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RSOL DEMANDS REMOVAL OF VITTER AMENDMENT FROM FARM BILL

Washington, DC / May 27, 2013—National Reform Sex Offender Laws, Inc. (RSOL) and its affiliate organizations in 39 states protest the inclusion of Senator David Vitter’s amendment 1056 to S.954, the Farm Bill. This amendment was agreed to by unanimous consent in the Senate on Friday, May 24th, as an amendment that will “prohibit convicted murderers, rapists, and pedophiles from receiving food stamps.”

Ignoring the fact that there are no “convicted pedophiles” because pedophilia is a medical diagnosis, not a legal term, the only justification for this amendment would be an attempt to shave some money from the food stamp program. However, this is a very shortsighted view that will have the opposite effect.

It will increase crime and contribute to the continuing cycle of trapping the same individuals in the criminal justice system. All released felons have difficulty gaining employment after release. Those with sexual offenses face even more impediments due to the public registry and the myriad of restrictions placed upon those on the registry.

Studies (1, 2) that follow released felons show that, denied benefits, there is a higher rate of return to drug use and crime, which in turn results in increased recidivism. Anything gained financially from a reduction in the food stamp program will just show up as increased prison costs, a direct result of increased recidivism by former felons.

This same approach has been utilized before, directed toward those released for drug felonies, and found to have serious negative consequences (3). Studies found that a deprivation of access to the basic necessity of food resulted in an increase in persons turning to sex professions for food money and an increase in HIV (4).

It is essential to stress that this amendment carries with it no public safety component whatsoever. In fact, if research did not tell us, common sense would, that removing from a person what may be his only legal means of feeding his children and himself would more likely decrease public safety.

This amendment will affect not only those intended but also their families, especially minor children who depend on food stamps to keep from starving or suffering serious malnourishment(5). The amendment requires that the formula to be used in calculating the food stamp allotment for a family include the income from the member with the felony (sex) offense, which will result in the family getting fewer food stamps. This punishes and penalizes the entire family because one member has a previous felony (sex) offense.

NATIONAL ASSOCIATION FOR RATIONAL SEXUAL OFFENSE LAWS

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This is the exact wording from the amendment: “EFFECTS ON ASSISTANCE AND BENEFITS FOR OTHERS –The amount of benefits otherwise required to be provided to an eligible household under this Act shall be determined by considering the individual to whom paragraph (1) applies [i.e., the person with the felony sex offense] not to be a member of such household, except that the income and resources of the individual shall be considered to be income and resources of the household.” There is something perverse in denying these benefits to a family member while at the same time using what income he may have to further diminish the benefits available to them all.

Governmental agencies, state and federal, spend large amounts of money doing recidivism studies in an attempt to decrease it, and one finding is consistent across the board: recidivism is decreased when a former felon has a stable support system and does not need to worry about basic necessities such as feeding himself and his family.

Those in the criminal justice system due to offenses of a sexual nature, when released to live in the community, already face stricter impediments and greater obstacles than any other category of felon in achieving the elements identified by research as essential in achieving a stable lifestyle, effecting successful community re-entry, and lowering the recidivism rate: employment, decent housing, adequate food and medical necessities, and access to community and social services. To remove any element jeopardizes the concepts on which our criminal justice system rests, that of rehabilitation, not punishment alone.

The Vitter Amendment, #1056, must be removed from S.954, the Farm Bill.

- (1) [Dayen, David. “David Vitter’s hypocritical, punitive, horrible new amendment.” Salon, May 24, 2013.](#)
- (2) [Valbrun, Marjorie. “States: Food Stamp, Welfare Bans for Drug Felons Counterproductive.” New America Media: Law & Justice, Apr. 9, 2011.](#)
- (3) [Dodson, Heleln. “Ban on food stamps leads to hunger, HIV risk among former drug felons.” Yale News, Mar. 25, 2013.](#)
- (4) [Cuda, Amanda. “Study: Felons banned from food stamps at higher risk of HIV.” ctpost.com, Apr. 26, 2013.](#)
- (5) [Greenstein, Bob. “Senator Vitter Offers — and Senate Democrats Accept — Stunning Amendment With Racially Tinged Impacts.” Huff Post Politics, May 26, 2013.](#)

Additional references:

[DeBerry, Jarvis, “Sen. David Vitter’s proposed changes to food stamp program would force some felons to go hungry.” Times-Picayune, May 24, 2013.](#)

[Marie. “What do sex offenders have to do with the Farm Bill?” Notes from the Handbasket Blogspot, May 23, 2013.](#)

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