



Mass Incarceration and the Cycle of Poverty

We incarcerate more than 2 million people; some will have family and/or resources to help them reenter society. Those who do not, are faced with barriers to employment, housing, education, and anti-poverty programs. There are programs that can help these individuals return as productive members of society. For instance, in 2014 SNAP pulled 4.7 million people out of poverty, and of those were 2.1 million children. Congress can help to provide vital resources to individuals who need a ladder to the middle class by lifting the federal bans on vital anti-poverty programs such as the Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), and Pell Grants to help with access to higher education. These collateral consequences create an unintended, vicious cycle of poverty and crime. Collateral consequences increase recidivism and crime, decreases public safety, and robs the economy of productive workers. Congress should lift these collateral bans.

Over-Criminalization and Barriers to Dignity and Opportunity

- The United States has seen a 500% increase in the prison population over the last 40 years. This is in spite of decreasing crime rates across the country.ⁱ
- The U.S. wastes over \$80 billion on incarceration each year while spending only approximately one-third of that sum on education.ⁱⁱ More than five million children have had a parent incarcerated; millions of families are living with the burden of incarceration.ⁱⁱⁱ
- Sentencing policies, implicit bias, and socioeconomic inequity all contribute to the racial disparities in the criminal justice system. Young black men are disproportionately incarcerated. Today, 1 in 3 black adult men are likely to be imprisoned, the highest likelihood compared to other segments of the U.S. population.^{iv}
- Our system of mass incarceration releases 600,000 individuals from prison every year, with few programs to support their return to society.^v Once they leave prison they are faced with collateral bans and barriers to employment because they are labeled as felons.

Incarceration yields relatively high-levels of unemployment and below-average earnings. In 1986, two-thirds of those released from prison or jail remained at the bottom of the earnings ladder 20 years later. Our system of mass incarceration creates a perpetual cycle of poverty and re-incarceration.

Collateral Bans lead to Higher Recidivism

- Vulnerable families on the brink of poverty face barriers to childcare, workforce development, and education. This sad fact compounds the already high barriers to opportunity faced by communities of color—particularly those dealing with incarceration.

- TANF is a program run by states with federal funds that provide limited cash assistance to very low-income people. A total of 1.6 million families composed of 4.1 million recipients, were helped by the TANF program in March 2015.^{vi}
- Individuals with felony drug convictions are banned from accessing SNAP and TANF programs as stated in Section 115 of the 1996 Personal Responsibility and Work Opportunity Reconciliation Act.
- Pell Grants are a federal subsidy for low-income students who need help paying for college. In 2014-15, \$30.3 billion in Pell Grants funded 8.2 million undergraduate students gain an education.^{vii} The 1998 reauthorization of the Higher Education Act of 1965 bars students convicted of a drug-related offense from accessing Pell Grants or even student loans.^{viii} Education is a key driver of opportunity and lifts people out of poverty.
- In addition to all of these barriers placed on individuals leaving prison, returning citizens also are unable to access affordable housing if convicted of a drug felony conviction or have other criminal records no matter how long ago they were convicted.^{ix}
- Approximately 25-60% of individuals released from prisons will be arrested again.^x An Illinois study found that 16% of those who were employed for a year committed another crime, compared to the state's 52.3% average recidivism rate.^{xi}
- The ability to have access to the safety-net would help returning citizens contribute to society and their communities. Lifting the collateral bans would yield opportunity and lower recidivism rates for every American today shouldering the burden of the \$80 billion a year carceral state.
- Thirty-four states either fully or partially enforce the TANF ban, while 29 states either fully or partially enforce the SNAP ban.^{xii}

Anti-poverty programs remove barriers to finding work. If a returning citizen is incapable of providing his minimum needs they are more likely to return to crime. Congress should lift the federal collateral bans on TANF, SNAP, and Pell Grants for returning citizens. This will save money through reduced recidivism and allow returning citizens the opportunity to fully participate as members of their communities.

Lifting Collateral Bans Lead to Work and Opportunity

- The drug-felony bans on SNAP, TANF, Pell Grants, and access to affordable housing heavily impact communities across America especially in communities of color given their disproportionate representation in the criminal justice system.
- This is a lifetime ban. Someone who has completed their sentence, overcome an addiction, or has been employed and laid off is completely barred for life.^{xiii} Additionally, SNAP Education and Training (SNAP E&T) programs provide vocational education and training that can help returning citizens gain employment.
- Congress should tap into this enormous engine of workers, small businesses, and future tax-payers that are an integral fabric of thousands of families and communities.

As a nation of opportunity and second chances we should lift the bans on TANF, SNAP, Pell Grants, and access to affordable housing in order to remove barriers to opportunity.

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- ⁱ Criminal Justice Facts: The Sentencing Project, January 1, 2016, <http://www.sentencingproject.org/criminal-justice-facts/>
- ⁱⁱ U.S. Department of Education: State and Local Expenditures on Corrections and Education, July 2016
<https://www2.ed.gov/rschstat/eval/other/expenditures-corrections-education/brief.pdf>
- ⁱⁱⁱ A Shared Sentence: The Devastating Toll of Parental Incarceration on Kids, Families and Communities. April 18, 2016
<http://www.aecf.org/resources/a-shared-sentence/>
- ^{iv} Shadow Report to the United Nations on Racial Disparities in the United States Criminal Justice System: The Sentencing Project, August 31, 2-13,
<http://www.sentencingproject.org/publications/shadow-report-to-the-united-nations-human-rights-committee-regarding-racial-disparities-in-the-united-states-criminal-justice-system/>
- ^v The President's Role In Advancing Criminal Justice Reform: Harvard Law Review, January 5, 2017, <http://harvardlawreview.org/2017/01/the-presidents-role-in-advancing-criminal-justice-reform/>
- ^{vi} Congressional Research Service: The Temporary Assistance for Needy Families (TANF) Block Grant, March 18, 2016,
<https://fas.org/sgp/crs/misc/RL32760.pdf>
- ^{vii} Federal Student Aid: Office of the U.S. Department of Education, <https://studentaid.ed.gov/sa/types/grants-scholarships/pell>
- ^{viii} CLASP: Every Door Closed: Barriers Facing Parents With Criminal Records, 2002, http://www.clasp.org/resources-and-publications/files/every_door_closed.pdf
- ^{ix} When Discretion Means Denial: A National Perspective on Criminal Records Barriers to Federally Subsidized Housing
<http://povertylaw.org/files/docs/WDMD-final.pdf>
- ^x CLASP: No More Double Punishments – Lifting the Lifetime Ban on Basic Human Needs Help for People with a Prior Drug Felony Conviction, September 2014, <http://www.clasp.org/resources-and-publications/publication-1/Safety-Net-Felony-Ban-FINAL.pdf>
- ^{xi} Safer Foundation Three-Year Recidivism Study 2008
<http://www.saferfoundation.org/files/documents/Safer%20Recidivism%20Study%202008%20Summary.pdf>
- ^{xii} CLASP: No More Double Punishments – Lifting the Lifetime Ban on Basic Human Needs Help for People with a Prior Drug Felony Conviction, March 2017
<http://www.clasp.org/resources-and-publications/publication-1/Safety-Net-Felony-Ban-FINAL.pdf>
- ^{xiii} H.R. 3734 – Personal Responsibility and Work Opportunity Reconciliation Act of 1996, July 30, 1996, <https://www.congress.gov/bill/104th-congress/house-bill/3734>