



December 5, 2022

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*****FOR IMMEDIATE RELEASE*****

***Legal Aid, Empire Justice Urge State Agency to Compensate
Low-Income New Yorkers Whose Benefits were Stolen and
Enact Policy Change to Prevent Further Skimming***

***Over 2,000 Low-Income New Yorkers have Fallen Victim to
Benefits Theft, Leaving Families Without Resources to Pay for
Food and Basic Needs***

NEW YORK, NY – The Legal Aid Society and Empire Justice Center sent a [letter](#) urging the New York State Office of Temporary and Disability Assistance (OTDA) to compensate victims of skimming, a form of electronic theft used to steal Supplemental Nutrition Assistance Program (SNAP), federal benefits used for the purchase of food, and cash benefits, both essential forms of assistance for low-income people, especially in today’s environment of continued high unemployment and inflation. The State’s current policy denies skimming victims compensation for the value of benefits stolen through this illegal practice.

Skimming involves the use of a device that is secretly installed at a retail point-of-sale (POS) machine that captures the data on a card and remotely transmits it to a thief offsite. According to ODTA, as of August 2022 at least 2,208 low-income New Yorkers have been the victims of benefit theft by perpetrators of EBT card skimming schemes, and that number is likely significantly higher now as skimming continues to spread around the State. The total value of benefits known to be stolen as of August 2022 was \$737,522.

Advocates called on OTDA to fulfill its duty to take immediate prevention actions to protect New Yorkers from further victimization, including converting all magnetic stripe EBT cards to chip cards.

“We expect the State to do right by the families affected by skimming, who have been the victims of this sophisticated form of theft through no fault of their own. Given that the benefits stolen spell the difference between families being able to feed their children and going hungry, quick action must be taken to rectify this problem,” said **Susan Welber, staff attorney in the Civil Law Reform Unit at The Legal Aid Society.**

Jessica Radbord, senior benefits attorney at Empire Justice Center, said: “Like anyone whose credit card information is unlawfully used by thieves, SNAP and cash assistance recipients should be reimbursed for their losses. This is a matter of basic fairness.”

The letter states:

“The loss of SNAP and TA benefits is having a devastating impact on affected households. We have clients who have been robbed of their households’ SNAP, including P-EBT benefits, and special TA grants such as a furniture allowance, that leave their families without any resources to pay for food and basic needs.

Victims of skimming have had their benefits stolen through no fault of their own and without replacement will be forced to suffer hunger and food insecurity. OTDA should immediately adjust skimming victims’ accounts to replace stolen benefits, using state funds or any federal funds it is authorized to use.”

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The Legal Aid Society exists for one simple yet powerful reason: to ensure that New Yorkers are not denied their right to equal justice because of poverty. For over 145 years, we have protected, defended, and advocated for those who have struggled in silence for far too long. Every day, in every borough, The Legal Aid Society changes the lives of our clients and helps improve our communities. <https://www.legalaidnyc.org>