



Timely Access to Public Supports for People Re-Entering the Community

Senate Bill 167 (Skinner) will enable county human services agencies to work with correctional facilities to facilitate pre-enrollment into CalFresh for incarcerated individuals before they are released.

Specifically, SB 167 calls for the California Department of Social Services (DSS) to seek authority from the United States Department of Agriculture (USDA) to pre-enroll eligible Californians into CalFresh prior to their release from prison or jail and sets forth processes for counties to implement the waiver. Additionally, the bill allows the California Department of Corrections and Rehabilitation (CDCR) to enter into a memorandum of understanding with the federal Social Security Administration so incarcerated individuals can apply to get a replacement Social Security card and Supplemental Security Income (SSI) while awaiting release.

Leaving Jail or Prison without Benefits Reduces Chances of Success

Each year, approximately 50,000 Californians are released from state prisons and county jails. These facilities have the responsibility to prepare people for being released back into society, with the support of other agencies such as county human services departments and state and federal departments with oversight of public benefit programs. However, people leaving prison and jail often face significant barriers to successful re-entry.¹ One of the most important tools to support re-entry is access to public benefits and employment.²

While research shows that making benefits and work supports available to people re-entering the community will improve their chance of success, neither counties nor prisons have the federal authority to pre-enroll individuals into all programs for which they are eligible. Nor can they acquire certain key documents on an incarcerated individual's behalf unless granted such authority by a federal entity. Specifically, individuals being released from county jails or state prisons cannot pre-enroll into CalFresh without a waiver of federal law. Additionally, most jails and prisons do not have the appropriate federal paperwork filed in order to allow incarcerated individuals to acquire their Social Security card or apply for Supplemental Security Income, even when disability or age makes it clear that they would qualify. The inability to pre-enroll individuals into these critical programs prior to release makes their re-entry more difficult, increases the likelihood of recidivism and increases the post-release workload on county administrators of safety net services.

¹ <http://www.abacollateralconsequences.org/map/>

² https://jobgap2013.files.wordpress.com/2016/02/ajs_job_after_jail_report_final_pdf.pdf

CalFresh Pre-Enrollment Will Help to Break Cycles of Poverty and Incarceration

The state Budget Act of 2014-15³ repealed the lifetime ban on CalFresh for people with prior drug felony convictions as long as they are complying with the conditions of their probation or parole. This new law has helped tens of thousands of Californians make a new start, but this essential help may not be available until 30 days or more after a person leaves jail or prison because they cannot apply before release. With a waiver from the USDA, county human services agencies could work with CDCR and their county jails to implement a CalFresh pre-enrollment program to maximize anti-hunger help for people immediately following release.

Pre-enrollment in CalFresh will also help provide access to employment assistance in many counties. Post-incarceration, individuals face the greatest risk of re-incarceration in the first weeks after their release. People without access to stable, fair-paying jobs are disproportionately incarcerated.⁴ Those living in counties with CalFresh Employment & Training programs will be able to access job training and employment placements once they are enrolled in CalFresh, increasing economic opportunity for formerly incarcerated people and decreasing the demand on food benefits assistance over time.

Statewide Access to Social Security Administration Will Improve Reentry Success

Research demonstrates that currently incarcerated people disproportionately suffer from chronic diseases.⁵ Many become disabled while incarcerated and will qualify for Social Security benefits immediately upon their release – due to disability, age, or both.

A waiver is not needed in order to ensure that an individual detained in jail or prison has access to the Social Security Administration (SSA) for the purposes of requesting a new Social Security card or to begin the process of renewing or applying for benefits through the SSA. However, a memorandum of understanding (MOU) between the prison and the SSA is needed. Thirty-nine states currently have statewide MOUs with the SSA in place,⁶ but California does not. According to a recent report published by the Office of Inspector General, less than 40 percent of prisons in California have an MOU in place.⁷ A statewide MOU will enhance incarcerated individuals' access to Social Security benefits for basic needs and housing immediately upon their release.

Additionally, as the California legislature acknowledged with the passage of the California Identification Program (CAL-ID) in 2014, government-issued ID is critical during reentry. Unfortunately, many people are released from incarceration without access to valid, government-issued photo identification. The first step to obtaining government-issued ID is often providing proof of one's Social Security Number (SSN). Without immediate access to their SSN and other ID documents, incarcerated individuals preparing for reentry will find it difficult, or impossible, to secure employment, housing, public benefits, and other necessary social services.

