



REPEAL MICHIGAN'S SNAP DRUG FELONY BAN: Michiganders with Disabilities are Disproportionately Punished

Gina Thompson, Intern | September 2020

Under federal welfare reform legislation enacted in 1996, states may permanently ban people with felony drug convictions from benefits under the Supplemental Nutrition Assistance Program (SNAP), regardless of demonstrated need. Michigan's lifetime ban applies to people with felony convictions from two or more separate incidents of drug possession, use or distribution.

It's time that Michigan stops singling out people with drug convictions and completely lifts the ban, as 26 other states have done. Food security directly affects recidivism, and the ban has distinct impacts on people with disabilities, who are already disproportionately affected by hunger and the criminal justice system. Due to the [racial disparities in the war on drugs](#), the ban is especially punitive for disabled people of color. As the COVID-19 pandemic has reaffirmed the critical connections between food security, stable employment and public health, it's even more urgent that the state changes its policy to support healthy food access for all.

Full eligibility for SNAP benefits **reduces** the probability that someone with a drug conviction will return to prison within one year by 13.1%¹

40% of SNAP participants are in families that include an elderly or disabled person.²

The average monthly SNAP benefit in Michigan is

\$1.32

per person per meal ²—a modest investment with an outsized impact on success for returning citizens and their families.

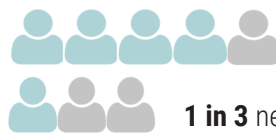
Criminalization of Disability

People with disabilities are overrepresented in prisons and jails due to public disinvestment in healthcare and supportive services; discrimination in policing; lack of accessibility and accommodations in the courts; and the criminalization of substance use disorder (SUD).

People in prisons are nearly **three times** as likely to have a disability as the nonincarcerated population, and those in jails are more than **four times** as likely.³

The most common disabilities among incarcerated people relate to **cognition and mental health**.³

In Michigan jails:



4 in 5 people have a mental illness and



1 in 3 need medication to treat it.⁴

Healthcare barriers prevent

80%

of all Michiganders with SUD

and **38%**

of those with mental illness from getting the treatment they need.⁵

Disability is more prevalent in communities of color, which are also more heavily policed than white communities: **one in four Black people** and **three in ten American Indian/Alaska Natives** have a disability, compared to **one in five White people**.⁶

Black people are incarcerated at **3.6 times** the rate of White people in Michigan jails and **6.2 times** the white rate in Michigan prisons.⁷

Native Americans are incarcerated at **2 times** the rate of White people in the state's jails and **2.5 times** the white rate in Michigan prisons.⁷

Twice the Punishment and Zero Support

Returning citizens are often released without health insurance and other vital supports in place, and many reentry programs aren't designed to meet the needs of participants with a disability. Finding employment is difficult due to discrimination against formerly incarcerated people and people with disabilities. Access to SNAP supports a successful return to the community.

Michiganders convicted of drug crimes serve an average sentence of **6.4 years**.⁸

63 cents
for every dollar



A criminal record may affect future earnings especially for people with disabilities, who are already unemployed at nearly **three times** the national average and, when working, paid only 63 cents for every dollar paid to workers without disabilities.⁹

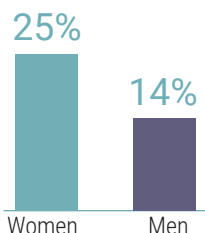
Working-age adults with disabilities are **four times** more likely to be food insecure than those without disabilities.¹⁰

Due to employment barriers, the employment rate among African Americans with disabilities is only **25%** compared to the average of **33%** for all people with disabilities.¹⁰

Food Security for the Whole Family

A parent's or caregiver's involvement with the justice system affects the whole family. Extending SNAP to households moving forward after drug-related incarceration would keep more children and people with disabilities out of poverty and ensure families can stay together.

Women make up an outsized percentage of incarcerated people with a drug offense.¹¹



Nationwide, **60%** of women in prisons and **80%** of women in jails have dependent children.¹¹

Parents are more likely to plead guilty to drug felonies to avoid separation from their families, and **women** are more likely than men to solely parent children.



1 in 9 Black children have a parent in jail or prison compared to **1 in 28 Latinx children** and **1 in 57 White children**.¹¹

Children of incarcerated parents are more likely to develop **learning disabilities and chronic health conditions like PTSD, asthma and migraines**.¹²

61% of **SNAP** participants are in families with children and **40%** are in families that include an elderly or disabled person.²

SNAP out of it—Remove the drug felony ban for food assistance!

[Hungry for Justice](#) is a statewide coalition of organizations and members fighting to ensure equitable access to food for all Michiganders.

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