's a minority, and there will be some money coming in. If
2 that individual comes back to you and complains about the
3 condition of that place, there's nothing your staff could do
4 about it? Who do you turn it over to?

5 MR. TURNER: In various counties, it's different.
6 In New Castle County you have a Housing Code that is specific
7 about conditions of places to be rented. You can turn it
8 over to your New Castle County inspectors. Likewise, in Kent
9 and Sussex Counties, we also -- we not only just sit and hear
10 complaints as specified in this, we make a number of referrals
11 to other agencies.

12 CHAIRMAN CONNER: All right, we have several
13 guests who would like to be heard, so, unless you have some-
14 thing very pressing to ask these folks, we will excuse them
15 with thanks.

16 And, Mr. Mitchell, I think you are
17 the next man up here. Would you like to come up here to our
18 assembly?

19 (Whereupon an off the record discussion was held.)

20 CHAIRMAN CONNER: My attention has been called
21 to the fact that I have overlooked an important gentleman
22 here who is an Official. So I'm going to call on him first.
23 Would that be all right?

1 MR. MITCHELL: That's fine.

2 CHAIRMAN CONNER: Mr. Weyant, Director of the
3 Kent County Office on Aging. We appreciate your being here,
4 sir. And I apologize for skipping over your name there.

5 We have been given to understand by
6 our note that yours is the only County level office of its
7 kind in the state?

8 MR. WEYANT: Yes, sir. Mr. Chairman, and members
9 of the Delaware Advisory Committee, I welcome the opportunity
10 to be here today. And listening here today, I thought maybe
11 I had better clarify exactly who I am, and what our office's
12 functions are. As you've indicated, we are the only office,
13 County office, on aging in Delaware. This came about in the
14 year 1972 when a study from the University of Delaware came
15 out and reflected that the needs of the elderly in Kent and
16 Sussex were not being met. The County government, which we
17 call Levy Court, and for those of you who are out of state,
18 you may not know what I mean if I use the word Levy Court,
19 I'm referring to our County government. Their decision at
20 that time was to form a task force of citizens and report
21 back how this report would be corrected, as far as meeting
22 the needs of the older citizens in Kent County. They reported
23 back that particular year and it was the decision of the

1 County government to have a County office on Aging. And I
2 have been in this position since 1972. We, in the Office on
3 Aging of Kent County, do not handle any funds whatsoever.
4 The only funds that come in our office are the Operating
5 Administration of the County Office on Aging. The role that
6 we play is to insure that the citizens of Kent County are
7 receiving the full benefits and knowledge of the programs
8 available to them. We gear mainly our objectives and our
9 office on case management, individual case work, making sure
10 that they get the full benefits. And by the program that
11 Ms. Cain operates, hopefully that they can go and enjoy their
12 particular program, be it nutrition, or whatever.

13 We have implemented some other programs
14 which we felt was important. To supplement the program, we
15 did have a major input in developing a shopping program to
16 assist those people who are home-bound in Kent County. And
17 this is an ongoing program in Kent County where basically
18 the people go out and take those individuals shopping. And
19 for those who cannot get out, or who are actually in bed,
20 home-bound, they actually do the shopping for them and incor-
21 porate food stamps when necessary. And, of course, as most
22 of you know, we do have the food program, and also we coordi-
23 nate with different agencies in the County for emergency

1 food, which is very important, too.

2 I have brought with me some statistics
3 that concern me about the Blacks. I think most of you are
4 well aware of them. The hour is growing late, I will be glad
5 to give you a copy of it.

6 CHAIRMAN CONNER: Yes. I think that would be
7 helpful.

8 MR. WEYNT: I would like to make some
9 recommendations today, and certainly answer any questions.
10 And I have a couple of areas I think you may have been a little
11 confused on, or I will clarify, I should say. I feel that
12 there is a need for a pilot program to better address the
13 Blacks in the community. I feel the project should be geared
14 not only to short, but long-range problems, facing the aged
15 Black. And, again, I want to emphasize, I'm talking about
16 Kent County. Even though I'm talking about Kent County,
17 in the interest of finance, and in the interest of the
18 community, I feel that this should be considered a statewide
19 project. There are many areas that probably I will not cover
20 today, but here are some of my concerns that I will share
21 with you, and certainly am open for comments. One, I would
22 like to see the recruitment and hiring of more black personnel
23 on staff in key nutrition positions at all levels. Two,

1 the recruitment and effective use of Black volunteers to
2 work on nutrition and education. I think this is very
3 important. Now, everytime you mention something new, people
4 talk about money. It seems to be the bottom line. And I
5 agree. However, I'm a dreamer, I believe in this country,
6 and the record shows that we have a large volunteer force.
7 I would like to see some of these so-called, I don't know the
8 correct terminology, I'm using aids, for nutrition, to go out
9 on a one to one basis and work with these people. When you
10 are dealing with food, you are really dealing with the
11 people's health, the level of care in this country. We have
12 a long-term care problem in this country, ladies and gentlemen,
13 a serious one, and certainly the nutrition program is a big
14 asset to it. Like any program, there are some pluses and
15 minuses, but basically, it's a great idea. I think it's
16 very important. I think we should have an aggressive and
17 deliberate plan of reaching out for the target population
18 of the aged Black. And a strong educational program for the
19 individuals who are isolated and are hard to reach.

20 And, you know, sometimes I think we are
21 in Texas. But yet, I look and I see I'm in Delaware. And need
22 I do think, including myself, and I'm guilty of it, to improve
23 the network between agencies. I see the food stamp people

1 sitting over here. I'm sitting here. And maybe it's being
2 done, but I think when a person comes into the food stamp
3 office, and I know we have rules and regulations, and I'm
4 certain you people know them better than I do, but why can't
5 they refer them to the nutrition program? Maybe they are.
6 That's just one example. I think that's important.

7 This concludes my segment, and I wish
8 to thank you and the members of the Commission here, for
9 allowing me to express my views. And I certainly am open for
10 any questions that you may have. Before you do, if I may,
11 Mr. Chairman, Doctor Adams, you mentioned contracts earlier
12 today. And I want to clarify the contracts, as far as what
13 Ms. Cain was talking about today, and also the area of --
14 the Regional Area of Aging. We are a one service in the
15 State of Delaware, serving the elderly. But within that
16 structure, we have what we call the Area Advisory Committee
17 of the three counties and the City of Wilmington. Now, this
18 Advisory Board that we have in Kent County is the one I'm
19 going to address. The composition of it is the Directors
20 of the different projects, they do not have a vote. And you
21 can certainly see why they would not have a vote. The ones
22 that are appointed by the County government are a cross-
23 section of the citizens. They are not selected by the County

1 government. They are selected by the Committee themselves,
2 and taken to Levy Court for approval. But we are an arm of
3 the Levy Court. This Committee annually, once the people who
4 have projects within the County, through Title 3, be it C1
5 or C2, and we won't get into that, we'll say project, those
6 grants are presented to the Area Advisory Board. Comments
7 from the Area Advisory Board are sent forward to Ms. Cain
8 for input. Also, the different grants are available in the
9 County Office on Aging prior to the public hearing. There is a
10 sign-in sheet for those who would like to sign, either take
11 them out of the office, we prefer that they not because they
12 are rather expensive, but if push comes to shove, you can
13 have it. But, anyway, they are there. And Doctor Adams,
14 I'm sure you know this, but I just wanted to clarify it
15 for the people here because they come from so many areas.
16 We have a full, active Area Advisory Board with all people
17 from all walks of life on the Board. In fact, Mr. Ceaser
18 here from Frederica, he's a member of the Board, the Area
19 Advisory Board. And one of their responsibilities is, not
20 only to report to our County government, the Levy Court,
21 but it is also their responsibility to review these grants
22 as they come through the Office on Aging, and up to Ms. Cain's
23 office, and there is also an opportunity at the State hearings

1 for us to send a representative to the Review Board at the
2 State level.

