

Fight Recidivism, Opioid Dependency, and Hunger with a Second Chance

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.*

Here are 4 reasons why Mississippi should opt out of the federal SNAP/TANF Drug Felony Ban:



Only Mississippi and 2 other states (West Virginia and South Carolina) still operate under the federal lifetime SNAP/TANF drug felony ban. Forty-seven states have addressed the ban.



The federal ban **disproportionately harms women and their children** and can prevent reunification after incarceration.



By supporting successful reentry, **SNAP and TANF reduce recidivism** and its significant costs to the criminal justice and foster care systems.



The federal ban **exclusively punishes people with drug felonies**, including non-violent offenses like possession. Many were convicted while struggling with a substance use disorder (e.g., opioid dependency) and before diversion programs and drug courts were established.

Sample Bill Text: Application of 21 U.S.C. § 862a

SECTION . The following shall be codified as Section 43-1-, Mississippi Code of 1972:

43-1- . (1) Pursuant to 21 U.S.C. § 862a(d)(1), Mississippi opts out of the application of 21 U.S.C. § 862a(a) to all individuals domiciled in the state.

More Information

The Federal Ban Disproportionately Harms Women and their Children

- The vast majority of people who rely on SNAP and TANF for critical nutrition and economic assistance are women and their children.
- Women are disproportionately more likely to receive a drug-related conviction and be subject to the federal SNAP/TANF drug felony ban than men. The majority of women with drug-related felony convictions struggle with substance use disorder and are also mothers.
- By denying an otherwise eligible parent SNAP and TANF and reducing total nutrition and economic assistance to a household below intended per-person levels, the federal drug felony ban punishes entire families. Children are forced to live in poverty and without adequate access to healthy food, resulting in hunger, poor physical and mental health, and impaired cognitive development and ability to learn.
- A lack of adequate food and economic stability can prevent family reunification after incarceration, increasing burdens on our foster care system.

The Federal Ban Increases Recidivism and its Significant Costs

- Justice-involved individuals face steep barriers to successful reentry, including inadequate resources to afford food, rent, and other necessities.
- SNAP and TANF reduce recidivism by supplementing inadequate income with basic nutrition and economic assistance and providing work-related training, helping individuals transition to self-sufficiency.
- The federal SNAP/TANF ban prohibits these critical supports exclusively for individuals with drug-related felony convictions, increasing their risk of recidivism.

This resource was created by the Mississippi Center for Justice with support from MAZON: A Jewish Response to Hunger, and last updated 12/18. The Mississippi Center for Justice advances racial and economic justice through systemic change. For more information about this resource or policy opportunities to advance food security, contact Madeline Morcelle at mmorcelle@mscenterforjustice.org. For more information about the Mississippi Center for Justice, visit www.mscenterforjustice.org.