EXAMINING STATE WELFARE POLICY IMPLEMENTATION: RACE,

POLITICAL IDEOLOGY, STATE ECONOMICS, AND THE DRUG FELONY

LIFETIME BAN

by

BRITTANY MARTIN

(Under the Direction of Sarah Shannon)

ABSTRACT

Through this research project I focus on the less studied Section 115 of the Welfare Reform Act of 1996, which implemented eligibility requirements aimed at combatting drug use by people on the welfare rolls. By specifically excluding people with felony drug convictions, the drug felony lifetime ban is an empirical example of the convergence of the welfare and penal systems. In this study, I utilize a dataset compiled from various secondary data sources available online to create a longitudinal dataset focusing on state-level characteristics from 1997 through 2010. I examine states' adoption of the ban by using multilevel logistic regression modeling. As expected, I find that state political ideology, racial composition, and female incarceration have significant associations with the implementation of the drug felony lifetime ban. Contrary to expectations, I find that states with higher female drug crime rates are less likely to implement the ban.

INDEX WORDS: Welfare Reform, Policy Implementation, Punishment, War on Drugs, Multilevel Modeling

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CHAPTER ONE

INTRODUCTION, LITERATURE REVIEW, AND HYPOTHESES

On August 22nd, 1996 President Clinton signed the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) into law. The drug felony lifetime ban, also known as Section 115, was one new eligibility restriction created through PRWORA. Policy makers argued that the "PRWORA reforms would discourage long-term dependency with a work-first philosophy under the assumption that welfare recipients are capable of employment and self-sufficiency and that adequate employment opportunities exist "(Abramowitz 2000; Cammett 2014; Corcoran, Danziger, Kalil, and Seefeldt 2000). Due to these ideals, Temporary Assistance for Needy Families (TANF) was created to replace Aid to Families with Dependent Children.

There were four principal components of TANF under welfare reform: 1) Ending the guarantee of cash assistance to needy families; 2) Eliminating non-funded federal mandates through implementation of block grants to states; 3) Establishing lifetime limits of 60 months for receiving TANF assistance; and 4) Penalizing states that do not comply with the mandates for work requirements (Hays 2003; Lennon, Blome & MS MPHIL 2002; Sullivan & Decoster 2001; Sullivan, Larrison, Nackerud, Risler and Bodenschatz 2004; Corman, Dave, Das, and Reichman 2013). Welfare recipients who are primarily affected by the new welfare reform policies consist mainly of poor single mothers and, more specifically, by African American mothers (Hays 2003; Irving 2011; Office of Family Assistance 2012; Seecombe 1999). In 2009, female maintained families made up 66.3% of TANF households as compared to 27.6% married couple families and 6% male-maintained households (Irving 2011). African American families made up 38.8% of all

households receiving TANF, while African American households made up only 12% of the total households in the United States (Vespa, Lewis, & Kreider 2013; Irving 2011).

The Welfare Reform Act of 1996 is primarily known for implementing new work requirements, time limits for receiving aid, and welfare fraud precautions for recipients. However, Section 115 of this act also created specific eligibility requirements intended to fight drug use by people on the welfare rolls. According to the drug felony lifetime ban, Section 115 of PROWRA, any "individual convicted (under Federal or State law) of any offense which is classified as a felony by the law of the jurisdiction involved and which has as an element the possession, use, or distribution of a controlled substance" (42 USC 862a Section 115) is no longer eligible for both TANF and Supplemental Nutrition Assistance Program (Food Stamps). The ban denies benefits to individuals convicted after July 1996. During the Senate floor debate on welfare reform in July 1996, the ban was introduced through an amendment by Senator Phil Gramm, a Republican from Texas. The Senate took only two minutes to debate the addition of this amendment and ultimately passed the ban with bipartisan approval. During the debate, Senator Gramm specifically stated, "if we are serious about our drug laws, we ought not to give people welfare benefits who are violating the nation's drug laws" (Allard 2002; McCluer 2014). The main concern driving the passage of the legislation was that people on drugs are at an increased risk of welfare dependency (Owens and Smith 2012). The ban does not prevent people convicted of other felonies, such as murder or arson, from receiving benefits after incarceration (McCluer 2014; Mohan and Lower-Basch 2014).

