



Center on Reproductive
Rights and Justice

TANF Family Caps

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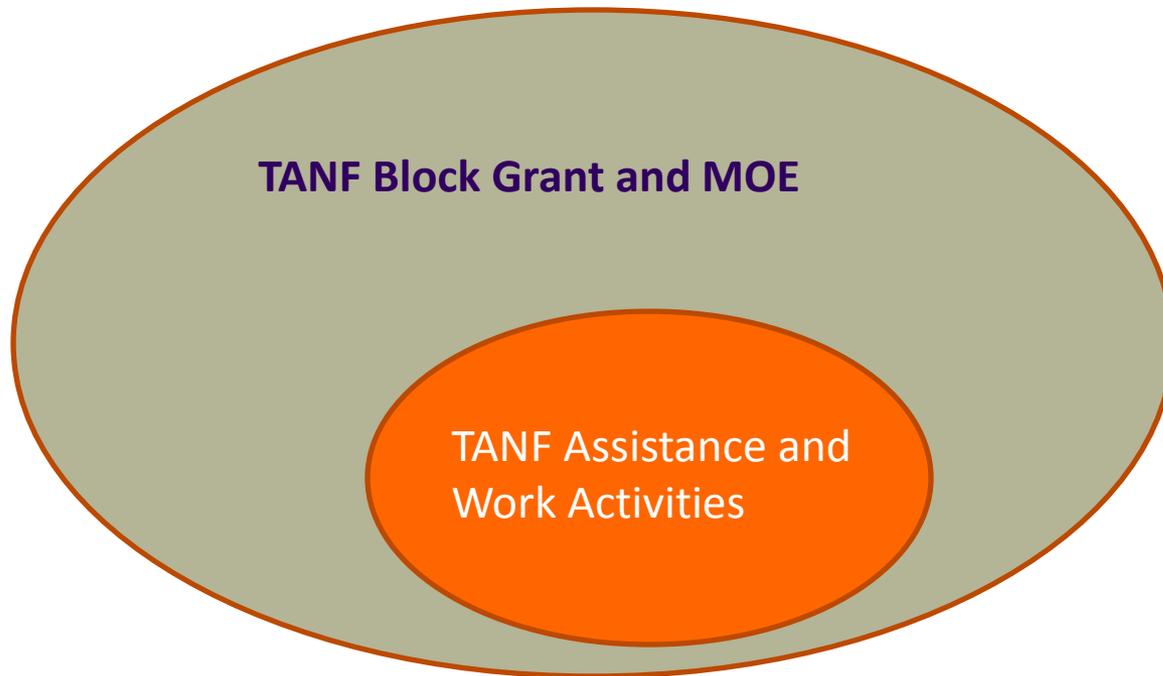


BACKGROUND ON TANF

Center on Law and Social Policy

What is TANF?

Temporary Assistance for Needy Families



TANF is a Two-Generational Program

- Targeted to low income families with children
- Two-generational strategies take into account:
 - Parents' importance to children both as nurturers and as providers; and children's importance in parents' lives.
- Parents are essential in a child's earliest years.



Opportunity to Make a Difference

Cash Assistance



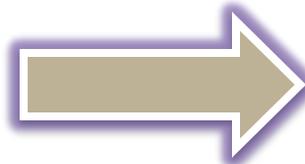
Work Activities



High Quality Child Care



Supportive Services



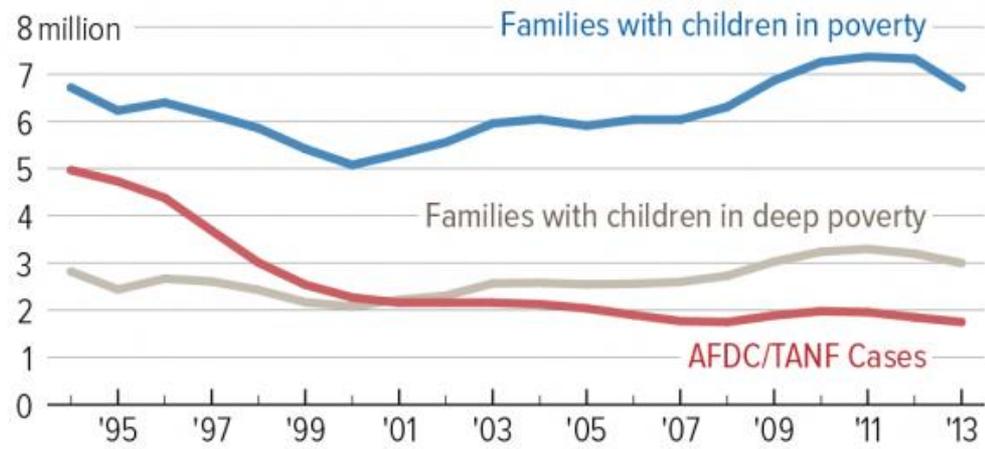
More Money

Better Child
Outcomes

TANF: A Missed Opportunity

Narrow eligibility criteria and burdensome requirements have combined to limit the share of poor children that TANF reaches

TANF Cases Have Declined Dramatically, Including in Years When Poverty Has Increased

