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To: Members of the Senate Commerce Committee
FR: Kari Ann Rinker, M.P.A.
Current Member, Former State Coordinator & Lobbyist,
Kansas NOW
RE: SB 149, Opponent Testimony

I submit written testimony today as a former State Coordinator & lobbyist for Kansas NOW and as a current member of the organization.

- *A key mission issue for Kansas NOW is advocating for economic justice.*

SB 149 would act as government tool for discrimination against women who have sought financial assistance through Temporary Assistance for Needy Families Programs (TANF) General Assistance (GA), as well as unemployment benefits. This discrimination is grounded in the incorrect supposition that women living in poverty are more likely to be using drugs than the general population. I believe the spirit of SB 149 is a perpetuation of sexist and classist societal viewpoints. It acts as an effort at realizing a harmful contempt for women on government assistance. This contempt for the poor is the underlying impetus for requiring women to adhere to a drug test before receiving cash assistance.

- *Standing up and speaking out against any mandated drug testing for welfare recipients is a women's issue.*

In 2001, 90% of national TANF recipients were women (1), SB 149 would subject women living in Kansas to involuntary drug testing, whenever "reasonable suspicion" exists.

- *Another key mission issue for Kansas NOW is ending racism.*

With the use of a "reasonable suspicion" inherently based upon personal perspective, there is a justified fear that a "reasonable suspicion" will be purely subjective in nature. Our current prison populations serve as testimony to the fact that the so called "war on drugs" has turned into an assault on minority populations. A drug test based upon a "reasonable suspicion" could serve as yet another governmental vehicle for racial profiling.

- *Another key mission area for Kansas NOW is ending domestic violence.*

Drug testing brings uncertainty for women living in a home with someone who may test positive for drugs. Women who receive TANF are more likely to be victims of domestic violence than any other population. According to one study over 40% of the sample experienced physical or emotional abuse (1). This will likely be exacerbated by the termination of welfare benefits due to a positive drug test in the household.

- *The termination of TANF benefits will put Kansas children at risk.*

SB 149 states *"is a parent or legal guardian of a minor child eligible for cash assistance, an appropriate protective payee shall be designated."* This 3rd party provision is lacking in detail. The poverty rate for children in Kansas is continually on the rise, having increased 53% since 1970. The Kansas Legislature should not be placing unnecessary obstacles in the path of a child's caretaker toward ensuring their next meal.

A six city study of children under the age of 3 with TANF found that sanctions and benefit decreases are associated with significantly increased rates of hospitalizations of young children and food rate insecurity was 50% higher for families whose benefits were not decreased (1).

- *The termination of TANF benefits will increase an already dismal Kansas infant mortality rate.*

Kansas currently has the worst African-American infant mortality rate in the nation and ranks 40th overall (2). TANF recipients are provided information and resources for accessing prenatal care. Stigmatizing pregnant women who are in the throws of addiction will cause many to simply forgo seeking cash assistance from the state. These women will be denied an avenue for learning about options and resources to address their prenatal care needs.

SB 149 has serious consequences for women who have failed a state ordered drug test 3 times. These women will be banned from assistance for LIFE. My personal experience as an alcoholic and addict with 10 years of sobriety, provides me insight and experience to advise that it could certainly take some women more than a couple of state ordered drug classes to learn how to manage their disease. SB 49 stands in opposition to the fluid nature of addiction recovery.

- *SB 149 will come at a fiscal cost to the state of Kansas.*

This legislation is proposing a policy lacking in important key details. There is no fiscal note attached and no mention of how much this testing will cost the state, nor does it state what party (the state or the individual) will be charged with paying for the mandated drug treatment. The funding for state and local social programs is being drastically cut by the Kansas Legislature, making the certainty of the availability of low cost and no cost treatment options scarce.

I ask you to please consider carefully the true intentions behind and necessity of SB 49 and then vote no to its further advancement through the legislative process.

Endnotes:

(1) *Welfare Women and Health, The Role of Temporary Assistance for Needy Families: April 2003. The Henry J. Kaiser Family Foundation, Issue Brief.*

(2) *2011 Kids Count Data Book, State Profiles in Childhood Wellbeing. Annie E. Casey Foundation.*