3 As far as the busing, sir, I think you
4 mentioned the busing. I don't know if you have ridden a bus
5 lately, especially a school bus, if it's a short distance
6 it's great. But it's like in a meeting sometimes, you know,
7 it gets pretty rough. What I'm saying to you is that we have
8 DAST in Delaware and their responsibility, one of their
9 priorities is to transport people. And, again, I'm only
10 addressing Kent County. So we have DAST that not only has
11 the high priority, and the top priority for nutrition, to get
12 the people to the site. And for those individuals who cannot
13 and I don't always agree with it, the cost factor, if you have
14 ever been in transportation, but they do go out when we can't
15 get volunteers and actually deliver the meals in Kent County
16 through the bus. By the bus, I should say. I just wanted
17 to bring that up. That's the only clarification I have.
18 And I think that's it.

19 CHAIRMAN CONNER: Questions for Mr. Weyant.

20 MS. MORRIS: You mentioned several recommendations
21 that you feel would assist the Black aged. You apparently
22 came about those recommendations as a result of something.
23 Do you feel that the Black aged are being served as well as

1 they should at this point in time?

2 MR. WEYANT: Mrs. Morris, I feel they are being
3 served. But like any program, there is always room for
4 improvement. In these remarks here, you know, we are dealing
5 with a segment of our society who have had very low income.
6 And the result is, their social security is low. In fact,
7 you know, if you look at the ratio of Black versus White,
8 some Blacks aren't even going to enjoy their social security.
9 Because they are not going to reach 65. They won't live that
10 long. You know, that's the statistics that have been put out.
11 And I'd like to see more communications and there is so much
12 in background that you can talk on ethical background of
13 individuals, affecting the meals and how they eat. That's
14 important. You know, I probably come from an unusual group.
15 But I could mention some things that I have eaten, you know,
16 and a lot of people don't even know what I'm talking about.

17 MS. MORRIS: I'll bet I do.

18 MR. WEYANT: I'll bet you know about it. Okay.

19 DOCTOR ADAMS: I would like to make one statement,
20 not for an argument, but for clarification. I know, in my
21 position, my job, I do move around sometimes to the Senior
22 Citizen Centers. And, surprising to me, at one center we
23 have the President which is Black, a Black President, but no

1 Black participants, other than the President. Now, that seems
2 to be a situation that is questionable, and needs some
3 correction.

4 MR. WEYANT: Could be, Doctor Adams. If you and
5 I are talking about the same situation, it was just the
6 opposite for a long time, because I helped organize that
7 Center and I was accused of the reverse. It was all Black
8 inititally. I haven't counted the figures lately.

9 DOCTOR ADAMS: Well, I have seen a decline in
10 Black participation.

11 MR. WEYANT: Oh, yes. I agree with that. Yes,
12 I have talked with the President of that group on many
13 occasions, and I think he is well aware of it. And I think
14 it needs to be addressed. But what I'm saying here is, if
15 we can get out and have an out-reach, that would help correct
16 that matter. I concur with that.

17 DOCTOR ADAMS: And the out-reach should be some
18 Blacks also.

19 MR. WEYANT: Oh, listen, by the way, I agree
20 with that. I have that right here. You've got to have that.
21 That's important. If I'm projecting out, just hiring people,
22 no, I don't want to do that.

23 CHAIRMAN CONNER: Mr. Figueroa?

1 MR. FIGUEROA: I have to agree with Mr. Weyant
2 about many agencies, private or government agencies, should
3 work together. We have a big separation when it comes to
4 trying to get along with each other. I'm with the State
5 government myself. And you go to some of these buildings,
6 and the first floor has nothing to do with the second floor.
7 And that's going on and on. The same department. They
8 don't want nothing to do with the people upstairs. If we
9 would all cooperate with each other, try to help each other,
10 not just up north, all of us Rebels from down south, Sussex
11 and Kent, I think we could do much, much better. Many
12 agencies and departments are just worrying about getting
13 the grants and worrying about their own skin. And they
14 get that grant, and they forget about everybody else. Also,
15 we have many employees, including the government, that once
16 they get up there, they forget about the other ones down
17 there. That's no good. If we are here, and I move up there,
18 I will never forget those down there. And that's the way
19 we all should feel about it. Try to remember those down
20 there that need a lift. Many people don't think the same
21 way.

22 Thank you.

23 CHAIRMAN CONNER: Are there any other questions

1 of our witness?

2 Ma'am, did you want to ask a question?

3 MRS. MITCHELL: No.

4 CHAIRMAN CONNER: Thank you very much, sir.

5 We appreciate your coming and being so patient to wait for
6 us. And I apologize for almost putting you in the wrong
7 category.

8 (Whereupon a brief recess was held while a
9 change of speakers took place.

10 CHAIRMAN CONNER: Mr. Mitchell is the State
11 President of the NAACP, and has been very active in that
12 and many other organizations over the years. I am sure he
13 is going to bring us something of value.

14 MR. MITCHELL: Mr. Chairman, I thank you for
15 allowing me the opportunity to talk to you. I have to
16 admit, I was quite concerned when I looked on the program
17 and saw I was, from my perspective, representing the community.
18 After talking with your staff person, I see it wasn't meant
19 entirely as that. The NAACP does not speak for all Black
20 people. We do believe we are the conscience of the Black
21 community. And, therefore, they come to us and they talk
22 with us about their problems. But that doesn't mean that we
23 speak for all of them. I can assure you of that.

1 I am glad to be here this afternoon
2 because I have learned quite a bit. And like others of the
3 agency that have spoken here, I too have heard rumors of
4 problems of discrimination. However, prior to that, may I
5 say that I know the Commission has a great responsibility,
6 and I listened to your programs that you have given for 1986.
7 And I am very much concerned because you left out something
8 very serious with me. And that's children. If you would
9 look back to 1964, and my wife and I accidentally did this
10 last week, and look at the record for just last month in
11 education, you will find that the expulsion rate, that the
12 suspension rate of Black youngsters in the schools in this
13 state are the same. They are almost identical. In 1964,
14 the State NAACP did a state survey and came out with the
15 suspension and expulsion rate very high. The Human Relations
16 Department did it with Lowan Pitts, and substantiated what
17 he said. Now, we find this happening again. And I think
18 that this is something that the Commission ought to at least
19 take an eye wink at, if they can't get involved in it. I
20 think we need to come in and have the same kind of forum
21 that you are having here, to find out what is it that forces
22 schools to digress when they give discipline. Therefore,
23 one group gets harsh disciplinary measures and others do not.

1 I think also that you ought to look at the
2 Department of Public Instruction. Just last month we met
3 with the Superintendent of the Department of Public Instruction
4 because of the lack of Blacks being hired. There was one
5 Black that has been hired there. Since that meeting, another
6 Black has been hired.

7 CHAIRMAN CONNER: That's 100 percent improvement,
8 Littleton. You don't often get that kind of result.

9 DOCTOR ADAMS: It's not enough.

10 MR. MITCHELL: It is a Black that has been hired.
11 But the superintendent did not give us any implications that
12 he was going to sincerely attempt to recruit Blacks. And
13 we made that very notable in a letter that we sent to him.
14 The other issue that we looked at is the emotional mal-
15 adjusted children, the behavior of children, those with drugs
16 and alcohol addiction. Having been close to those scenes,
17 I now realize that these young people in this state are not
18 receiving the kind of counseling, the kind of psychiatric
19 counseling or psychological counseling in order to help them
20 become rehabilitated citizens, or to help them be prepared
21 for jobs when they are put out of these RTC homes. I think
22 and I have made this statement openly that we have digressed
23 from them, and they are the forgotten children of this state.

1 CHAIRMAN CONNER: Mr. Mitchell, for those of you
2 who are not aware of it, worked for many years with the
3 Governor Bacon Health Center for children like this, so he
4 knows what he's talking about.