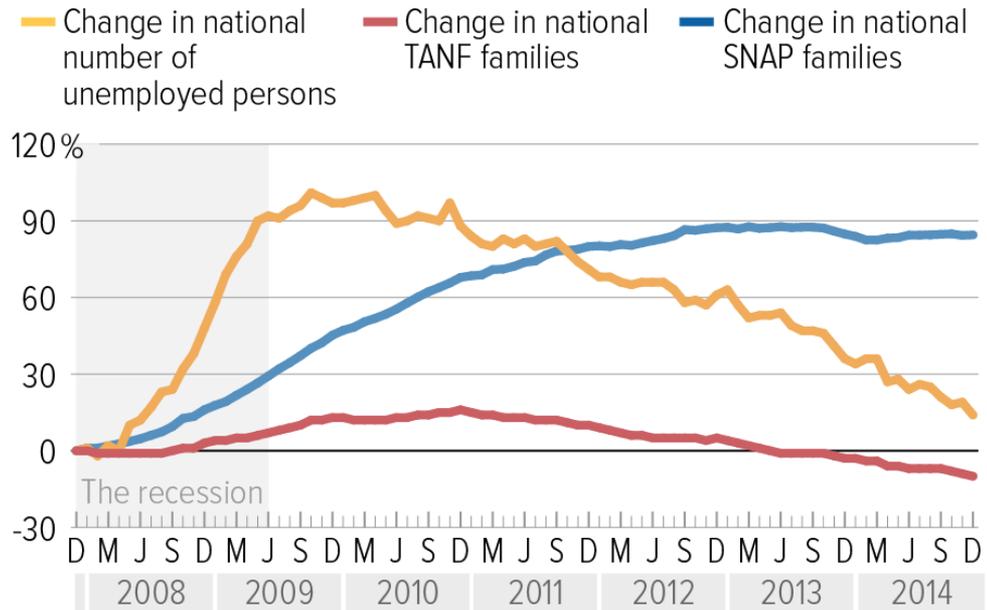


Source: CBPP analysis of poverty data from the Current Population Survey and AFDC/TANF caseload data from Health and Human Services and (since 2006) caseload data collected by CBPP from state agencies.

Poor Countercyclical Response

- In a block grant, states bear full cost of increased caseload
- Thus, in the recession, many states were reluctant to allow TANF caseload to rise

TANF Responded Only Modestly to Recession

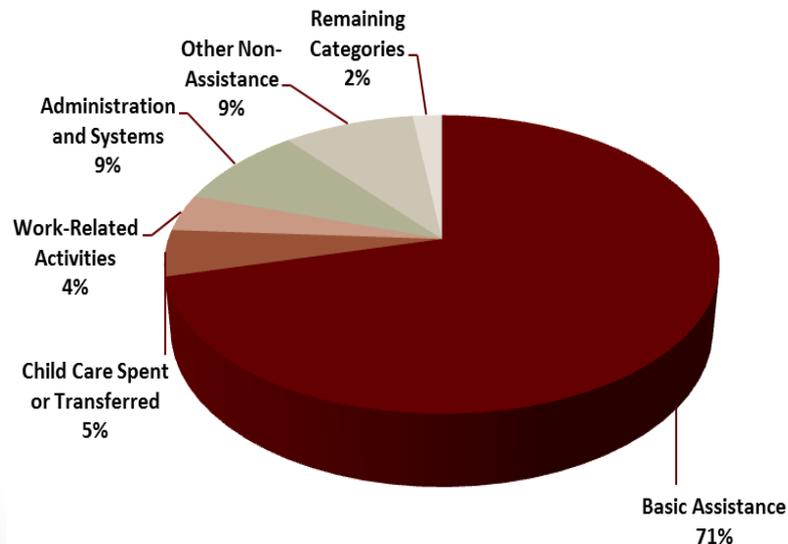


Note: Temporary Assistance for Needy Families

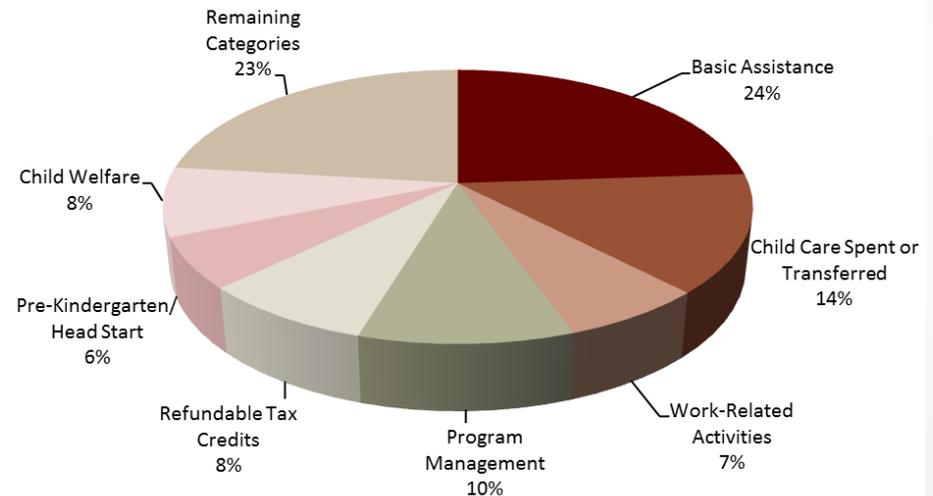
Source: Analysis of CBPP-collected TANF caseload data from state agencies, Agriculture Department SNAP household data, and the Bureau of Labor Statistics' unemployment data.

