

## Proposal to Stop Benefits for Outstanding Warrants is Bad Policy

### What would these proposals do?

H.R. 2792 would prohibit the payment of Social Security or Supplemental Security Income (SSI) to people who are the subject of an arrest warrant for an alleged felony or for an alleged violation of probation or parole. In addition, U.S. Representative Adrian Smith (R-Nebraska), Chair of the Human Resources Subcommittee of the House Committee on Ways and Means, and 6 cosponsors, introduced H.R. 2824, the “Increasing Opportunity through Evidence-Based Home Visiting Act of 2017”. H.R. 2824 would reauthorize the Maternal, Infant, and Early Childhood Home Visiting (MIECHV) program. Unfortunately, this bill proposes to pay to extend the MIECHV program by cutting off Supplemental Security Income (SSI) benefits entirely to people with an outstanding arrest warrant for an alleged felony or for an alleged violation of probation or parole. This would revive an old policy that existed prior to resolution of litigation in *Martinez v. Astrue* and *Clark v. Astrue*.

### What would it *not* do?

It would not help law enforcement secure the arrest of people they are seeking for serious crimes. Law enforcement is already notified of the whereabouts of every person with a warrant for a felony or an alleged violation of probation or parole who turns up in the Social Security Administration (SSA) databases. This aspect of the statute was never challenged by plaintiffs in *Martinez* and *Clark* and SSA still has the authority to report this information to law enforcement.

### Why it is bad policy and who it impacts

- Hundreds of thousands of people would lose Social Security Old Age, Survivors or Disability Insurance benefits or SSI benefits.
- Those most likely to lose benefits are generally those most in need.
- A significant number of people will become homeless when they lose their benefits.
- Some people had benefits cut off while residing in nursing homes.
- A very high percentage of those who will lose their benefits are people with intellectual disabilities or mental illness.
- Our experience is that a disparately high percentage of those who would lose benefits are African-Americans.
- Many will lose Medicare outpatient (Part B) coverage because of inability to pay the quarterly premium.
- Large numbers of those who will lose benefits had warrants routinely issued when they were unable to pay a fine or court fee or probation supervision fee. Eliminating what may be their only source of income does not help resolve these issues.

- Many people never know that a warrant has been issued for them as warrants are often not served on the individual.
- These warrants are often costly and difficult to resolve since many of those who lose benefits live far from the issuing jurisdiction.
- H.R. 2824 would pay to extend the Maternal, Infant, and Early Childhood Home Visiting program by cutting off Supplemental Security Income (SSI) benefits entirely to such individuals.