5 MR. MITCHELL: I think their civil rights have
6 been neglected. I heard the 94-142 given here. We are
7 familiar with children in this state whose parents have left
8 the educational district to please help them to take advantage
9 of this, and they are being neglected. They are being pushed
10 off to the side with any type of ramificational excuse.
11 And, again, this is a civil rights issue for these children.
12 Now, we do have some responsibility, and you have a grave
13 responsibility to see that somewhere along the line these
14 young people's rights are activated. And they do receive
15 due consideration. So I would like to see them be on your
16 agenda. Even though it is going to cover many things. But,
17 to me, children are the most important gems we have. And
18 those children that I just addressed to now, if we don't
19 rehabilitate them, then I make a suggestion that you ask
20 and hold a conference with the correctional institution to
21 find out how many more correctional institutions they can
22 build. Because that's what we are leading up to if we don't
23 have some rehabilitation programs. And if we can't get it

1 from you, then who do we address it to? So, sir, we do come
2 to you with a sort of a drastic, but a gloomy picture, because
3 we do not see these things happening.

4 In addition to that, we did receive
5 information, nothing that was concrete, to the effect that
6 there were discrepancies that might be discriminatory in the
7 aging process of feeding Blacks. Again, at our meeting in
8 October we did not have any specificity to be brought out.
9 But there were these indications. And we have not been able
10 to, and we are not an investigative group. We can't do that.
11 But we can tell you that we have heard that. And in that
12 line, I am wondering now, listening and being informed from
13 what I've heard today, it would appear to me that if you
14 have a Grant in Aid, then you could be selective in who you
15 have in your senior center. And, therefore, you can be
16 discriminatory. Therefore, you don't have to have the food
17 because if you have the food, you may have to serve the people
18 that you don't want to serve.

19 So we can come back to that old Innkeeper's
20 Law that we had many years ago. The innkeeper had the right
21 to serve only those people that would not offend the people
22 that came there. Maybe that is what we are having in Delaware
23 today. The old Innkeeper's Law in reverse. Only Delaware

1 is paying for it in Grant in Aid. I suggest that maybe you
2 can look into this, or maybe the State Human Relations can
3 get into that on public accommodations, or in that area.

4 I wonder, again, when I listened to
5 the presentation on aging, that there are many Black indi-
6 viduals who do not want to go to a site to be fed, because
7 of some of the indictments that it might give to them.
8 True or false, they have that feeling. Is there any avenue
9 that you can take care of them? Those who need it but won't
10 go because of pride, if you want to use that term. And who
11 cannot go there, will not get there, but do need it. And
12 there are those that have that, sir. The other is, that I
13 have heard that there are no Black or no White. And that
14 may be true. But one that came to mind was, I wonder what
15 about the Kingswood Community Center in Wilmington. Is that
16 all Black, or is that Black and White? And is that under
17 Federal grant? Or is that Grant in Aid? In any instance,
18 having visited there one time, if there was a White person
19 there, he had changed colors. In another instance, I'd like
20 to know about the meals. I heard that all meals, I assume
21 that all meals at nutritional sites, I believe they were
22 referring to Sussex County, were prepared at a non-profit
23 facility. Is that done for all the sites? If not, do

1 they use contracts for that? And if so, how are the contracts
2 given out? And if they are given out, under what process
3 are they given out? And who is made aware of these contracts
4 if they are available? And are they available to minorities?
5 That's something that we don't hear. That's something that
6 could be sneaked under the doorway and we don't ever catch it.
7 On the other hand, we heard community agencies to contact
8 in Lewes and in Milton to find out -- what community agencies
9 do you contact in Lewes and Milton to find out where Blacks
10 are located? I'm from Milford, Delaware, and believe me,
11 I know this state. Now, I don't know any community agencies,
12 and I may be wrong, because I'm not too familiar with every-
13 thing, that would be so astute in Lewes and Milton that would
14 know where the Blacks are in that urban area or rural area,
15 to tell them that. And I'd like to know how they do that?

16 CHAIRMAN CONNER: U.S. Census, I would guess.

17 MR. MITCHELL: They can't find them on a U.S.
18 census chart.

19 CHAIRMAN CONNER: Why not?

20 MR. MITCHELL: Because they have to live in
21 the country somewhere. Someone has to know them, and I want
22 to know --

23 CHAIRMAN CONNER: Every inch of the country is

1 in the census practically.

2 MR. MITCHELL: It is, but someone has to know
3 where to go. That's the point. And I don't think agencies
4 can always do that. They may do it quite a bit, and they can
5 do it in the cities much easier, but in the rural areas, I
6 question it very much. These are the kinds of things that
7 have come to me since I've been sitting here today. And,
8 again, as I heard someone else say, that there was a percentage
9 of feeding more Blacks than the percentage in the area, I
10 wondered, what was the feeding percentage of the Whites in
11 the area, also. Maybe I missed that. Maybe it was one of
12 those things that I didn't pick up. But you see, sir, when
13 you open Pandora's Box, you get a lot of things out of it,
14 and I suppose I have a lot of questions, more to ask, but
15 I think one of the things that could be done insofar as we
16 are concerned, is to have something more on aging. Because
17 it is becoming a problem. It is becoming more of a problem
18 with Blacks who are not attendant, and they are seeping
19 through the holes. This is the thing that we are calling
20 your attention to.

21 Mr. Chairman, I thank you very much
22 for allowing me the time.

23 CHAIRMAN CONNER: You are certainly welcome.

1 I'm sure Mr. Mitchell will be glad to
2 take questions.

3 MR. MITCHELL: Oh, I'm sorry.

4 CHAIRMAN CONNER: Just stay right there,
5 Littleton. That's all right.

6 MR. BLITS: You said you have heard rumors, as
7 others have, I think we've all heard rumors. Rumors are
8 often plausible, but not true.

9 MR. MITCHELL: That's right.

10 MR. BLITS: I'm struck by the fact that we
11 don't have any solid complaints. Nobody who has testified
12 today has said he has had a complaint. Why should we believe
13 that there is a serious problem, if there are no complaints?
14 I guess I can put that a different way. Is there any other
15 civil rights issue, serious civil rights issue, for which
16 there are no complaints?

17 MR. MITCHELL: There are many. Sir, let me
18 bring you to some --

19 MR. BLITS: What's an example of one?

20 MR. MITCHELL: Well, let me bring you to some
21 point that -- the difference being complexion. You wouldn't
22 get it because you are not my complexion. You also would
23 not get it because you are not the State President of the NAACP.

1 And I am. You also would not get it because you are not in
2 an area that is an organization which is open to complaints.
3 You also would not get it because you would not be trusted.
4 Now, when we come into that situation, and people come to us
5 and say, "I live down in Seaford, and here's what's going on."
6 Now, that person is not always the kind of person who will
7 say you can use my name and where I live, and say that I said
8 this.

9 MR. BLITS: But why wouldn't there be complaints
10 on this issue where there are on other issues?

11 MR. MITCHELL: I hope you are not being naive on
12 this, because you appear to me to be naive. Are you aware
13 that Black people are not always as brave as Littleton Mitchell
14 who will tell you in a minute where to go, what to do, and
15 how to do it?

16 MR. BLITS: No, no. I think you are not
17 answering my question. What I am asking is, why are there
18 complaints on other issues, and not on this one?

19 MR. MITCHELL: There are complaints on all
20 issues. Not just this issue.

21 MR. BLITS: But nobody today has said he has
22 had a complaint. All we have today are rumors. And I'm
23 trying to --

1 CHAIRMAN CONNER: Littleton, I think you are
2 not communicating directly here, you two.

3 MR. MITCHELL: I don't think we are communicating
4 at all.

5 CHAIRMAN CONNER: I think what the gentleman
6 is asking you is, granted all you say about people being shy
7 about making complaints, your organization is organized to
8 collect complaints, and you don't seem to have any specific
9 complaints on the issue that we came here --

10 MR. BLITS: And, again, there are plenty on
11 other issues.

12 MR. MITCHELL: Maybe I used the wrong terminology,
13 Bill. Maybe I should have said we have had rumors and not
14 complaints. But I did say rumors. I did not say complaints.

15 MR. BLITS: That's right. That's exactly what
16 I'm asking. On other issues you have complaints, and not
17 just rumors.

18 MR. MITCHELL: Not on all of them, please,
19 understand. There have been educational issues with teachers
20 who we cannot bring out, and we can say they are rumors, that
21 in a certain school district teachers are being discriminated
22 against. We dare not say who the teacher is because of fear
23 of some kind of ramification that could take place there.