Basic Assistance is a Smaller Part of TANF and MOE Spending

FY 1997 TANF/MOE Spending



FY 2015 TANF/MOE Spending



Note:

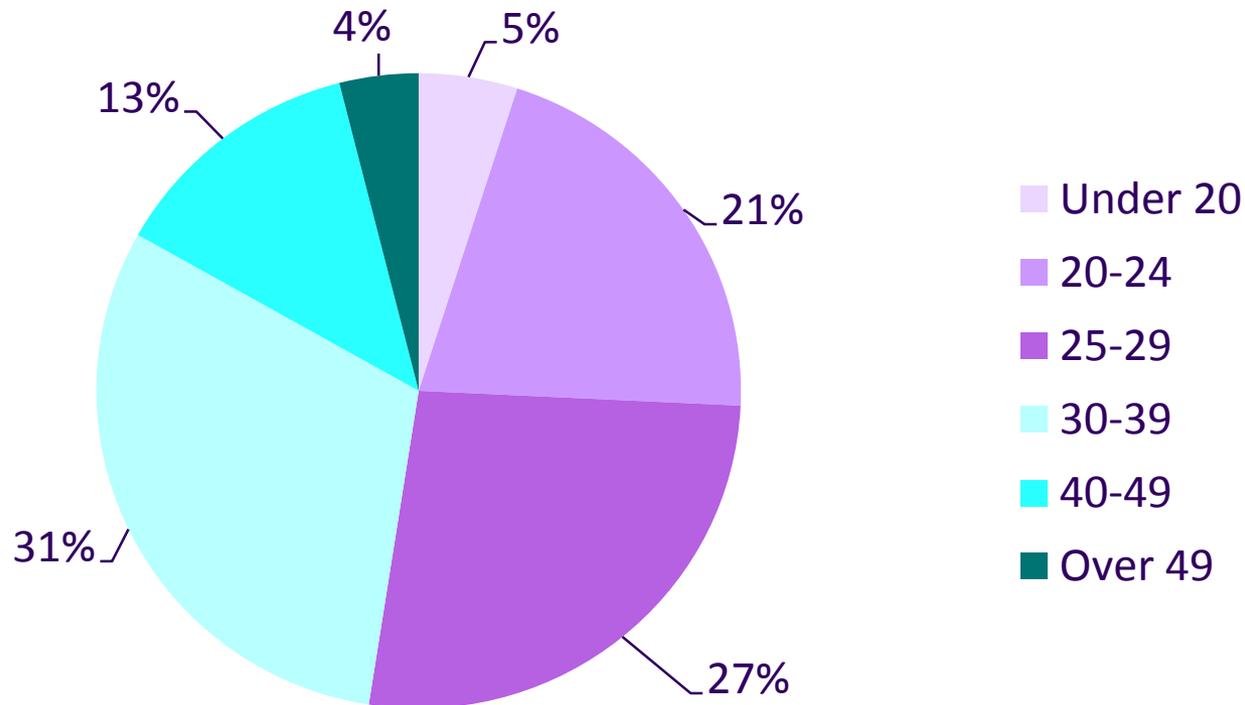
- Refundable tax credits includes EITC and non-EITC spending
- Child Welfare includes foster care spending from basic assistance, AUPL, and Non-AUPL

TANF: A Missed Opportunity

- TANF Block Grant provides states with flexible funding, opportunity to provide individualized services.
- Families have limited access to high-quality child care, even with child care subsidies.
- TANF programs rarely look at the holistic needs of families and connect them to the full range of services.