This ban, at least in theory, was intended to deter welfare recipients from engaging in drug use or other drug related activities. In 2000, the Seventh Circuit ruled that the drug felony lifetime ban was constitutional because it is "rationally related to legitimate government interests

in deterring drug use and reducing welfare fraud" (Lenox 2011; pg. 298). However, welfare recipients have limited knowledge of welfare reform, and most are unaware that the drug felony lifetime ban exists (Gustafson 2011). This lack of knowledge and the convolution of the welfare rules make it difficult to determine whether or not the ban is a successful deterrent to drug use (Gustafson 2011).

By law, states were given discretion in choosing whether to implement a full version of the ban, a modified version of the ban, or opting out of the ban altogether. For the purposes of this research project, I examine state-level characteristics associated with a state opting into the ban (either full or modified) beginning in 1997. I also examine how these characteristics increase or decrease the probability of states implementing this ban from 1997 through 2010. Over time, some states have changed from having the full ban to a modified version of the ban, while other states have remained consistent, either having the full ban or no ban at all (Urban Institute Welfare Database 2013). As of 2013, thirty-seven states fully or partially enforced the Felony Lifetime Ban on TANF (Mauer and McCalmont 2013). Eleven states have consistently maintained the full ban on TANF benefits during that time period, such as Georgia and Arkansas, while six states, including Vermont, have never implemented the ban in any form.

There are many different versions of the modified bans imposed by states. For example, in Colorado, a state that has consistently had a modified version of the ban, welfare recipients are unable to receive benefits unless they have "taken action towards rehabilitation, such as drug treatment" (Urban Institute Welfare Database 2013). In Connecticut, another state that has a modified Ban consistent over time, drug felons are only eligible for benefits "if they complete a sentence imposed for the crime, serving a sentence of probation, or are in a court sentenced substance abuse treatment program" (Urban Institute Welfare Database 2013). In Minnesota,

recipients who have been convicted of a drug felony are eligible for benefits but they are required to submit to drug tests. For the first failed drug test, benefits are reduced by 10% and, for a second failed drug test, the benefits are reduced by 30%. According to the Urban Institute's Welfare Rules Database the state of Minnesota must, "continue to apply the sanctions until the month after the month the person documents that he or she has passed a drug test" (Urban Institute Welfare Database 2013). The variation among modified versions of the ban may make it difficult for recipients to know whether or not they are eligible or ineligible for benefits following incarceration.

The ban also appears to disproportionately affect women of color. Women are the predominant recipients of TANF benefits, and poor African-American mothers are overrepresented among TANF recipients (Allard 2002; Hays 2003; Irving 2011; Office of Family Assistance 2012, Seecombe 1999). The loss of benefits through the ban makes it almost impossible for many women with drug-related felony convictions to attain self-sufficiency, provide for their families, and fully reintegrate into society (Lenox 2011). Allard (2002) finds that as of December 2001, 42 states had either fully or partially enforced the ban and in the first four years over 90,000 women were affected. In 21 states, nearly 44,000 white women, 35,000 Black women, and 10,000 Latina women had been removed from the welfare rolls for Temporary Assistants for Needy Families (TANF) (Allard 2002). These numbers indicate that the ban may have a disparate impact on Black and Latina women, similar to the way the War on Drugs has disproportionately impacted minority women and men.

Other researchers focus on state-level policy responses to the PRWORA, in particular whether strict or lenient policies were implemented in a particular state for TANF. Soss and colleagues (2001) and Fellowes and Rowe (2004) specifically examine the strictness of the

policies passed by states in terms of family caps and time limits and which state characteristics influenced those decisions. Both research projects suggest that a state's racial and political characteristics influence state-level policy choices in response to welfare reform. To date, there has been one peer-reviewed article published on state-level policy choice for Section 115 of PRWORA. Owens and Smith (2012) investigate whether or not states became more punitive over time in regards to the drug felony lifetime ban, drawing from political science theories including political incorporation, neo-institutional organizations, and group threat (Owens and Smith 2012). The authors fit event history models predicting whether a state enacts a full ban versus no ban or a modified ban between 1997 and 2004 to understanding state punitiveness. My study uses a longer time period (1997 to 2010) and uses multilevel models to predict whether or not a state enacts any kind of ban (full or modified) versus no ban. I argue that both full and modified bans should be viewed as punitive responses given that modified bans require recipients to undergo greater scrutiny and surveillance by the state in order to qualify for benefits.

