



March 5, 2025

To: Chairperson Hardin and Members of the Health and Human Services Committee
From: Katie Nungesser, Policy Coordinator for Voices for Children in Nebraska
RE: Support for LB 319, Change eligibility requirements for the Supplemental Nutrition Assistance Program

Voices for Children advocates for policies that ensure every Nebraska child can thrive — and that includes making sure kids have reliable access to food. LB 319 would remove Nebraska's outdated ban on SNAP for people with certain drug felony convictions, a policy that punishes not just individuals, but their entire families — especially children who are not involved in the offense, but who suffer the consequences of hunger and food insecurity as a result.

In 2017, Voices for Children released a report that gathered insights directly from Nebraska parents who had experienced incarceration. Parents reflected on the enormous challenges they faced after returning home, including barriers to basic needs like food assistance. These barriers have a direct and harmful impact on children. Research has shown us time and again that children with incarcerated parents already face increased risk of poverty, housing instability, and food insecurity — and Nebraska's current SNAP ban only makes those hardships worse.

Unfortunately, the true extent of the harm caused by this policy is difficult to measure, because the data from DHHS is an incomplete picture. After spending more than a decade helping Nebraskans apply for and manage SNAP benefits, I saw firsthand how often families were denied or deterred from applying due to their drug conviction — and how rarely these denials were accurately documented. Many families gave up after being told they were ineligible during their phone interview, resulting in applications marked as "Application Withdrawn" rather than "Denied for Drug Felony." Others were denied for "Failure to Provide" documentation that didn't exist because treatment programs would not enroll someone who had already been sober for years or the proof of their completion was not on record after years. Families were even marked "Over Income" because the excluded person's income counted toward eligibility, while their presence didn't increase the household size. These quiet denials have kept untold numbers of children from receiving the food assistance they need, all because of a parent's past mistake.

Testimony from the Food Bank of Lincoln and the Food Bank for the Heartland during the 2023 hearing for LB 88 further highlights who is being left behind by this harmful policy. Between 2018 and 2022, they tracked applicants who applied through their SNAP outreach collaborative.

The collaborative was completing almost 11,000 SNAP applications per year in Nebraska, many of those in rural areas of Nebraska. The collaborative's data about Nebraskans denied SNAP due to drug felonies found that:

- 29% were age 60 or older
- 29% were experiencing homelessness
- 12% were determined disabled by the federal government
- 3.4% were Veterans
- 57% were extremely low income, meaning their monthly income was less than their rent

These numbers reveal just how much this policy targets Nebraskans already living on the margins — older adults, people with disabilities, veterans, and families experiencing severe poverty and housing instability. And for every person denied SNAP, there are often children in the household who suffer alongside them.

Take the story of Lori, a grandmother raising her grandchildren. Lori was honest on her SNAP application about her 1997 marijuana possession conviction. For years, she received SNAP benefits — until DHHS caught the mistake and cut off her benefits, demanding repayment for years of assistance. Lori and her grandchildren lost their primary source of food assistance, all because of a decades-old low-level drug conviction.

Lori's efforts to regain benefits became a yearlong dead-end. Though she had been sober for 20 years and her marijuana drug use was minimal even at the time of her arrest, she was told she needed to complete treatment to qualify for SNAP again. But treatment providers couldn't admit her — she didn't meet the criteria for substance use disorder after decades of sobriety. Despite exhausting every possible option with the help of advocates, Lori never regained eligibility for SNAP.

This policy forced Lori's grandchildren to experience food insecurity for reasons that had nothing to do with them — and everything to do with an outdated and punitive policy that serves no purpose other than to extend punishment indefinitely. Nebraska kids should not go hungry because of a mistake their parent or caregiver made decades ago.

LB 319 offers a chance to correct this injustice. By removing Nebraska's SNAP ban for people with drug felony convictions, we can help ensure children in our state have the nourishment they need to grow, learn, and thrive. Every child deserves reliable access to food, regardless of the past mistakes of adults in their lives. We urge the committee to advance LB 319 so Nebraska can align our policies with the belief that every family deserves a chance to rebuild and every child deserves to eat.

Thank you, Senator Rountree, for lifting up this important issue and your commitment to advocating for the well-being of children across our state.