

PUBLIC ASSISTANCE FOR FORMER DRUG FELONS

ATTEMPTS TO LIFT THE FEDERAL BAN



TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF)

- TANF programs must meet the following federal requirements:
 - Must assure children can be cared for in their own homes or homes of relatives;
 - Must end dependence of parents on government benefits by promoting work and marriage;
 - Must reduce the incidence of out-of-wedlock pregnancies; and
 - Must encourage the formation of two-parent families.

WORK REQUIREMENTS

- Parents receiving TANF must participate in a work component, the Virginia Initiative for Employment not Welfare (VIEW), unless they meet an exemption from participation.
- Participation must be in a work activity for 32 hours per week, 20 of the hours must be in a core activity.
 - Unsubsidized employment, subsidized employment, community work (unpaid) experience, on-the-job training and job search are examples of core activities.

WORK REQUIREMENTS

- Individuals who are required to participate in a work activity but do not meet the work requirements (32 hours per week) have their case closed (sanctioned.)
 - SANCTIONS:
 - First offense – one month and until compliance is met
 - Second offense - three months and until compliance is met
 - Third and subsequent offenses – six months and until compliance is met

PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT

- The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), also known as federal welfare reform which authorized the TANF, contained a provision (Section 115) that disqualifies individuals convicted under state or federal law for use or distribution of a controlled substance.
- States must pass legislation to opt out of the ban or limit the duration of the ban.

PRWORA

- In 2005, the Virginia General Assembly passed legislation to lift the ban for receipt of Food Stamps (now called the Supplemental Nutrition Assistance Program or SNAP) for individuals convicted of drug possession if convicted under §18.2-250 of the Code of Virginia .
- The ban remains for receipt of TANF and more serious drug distribution convictions.
- There is no similar ban on receipt of TANF for other felony convictions including murder, rape and assault.

ATTEMPTS TO LIFT THE BAN

- There have been numerous attempts to lift the ban on receipt of TANF. Legislation was introduced by:
 - 2006 Senator Ticer
 - 2007 Senator Devolites-Davis
 - 2008 Senators Ticer and Puller
 - 2009-Senator Ticer
 - 2010 Senator Ticer
 - 2011 Delegate Watts
 - 2012 Delegate Watts
 - 2013 Senator Favola
 - 2014 Delegate Orrock
 - 2015 Senator Favola
- During most efforts, the bill was approved by one or both policy committees, but died in the money committees due to a minimal increase in TANF spending.

TANF BENEFITS IN VIRGINIA

- TANF benefits are low in Virginia, the average benefit statewide is just under \$259 per month.
- The maximum benefit for a family of 3 in the City of Richmond is \$320 per month.
- Adding a individual convicted of drug possession to the family's TANF grant will result in an increase of approximately \$66 per month.

COST TO CHANGE

- Because Virginia's TANF benefits are low, the cost to allow individuals with a drug possession conviction to receive TANF benefits is minimal.
- It is estimated that the first year cost will be under 100K with ongoing annual costs of approximately \$165K per year.

BENEFITS

- Providing assistance to former drug felons meets two of the four purposes of TANF.
 - It allows children to be cared for in their own homes.
 - It provides the former felon with work supports needed to gain employment.

ATTEMPTS TO LIFT THE BAN

- The Department has been supportive of legislative attempts to lift the ban.
- To reflect the support of the administration, a budget amendment to address the increase in TANF benefits is recommended.