The purpose of this research project is to build on previous theory and empirical research to explore which state-level factors explain the variation in state-level policy choice responses to the drug felony lifetime ban. Specifically, this study examines how state-level measures previously used to study welfare reform (racial demographics, political ideology, and economic conditions) influence the implementation of the drug felony lifetime ban on TANF receipt. I also extend beyond prior research by examining how drug crime and incarceration are associated with the implementation of the ban, given that it is an empirical example of the convergence of the welfare and penal systems.

PREVIOUS RESEARCH & THEORY

CONVERGENCE OF THE PENAL AND WELFARE SYSTEMS

By specifically excluding people with felony drug convictions from receiving TANF welfare benefits, the drug felony lifetime ban is an empirical example of the emerging connection scholars have identified between welfare and punishment (Owens and Smith 2012; Soss et al 2011; Wacquant 2009). Some scholars argue that the 1996 welfare reform ushered in a new era of poverty governance in which "barriers to receiving welfare benefits, low levels of aid, and stigmatizing rituals" (Soss et al 2011) are used in new ways to shape and reshape the conduct of the poor. This is defined as neoliberal paternalism (Soss et al 2011; Wacquant 2009). The new policies and practices under neoliberal paternalism punish non-working welfare recipients, recipients who engage in welfare fraud, and recipients who engage in unrelated crimes in ways that overshadow the goal of protecting poor families, adults, and children from economic instability (Gustafson 2011; Soss et al 2011; Wacquant 2009). These new welfare policies blame individuals for their failures with a basis in a "culture-poverty position", which in turn ignores the structural barriers welfare recipients face (Constance-Huggins 2011).

As the welfare and penal systems become more connected, this allows for law enforcement to use the welfare system as a tool for surveillance of poor individuals (Gustafson 2011; Soss et al 2011; Wacquant 2009). For example, Operation Talon utilized food stamp offices to arrest individuals with outstanding warrants who were seeking welfare assistance (Gustafson 2011). Similar to the drug felony lifetime ban, fugitive felon rules are sanctions that prohibit those who have served their sentences from obtaining the full benefits that would otherwise be available to them (Gustafson 2011).

States have also enacted policies requiring drug testing as a condition of receiving welfare, and this use of drug testing highlights the commonly misinterpreted connection of poverty and criminality. This idea further spreads the assumption that minority women living in poverty cause crime (Gustafson 2011; Soss et al 2011; Wacquant 2009). The criminalization of individuals using the welfare system has led to welfare hearings that not only have the potential for penal sanctions but increasingly result in them. States often prefer to handle welfare fraud or sanction hearings criminally over civilly. There is also a lack of physical space between the state employed welfare administrators and fraud investigators. This, in turn, causes an immense amount of confusion, because individuals who need to receive welfare are unable to separate the welfare and penal systems (Beckett and Western 2001; Gustafson 2011).

Social scientific research explores the link between the criminal justice system and welfare systems at the state-level and how that nexus is strengthened by conservative politics and race (Beckett and Western 2001; Stucky, Heimer, and Lang 2005). Beckett and Western's (2001) analysis shows positive associations between partisan politics, minority populations, lower welfare spending, and incarceration over time. These findings suggest that there is a welfare-imprisonment tradeoff where state spending on welfare and incarceration rates are inversely related to one another (Owens and Smith 2012; Soss et al. 2011; Beckett and Western 2001). As a result of the findings by Beckett and Western (2011), my study is guided by the following hypothesis:

H_1: States with higher TANF benefit levels will be less likely to have either the full or modified drug felony lifetime ban than opting out of the ban.

In general, such research finds that conservative politics are associated with greater support for punitive policies (Whittle and Parker 2014). For example, Stucky, Heimer, and Lang

(2005) find that the rates of incarceration in Republican States depend on the degree of competition for those specific legislators. When district competition is high for Republicans, prison admissions increase. Similarly, the size of the African American population had a significant influence over state incarceration rates and welfare spending starting in the 1980's and moving through the 1990s. According to Beckett and Western's findings (2001) the states with larger African American populations were incarcerating individuals at higher rates over this time period as well as providing less social welfare support. Additional research focusing on felony collateral consequences finds that states with a larger African American population and a more conservative public tend to have more punitive collateral sanctions for felony offenders (Whittle and Parker 2014). In light of this research, I expect that states that enact the punitive felony lifetime ban on TANF receipt will also have higher rates of incarceration, greater African American populations, and more conservative ideology. As a result, my study is guided by the following hypotheses:

H_2: States with a larger African American population will be more likely to have either the full or modified drug felony lifetime ban than opting out of the ban.

