



JUST THE FACTS: **House Bill 222**

House Bill 222, introduced by Rep. Mike Regan (R–Cumberland and York Counties), is aimed at blocking people with drug felony distribution convictions from receiving public assistance. HB 222 would permanently ban such individuals from receiving Temporary Assistance to Needy Families (TANF), food stamps, general cash assistance, or State supplemental assistance.

This bill is completely unnecessary and furthers the stereotype of people in poverty as being drug addicts and criminals undeserving of public benefits. Low-income people will be further stigmatized by this bill and will likely have to wait even longer to receive benefits as already-overburdened case-workers, who will be encouraged by this bill to view all applicants with suspicion.

HB 222 is also bad criminal justice. The overwhelming majority of former drug felons are non-violent offenders who have served lengthy sentences¹ and are wanting to return to society as law-abiding and self-sufficient individuals. Changing welfare rules to further penalize drug felons after their release from incarceration is not only unnecessarily cruel, it's bad public policy:

1) HB 222 would disproportionately affect single mothers and their children while doing nothing to help them out of poverty.

While the majority of U.S. drug felons are male, a higher and increasing percentage of women in state prison are there for drug offenses. Why? The War on Drugs. “Even when women have minimal or no involvement in the drug trade, they are increasingly caught in the ever-widening net cast by current drug laws, through provisions of the criminal law such as those involving conspiracy, accomplice liability, and constructive possession that expand criminal liability to reach partners, relatives and bystanders.”³ The rate of female imprisonment overall increased by 646% between 1980 and 2010, rising from 15,118 to 112,797 women behind bars².

Women are also about twice as likely as men to receive food stamp benefits at some point in their lives⁴ and 85% of TANF recipients are single mothers.⁵

While an amendment to HB 222 has been passed saying that it won't apply to the children whose parents have been banned, make no mistake: the bill will have an immediate impact on children who have committed no crime themselves. For example, if a single mother with a drug felony conviction has two dependent children, the TANF benefit for that family would be reduced from the three-person level to that of a two person household.

As of March 2015, there are 18,549 adults and children on TANF, and 159,107 adults and children on SNAP.⁵ This bill does nothing to improve the high poverty rate of children in Allegheny County—nearly one in five (18.8%)⁶—and will likely deepen poverty for many children.

2) HB 222 would disproportionately affect people of color.

The potential ban on food stamps and other welfare benefits for individuals with felony drug convictions disproportionately impacts African-Americans and other minority groups due to the racist War on Drugs.

“Data on illicit drug use collected by the U.S. Department of Health and Human Services has consistently shown that whites, African-Americans, and Latinos use drugs at roughly the same rate.”⁷ But though African-Americans make up only 14% of regular drug users, they comprise 37% of those arrested for drug offenses⁸ and 38% of those in state prisons for drug crimes⁹. Individuals of Hispanic origin made up another 20% of this population. The scant research that exists on the race of drug sellers suggests a racial breakdown among drug sellers similar to that among users.

Women of color are disproportionately affected by the War on Drugs. In 2013, the imprisonment rate for black females (113 per 100,000) was twice the rate of white females (51 per 100,000)¹⁰.

3) HB 222 would increase recidivism (reoffending) rates.

In 2013, nearly 20,000 people were released from state and federal prison in Pennsylvania, up 4.4% from 2012, making PA 8th highest in prisoner reentry in the country¹¹. Denying these individuals access to much needed public benefits would have a particularly devastating effect on their efforts to successfully reintegrate into society. For example, drug treatment facilities often use their patients’ SNAP and TANF benefits to subsidize the cost of treatment. If individuals who are recovering from drug addiction are denied access to these benefits it is much less likely that they will be able to live drug-free in the community and avoid recidivism.

4) HB 222 would drive up costs for taxpayers.

Hunger hurts our economy by causing increased healthcare spending, increased costs to charities, lost productivity, and poor education outcomes that hurt not just the lifetime earnings of those who are hungry but society as a whole. As of 2011, hunger costs in PA had risen to more than \$6 billion dollars¹².

Will HB 222 save more than that? And what will be the costs to the overwhelming majority of recipients who are not drug offenders?

What are the costs to the children of those who are struggling, as their parents or grandparents are pushed further into hunger and into deep poverty because they are no longer deemed worthy of assistance? HB 222 will contribute to the kind of entrenched poverty that a family can’t escape from for another generation—with all the poor outcomes and societal costs that kind of poverty causes.

¹ Alexander, Michelle (2010). *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*. New York: The New Press. p. 86.

² “Incarcerated Women,” The Sentencing Project.

³ “Words From Prison - Did You Know...?,” American Civil Liberties Union (June 12, 2006).

⁴ “The Politics and Demographics of Food Stamp Recipients.” Rich Morin, Pew Research Center (Jul. 2013).

⁵ “Characteristics and Financial Circumstances of TANF Recipients, Fiscal Year 2010,” U.S. Department of Health and Human Services, Administration for Children and Families, Office of Family Assistance, Aug. 8, 2012.

⁶ U.S. Census Data (Sep. 2014).

⁷ “A Lifetime of Punishment: The Impact of the Felony Drug Ban on Welfare Benefits.” Mauer, Marc and Virginia McCalmont, The Sentencing Project (2013).

⁸ “Race and the Drug War,” Drug Policy Alliance.

⁹ “Prisoners in 2013.” Ann E. Carson, U.S. Department of Justice, Bureau of Justice Statistics, NCJ 247282 (Sep. 2014).

¹⁰ Ibid.