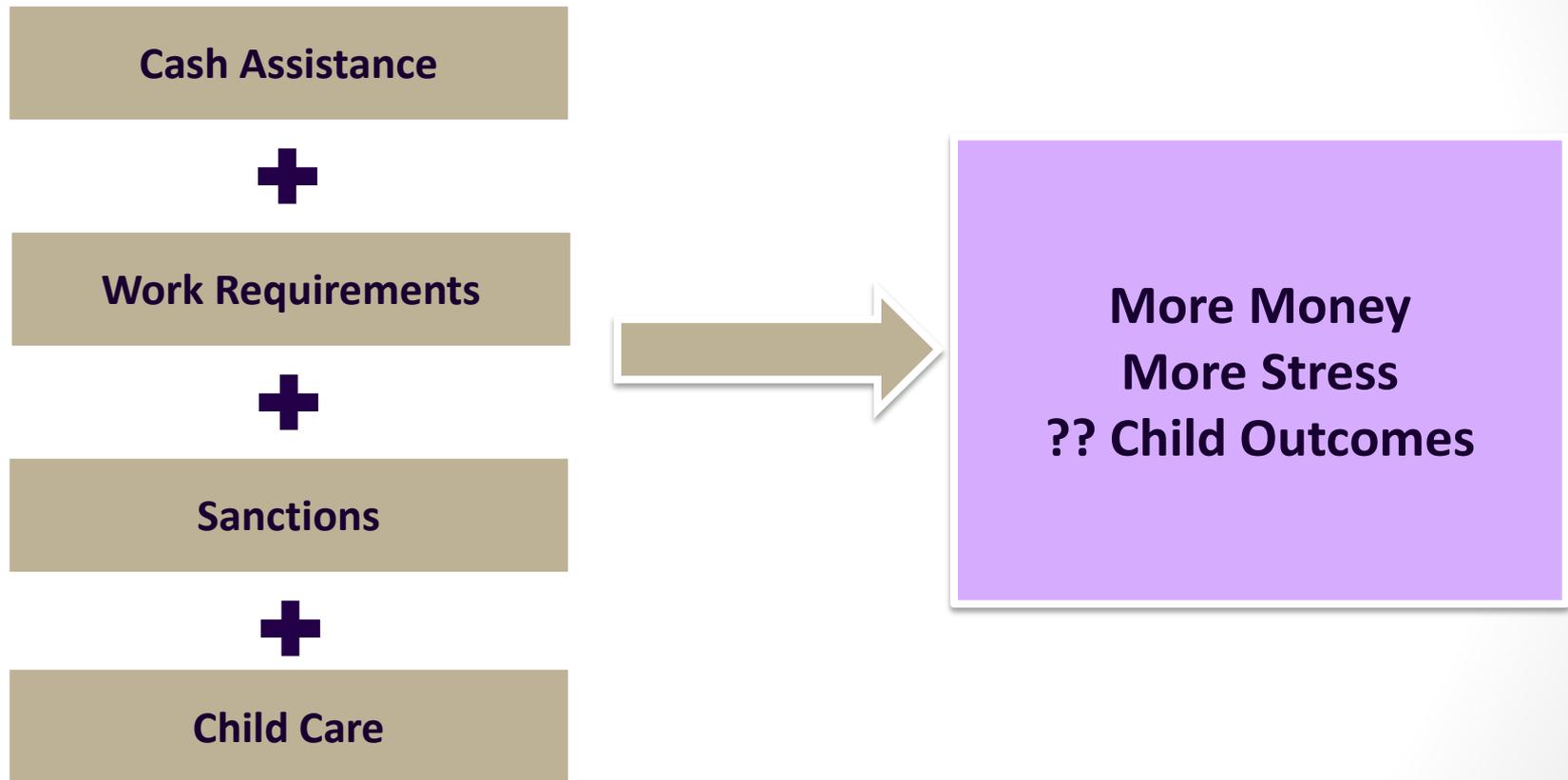
More than Half of TANF Adults are Under Age 29

TANF Adult Recipients by Age Group



Source: CLASP,
Young Adults and TANF,
October 2016

Mixed Effects Even for Families Who Receive Assistance



State Policies Vary Widely

	TANF to Poverty Ratio	Max Grant for Family of Three	Time Limit	Family Cap	Sanctions for First Instance of Non-Compliance
Arizona	8	\$278	12 months	Yes	25% reduction in benefit, 1 month
California	65	\$704	48 months	No!	Adult portion of benefit, until compliance
New York	40	\$789	None	No	Pro rata portion of the benefit, until compliance
North Carolina	8	\$272	24 months	Yes	Case is closed, must reapply
Ohio	26	\$473	60 months	No	Entire benefit, 1 month
Pennsylvania	31	\$421	60 months	No	Adult portion of benefit, 30 days



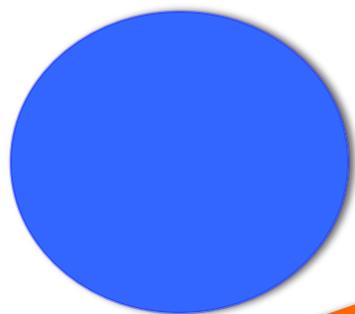
MISTAKES

It is good to learn from your mistakes. It is better to learn from someone else's.

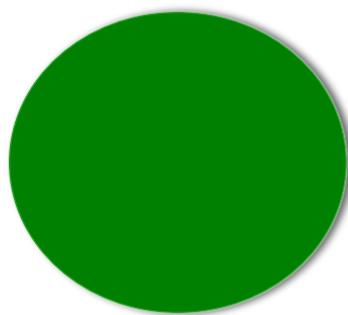
HISTORY OF FAMILY CAPS

Center on Reproductive Rights and Justice

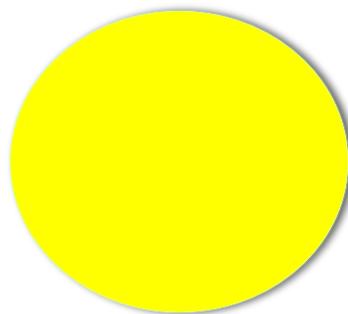
2002



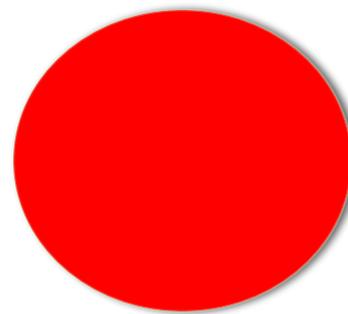
Policies Begin
Regulating
Repro Rights
of Welfare
Recipients



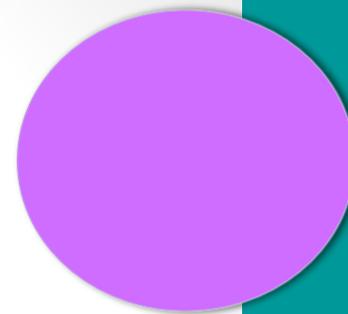
Welfare
Queen
Trope
Starts



New Jersey
Adopts
First
Welfare
Family Cap



Welfare
"Reform"
Enacted



Maryland
Is First
State to
Repeal its
Family Cap

FAULTY ASSUMPTIONS

Welfare recipients have large families

Cash aid incentivizes childbearing

Welfare disincentivizes marriage

FACTS

Families who receive public assistance and those who do not have the same average number of children: 2.