H_3: states with more conservative citizen ideology will be more likely to implement either the full or modified drug felony lifetime ban than opting out of the ban.

Additional studies analyzing the new stipulations included in PRWORA, such as time limits and other sanctions, linked the implementation of harsh welfare policies to race and political partisanship (Fellowes and Rowe 2004; Soss, Schram, Vartanian, and O'Brien 2001). According to Soss et al. (2001) states that imposed tough welfare policies accompanied by harsh sanctions had Republican-controlled political partisanship and a higher proportion of African American families receiving benefits in 1996. Fellowes and Rowe's (2004) find that more liberal

states give about 19 percent more benefits to three-person families. Additionally, the researchers also find that states with a larger African American population give about 30 percent less benefits to three-person families. These findings support the strong role of race and politics in TANF policies implemented by states. These analyses also indicate that liberal governments pass more generous welfare policies.

Owens and Smith (2012) find that there is a threshold effect for the relationship between minorities receiving TANF benefits and the ban, with states responding to a larger proportion of minorities on the TANF rolls by maintaining the drug felony lifetime ban. However, states with smaller or medium percentages of minority individuals become less punitive over time when it comes to the ban (Owens and Smith 2012). Their analysis also reveals a positive relationship between the incarcerated population in the state and retention of the ban within that state. Lastly, the researchers find that government ideology does not influence a state's decision to have a ban which is unlike the findings of other research in this area.

GENDER, CRIME, & DRUGS

Previous quantitative research on the drug felony lifetime ban, as well as other welfare policies, has not focused on the connections between gender, drug crime, and incarceration. Although Owens and Smith (2012) look at the relationship between incarceration and the ban as well as violent crime and the ban, they do not focus on drug crime, female criminality, or female incarceration. It is logical to draw this connection between gender, drug crime, and incarceration because TANF policies in general, and the ban specifically, disproportionately affect the lives of poor women since women make up 85.2% of adult TANF recipients (Office of Family Assistance 2012). Additionally, the ban was passed in order to combat drug crime committed by welfare recipients. According to the Bureau of Justice Statistics (BJS), the largest portion of

felony sentences in the United States in 2009 were drug possession and trafficking offenses (Owens and Smith 2012). Although a much larger portion of males are incarcerated, the number of women convicted and incarcerated for drug crimes increased rapidly over the several past decades (Mohan and Lower-Basch 2014). Between 1986 and 1996, female arrest rates from drug crimes accounted for about half of the rise in female incarceration in state prisons, this is a 888% rise for women incarcerated (Mauer, Potler, Wolf 1999). In 2010, police made an estimated 1,336,530 arrests for drug possession or use, and about 20% of those arrests were women (Snyder 2012). This time period of increased female drug arrests exhibits one logical reason why lawmakers may have concluded that welfare sanctions and eligibility restrictions might prevent drug crime among poor mothers using federal aid.

The ban also reinforces categories of "deserving" versus "undeserving" poor people. According to Schneider and Ingram's (1993) theory of target populations,

"…the social construction of target populations has a powerful influence on public officials and shapes both the policy agenda and the actual design of policy. There are strong pressures for public officials to provide beneficial policy to powerful, positively constructed target populations and to devise punitive, punishment-oriented policy for negatively constructed groups" (Schneider & Ingram 1993: 334).

According to this theory, poor minority women on welfare could potentially fit into one of two categories, dependent and deviant, and both categories convey that these groups are weak and have insufficient benefits (Schneider & Ingram 1993). African American women, who are constantly under scrutiny by welfare critics, seem to predominately fit into the category of deviant. Critics of the modern welfare system focus on delinquency, unemployment, drug

addiction, and other social problems that are believed to stem from a breakdown in family values (Abramovitz 2000). These critiques and justifications are reinforced by the connections between the welfare and criminal justice systems. Jill McCorkle (2004) finds that both the welfare and criminal justice systems share stereotypes and assumptions, for example women are also characterized as dependent within the prison system.