1 MR. BLITS: Where a particular teacher is
2 involved, you may have a rumor and not a complaint. But
3 you certainly do have complaints about education and about
4 teaching. So far today, no one has said that there was a
5 specific complaint about meals for the aged. There are rumors,
6 but there are no complaints. Not about this particular agency
7 or that one, but at all. And it seems to me that that's
8 a peculiar fact. If it's a serious problem, it seems to
9 me there ought to be more than rumors.

10 MR. MITCHELL: Well, I believe, to me what I
11 got from here today, sir, it appears to me that Grant in Aid
12 may be what you are talking about. It may not be the Federal
13 program. It may be those areas that are Grant in Aids, who
14 as I said, may have the opportunity to be selective in what
15 they do. And these people could have been talking about that.
16 But, then again, they don't know what it is. All they know
17 is a senior center, and that's it.

18 DOCTOR ADAMS: And in my position, if I knew of
19 a complaint, I dare not say it. I couldn't give it in my
20 position.

21 CHAIRMAN CONNER: Ms. Morris.

22 MS. MORRIS: Mr. Chairman, it's not usually
23 customary for the Commissioners to be answering one another.

1 But just for Mr. Blits' information, all senior citizens
2 have a lot of pride. It's amazing how much pride they have.
3 But Black senior citizens have a tremendous amount of pride.
4 I don't care how poor they are. They are a very proud group.
5 And when they go to a senior citizen center, that program
6 in itself has to be geared towards all who participate.
7 If you've got a group of ladies sitting there talking about
8 their last trip to Spain and you have -- I'm not being
9 funny -- and you have an older Black citizen coming in who
10 may prefer singing, "Jesus keep Me Near The Cross", you are
11 not going to keep them. You are not going to keep the Blacks.
12 So that we are talking about a whole gamut of kinds of things
13 -- the other thing is, if they walk in and see an all white
14 staff immediately, who is somewhat insensitive to their needs,
15 they are not going to stay. So you are talking about other
16 variables that come into play to be able to get the full
17 participation of everyone involved.

18 MR. MITCHELL: Sir, let me bring you something
19 concrete.

20 MR. BLITS: Yes.

21 MR. MITCHELL: And, if I seem very harsh, I'm
22 harsh whenever I talk about people who are being -- who I
23 think are not being --

1 MR. BLITS: That's quite all right.

2 MR. MITCHELL: I am. I don't mean it personally,
3 though. But I get involved emotionally, and I can't help
4 that. You see, I've got a whole lot of mix in me. Let's
5 take a situation in which there were Black people who said
6 they didn't want to eat at one of the centers. And when
7 we finally come to resolve that, it was because of the food
8 that they had there. Who wanted to go in there and eat raw
9 carrots, and let's see, they had, it's the kind of vegetable
10 I don't like, cauliflower, turnips, wintercress -- not
11 wintercress, watercress. And then you dip that in and eat
12 it for lunch. This is not what those people are used to
13 eating. They are used to eating, as they told me, "We are
14 used to eating chicken and dumplings."

15 MS. MORRIS: That's right.

16 MR. MITCHELL: And having something that's hot
17 and good. See, if you open the box, I'm willing to come in
18 and let you know what it's all about. But this is what
19 we're talking about. And then you have another group. You
20 have the Spanish group who don't want that. They have their
21 kind of food, so they are not going to participate either.
22 Even if they don't want to participate, but you are not going
23 to the needs of the people in that area.

1 CHAIRMAN CONNER: Mr. Wolters.

2 MR. WOLTERS: Mr. Mitchell, have you had
3 specific people complain about carrots and other vegetables
4 that they --

5 MR. MITCHELL: Yes.

6 MR. WOLTERS: This is a specific complaint.

7 MR. MITCHELL: Yes.

8 MR. WOLTERS: Now, have you had specific people
9 complain about the racial balance that was sitting around
10 the table of the aged center?

11 MR. MITCHELL: No, I haven't heard about the
12 racial balance.

13 MR. WOLTERS: Thank you.

14 MR. CAREY: Based on what you've just said,
15 isn't that an explanation why you have 97 percent Black and
16 three percent White, or 97 percent White and three percent
17 Black?

18 MR. MITCHELL: Sure.

19 MR. CAREY: And it's not necessarily discrimi-
20 nation?

21 MR. MITCHELL: It's not necessarily discrimina-
22 tion.

23 MR. CAREY: People are drawn to the wrong --

1 MR. MITCHELL: It's just that the people who run
2 the centers do not calibrate their particular services to
3 all the people. They calibrate it to one group of people.
4 And whether it is intentional or not, to me, that's discrimi-
5 nation.

6 CHAIRMAN CONNER: Mr. Jones?

7 MR. JONES: Mr. Chairman, thank you very much.
8 I'd like to reply to two levels of questions being raised
9 here. One at the level that Professor Wolters is raising
10 the question, and another, of course, to the level of
11 Professor Blits. And if you will permit, let me take
12 Professor Blits' comments first.

13 Let me precede my comments by saying, I'm a
14 subscribing life member to the NAACP, and to that end, I
15 have represented the NAACP on matters of public interest
16 as well.

17 First of all, there is an ethos of
18 the underclass. And that code is that no one pleas mea culpa
19 to those who would oppress the individual. That means in
20 turn, that for relief, those individuals have to turn to
21 organizations such as the NAACP, such as those organizations
22 which speak to the interest of the Hispanic community.
23 To organizations such as NOW. So that through the appearance

1 of strength in those organizations, there can be a voice to
2 articulate their interest, and not have to deal with the
3 problems of retribution. Now, I don't have to say to you
4 that in this country there is also a consciousness about the
5 nature of our process. No matter that we are a supposed
6 Democratic republic. It's to that end that "rumors" are
7 relayed to organizations such as the NAACP. And, of course,
8 with any organization which does not have sufficient numbers
9 to validate every claim made by every individual, it then
10 has to make a considered judgment of the legitimacy of that
11 claim through its own resources. And it's to that end then
12 that a representation is made to a committee, such as the
13 Delaware Advisory Committee. So, yes, there are rumors.
14 And it is the history of our people in this country, that
15 where there are rumors, more often than not, there is
16 substance to validate it, to a far greater degree than we
17 are able to determine. And it's to that end that I'm sure
18 he answers the question as he does.

19 MR. BLITS: Could I respond since that was
20 addressed to me?

21 MR. JONES: Yes.

22 MR. BLITS: First of all, I don't doubt that
23 there are hungry people. And I don't doubt that these

1 programs could be improved. That's not my concern. I also
2 don't doubt that for various social reasons, people are
3 discouraged. What nobody has, I think, shown is that there
4 is any reason to believe that whatever problems there might
5 be in these agencies, has anything to do with racial discrimi-
6 nation. Nobody has made that argument. Mr. Mitchell has
7 said these people have complained. They have complained
8 about the food. Why wouldn't they complain about something
9 else? When Blacks, as you darned well know, are not docile
10 and do complain where there's a serious inequality. Why
11 would this -- I don't understand this. Why would this issue
12 be so touchy that it would take a hero to voice a complaint?
13 Whereas on other issues, it would seem to me to be at least
14 as touchy or perhaps even more touchy, people do make com-
15 plaints. I don't understand it. I really don't understand
16 why if there's a serious civil rights issue, there is not
17 a serious civil rights complaint. It's as simple as that.

18 MR. JONES: Mr. Chairman?

19 CHAIRMAN CONNER: I wonder if I may break in
20 here, if we shouldn't give Mr. Ceaser a chance to say
21 something, since he has some direct contact with these
22 programs, and has been the most patient of all of us here,
23 perhaps.

1 Mr. Ceaser, what would you like to bring
2 to this group?

3 HENRY CEASER: Well, I am -- to the Chairman
4 and to the distinguished members of this Committee and to
5 the distinguished guests, I'm in a unique position. I am
6 President of the Frederica Adult Center, President of the
7 Board of Directors of the Frederica Adult Center, of which
8 we have about 30 percent Black and 70 percent White. There
9 is questions of discrimination wherever you go. I don't care
10 where it is, or what you are involved in. There is a certain
11 amount of discrimination. And it shows itself. More so in
12 a rural area than you will find in a city.

