

HB88 CONTINUED PUNISHMENT: REPEAL THE TANF DRUG BAN

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"It feels like you are being punished twice and not only punishing you but also punishing your child who has already been through enough."

In 1996, Congress passed the Personal Responsibility and Work Opportunity Reconciliation Act, which bans individuals with a drug-related felony conviction from receiving Supplemental Nutrition Assistance (SNAP) and Temporary Assistance for Needy Families (TANF) benefits for life—unless their state legislature opts out. Illinois repealed its SNAP provision in 2014 and limited the TANF ban to two years for some. Other families remain subject to the lifetime TANF ban (individuals convicted of Class X or Class 1 felony).

Illinois is a state that has embraced criminal legal reform with a belief that people reentering their community deserve a full opportunity to succeed. The drug felony ban has been shown to exacerbate recidivism. The TANF program provides cash assistance to extremely poor children and their families. However, the TANF grant is not nearly enough for families to meet their basic needs, including rent, utilities, clothing, personal hygiene products, diapers, transportation, etc. To qualify for TANF benefits, adults must work or participate in work-related activities for at least 20 hours per week.

EFFECTS OF THE BAN

- ▶ Between 1996-2011 it is believed that 18,800 women and their children were negatively impacted by this policy.¹
- ▶ The federal ban exclusively punishes people with drug felonies including nonviolent offenses like possession. Many were convicted while struggling with a substance use disorder and before diversion programs and drug courts were established.
- ▶ A lack of economic stability can prevent family reunification after incarceration, increasing burdens on our foster care system.
- ▶ The federal ban disproportionately harms Black, Indigenous and women of color and their children.
 - Women and children make up most public benefits recipients. People of color are more likely to be imprisoned for drug felonies and experience poverty. As a result of the ban, children often suffer the consequences, and people of color are barred from successfully re-entering society.

REPEALING THE BAN WILL:

- ▶ Restore justice for an estimated 7,400 people barred from assistance who have served their time.
- ▶ Reduce repeat offenses committed out of the need for survival.

HB88 removes the eligibility restriction that bars people with drug-related felony convictions from receiving TANF.

We know that individuals reentering the community have a difficult time finding housing, employment, and educational opportunities. This drug felony ban is yet another barrier to reunite families. We must repeal the ban.

¹ A Lifetime of Punishment: The Impact of the Felony Drug Ban on Welfare Benefits. Marc Mauer and Virginia McCalmont. 2013

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