In summary, the drug felony lifetime ban thus offers a unique opportunity to examine how the boundaries between welfare reform and the war on drugs have blurred over time (Amundson, Zajicek, and Hunt 2014). In this research project, I examine how state-level characteristics, including racial demographics, political ideology, and economic conditions, influence the implementation of the drug felony ban on TANF. I connect the theoretical frameworks used in previous empirical research on the criminalization of the poor and the convergence of welfare and incarceration. Given that the felony lifetime ban has been enacted in many states due to assumptions about female criminality and drug use (Lenox 2011), my analyses examine the potential role that female drug arrests and female incarceration rates may have played in states' implementation of the ban. Based on the potential relationship between female criminality and the ban, my study also tests the following hypotheses:

H4: States with higher female drug arrest rates will be more likely to implement either the full or modified drug felony lifetime ban than opting out of the ban.

H5: States with higher female incarceration rates will be more likely to implement either the full or modified drug felony lifetime ban than opting out of the ban.

CHAPTER TWO

METHODS

POPULATION AND PROCEDURES

In this study, I utilize a dataset compiled from various secondary data sources available online. Previous studies of the ban have focused on the early period between 1997 and 2004 (Owens and Smith 2012) but my study expands the time period through 2010 to capture a fuller range of the changes that have taken place since welfare reform. My unit of analysis will be state years, which represents the total population of interest. Although Section 115 of PRWORA can be applied to deny both TANF and federally funded food stamps (SNAP) to any individual convicted of a felony involving the possession, use, or distribution of a controlled substance, my analysis focuses only on TANF. I do so because states may make very different choices about the ban on SNAP given that states receive full Federal funding for SNAP but must partially fund TANF from their own revenues (Mohan and Lower-Basch 2014). According to a policy brief by the Center for Law and Social Policy (CLASP) more states have chosen to opt out of the drug felony lifetime ban in regards to SNAP rather than as compared to TANF. Because states partially fund TANF benefits, different factors may impact states' implementation of the drug felony lifetime ban. Based on this reasoning, is I have chosen to focus specifically on which state characteristics influence the ban for TANF benefits.

MEASURES

Dependent Variable

For my analysis, I used a categorical dependent variable to represent the drug felony lifetime ban (0= No Ban, 1= Full and Modified Ban). I obtained data on the dependent variable from The Urban Institute's Welfare Rules Database which contains a variable indicating whether persons convicted of a drug felony are eligible for cash benefits (TANF) by state from 1996 until 2013. I chose to start my analysis at the year 1997 because every state had implemented a version of the ban by this year. I operationalized the dependent variable as a dichotomous indicator including both full and modified together because both indicate having a ban rather than the state choosing to impose no welfare sanction for drug felons. As depicted in Table 1, many states have chosen to implement a modified ban. Due to the multiple stipulations for behavior imposed by this version of the ban, such as drug testing or the loss of benefits until the completion of substance abuse treatment, a modified ban is more punitive than opting out.

Table 1: Type of Ban on TANF by State in 2010

Full Ban	Modified Ban	No Ban
AL	CO	KS
AK	CT	ME
AZ	HI	NH
AR	ID	NJ
CA	IL	NM
DE	IN	NY
FL	IA	OH
GA	KY	OK
MA	LA	OR
MS	MD	RI
MO	MI	UT
NE	MN	VT
SC	MT	WA
SD	NV	WY
TX	NC	
VA	ND	
WV	PA	
	TN	
	WI	

The Urban Institute's Welfare Rules Database

Independent Variables

Previous research on welfare reform and collateral consequences of felony convictions uses the racial breakdown of individuals on the welfare rolls to measure race (Owens and Smith 2012; Soss et al 2011). Following the work of Beckett and Western (2002) I employ the total African American population within the state in order to see whether the drug felony lifetime ban has a similar relationship with larger African American populations within a state as social welfare support did in the 1990's. I include the percentage of the state's population that is African-American as reported by the Census Bureau. I interpolated for intervening years by taking the average difference between the two time points and adding it successively to each year within each decade. As shown in Table 2, state African American populations varied between less than 1% (Nebraska) and 37% (Missouri). The mean African American population for the

states from 1997 to 2010 is a little over 10 percent of the state population with a standard

deviation of 9.6 percent.