Family caps have not lowered birth rates, namely because welfare recipients do not have additional children in order to collect slightly more cash aid.

States with more generous cash allowances do not have higher birth rates among unmarried people.



The [Family Cap] rule evolved from America's eugenic laws that once forced sterilization upon its [presumed] inferior and, therefore, reproductively unfit population.

Eric F. McBurney



**Bringing Families out of
'Cap'tivity: the Path Toward
Abolishing Welfare Family Caps**

BerkeleyLaw
UNIVERSITY OF CALIFORNIA

Center on Reproductive
Rights and Justice

THE NATION

Minnesota's Family Cap on Welfare Draws Fire

By Jennifer Friedman October 19, 2004

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(WOMENSENEWS) – When Tim Pawlenty was elected governor of Minnesota in 2002 he inherited a \$4.5 billion deficit. In order to reduce the gap, he introduced a budget that included significant reductions to Minnesota's welfare program.

Among the decisions he made was to stop making the birth of another child a criterion for increasing the payments to parents receiving cash aid under the Temporary Assistance for Needy Families.

Such "family cap" policies are not unusual; nearly half the states have them.

But what surprised critics was Minnesota's implementation of such a measure in 2003, at a time when doubts about the policy were growing and a few states were repealing it.

Jodie Levin-Epste



Chris Christie Rejects Effort To Repeal Racist, Sexist Rule That Punishes Poor Children



Growing number of states repeal family welfare caps

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e EMAIL

BY TERESA WILTZ, STATELINE July 13, 2016 at 8:46 AM EST



The Most Discriminatory Law in the Land

It was based on a racist stereotype of unfit black mothers. Today, family cap laws do nothing but punish the poor for being poor.

By *Jamelle Bouie*



Governor Jerry Brown, it's time to #RepealMFG! California can't continue subjecting women to this racist, sexist and classist policy - and neither should the state budget.

Chucha Marquez

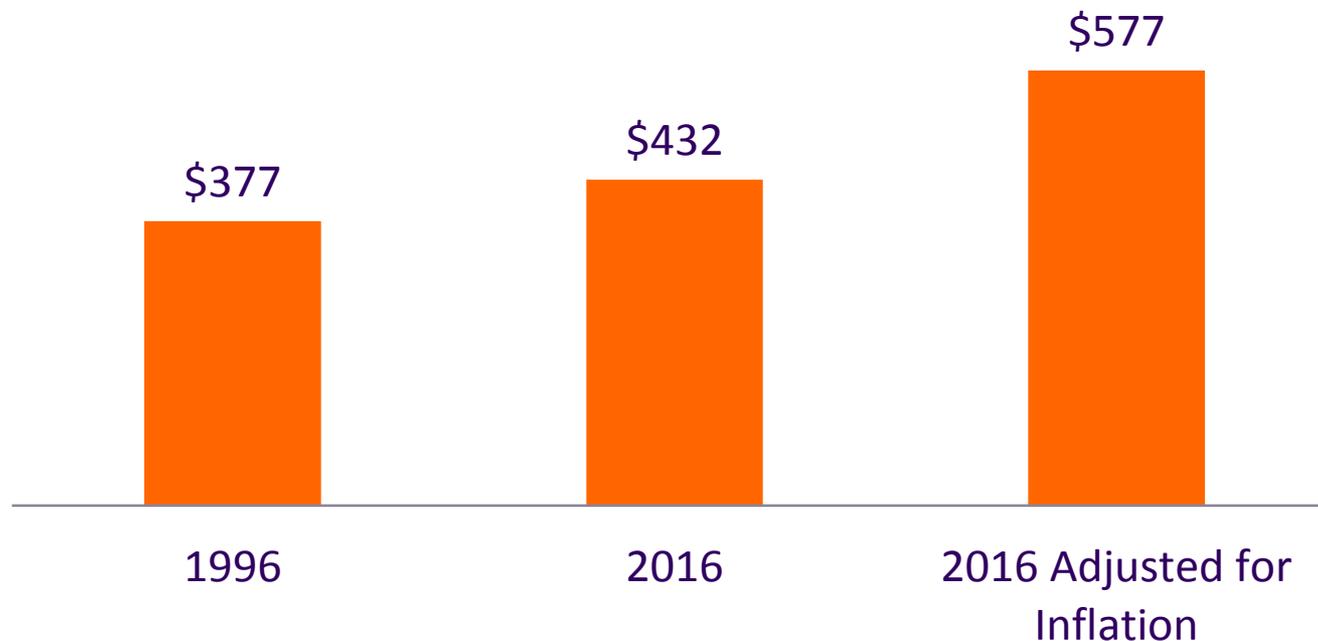


HOW FAMILY CAPS HURT WOMEN AND FAMILIES

National Women's Law Center
National Diaper Bank Network

Current TANF Benefits

■ TANF Monthly Cash Benefits for a Single Parent with 2 Children



If TANF benefits had kept up with inflation, benefits would be \$577--\$145 higher than current benefits.

