



TESTIMONY ON HOUSE BILL 2215

Kansas House Committee on Corrections and Juvenile Justice

Wednesday, January 26, 2022

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Chairman Owens and members of the committee:

Thank you for the opportunity to submit opposition testimony on behalf of Opportunity Solutions Project (OSP), a nonprofit organization that advocates for policies that strengthen communities and improve the lives of individuals by removing barriers to work.

First, I want to state the obvious, that the task I face today is not an easy one. Specifically opposing legislation that would expand food assistance to convicted drug felons. There are many advocates here today that have dedicated years either professionally or personally with individuals involved in the correctional system who support HB 2215. Their work should be commended, and I want to personally thank them for their dedication to this issue. However, there are times when thoughtful advocates and policy makers come to respectful, but different, conclusions on how best to help others and believe HB 2215 highlights this divide.

Current state statutes notes: *“Food assistance shall not be provided to any person convicted of a felony offense occurring on or after July 1, 2015, which includes as an element of such offense the manufacture, cultivation, distribution, possession or use of a controlled substance or controlled substance analog.”*

The statute then provides an exception to the disqualification noting, *“an individual shall be eligible for food assistance if the individual enrolls in and participates in a drug treatment program approved by the secretary, submits to and passes a drug test and agrees to submit to drug testing if requested by the department pursuant to a drug testing plan.”* Meaning Kansas law allows someone with a first-time felony drug conviction to receive food assistance upon successful completion of a drug treatment plan. Subsequent felony drug convictions result in permanent disqualifications.

Importantly, this provision only applies to the convicted drug-felon and does not apply to the entire household. For example, if the drug-felon is in a household that meets SNAP eligibility criteria the household receives food assistance e.g., children or other non-drug felon adults. Finally according to the most recently published United States Department for Agriculture’s (USDA) SNAP State Options Report, the surrounding states of Colorado, Missouri, and Nebraska have similar modified bans for drug-felons.

HB 2215 modifies current statute by removing the requirement for successful completion of drug-treatment as a condition for receiving food assistance for a convicted drug-felon. OSP opposes HB 2215 for effectively providing blanket assistance without requiring completions of a treatment program. Providing drug-treatment services is key towards helping individuals recover who have a Substance Use Disorder (SUD). OSP believes current law strikes the right balance between ensuring an individual with a felony drug conviction is required to complete drug treatment and provided with a second chance.

Finally, OSP HB 2215 lacks any requirement for work or work-related activity e.g., community service or

vocational training as a condition for receiving food assistance. The SNAP program is highly regulated by the federal government and as a result limits requirements a state can place on the SNAP program. However, OSP would propose the Kansas legislature consider innovative approaches to the SNAP program that are approved by the USDA such as requiring able-bodied individuals without dependents (ABWADS) to actively participate in a SNAP Employment and Training Program. In addition, we hope the State will continue exploring work-based solutions to address issues of recidivism, whether focusing on apprenticeship programs or reducing licensing barriers for formerly incarcerated individuals.

In sum, we believe it is important for policymakers to consider the importance of work and treatment-related requirements as a condition to receiving public assistance and cannot support HB 2215. Thank you for the opportunity to provide testimony today and I will stand for any questions you may have.