Table 2: Descriptive Statistics

Variable	Obs	Mean	Std. Dev.	Min	Max
Ban	700	0.776	0.417	0	1
Unemployment	700	5.24	1.884	2.3	13.8
Max TANF Benefits 3p Fam	700	795.374	175.846	435	1550
Percent African American	700	10.268	9.563	0.298	37.437
Citizen Ideology	700	51.434	15.759	8.45	95.972
Total Incarceration	700	1158.512	461.247	318.773	2539.268
Female Incarceration	700	82.89	42.01	11.487	243.96
Total Drug Crime Rate	669	727.953	316.247	8.167	1766.271
Total Female Drug Crime Rate	669	137.848	64.115	1.185	394.229
Total Female Drug Sale Rate	669	27.322	15.589	0	157.618
Total Female Drug Possession	669	110.526	54.934	0.998	282.577

To measure political partisanship, I include *citizen ideology,* which is a measure on a

conservative – liberal scale gathered from the "Revised 1960-2013 citizen ideology series," in

"Measuring Citizen and Government Ideology in the American States, 1960-93." (Berry,

Ringquist, Fording and Hanson. 1998, pp.327-48). The researchers created the scale to estimate

the average citizen ideology for each state using several measures, including interest group

ratings ideology scores for incumbents, ideology scores for challengers, and citizen ideology

scores (Berry, Ringquist, Fording and Hanson. 1998). This measure of citizen ideology has

stronger validity than other measures because the researchers also included citizens who voted

for the losing candidates. The descriptive statistics in Table 1 show that there is a wide range

between states when it comes to citizen ideology. The mean for citizen ideology for all state-

years in my analysis is about 51 out of 100 , however the standard deviation is 15 which could

sway a state from conservative to more liberal and vice versa.

The data for female incarceration and the total incarceration rate are taken from the

National Prisoner Statistics, 1978-2011(United States Department of Justice 2013). Collection

forms for December 31 are sent to central respondents in each of the 50 state departments of correction for each year. Each state's central respondents were asked, "On December 31, how many inmates under your jurisdiction were female?" I also utilize multiple variables depicting drug crime in states. These variables are the total drug crime rate, the total female drug crime rate, and the female drug possession rate and the female drug sale rate and they were collected from the Uniform Crime Report for arrests by age, sex, and race yearly.

All of the drug crime variables were collected from the Uniformed Crime Report. There was missing data, mostly from Florida. Due to this, I removed Florida from the analysis. Each crime and incarceration variable were standardized to a rate per 100,000 residents in each state-year. For example, state-years ranged from about 12 to 244 women incarcerated per 100,000 residents and the total female drug crime rate per 100,000 residents ranged from about 1 arrest to 394 arrests.

Control Variables

The variables I use to measure state economics include the unemployment rate and the maximum state TANF benefits for a three-person family. I obtained the data for unemployment and the maximum state TANF benefits for a three-person family from the University of Kentucky Center for Poverty Research's National Welfare Data. Each variable contains data from 1997 through 2010 from every state. The unemployment rate for states over this time period also varied between 2.3 percent and 13.8 percent of the population, as shown in Table 2. The mean unemployment rate for the country is 5 percent with a standard deviation of 1.8 percent.

The University of Kentucky Center for Poverty Research states that the values shown for maximum AFDC/TANF cash benefits for families do not take the state's majority rule

calculation into consideration for 1980-2005. This is consistent with collection methods used by the Congressional Research Service and the Ways and Means Committee of the U.S. House of Representatives, which record maximum benefits received within the state. There is variation across states on what constitutes majority rule, which affects how states' maximum TANF cash benefits are recorded for recipient families. Values for 2006, 2007, 2008, 2009, and 2010 come from the Urban Institute's Welfare Rules Database which takes the majority rule into consideration. According to the Urban Institute the majority rule is one record for every year, state, and category of rules of policy that affected the majority of the caseload for the majority of the year (Huber, Cohen, Briggs, and Kassabian 2014; Rowe 1999). The use of the majority rule did not change the data utilized in this study. The mean state spending for a three-person family on TANF is about $795 with a standard deviation of about $176. States varied between spending $435 and $1550.

ANALYTIC STRATEGY

I examine state's adoption of a full or partial ban using multi-level logistic regression modeling. The first level of the model will be years. The second level will be states. By modeling these levels simultaneously, I will be able to observe both within state and between state variation on whether race, political partisanship, state economics, crime and incarceration will be associated with a state implementing the drug felony lifetime ban on TANF benefits.