Expenses of a Newborn

- In states with family caps, families must pay for the same costs they had prior to a birth, as well as the expenses of a baby, with the same amount of TANF benefits they had previously.

Baby Supplies	Cost for a Year
Feeding <small>(Infant to solid foods)</small>	\$300- \$3,000
Diapering	\$500- \$1,000
Clothing	\$200- \$500
Nursery	\$300- \$2,500
Bathing	\$30- \$70
Baby Gear <small>(car seats, swings, play yards, seats, strollers, etc.)</small>	\$200- \$2,000
TOTAL:	\$1500- \$9,000*

*Total depends on cost saving measures, brands, stores, baby shower gifts, etc.

Diapers: Impact of Family Caps

- TANF is the only assistance program that can be used for diapers, but often is not enough even without a cap

State	AZ	AR	CT	DE	FL	GA	IN	MD	MA	MS	NJ	NC	ND	OK	SC	TN	VA
Cash for family of 3	278	204	698	338	303	280	288	636	618	170	424	272	486	292	282	185	409
% used for diapers for 1 kid*	29%	39%	11%	24%	26%	29%	28%	13%	13%	47%	19%	29%	16%	27%	28%	43%	20%
% used for diapers for 2 kids*	57%	78%	22%	47%	52%	57%	55%	26%	26%	94%	38%	59%	33%	55%	57%	86%	39%