13 As for rumors, the Presidents of the
14 United States, since George Washington's time, always put
15 out rumors before he made a different law or something like
16 that. So rumors do serve a purpose. They serve the purpose
17 by opening our eyes to various things that normally we would
18 not look at. We are given a chance to digest that rumor
19 before the actual laws or things come into effect.

20 I have had many disappointments in
21 this job when I took it. We were -- the center, according
22 its history was organized by Black members with White leader-
23 ship. And as it grew, because they did not think in the

1 location that this Center was organized that it would have
2 lasted, but it did prevail. They left the original homesite,
3 and they bought a place on Market Street, 201 South Market
4 Street. Excuse me. And that's when I came into the picture,
5 because there were some repairs to be done, and being a
6 retiree that had been active all his life, I decided to go
7 in to the Center and work. And I worked in that Center,
8 getting the second floor in shape so that it could be rented
9 out. And in so doing this type of work, they elected me
10 President. Asked me to belong to the Board of Directors,
11 and I did. And about a couple of months after that, they
12 elected me President.

13 We never got enough money from Grants
14 in Aid. We would have to go to other sources. Whereas,
15 sometime before my time, they had went to the Division of
16 Aging. I believe Director Cain knew about it, and they were
17 turned down. When I became President, we had about, feeding
18 daily, about 17 to 20 people. It fluctuated. We went to the
19 USDA Food Bank and got food. We went to the Food Bank that
20 was started by Delaware first, to get food. We continued
21 to bombard the legislators to increase our Grant in Aid funds.
22 And you would get just a very little bit of increase. We
23 would have to go to various agencies, and foundations to get

1 enough money to operate. So we would never go back to the
2 Division of Aging, nor would we accept them as a nutrition site,
3 because the prior vote of the members of the Board of Directors
4 did not want another center to be in charge of them. And I
5 worked with that particular principle. So we did not -- we
6 were not able to become a nutrition site, to be fed. It was
7 suggested that we put our members on a bus, which we didn't
8 have, and transport them to the Milford site so that they
9 could be served and then bring them back to Frederica. They
10 refused that. And I continued to refuse it after I became
11 President.

12 We went to Levy Court and asked for a
13 certain amount of money, and you got whatever they wanted to
14 allow you to have. We never did go back to the Division of
15 Aging but once on a personal basis, when I asked for some
16 funds and I was told that they didn't have any money. But,
17 yet, I sat on a Technical Review Committee for Title 3 funds
18 and I know that they had carryover, but yet they refused
19 to take some of that carryover money and to help the Center
20 out. Why, I don't know. But they didn't. We were successful
21 in raising funds through the Block Grant, and also through
22 foundations, to increase the size of the Center, because we
23 did not have any space where men could work at. We had space

1 for women to do sewing, and to make things to sell, but we
2 had no kind of recreation to offer men other than a meal.
3 So we decided to increase the size of the center. We went
4 to the Block Grant in the City of Frederica, and also to
5 the various foundations in the State, including a foundation
6 in Pennsylvania, in which they said that they don't give any
7 money to Delaware or to any other state. We did raise -- we
8 got \$64,000 from the Block Grant to build a center. Of that
9 \$64,000, \$12,000 went to Levy Court for the Planning Division
10 for administrative purposes. The balance of that money was
11 given to construction. From there we went to the foundations
12 to get other money. And from those foundations we got enough
13 money that we could start construction. Our first bid that
14 we got on this Center was \$149,000, of which we didn't have.
15 In the meantime, we went back to the foundations to try to
16 get more money. And we gave out new bids. And when the
17 bids came in, we got a bid that we could afford of \$104,006,
18 of which I still owe the \$6. We built the new Center and we
19 had to raise funds to furnish it from foundations. And we
20 also started to increase membership.

21 CHAIRMAN CONNER: Mr. Ceaser, excuse me.

22 MR. CEASER: Yes.

23 CHAIRMAN CONNER: Because of the lateness of

1 the hour, I hesitate to interrupt your interesting review
2 here, but I think we want to bring it right down to the
3 question of the meal program, and what light you can throw
4 on that problem as it affects your agency?

5 MR. CEASER: Other than to say that we are feeding
6 approximately now about 32 people, on an average, a day.
7 We do not get any funds from outside sources at the present
8 time, other than our Block Grant money.

9 CHAIRMAN CONNER: And that comes through the
10 Levy Court?

11 MR. CEASER: No, that doesn't come through the
12 Levy Court. That comes from the legislature. Grant in Aid
13 is what I'm trying to say. That's where we get our funds from.
14 We do have -- right now we are trying to raise \$10,000 from
15 the Division of Services to carry us over, because we need
16 approximately \$20,000 to have a budget covered properly, and
17 to continue to feed the amount of people that we hope to feed.
18 We have a target date of 80 people that we wish to feed.
19 Now, we have the facilities to do it with, and we don't have
20 the money.

21 CHAIRMAN CONNER: So are you going to be able,
22 do you think to reach some accommodation on the rather
23 minimal supervision that the Department of the Aging has to

1 exercise, in order to spend the Federal funds? Or do you
2 think that's not possible?

3 MR. CEASER: We don't get Federal funds at all.

4 CHAIRMAN CONNER: Well, if you went to them,
5 you would.

6 MR. CEASER: I hope that we would.

7 MS. FLEMING: He said that he had already been
8 to them --

9 MR. CEASER: Before my time, they had been and
10 had been refused funds.

11 CHAIRMAN CONNER: You don't know for what
12 reason?

13 MR. CEASER: I really don't. I don't know.
14 But I did know, and I do know that I did talk to Ms. Cain
15 about \$15,000 to help me over when we were under construction,
16 and we had run out of our funds. And the funds that were
17 given us to build the Center, we could not use for that
18 purpose, for capital expenditures. And I was refused on
19 the grounds that they didn't have sufficient funds. But I
20 did find funds from other sources.

21 CHAIRMAN CONNER: Ms. Morris?

22 MS. MORRIS: Mr. Ceaser, we are here really to
23 look at, while we are very concerned about your funding

1 problems and all, I have some of those myself, running a non-
2 profit agency, however, we are here to look at whether or not,
3 based on rumors, there may be the appearance of any discrimi-
4 nation in the Frederica Center.

5 MR. CEASER: Right.

6 MS. MORRIS: How many minority clients would
7 you say use the Center on a daily basis?

8 MR. CEASER: About 15.

9 MS. MORRIS: What is your total generally?

10 MR. CEASER: Generally we feed now, at the
11 present time, about 32 a day.

12 MS. MORRIS: So you would say about 50 percent
13 of your clientele?

14 MR. CEASER: I would say that, yes. We also
15 have a staff of about one, two, three, four -- a staff of
16 four. And we hope to increase that. Now, we have one Black
17 person. When I got on the Board of Directors, there were
18 no Black employees at all. And now I have one out of four.
19 And I am hoping that I can get enough money to hire two
20 additional people, and one will be Black.

21 MS. MORRIS: Mr. Ceaser, another question, why
22 were you turned down by the Division of Aging? I'm somewhat
23 familiar with sometimes the requirements that agencies have

1 to give us. In order to get funding, you have to meet
2 certain requirements. What were the reasons that you were
3 turned down?

4 MR. CEASER: The reasons, I don't know. Other
5 than of my personal knowledge, when I went to Ms. Cain, I
6 asked her for \$15,000 to help with -- I did not file a formal
7 application. This was a verbal request to her. Before that
8 time, I could not answer that. Because I was not involved.
9 But I do know that I picked it up, that they didn't.

10 CHAIRMAN CONNER: Our time being so short,
11 I think in fairness, I ought to give Ms. Cain an opportunity
12 to say whatever she would like to say about this application,
13 and about a couple of the points that Mr. Mitchell raised
14 which involved her agency.

