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AT ISSUE: Benefit ban for former drug felons

How long should former drug felons who have served their prison term continue to pay for their crime? The federal welfare reform law (Personal Responsibility Act) of 1996 instituted a lifetime ban on receipt of food stamps and Temporary Assistance for Needy Families (TANF, formerly known as welfare) benefits for anyone who has ever had a felony drug conviction. However, the law allowed state legislatures to request a waiver from this restriction. Only 10 states continue to impose the food stamp (now known as Supplemental Nutrition Assistance Program, or SNAP) ban with no exceptions for people who have completed their sentences, complied with their probation terms, paid all their fines and penalties, and overcome the addictions that led to their imprisonment. Twelve states maintain a similar ban on receipt of TANF benefits. Alabama still enforces both.

Who is affected by this ban? Alabama's lifetime ban on food and income assistance applies only to people convicted of an offense involving drugs. The total number of those affected is difficult to determine, but several factors indicate the size of this population. In 2011, approximately 11,000 prisoners — about a third of Alabama's total prison population — were serving terms for drug convictions. In the same year, some 3,200 Alabama residents were convicted of drug offenses, and around 3,700 drug offenders were released from Alabama prisons.

The ban on cash and food assistance is particularly harsh for women. Nationally, 70 percent of incarcerated women have minor children they must support when they leave prison. Often lacking job skills and education, these mothers also face a stigma associated with their incarceration that can make it difficult to find a job. For many formerly incarcerated women with children, access to cash and food assistance may be the only thing standing in the way of homelessness, foster care or a return to crime.

How can we make sure that people with addictions don't use benefits to buy drugs? The bans on SNAP and TANF eligibility were created both to discourage drug use and to prevent people with addictions from using public assistance to purchase illegal drugs. Since 1998, however, the SNAP program has used an electric card system, making the sale of benefits more difficult. And many states that do allow former felons to receive benefits impose conditions to address such concerns — for example, compliance with parole restrictions, payment of fines and penalties, waiting periods before benefits are granted, or completion of a drug treatment program.

BOTTOM LINE: Ending the state's lifetime ban on receipt of SNAP and TANF benefits for people with felony drug convictions would help reintegrate released prisoners into the community, reduce recidivism rates and associated costs, reduce foster care and associated costs, and prevent hunger and homelessness among some of Alabama's most vulnerable families.