³ <http://www.ebudget.ca.gov/FullBudgetSummary.pdf>

⁴ <https://www.prisonpolicy.org/reports/income.html>

⁵ <http://blog.ssa.gov/social-security-national-reentry-week-april-24th-30th/>

⁶ <http://blog.ssa.gov/social-security-national-reentry-week-april-24th-30th/>

⁷ https://oig.ssa.gov/sites/default/files/audit/full/pdf/A-08-06-16025_0.pdf

Pre-Enrollment Precedent Set by Medi-Cal

Assembly Bill 720 (Skinner), enacted in 2013, allows counties to design Medi-Cal pre-enrollment programs for incarcerated individuals. Since its passage, most counties have chosen to implement a program. In fact, a survey conducted on behalf of the Western Center on Law and Poverty found that across the state, counties large and small, rural and urban, have created their own pre-enrollment procedures that offer some lessons learned and promising practices from which to draw in implementing CalFresh pre-enrollment.⁸

Quick Access to Benefits Reduces Recidivism And So Saves Money

Access to benefits quickly after re-entry is more humane, but that's not all. Numerous studies have found immediate access to basic needs supports and job training (available through CalFresh) reduces recidivism, contributes to successful re-entry of individuals who have been incarcerated, and keeps our communities safer.

- A report by the **Reentry Policy Council of the Council of State Governments** credits public benefits and job training as key contributors to successful prisoner reentry and recommends that states opt out of bans against people with prior drug-related felony convictions, a policy California adopted in 2014.⁹ The Reentry Policy Council is a **bipartisan working group** with representatives of national associations of probation and parole, correctional administrators, courts, police, mental health and housing experts, among others.¹⁰
- Harvard's Bruce Western said that the costs to pre-enrolling access to, "are offset by increased employment and reduced crime and correctional costs for program participants...Achieving these objectives will yield a sustainable public safety that overcomes the long-term negative consequences of criminal punishment and promotes the economic improvement of poor communities."¹¹
- Data indicate that 80 percent of incarcerated people are low-income.¹² Providing pre-enrollment access to individuals will give members of a vulnerable population immediate access to critical nutrition assistance benefits. This is likely to increase public safety, as nearly 40 percent of crimes are directly attributable to poverty.¹³
- The California Legislative Analyst's Office and the Vera Institute of Justice calculated the annual cost of prisons in California to be approximately \$47,000 per inmate, which equates to a cost of almost \$130 per day (California Legislative Analyst's Office).
- A comparison of eight California counties' corrections budgets found that in 2012, the average

⁸ <http://wclp.org/wp-content/uploads/2016/10/Reducing-Hunger-Recidivism-by-Pre-Enrolling-Into-CalFresh.pdf>

⁹ *Report of the Re-Entry Policy Council: Charting the Safe and Successful Return of Prisoners to the Community*. Council of State Governments. Reentry Policy Council. New York: Council of State Governments. January 2005,

¹⁰ http://www.reentrypolicy.org/about/reentry_policy_council

¹¹ Western, Bruce. 2008. "From Prison to Work: A Proposal for a National Prisoner Reentry Program." (Washington, DC: The Brookings Institution, 2008) 3-5

¹² Eisen, Lauren-Brooke. *Paying for Your Time: How Charging Inmates Fees Behind Bars May Violate the Excessive Fines Clause*. New York, NY: Brennan Center for Justice. 31 Jul. 2014. Web. 15 Jul. 2015.

¹³ Holzer, Harry J. et al. "The Economic Costs of Childhood Poverty in the United States." *Journal of Children & Poverty*.14.1 (Mar. 2008): 41-61.

cost per average daily jail population (excluding jail health costs) to be around \$50,000, a rate of \$137 per day (Stevenson, Schurig, Burns, & Cohen, 2013).¹⁴

Even a slight reduction in recidivism could amount to large savings in detention, in addition to other associated criminal justice expenses such as law enforcement, court, and victim costs:

- A single CalFresh application typically costs \$155 to process in terms of labor. However, the federal government reimburses 50% of administrative costs, with the state and county share the remaining at 35% and 15% respectively (SB 1029 Fiscal summary).
- Allowing people to apply for CalFresh while they are also applying for Medi-Cal, through the pre-enrollment program established in AB 720 (Skinner) would reduce administrative costs associated with multiple benefit application, as these applications can be processed at the same time and ask many of the same questions. Counties already have a state-approved combined application that they can use for this purpose.

Our Organizations Urge Support for SB 167

Pre-enrollment ensures individuals have immediate access to benefits that are essential for their basic needs. It also gives county human services agencies more time to process applications in advance. This bill would allow state prisons and county jails to help people acquire key documents, such as a social security card or government-issued I.D., that individuals need in order to apply for jobs or acquire housing. Finally, having CalFresh benefits approved prior to release means these individuals can also immediately participate in its job training program if offered in their county. Providing pre-enrollment access to these types of benefits to individuals being released will not only improve outcomes of a vulnerable population, but also improve public safety by reducing their risks of reoffending.

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¹⁴ The counties studied were Alameda, Fresno, Los Angeles, Sacramento, San Diego, San Francisco, San Mateo, and Santa Clara.