15 Ms. Cain, would you care to comment
16 on this one first?

17 MS. CAIN: Well, first of all, the Division of
18 Aging has a formal process for contracts. And I will give
19 you the procedures for that. Each year the agency sets its
20 priorities for funding. Our priorities have moved from
21 senior centers and recreation programs, which we no longer
22 fund, to programs which serve the frail older person.
23 Looking at the demographics and seeing how the population is

1 growing, and also looking at the Federal funds which are
2 available to Delaware, and by the way, we use every dollar
3 of those Federal funds, it is necessary for us to target
4 our services to those persons who are closest to institutional-
5 zation. That is the State's priority. That is the Department
6 of Health and Social Services long-term care plan, which we
7 help to administer through the Older Americans Act funds.
8 The process that we have is an open bids process. We advertise
9 in the Downstate papers, and also Upstate paper. Also some
10 minority papers. We send to our current contractors, a letter
11 telling them that applications are available. And people
12 have an opportunity to come into both offices, the office
13 in Wilmington is on the grounds of the Delaware State Hospital.
14 We have a field office in Milford, which is the field office
15 for both Kent and Sussex Counties. If they do not have access
16 to pick up an application, they can call my office, and one
17 is mailed to them.

18 I believe in citizens' input, and in
19 1973, I initiated with the Mayor of the City of Wilmington
20 and each one of the County Executives, the recommendation
21 that they organize an Advisory Council, which Mr. Weyant
22 referred to, on Aging, that would be an arm to County govern-
23 ment, that would be a resource in planning for the State

1 Office on Aging. That we would have grass roots input into
2 the need of older persons throughout the entire State. Our
3 review process is made up of members of the Governor's
4 Advisory Council on Aging, which there are nine. All of those
5 individuals are over the age of 60. There are two from each
6 one of our substate areas in Delaware, and there is one at
7 large in New Castle County, because New Castle County has
8 more of the aging population. So there are nine members.
9 I also write each year to the Mayor of the City, and each
10 one of the County Executives asking them for a representative
11 from their Advisory Council to sit on that Review Committee.
12 They hear all of the proposals, and they make recommendations
13 for agencies to be funded and at what level. Along with that,
14 we require an application, one copy of the application to be
15 submitted to the city and county governments, wherever the
16 home office is of a particular contract. That gives them
17 an opportunity to review the contract, see what the objectives
18 are, the persons that are to be served, and the dollars. And
19 we ask them to make recommendations to the State Office before
20 the decision-making time. I have a staff person, my fiscal
21 manager, who chairs that committee. The only other staff
22 people are those field people who are there in whatever
23 particular area they happen to monitor the program.

1 CHAIRMAN CONNER: May I ask you this, Ms. Cain.
2 If Mr. Ceaser decides, now that he's got his facility, that
3 he would like to enter the list or compete for some of these
4 funds, would there be any funds there for him at the end of
5 such a long process? Or are they expended on other priorities?

6 MS. CAIN: Well, first of all, he has an oppor-
7 tunity to apply for funds in the priority areas. And as I
8 said in the beginning, we have moved from funding senior
9 centers and recreational programs into services that are part
10 of the long-term care system for those individuals closest
11 to institutionalization.

12 CHAIRMAN CONNER: Does that include the feeding?

13 MS. CAIN: The nutrition program is part of it.
14 The nutrition program when it was organized back in 1973
15 was for one project within each one of the governmental sub-
16 state areas. And that particular project is responsible
17 for the individual site within that particular geographical
18 area. In Kent County, the project is a Modern Maturity
19 Center. Modern Maturity Center does all of the on-site
20 cooking in a central kitchen, and they also truck out the
21 food in bulk to the various nutrition sites within Kent
22 County. I want to emphasize here that there is a problem
23 with money. We have not had any increase in Federal funds

1 through the Older Americans Act since 1981. And I think
2 all of us in this room know what inflation has been. We are
3 giving increases to staff, which they so rightly deserve
4 out there, who are delivering services to older people, and
5 we are trying to strengthen the management so that we can
6 feed as many individuals as necessary. We happen to be one
7 of a few states that do not require prior reservations for
8 any of our nutrition sites. And I'm very proud of that.
9 In Delaware, tomorrow morning, you can go into any nutrition
10 site in the State of Delaware and you can sit down and have
11 a meal. The neighboring states around us, you cannot do that.
12 You may have to make a reservation anywhere from three to
13 five days in advance, because the nutrition site has said,
14 you may only have 50 meals a day, and there may be 75 people
15 who want to eat. In Delaware, we have not had to resort to
16 that yet. But with inflation, and with no increase in dollars,
17 and we are using all of our money, and there is none left
18 over, believe me, and I could use more, we are having diffi-
19 culty in trying to keep the program as it currently is.
20 And, in fact, the proposals that are in for 1986, which begin
21 January 1, almost everyone of them have decreased the number
22 of individuals that they will be feeding next year because
23 of a lack of dollars.

1 CHAIRMAN CONNER: Mr. Parker, you indicated you
2 had a point you would like to make.

3 MR. PARKER: Yes, thank you, Mr. Chairman.

4 I was wondering if the Committee has
5 knowledge of specific providers which have been identified
6 as part of the allegations. And, if so, would the Committee
7 be willing to share that information with my agency?

8 CHAIRMAN CONNER: Of specific -- what did you
9 say?

10 MR. PARKER: Specific service providers.

11 CHAIRMAN CONNER: Providers.

12 MR. CAREY: The rumors of those who are --

13 MR. PARKER: Yes. Of those who are discriminating.

14 CHAIRMAN CONNER: This remains to be determined,
15 but I see no reason why we wouldn't share them if we had them.

16 MR. PARKER: Also, another question is, has there
17 been any mention of similar problems involved in the home
18 delivery meals program? Most of what we are talking about
19 now, as I understand, involves the congregate meals.

20 CHAIRMAN CONNER: I think the answer to that is
21 no, isn't it? We haven't heard anything about that.

22 MR. PARKER: Or any other programs which are to
23 be funded under Title 3?

1 MS. FLEMING: I don't know about Title 3, but
2 I have to address Ms. Cain over here. In an instance where
3 people are competing for Federal funds, by way of proposals,
4 we know that there comes a time when you have to make a
5 determination to move from one stage to another, or what is
6 the most current trend that you are following. Yet, it seems
7 to me there should be some process for recycling or looking
8 at those that you have denied at a certain period. That I
9 didn't hear. Now, maybe I missed it. But it seems to me
10 that there ought to be someplace where people who have
11 applied, or perhaps needed technical assistance to apply
12 and to follow the process, who have been denied, or were not
13 granted funds. Do you get my point?

14 MS. CAIN: Yes.

15 MS. FLEMING: There's a little link there that
16 I didn't get. I wish you would fill it in.

17 MS. CAIN: We have a technical assistance
18 process.

19 MS. FLEMING: Okay.

20 MS. CAIN: Some of the programs, we give a
21 great deal of technical assistance in filling out, or helping
22 them fill out their proposals. There is also an appeal
23 process. I do not sit on the Technical Review Committee, but

1 I am Chair of the appeal process. Frederica, in particular,
2 appealed at one time, and the decision was made by me and
3 the group who were not on the original review committee, that
4 if there were funds available, that we would try to help
5 Frederica get started. Frederica did receive a small grant.
6 I cannot give you the year, but they did receive a small
7 grant to help them get started with that program.

8 MR. CEASER: It was in '76.

9 CHAIRMAN CONNER: I think we have one person
10 who came here to give us some help who has not had a chance
11 to speak, and that's Mary Bergstrom, Project Coordinator,
12 Senior Companion Program, Sussex County Community Action
13 Agency.

14 MS. BERGSTROM: My program operates primarily
15 in Sussex County, so I will confine my remarks to Sussex
16 County. We work very closely with the senior centers, both
17 my staff and the senior companions who work on the program.

