



Governor's Advisory Council for Exceptional Citizens (GACEC)
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MEMORANDUM

DATE: March 16, 2017

TO: The Honorable Members of the Delaware General Assembly

FROM: Dafne A. Carnright, Chairperson
GACEC

RE: **House Bill No. 11 (Removal of Bar on TANF Eligibility Based on Drug Conviction)**

The Governor's Advisory Council for Exceptional Citizens (GACEC) has reviewed **House Bill No. 11** which removes the prohibition against receipt of Temporary Assistance for Needy Families (TANF) funds by persons convicted of a drug felony, so long as that person is otherwise eligible for TANF assistance. The GACEC **endorses** the proposed legislation.

In 2011, Delaware removed the ban on drug felon eligibility for the Food Supplement Program (formerly "Food Stamps") through enactment of Senate Bill No. 12. The GACEC endorsed that legislation. See attached January 26, 2011 GACEC memorandum. At that time the Council noted the common co-occurrence of substance abuse with mental health and other disorders. The Council also observed that limits on access to safety-net programs undermine successful reintegration of persons released from prison into the community. Last year, a News Journal editorial made the same point in supporting a prior version of House Bill No. 11 (House Bill No. 365). See attached May 18, 2016 article, "TANF Bill Sensible Step in Prison Reform". The article reported that 24 states had adopted at least limited "opt outs" of the federal bans on TANF and Food Supplement Program eligibility. The editorial also linked access to such safety-net programs to lower recidivism rates.

The TANF program has been long-recognized as an important resource for persons with disabilities. See National Council on Disability Position Paper, "TANF and Disability- Importance of Supports for Families with Disabilities in Welfare Reform" (March 14, 2003), published at <https://www.ncd.gov/publications/2003/Mar52003>. See also MDRC report, "Assessing and Serving TANF Recipients with Disabilities" (December, 2013), published at <http://www.mdrc.org/publication/assessing-and-serving-tanf-recipients-disabilities> [noting that 40% of adult TANF clients may have a mental or physical disability]. This legislation would therefore be extremely beneficial for individuals with disabilities.

Thank you for your time and consideration of our endorsement. Please feel free to contact me or Wendy Strauss at the GACEC office should you have any questions.

Attachments