



Topeka Independent Living Resource Center

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Committee on Corrections and Juvenile Justice
Testimony in Support of HB2215
Wednesday, January 26, 2022
Presented by Ami S. Hyten, JD; Executive Director

The Topeka Independent Living Resource Center (TILRC) is a civil and human rights organization. Our mission is to advocate for justice, equality and essential services for a fully integrated and accessible society for all people with disabilities. TILRC has been providing cross-age, cross-disability advocacy and services for 42 years to people with disabilities in Shawnee County and across the state of Kansas.

Thank you for the opportunity to provide this written testimony in support of HB 2215, which would repeal the lifetime ban on supplemental nutrition assistance for people with more than one felony drug conviction.

Penalizing people who have served their convicted sentences with a lifetime ban on receiving supplemental nutrition assistance is incredibly unfair in its particular impact on disabled and racially marginalized people, and incredibly poor public policy.

People with disabilities are, in general, over-represented in rates of incarceration.¹ One out of every four prisoners self-identifies as having a cognitive disability. One out of every five prisoners has a mental health disability. When public policy singles out people who have criminal backgrounds, it is harming disabled people. When the public policy specifically targets drug convictions versus other types of crimes, it harms Black and brown disabled people.

Access to food and nutrition is critically important to disabled people. The connection to access to food and nutrition and health is clear. Food-insecure families have nearly double the rate and incidence of chronic health and disability, and food-insecure seniors experience compromised ability to engage in activities of daily living comparable to people 14 years older.² Denying food assistance to disabled people harms their health.

¹ Interrogating Justice “Explainer: People with Disabilities in the Criminal Justice System” 2021.

<https://interrogatingjustice.org/decriminalizing-mental-illness/explainer-people-with-disabilities-in-the-criminal-justice-system/>

² Gundersen, C. and Ziliak, J. “Food Insecurity and Health Concerns” *Health Affairs*. Vol.34:11; 2015.

<https://www.healthaffairs.org/doi/10.1377/hlthaff.2015.0645>

Advocacy and services provided by and for people with disabilities.

Food distribution has been a part of our agency's activities for nearly a decade. In supporting people leaving even non-carceral institutional settings, including nursing facilities and homeless shelters, supplemental nutrition assistance is a critical support to have in place. When this program is not available for reasons like those HB 2215 would address, our agency uses our resources and private donations to offer bi-weekly or monthly pantry boxes. We can point to many instances where these pantry boxes have been the difference for families remaining in the community versus returning to institutions. This includes families where both parents have a history of drug use and criminal convictions. Denying disabled families access to food assistance places people at risk of institutionalization, whether in a nursing facility, a homeless shelter, or back in prison or jails.

Using access to food as a punishment or a tool to punish offenders does not discourage what is often disability-related conduct. The policy simply serves to deny people access to essential nutrition, and to make successful re-integration into our communities more difficult. Disabled people have higher rates of unemployment and poverty than any other group of people. Placing the additional barrier of denying SNAP benefits to people perpetuates the cycle of poverty for disabled people.

We hope this body will favorably recommend HB 2215 for passage and end this policy that weaponizes the fundamental need for food.