18 And I think the problems that you are
19 referring to would be in relation to McFee Street in Lewes,
20 to Indian River Senior Center in Millsboro, and there is a
21 Senior Center in Milton. Now, I'm not referring to Casa
22 Francisco, that is receiving Cheer meals. And Cape Henlopen
23 was also mentioned in Rehoboth. These centers do not receive

1 funding or meals from Cheer, which is the designated project
2 or Division of Aging, Title 3.

3 CHAIRMAN CONNER: The distributor --

4 MS. BERGSTROM: Yes.

5 CHAIRMAN CONNER: -- of food?

6 MS. BERGSTROM: Yes.

7 I don't know the history of McFee Street,
8 because I haven't been in the area that long. The Milton
9 one, I do know, because I addressed that Center when it was
10 first started, within its first three months of being a Center.
11 They meet once a week in a Church. Their participants come
12 from all over Sussex County. And their frankly stated aim
13 is, because they are of common culture, common interests,
14 and what not, they feel closer to each other than they do to
15 their home senior centers. And this was stated quite
16 clearly as to why they met. I don't know what kind of
17 funding they get. But that's the way the Milton center has
18 started.

19 CHAIRMAN CONNER: I take it they do not have
20 a meal program?

21 MS. BERGSTROM: No. Because they only meet
22 once a week. And they carry covered dishes. All these
23 centers that I mentioned, do not have meal programs.

1 Millsboro Center, which is the Indian
2 River Center, is stated as a social center, not as a nutrition
3 center. They get together again, for the same reasons that
4 the Milton people get together. They go bowling, they have
5 projects. They don't meet that frequently.

6 As far as Cape Henlopen Center is
7 concerned, that has a large number of participants who are
8 fairly local in the Rehoboth area. They meet -- the partici-
9 pants meet according to their interests, clubs and what not.
10 The center is open daily. It is a big facility. And I have
11 no idea what their types of funding are. But I do know that
12 they do not serve Title 3 meals. They do not serve any meals,
13 except for maybe their once a month birthday-party-type
14 thing.

15 I think Emily Morris did outline and
16 state very clearly the reason why these centers developed,
17 when you mentioned that the poorer population isn't going
18 to sit around and talk about their latest trip to Spain, as
19 you said. When trips are organized to various places, they
20 certainly can't afford the bus fare that other people can
21 afford. So, you know, although I think the reasons can be
22 found for why this break exists, the why of it, you will
23 have to look into the history of each center. Because I think

1 as you have noticed from people talking about individual
2 centers, they may have started out predominantly white, and
3 ended up predominantly Black. And where is the twain going
4 to meet?

5 To muddy the waters even further,
6 there's a transportation problem. There's a limited number
7 of dollars to go around to transport people from one place
8 to another. As an example, the senior center in Slaughter
9 Neck, one bus loop, I have documented because I pay for some
10 of it, is 47 miles. So they run that loop twice a day.
11 That's one loop. They run three loops out of Slaughter Neck.
12 That one particular loop goes down into Milton. This other
13 area here. So transportation is a problem as well, especially
14 in Sussex County.

15 And the third problem is the length
16 of time that the people spend in the center. I would say
17 average, they get there around nine and they leave around one.
18 For an elderly person, that's quite a bit of time to be
19 spending sitting down in one place. And then a bumpy ride
20 home on the bus.

21 CHAIRMAN CONNER: Now, is this a daily program
22 you are now describing?
23

1 MS. BERGSTROM: I am now talking about the Cheer
2 daily nutrition program. They start around nine. And, again,
3 the same pattern of population, color and what not, in the
4 centers. I'm talking about all the centers. The Cheer and
5 the private ones have sprung up. The change in the compo-
6 sition, I think, is something that you would probably have
7 to look into over the years. How it developed and why.
8 And whether it was due to transportation or whether it was
9 due to the types of food being served or what not. All I
10 can say is, I know it has changed.

11 MS. MORRIS: Mr. Chairman?

12 CHAIRMAN CONNER: Yes?

13 MS. MORRIS: Cape Henlopen, is that the one in
14 Rehoboth?

15 MS. BERGSTROM: Yes.

16 MS. MORRIS: And I believe it's predominantly
17 White?

18 MS. BERGSTROM: Yes.

19 MS. MORRIS: If not all White.

20 MS. BERGSTROM: Yes.

21 MS. MORRIS: That must be true. Isn't that
22 right? Predominantly?

23 MS. BERGSTROM: Yes.

1 MS. MORRIS: If not all White?

2 MS. BERGSTROM: Yes.

3 MS. MORRIS: They received \$91,320 from Grants
4 in Aid every year.

5 MS. BERGSTROM: Okay, now, the part of the
6 Cape Henlopen Center that I interface with, in my program,
7 is the out-reach. And I think as far as their out-reach
8 record is concerned, providing services to elderly, helping
9 them apply for food stamps, helping them with their social
10 security questions, that is what I mean by out-reach. That
11 out-reach worker interfaces very well with the Black community.
12 And that's the only part of that center that I can speak to,
13 because I'm also an out-reach program.

14 MS. MORRIS: The economic levels of the persons
15 attending the Cape Henlopen Senior Center, aren't they mostly
16 middle to upper middle class individuals?

17 MS. BERGSTROM: I could not answer that. I think
18 the other thing you have to be careful of in Rehoboth,
19 because I have learned that through my program is there may
20 be a lot of people living in big houses with good addresses
21 who are essentially at poverty level.

22 MS. MORRIS: Not down where --

23 MS. BERGSTROM: I do a lot of income verifications

1 because some of my funding is geared towards low income.
2 And I walk into some pretty nice places, and they are eligible
3 for low income programs. Now, those persons would not want
4 that known in the community, but I think we have to be very
5 careful about making those kinds of assumptions.

6 MS. MORRIS: I just questioned it. I did not
7 make an assumption.

8 MS. BERGSTROM: No. I am just stating that
9 for everybody. Everyone thinks Rehoboth -- the address does
10 not necessarily mean affluence.

11 MR. JONES: You mean near poverty level with
12 regard to discretionary income, and not assets, right?

13 MS. BERGSTROM: Oh, no. We go into a total --
14 we get bank statements.

15 MR. JONES: But I mean with reference to some
16 of the homes.

17 MS. BERGSTROM: The total amount of money that
18 they have to spend, except for the house.

19 MR. JONES: Yes, I understand.

20 MS. BERGSTROM: Now, you see, they are allowed
21 to keep the house.

22 MR. JONES: Just for clarification. That's all.

23 MS. BERGSTROM: So, you know, I think it's tied

1 into those three things. The history of the population in
2 the area and the flow of population in the Center, why the
3 composition changes, the transportation that's available.
4 And also in many cases to the length of time that is spent
5 per day in the Center.

6 CHAIRMAN CONNER: Ms. Bergstrom, would you say
7 that because of the factors that you have enumerated, that
8 there is a serious deficiency in the availability of programs,
9 nutrition programs for minorities in the area you are talking
10 about?

11 MS. BERGSTROM: No. I think the accusation
12 being made in Sussex County is that most of the Centers are
13 attended, most of the nutrition centers are attended by poor
14 Black participants.

15 CHAIRMAN CONNER: So, if anything, it's a
16 question of segregation rather than of denial of services
17 that you are addressing?

18 MS. BERGSTROM: This is what I understood the
19 problem to be as stated.

20 CHAIRMAN CONNER: Well, we are still trying to
21 find out what's stated.

22 MS. BERGSTROM: Oh, all right.

23 Well, I think there are Centers that

1 have more Blacks than Whites, and there are Centers that
2 have more Whites than Blacks. And I believe that's what is
3 being stated here. The Milton Center, as a private Center,
4 got started because, let's say, Slaughter Neck is predomi-
5 nantly Black. And there were many people in the Georgetown
6 area, between Georgetown and Milton who used to go to George-
7 town. And transportation was no longer available, so they
8 had to go to Slaughter Neck and instead elected to develop
9 Milton. These things are how they develop.

10 CHAIRMAN CONNER: Mr. Wolters?

11 MR. WOLTERS: I'll defer to Ms. Wilson.

12 MS. WILSON: I just wondered, the out-reach
13 program, is that funded in the Rehoboth Center through the
14 Grant in Aid? Do you know?

