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FACT SHEET

ALLOW FORMER OFFENDERS ACCESS TO TEMPORARY ASSISTANCE SUCCESSFUL RE-INTEGRATION LEADS TO SAFER, MORE PRODUCTIVE COMMUNITIES

OFFENDERS FACE MANY BARRIERS THAT PREVENT SUCCESSFUL REENTRY BACK INTO SOCIETY.

Texas law designates 1,941 individual offenses as felonies, which has created a huge felon population in our state. In fact, approximately 1 in 11 Texas adults has a felony conviction on his or her record.

More problematic, Texas has over 100 state laws that forbid felons from obtaining certain jobs. And once an individual above the age of 18 is convicted of a felony in Texas, that person is a “felon” for the rest of his or her life. The felony offense is included on the person’s criminal record forever, and most felony conviction records are available to the public on the Internet.

Indirect or collateral consequences of felony punishment in Texas extend deep into the life of the individual and the community, and have wide-ranging ramifications. For most felons, time in prison begins a life-long series of punishments. Legal barriers and roadblocks that face felons in Texas severely limit access to all of life’s most fundamental necessities – food, clothing, shelter, employment and education.

OFFENDERS CANNOT ACCESS TEMPORARY PUBLIC ASSISTANCE IN TEXAS.

The 1996 Welfare Reform Act prohibits anyone convicted of a drug-related felony from receiving federally funded food stamps and cash assistance (also known as TANF – Temporary Assistance for Needy Families). This is a lifetime ban – even if someone has completed his or her sentence, overcome an addiction, been employed but has been laid off, or earned a certificate of rehabilitation.

States can maintain the federal lifetime ban on cash assistance and food stamps, but they also have the option of passing legislation to limit the ban or eliminate it altogether. Texas has adopted the federal drug felon ban on public assistance. No person in Texas who has received a felony drug conviction after 1996 is eligible to receive TANF or food stamps.

WHAT DOES H.B. 854 DO?

House Bill 854 by Representative Naishtat would make individuals with felony drug convictions eligible for food stamp benefits, provided they completed or are currently involved in community supervision or a drug treatment program. The bill would also authorize the Executive Commissioner of the Health and Human Services Commission to allow certain exemptions from work requirements under the food stamp program for these individuals.

WHY IS H.B. 854 NEEDED?

In 2005 alone, the Texas Department of Criminal Justice released 64,512 felons from incarceration. These are people who must find jobs and housing or else risk turning to illegal activity to survive.

While it might seem reasonable for certain violent felons to be punished in all of these ways for the rest of their lives, the punishments are so permanent and harmful that, as a society, we must closely examine who we are subjecting to these policies. Individuals with felony drug convictions should be given a chance to rehabilitate themselves and completely pay off their debt society.