* Based on \$80 per month for diapers, answers rounded to 2 digits

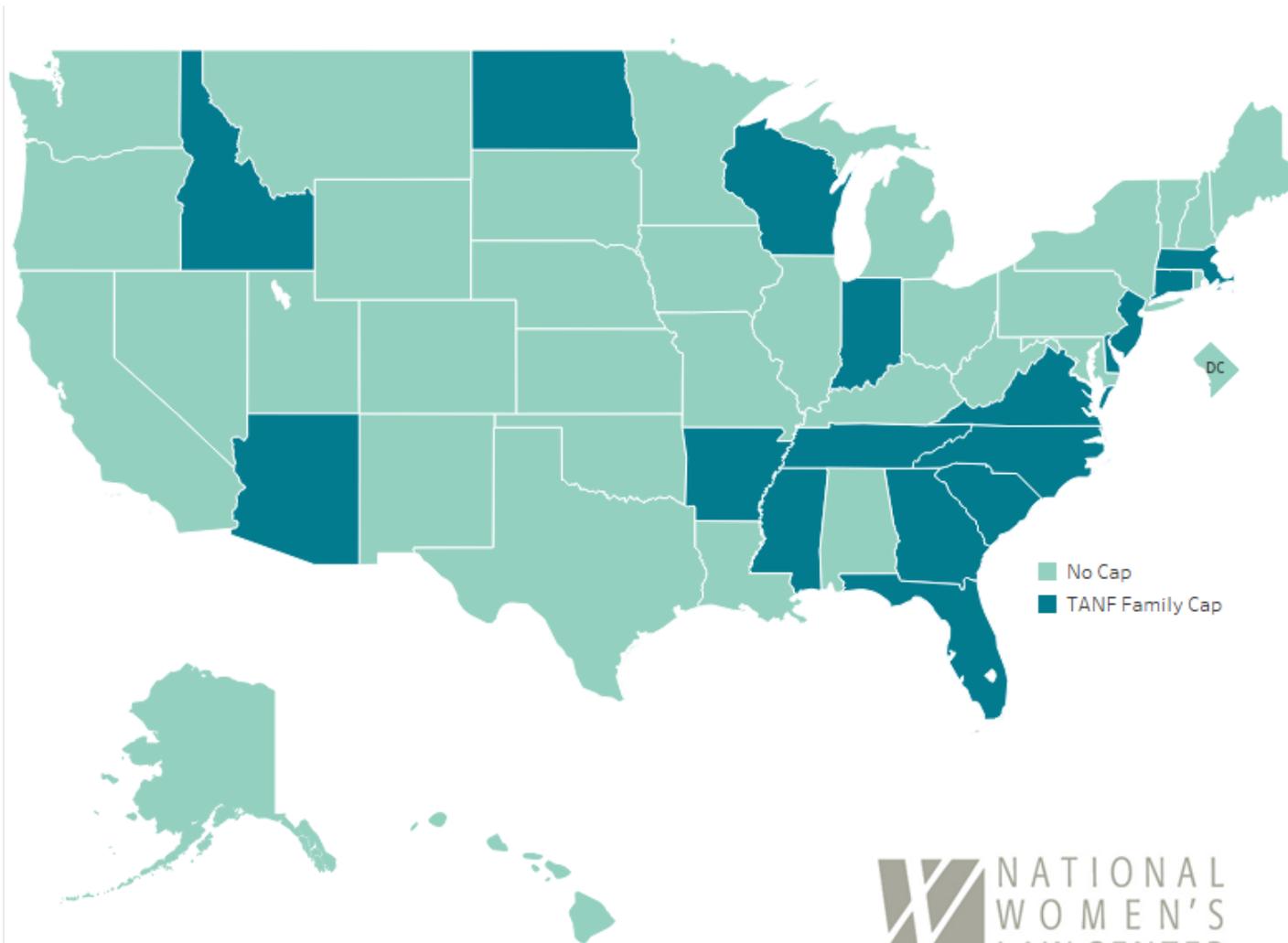
Family Caps Exacerbate Poverty



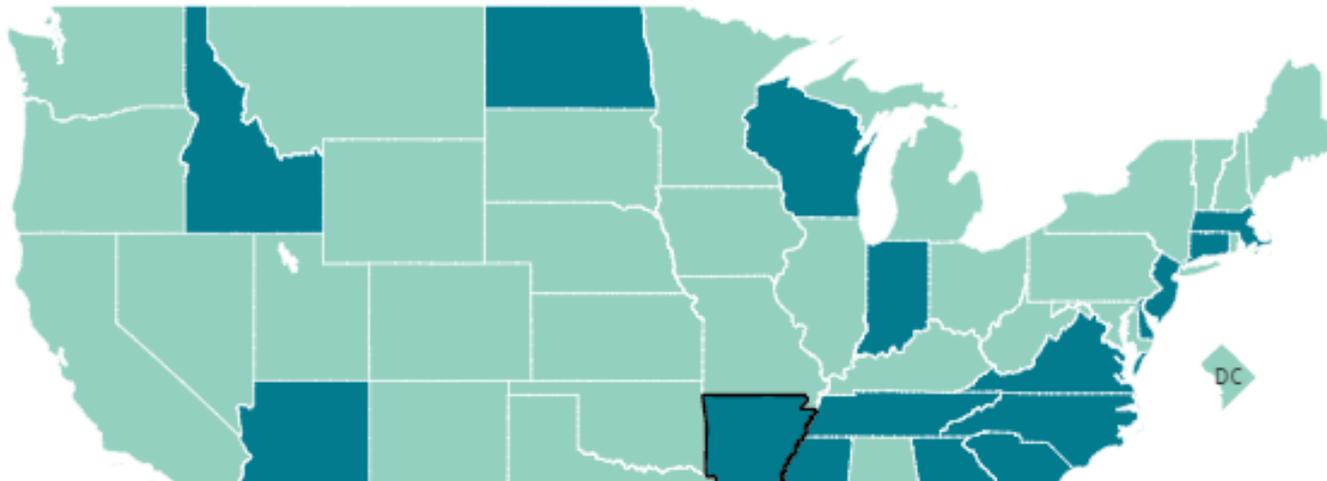
Long-Term Effects of Poverty



TANF Family Caps, Reproductive Health Care, and Workplace Policies State-by-State Map



TANF Family Caps, Reproductive Health Care, and Workplace Policies State-by-State Map



Arkansas -- No Increase in Cash Assistance

- ✓ Expanded Medicaid
- ✗ Has Expanded Eligibility Coverage of Family Planning Services Under Medicaid
- ✗ Permits Private Insurance Coverage of Abortion
- ✗ Has Pregnancy Accommodation Laws
- ✗ Has Fair Scheduling

\$8.50 Minimum Wage

18.6% Percentage of Women in Poverty

\$0.79 Amount a Woman Makes for Every \$1.00 a Man Makes

LESSONS LEARNED FROM CALIFORNIA

Western Center on Law & Poverty

The Maximum Family Grant Rule California's Family Cap

Denied \$130/Mo to Child Based on When Conceived

Increased Deep Poverty Among Children by Est. 13%

Interfered in Family Reproductive Decisions & Privacy

Undermined Poverty-Fighting Goals of TANF



California has more children in deep poverty than any other state!

Repeal MFG Success Story

Step By Step

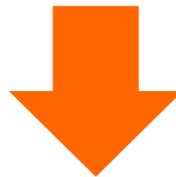
AB 271 (Mitchell) – Women’s Policy Institute, EBCLC & WCLP

SB 899 (Mitchell) - WPI, EBCLC, WCLP, ACLU, CWDA

SB 23 (Mitchell) in 2015-2016 – Full Campaign

Full Budget Committees & Conference Passed in 2015 & 2016

Lost in Budget Negotiations in 2015 – finally passed 7/2016



Repeal Implemented in January, 2017



TEAM #REPEAL MFG OVER 100 ORGANIZATIONS

Sponsors-----
 Western Center on Law and Poverty (co-sponsor)
 American Civil Liberties Union of California (ACLU) (co-sponsor)
 CA Welfare Directors Association (co-sponsor)
 ACCESS Women's Health Justice (co-sponsor)
 East Bay Community Law Center (co-sponsor)
 CA Latinas for Reproductive Justice (co-sponsor)
 Other Support -----
 ACT for Women and Girls
 Alameda County Community Food Bank
 Alliance for Community Transformations
 American Federation of State, County & Municipal Employees (AFSCME)-California
 Asian Law Alliance
 Asian Pacific Policy & Planning Council
 Association of California Commissions for Women
 Black Women for Wellness
 California Black Health Network,

