



## HB 3397

CPPP supports HB 3397, which would make felony drug ex-offenders eligible to receive federally funded food assistance and employment services through the Supplemental Nutrition Assistance Program (SNAP, formerly Food Stamps). Enabling this population to receive SNAP services would help ex-offenders to rebuild their lives and reintegrate into our communities, thereby reducing recidivism and the state cost of reincarceration. This legislation comes at a critical time for Texas, as lawmakers are considering eliminating \$21.2 million for Project Rio, one of the few sources of funding for reentry services.

- **HB 3397 would make drug felony ex-offenders eligible for federally funded food and employment assistance through SNAP. These services offer a lifeline to ex-offenders in their attempts to rehabilitate themselves and reintegrate into society.**
- **HB 3397 would support reentry of ex-offenders, thereby reducing recidivism and the state costs of reincarceration.**
- **Drawing down federally funded SNAP benefits for this population would help offset the potential loss of \$21.2 million in state funding for reentry services.**

### Background

HB 3397 would exercise an option under federal law to authorize felony drug ex-offenders attempting to reintegrate into our communities on probation, parole, or after discharging their sentence to obtain SNAP benefits (formerly Food Stamps) if they are otherwise eligible. Seventeen other states have exercised this option, which is smart criminal justice policy. Senator Jose Rodriguez has filed a companion bill (SB 1549).

Under current federal law, states have an option to allow felony drug ex-offenders who otherwise qualify to get SNAP. In fact, under federal law, the only ex-offenders who are not automatically eligible for SNAP are persons convicted of a drug felony after 1996. All other felony ex-offenders are eligible for SNAP provided they meet the requirements of the program. Federal law authorizes states to extend this 100% federally funded benefit to felony drug ex-offenders too, but a state must affirmatively exercise this option in state law.

### Rationale

**SNAP is a lifeline to ex-offenders in their attempts to rehabilitate themselves and reintegrate into society.**

Many people with criminal records are not "job-ready" immediately and require services such as substance abuse treatment, job training, or education before they can enter the job market. During this process of becoming "job-ready," ex-offenders rely on having access to SNAP to pay for food. Denying this assistance to felony ex-offenders reduces their chances for successful reintegration.

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## **Using federally funded SNAP benefits saves state and local tax dollars for criminal justice.**

Denying help to felony drug ex-offenders undermines Texas' efforts to reduce recidivism. Some ex-offenders may turn to crime to support their families and themselves, and inevitably re-enter our crowded and costly criminal justice system. Using federally funded SNAP benefits saves state and local tax dollars for other reintegration services. SNAP dollars can pay for more than just food; SNAP dollars can also pay for other reintegration services. But without access to SNAP dollars to serve felony drug ex-offenders, state and local programs must use their own money.

## **Drawing down federally funded SNAP benefits would offset the loss of state funds for reentry.**

Although Texas has funded reentry programs in the past, funding for these services is in jeopardy given the state revenue shortfall. HB 1 eliminates \$21.2 million in funding for Project RIO (Reintegration of Offenders), a successful partnership among the Texas Workforce Commission, Texas Department of Criminal Justice, and Texas Youth Commission that is proven to reduce recidivism and unemployment among ex-offenders by providing prerelease and post-release workforce skills training, education, vocational skills training, and job placement assistance. Program evaluation findings indicate participants in Project RIO experienced a 23-percent recidivism rate, compared with 38 percent among a comparable group of non-RIO ex-offenders. HB 3397 would help offset this loss of funds by drawing down federal SNAP Employment and Training dollars to serve this population.

## **Denying help to felony drug offenders hurts children.**

When a mother is denied SNAP, her children suffer. Although the children of ex-offenders can still qualify for benefits, there is less food for the whole family, and families must stretch their already meager budgets. Providing help supports parents in caring for their families and rebuilding their relationships with their children. Parents who are denied help also may lose their children to the child welfare and foster care systems at a great financial cost to the taxpayer and great emotional cost to the children.

## **Denying SNAP to felony drug ex-offenders contradicts basic Judeo-Christian ethics that hold redemption and forgiveness as central values.**

Denying help to those on probation, parole, or who have discharged their sentence and are trying to live productively in our communities is unjust. Denying help in times of need to those who have successfully overcome an addiction and now go to school, work, pay taxes, or are otherwise responsible citizens is unjust.

## **The rationale for denying SNAP to felony drug ex-offenders is no longer valid.**

Congress made this a state option in 1996 over concerns that drug ex-offenders would sell their SNAP benefits for drugs. However, the use of electronic benefits card (EBT or Lone Star card) to deliver SNAP benefits has virtually eliminated trafficking of benefits and ensures that recipients cannot use their SNAP benefits to buy drugs. When Governor Schwarzenegger signed the law under which California opted to help felony drug ex-offenders reintegrate into society in 2005, he said, "Technological developments in the benefit delivery system and... the successful implementation of the Electronic Benefit Transfer system assures that SNAP benefits cannot be easily exchanged or converted." In fact, denying help to felony drug ex-offenders only undermines our efforts to keep them clean.

## **SNAP is a model program that provides work support to low-income families and boosts our state and local economies.**

SNAP is widely considered one of the nation's most successful low-income policies. It has broad-based political support and is praised for its efficiency and hailed by economists across the political spectrum as one of the most important tools for stimulating the economy. In the 2009 debate over the stimulus package, Martin Feldstein, the Harvard economist and former

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advisor to President Reagan, and Ben Bernanke, chairman of the Federal Reserve, called an increase in SNAP benefits one of the quickest and most effective methods for jump-starting the economy. Last year, SNAP delivered over \$3.6 billion in benefits, which generated \$6.6 billion in overall economic activity. In 1997, the *National Journal* called SNAP one of the 10 great successes in American society, describing the program as a “government reform that worked.”

### **A Snapshot of SNAP**

“A Government Reform That Worked” -- Carl M. Cannon, the National Journal,  
January 19, 2007

**What?** SNAP is a successful public-private partnership among the federal government, states, and retailers. States draw down federal funds to provide food assistance to low-income families and employment services to unemployed adults. The average per person benefit is \$100/month, or \$1 per meal. Through a partnership with retailers, benefits are disbursed using an Electronic Benefits Transfer (EBT or Lone Star) card.

**Who?** Families, children, seniors, persons with disabilities, and childless adults are eligible if their net income is below 100 percent of poverty (\$18,310/yr for a family of three) and they have limited resources. Legal immigrants face a five-year residency requirement (except children) before they can get benefits. Undocumented immigrants are not eligible. In Texas, 3.6 million people receive SNAP. Three-quarters are children, seniors, and persons with disabilities. The average household size is 2.7 persons.

**Why?** Texas has among the highest rates of hunger and families at risk of hunger in the nation. Low-income Texans often struggle to afford a nutritious diet and meet other basic needs. SNAP helps these families meet their basic needs and serves as a cushion during periods in which a parent loses a job or a parent's earnings fall due to circumstances such as an illness in the family. SNAP also supports work by helping families while they transition from welfare to the workforce.