

May 18, 2020

Dear Governor Whitmer,

The COVID-19 pandemic has reinforced the importance of providing critical benefits to the most vulnerable Michiganders. Food security is one of the most crucial resources at this time, but so is the Employment & Training program component of the Supplemental Nutrition Assistance Program (SNAP), as many individuals have lost - and will lose - their jobs due to COVID-19. Despite the importance of this program, the administration of the SNAP E&T program has made it difficult for individuals and families to access this resource, and for service providers to fully leverage this funding effectively in order to continually serve people during this crisis.

Given the importance of SNAP, particularly at this time, **we urge you to issue an executive order lifting the state's eligibility restrictions for SNAP currently applied to Michiganders with criminal convictions.** This policy is noted in Department of Health and Human Services ("DHHS") [BEM 203, Criminal Justice Disqualifications](#), and its statutory basis is reauthorized each year in the budget. This policy prevents individuals with criminal convictions from accessing necessary food assistance and federal SNAP Employment and Training ("E&T") funding - workforce funds which help transition those citizens to stable, working members of the community.

Specifically, Michigan **permanently bans individuals with two or more felony drug convictions** (stemming from separate incidents) from accessing SNAP benefits, and temporarily prohibits SNAP enrollment for people who are in violation of probation or parole supervision. While federal law prohibits people with felony drug convictions from receiving SNAP, it deliberately gives states the discretion to waive that prohibition and allow individuals with felony drug convictions to be eligible for SNAP. Most states waive that ban in its entirety to aid the successful reentry of individuals convicted of drug offenses. In fact, in the last two years, Louisiana and Mississippi, two of the three states that incarcerate at the highest rate in the country, lifted this ban as part of an evidence-based, comprehensive effort to reduce recidivism and enhance public safety.

In particular, the ban for **people with two or more felony drug convictions** impacts Michiganders' ability to access SNAP for their entire lives. Based on 2016 MDOC data, 28% of all annual felony criminal court dispositions in Michigan were drug offense convictions, indicating this policy change could impact a large portion of justice-involved Michiganders.

This SNAP prohibition also includes **people who violate conditions of their parole or probation** (only for the time period they are determined to be violating supervision, it is not a permanent ban). Common violations may include missing an appointment with their parole officer or failing a drug test. By prohibiting these individuals from accessing food security and SNAP E&T, the state is actually reducing its ability to utilize resources that move individuals closer to financial stability and away from the behavior associated with violations.

The Governor should immediately waive this restriction through an executive order, particularly in light of

COVID-19's continued spread throughout Michigan jails and prisons and the likely increase in the number of people being considered for release statewide. The Governor's office should anticipate more people will be coming home and should be prepared to support them when they do.

Lifting eligibility restrictions for SNAP is an opportunity for the Governor to continue modeling transparent data-driven, equity-informed decisions around COVID-19 that centers the needs of those who are most hard hit by this pandemic: black and impoverished communities that are systemically and chronically underserved by government and overrepresented in the criminal system.

This policy also has ramifications for the state's ability to draw down federal funding through the SNAP Employment and Training (SNAP E&T) program. The state's SNAP E&T program allows job training and employment service providers to use federal funding to reimburse for 50 percent of all state, local and private funding spent on job training services for SNAP participants. In other words, for individuals who are eligible for SNAP, the SNAP E&T funding can help them **access additional employment and training services at no cost to the state.**

To support individuals coming home to communities deeply impacted by COVID, successfully reconnect them to Michigan's workforce, and reduce their likelihood of returning to jail and prison, we encourage you to issue an Executive Order to strike the language from this year's budget and waive the federal restriction that prevents people from accessing SNAP.

Thank you for your attention. Sincerely,

[Center for Employment Opportunities](#)

[Detroit Justice Center](#)

[JustLeadershipUSA](#)

[Safe and Just Michigan](#)

[Michigan League for Public Policy](#)

[Michigan CURE](#)

[National Association of Social Workers Michigan Chapter](#)

[American Friends Service Committee Michigan Criminal Justice Program](#)

[United Way for Southeastern Michigan](#)

[Detroit Food Policy Council](#)

[Law Enforcement Action Partnership](#)

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[Warriors on Wheels of Metropolitan Detroit](#)

[Huron Valley DSA](#)

[Street Democracy](#)

[Birth Safe](#)

[Friends of Restorative Justice of Washtenaw County](#)