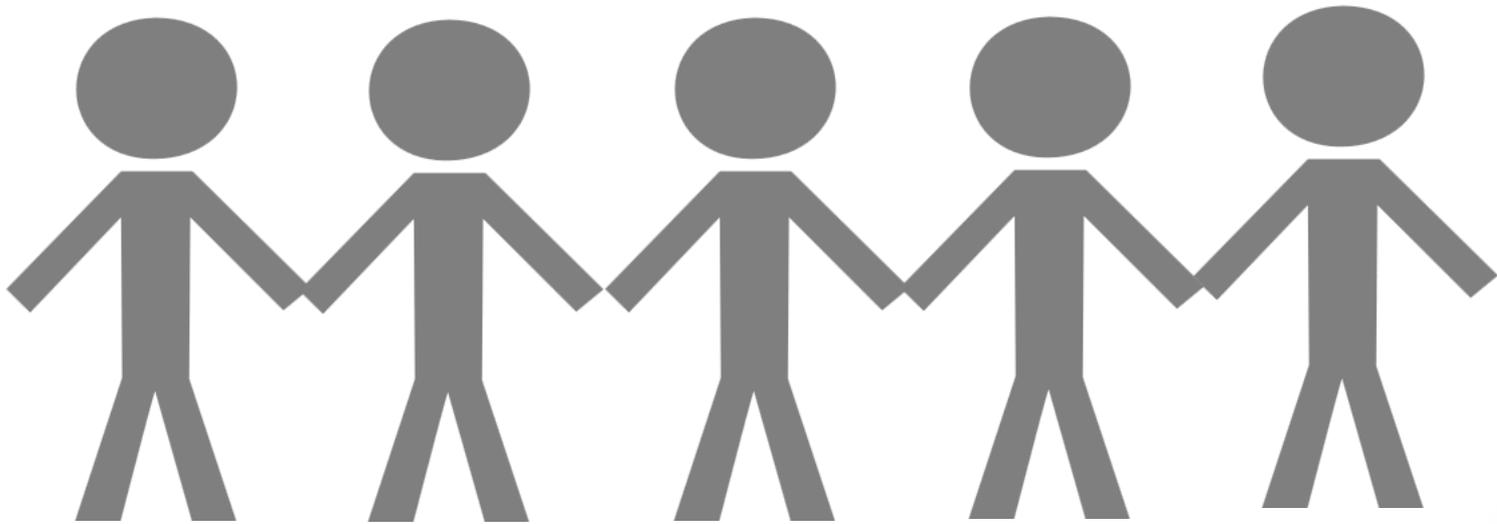
California Association of Food Banks
 California Alternative Payment Program Association
 California Catholic Conference
 California Community College CalWORKS Association
 California Food Policy Advocates
 California Hunger Action Coalition
 California Immigrant Policy Center
 California Labor Federation
 California NOW
 California Pan-Ethnic Health Network
 California Partnership
 California Partnership to End Domestic Violence
 California Reinvestment Coalition
 Californians United for a Responsible Budget
 California Women's Law Center
 California WIC Association
 Center for Law and Social Policy
 Center on Reproductive Rights & Justice - UC Berkeley

University of California Children Now
 Child Care Law Center
 Children's Defense Fund of CA
 Citizens for Choice
 Courage Campaign
 Coalition of CA Welfare Organizations
 Raising California Together
 Rights Organizations, Inc
 County of Los Angeles
 Having Our Say Coalition
 Health Access
 Health & Human Services Network
 Help A Mother Out
 Housing California
 Hunger Advocacy Network of San Diego County
 Interface Children & Family Svcs
 Guam Communications Network
 Feminist Democrats of Sac County
 Friends Cmte on Legislation of CA
 Jewish Family Service of SD
 John Burton Foundation
 Legal Aid Society- Employment Law Center
 Los Angeles County Board of Supervisors

Laborers' Intl Union of North America Local 777
 Laborers' Intl Union of North America Local 792
 Law Students for Reproductive Justice
 Lutheran Office Public Policy CA
 NARAL Pro-Choice California
 National Council of Jewish Women California
National Association of Social Workers – CA Chapter
 National Women's Political Caucus of California
 Nevada County Business and Professional Women
 Monterey County Board of Supervisors
 Rainbow Services, Ltd.
 Parent Voices California
 Peace Over Violence
 Physicians for Reproductive Health
 Planned Parenthood Affiliates of California
 Public Interest Law Project
 Public Counsel
 San Diego Hunger Coalition
 San Francisco Living Wage Coalition

Safe Alternatives to Violent Environments (SAVE)
 Service Employees International Union (SEIU)
 SEIU Local 721
 Strong Hearted Native Women's Coalition, Inc.
 St. Anthony's San Francisco
 Special Needs Network, Inc
 The Women's Foundation of CA
 United Ways of California
 Western Regional Advocacy Project (WRAP)
 Women's Health Specialists of CA
 YWCA of Glendale

Children no longer denied aid
because they were conceived
and born while poor.



130,000 CHILDREN NOW VALUED
SAME AS ALL OTHER CHILDREN

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Additional Resources

- CLASP's TANF 101 series
 - <http://www.clasp.org/issues/temporary-assistance/pages/tanf-101-policy-briefs>
- CLASP's TANF and the First Year of Life
 - http://www.clasp.org/resources-and-publications/body/TANF-and-the-First-Year-of-Life_Making-a-Difference-at-a-Pivotal-Moment.pdf
- NWLC's TANF Family Caps Map
 - <http://nwlc.org/resources/tanf-family-caps-reproductive-health-care-and-workplace-policies-how-does-your-state-measure-up/>