15 MS. BERGSTROM: I'm not part of their funding.
16 I'm not privy to their funding. You would have to ask the
17 Director of that Center.

18 MS. MORRIS: State funds, \$91,000. That's all
19 I know.

20 MS. BERGSTROM: You would have to address that
21 question to either their Board of Directors or --

22 MS. WILSON: You run an out-reach program?

23 MS. BERGSTROM: I run Senior Companion Program,

1 which is funded from the Federal government action agency.
2 It doesn't have anything to do with Title 3. We just
3 interface very closely with the senior centers.

4 MS. FLEMING: This is a different funding source
5 than we have heard all day, then.

6 MS. MORRIS: Yes.

7 MR. WOLTERS: Ms. Bergstrom, I want to make sure
8 I understand. You've observed that the centers are racially
9 imbalanced?

10 MS. BERGSTROM: Yes.

11 MR. WOLTERS: But do I understand you to say
12 that you are not sure this was a result of racial discrimination?
13 It may be a result of the history of the center?

14 MS. BERGSTROM: I'm saying look to that.

15 MR. WOLTERS: Look to the history --

16 MS. BERGSTROM: I have had people tell me
17 absolutely, flat out, like the Milton group, that they
18 organized their White center because they didn't want to
19 intermingle with Blacks. That I can say in the Milton Center.
20 That was said to me probably about four or five years ago
21 when they were first formed.

22 MR. WESTON: But that one does not have a
23 nutrition program?

1 MS. BERGSTROM: No. But those people have come
2 from nutrition centers to form their own.

3 MR. WESTON: They may still partake --

4 MS. BERGSTROM: No. You could probably come to
5 the assumption -- I mean the question was coming up here,
6 are there centers like Cape Henlopen who are refusing Cheer
7 meals, Title 3 meals so that they can remain as they are.
8 Well, I do believe that if Milton Center was approached,
9 they probably would refuse the Title 3 meals because their
10 intent was to be a social club.

11 MR. CAREY: But they may be going someplace else
12 for their meals, right?

13 MS. FLEMING: Sure, they can go anywhere for
14 their meals, right?

15 MR. WESTON: Is that an every day program or
16 just --

17 MS. BERGSTROM: No. It's just once a week.

18 MR. WESTON: So the other four days, they could
19 be going somewhere else?

20 MS. BERGSTROM: Sure. But they are probably
21 not going to senior centers. They would not have traveled
22 this far if they found satisfaction in their own hometown
23 senior center. The other thing in Sussex County, and I don't think

1 Eleanor Cain addressed was that there are centers that are
2 not under Cheer, who do have Title 3 meals. And they are
3 on the list there. There is Bridgeville, Nanticoke, and
4 -- is Eleanor still here? What's the third one?

5 MS. CAIN: There are three private non-profit
6 corporations that are senior centers, and they were senior
7 centers before the nutrition program was ever a part of the
8 Older Americans Act. They are the Laurel Senior Center, the
9 Nanticoke Senior Center in Seaford, and the Bridgeville
10 Senior Center. Each one of those three senior centers have
11 a nutrition program. Or I should say in Sussex County, they
12 have a Cheer site within the senior center. I think there is
13 something I want you to realize, is that when the nutrition
14 program -- there were senior centers throughout the State of
15 Delaware long before there was a nutrition program. The
16 first senior center in Delaware goes back to the mid 1950's.
17 And there was not an Older Americans Act until 1965. There
18 was not a nutrition program, I believe, it was 1972. So
19 when the nutrition program was designed through the Older
20 Americans Act, we looked at existing senior centers, or
21 community agencies that had a kitchen that was, or that would
22 pass inspection from the Board of Health, or the Division of
23 Public Health. Because when we are talking about a nutrition

1 site, using public funds, we are talking about a restaurant.
2 And the kitchen has to meet certain qualifications in order
3 to even be considered for nutrition sites. So that was a
4 problem within itself. Because Delaware did not have enough
5 senior centers at that time, they opened nutrition sites
6 throughout the State. Those nutrition sites are not incor-
7 porated, but they actually had the same function. Most of
8 the same functions as a senior center. You just don't go
9 there at noontime and get a meal. You can go there in
10 the morning -- the hours are all different. Some open at
11 nine, some open at ten, some open at eight, some open at
12 eleven. And they close at different times. You can go there
13 and you can participate on a regular basis every day in
14 whatever program they have. The programs are recreational,
15 and they are cultural, and they are educational. But the
16 senior centers also have the same kinds of programs. The
17 senior centers, some of them, are more multi-purposed than
18 others are, depending on the size of the community that they
19 happen to be in. But there's a fine line there between a
20 nutrition site in many areas and a senior center.

21 CHAIRMAN CONNER: Ladies and gentlemen, we have
22 been proceeding without interruption here since 1:30. I
23 think we may have almost exhausted the subject. I know we

1 have exhausted all of the participants, particularly the
2 Committee members. I would like to address the members of
3 the Committee this question, would it be appropriate from
4 your viewpoints, if we were to ask this young lady to give
5 us our transcript and each of us to take a copy and go over
6 it and decide what it is we really heard?

7 (Whereupon an off the record discussion was held.)

8 MR. JONES: Mr. Chairman, may I make a specific
9 request of you as a citizen, to contact the Commission on
10 the Aged, let them know that we, indeed, face a dire situation
11 if the level of funding is insufficient to meet the need,
12 as Ms. Cain has indicated to us? It seems to me unconscionable
13 that if we would have a \$40,000,000 rainy day fund, and
14 even make allowance for meeting future needs with increases
15 in the State, that we can at the same time make allowances
16 meeting future needs, with increases in the number of people
17 who are going to need the kinds of services provided through
18 Title 3.

19 CHAIRMAN CONNER: You are talking about State
20 funding through her agency, aren't you?

21 MR. JONES: I'm talking about State and Federal.
22 But, principally, State. Inasmuch as the anticipated increase
23 will not be sufficient to meet the increased needs.

1 MS. CAIN: There is one thing I would like to
2 say. We have not turned down anybody at any nutrition site
3 throughout the State of Delaware. Even though we have not
4 had an increase in funds. Okay?

5 MR. JONES: Yes.

6 MS. CAIN: That's not saying we've always had
7 money left over, because we've never had any money left over.
8 But what we have done is, we have strengthened the management
9 of all those programs out there which I think all social and
10 health agencies, Social Services and health agencies, are
11 looking at. What we have done for FY '87 is, we have requested
12 from the State, within our FY '87 budget, some State funds
13 to supplement the home delivery meals program, because there
14 has been a waiting list throughout the State for home delivered
15 meals. And that is due to the number of older people that
16 are over the age of 75 and 80 who are frail. And we have
17 requested that, this year for the first time, which would
18 allow us to increase our home delivered meals program by 10
19 percent.

20 CHAIRMAN CONNER: Glover, it strikes me to take
21 one dire need of our society and single it out, and to tell
22 our agencies what they ought to do about it, when we aren't
23 looking at the larger picture, and we haven't finished our

1 consideration of this one, is a little bit premature. Do I
2 misread the feeling of the Committee on that point?
3 Do you agree with Glover that we ought to do something right
4 now on this? What's your pleasure?

5 MR. JONES: The moral issue begs the question,
6 Mr. Chairman. I'm asking you as a private citizen to do that.

7 CHAIRMAN CONNER: Well, you're a private citizen,
8 you can do that yourself.

9 MR. JONES: You don't have to worry, I shall and
10 you know that.

11 CHAIRMAN CONNER: I knew I could count on you.

12 (Whereupon the balance of the meeting was
13 administrative discussion and the Court Reporter was excused.)
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CERTIFICATE

I, T. Ann Wilkes, a Notary Public, do hereby certify that the foregoing is a true and accurate transcript of the proceedings held on December 3, 1985, at the Delaware Technical and Community College, Terry Campus Building, Dover Delaware, before the United States Commission on Civil Rights, Delaware Advisory Committee.

I have hereunto set my hand and affixed my seal of office this ____ day of _____, 1985.

T. Ann Wilkes, Notary Public