



REACH

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Removing Counterproductive Public Assistance Bans for Formerly Incarcerated Nebraskans REDUCING HUNGER, POVERTY, AND RECIDIVISM IN NEBRASKA COMMUNITIES

BRIEF FACT SHEET

Food insecurity and hunger present serious public health issues in Nebraska communities. Children and people of color are especially at risk of experiencing hunger. One in every six children in the state are food insecure, and people of color are over twice as likely to experience food insecurity and poverty in our state.

Public assistance programs like SNAP and TANF are effective and efficient in reducing hunger and other challenges associated with poverty. Studies show that participation in SNAP reduces the likelihood of being food insecure by 30%. Cash assistance and other services provided through TANF provide life-changing resources, allowing families to pay the bills and provide household necessities.

In Nebraska, public assistance is often denied to vulnerable individuals who re-enter society following incarceration. In 1996, federal welfare reform legislation, abbreviated as the PRWORA, was passed and deemed individuals convicted of drug-related felonies permanently ineligible for SNAP and TANF benefits.

Nebraska maintains some of the strictest restraints on eligibility for this class of individuals. The PRWORA allowed states to opt out of the ban on public assistance eligibility. Nebraska remains one of 8 states that maintain the full ban on TANF eligibility and maintains some of the strictest requirements for SNAP eligibility for this group of individuals. The majority of states have fully opted out of the ban.

The ban exacerbates challenges faced by individuals re-entering society. Financial hardship and unemployment are widespread among individuals re-entering society, in part due to results of their incarceration. One study found that previously incarcerated individuals make less than 82% on average of their pre-conviction wage. Economists also found that half of those who do find work earn less than \$10,090 a year. In order to mitigate hunger and other challenges associated with this level of hardship, everyone re-entering society after incarceration should be eligible for SNAP and TANF benefits.

The ban reduces the likelihood that people are able to participate in critical substance abuse treatment programs. Studies show that around 65% of the incarcerated population exhibit symptoms of substance abuse or addiction. Without SNAP and TANF benefits, which are often used to subsidize the cost of treatment programs, many individuals re-entering society cannot afford to receive treatment.

The ban is likely to increase recidivism in Nebraska. The PRWORA ban exacerbates individuals' financial hardships, which are often motivators of crime. Research has demonstrated that, due to this consequence, maintaining the PRWORA ban increases the likelihood of recidivism by up to 10%.

Research shows that the ban disproportionately harms women, children, and people of color. Innocent children are especially harmed as the ban means fewer resources will be split among more people as a member of the household returns home after incarceration. The ban further harms women and people of color as these groups are disproportionately likely to be convicted of drug-related crimes.

Opting out of the ban would be an effective and efficient policy change. Opting out of the ban would result in minimal costs and ease the work of the Department of Health and Human Services. SNAP benefits are paid for entirely by the federal government, and that the department would no longer need to verify criminal history and additional facts when reviewing an application for assistance.

Nebraska's state legislators should halt the harmful effects of the PRWORA ban by passing legislation fully opting out of the ban. To do so, the current statute modifying the SNAP ban, 68-1017.02, can be amended to remove the modified restraints on SNAP eligibility in section (4)(b) and add TANF to the opt out language in (4)(a) of the statute.