Because years are clustered within states the error terms are not independent, which may lead to an underestimation of standard errors. I report the robust standard errors for each model. I use a multilevel logistic regression models, also known as generalized linear mixed models (GLMMs), in STATA 14. By using this model, I was also able to transfer the total variation in my dependent variable into variances at the state and year levels (Lei et al. 2014). A multilevel

binary modeling strategy allowed me to correct any biases that may occur in the estimates due to clustering (Guo and Zhao 2000). According to Guo and Zhao (2000) multilevel modeling also offers correct standard errors and confidence intervals which in turn creates robust findings. Because Florida was dropped from the study, level 1 of the model has an N of 669 (state years) and level 2 has an N of 49 (states). All of the variables utilized within these models are time-varying and because of this level 2 in each model will solely have the constant.

The first multilevel logistic regression model begins with the unconditional model so that I can estimate how much variability in states implementation of the drug lifetime ban exists at each level. This model has no predictors at the year and state levels. This model produced the Intraclass Correlation Coeffiecient (ICC) which shows that 97% of the total variance is due to differences between states. This finding supports the claim that there is significant variation in state implementation of the drug felony lifetime ban and justifies the use of multilevel models.

Through this study I run seven additional multilevel logistic regression models in order to test the hypotheses described in Chapter Three. Table 5 illustrates the first three nested models which explore state economics and racial demographics, political ideology, and total incarceration and drug crime, respectfully. Table 6 and Table 7 both describe how gendered crime rates and incarceration rates in addition to state economics, racial demographics, and political ideology influence the implementation of the ban. Each of these tables represents two models where female drug crime, either total or parsed out by sale and possession, are denoted in model one and female incarceration rates are denoted in model two.

CHAPTER THREE

RESULTS

Figure 1.

State Changes in the Drug Felony Lifetime Ban from 1997 to 2010
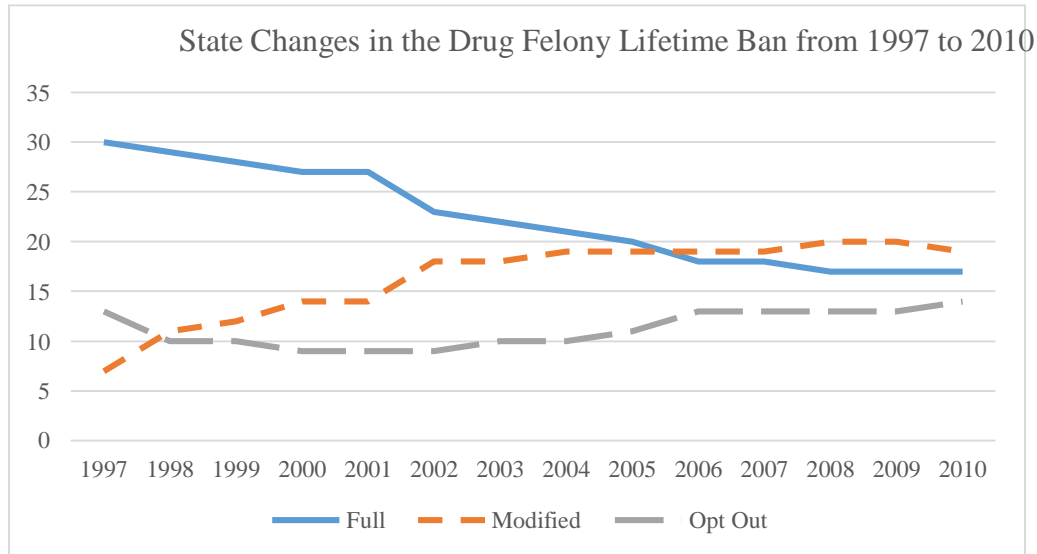
Data is from the Urban Institute Welfare Rules Database (2013)

Figure 1 shows trends in state's adoption of full, modified, or opting out of the ban. At its

inception a majority of states (30) chose to implement a full version of the drug felony lifetime

ban. In 1997 more states (13) chose to opt out of having the ban at all over implementing a

modified version (7) of the ban. This may be due to the fact that state officials needed more time

to decide what would be the best course of action in regards to this legislation. Over time, states

shifted towards implementing a modified version of the ban instead of a full ban. States have

also begun to opt out instead of implementing a modified version of the ban. These trends

continue through the end of the time period in this study. In the final year, there is almost an

even number of states representing each category of the ban (19 modified, 17 full, and 14 opt out), but most states still have some version of the ban in place.

Table 3 displays correlations between all study variables in all state-years. All variables were correlated in the expected direction. All of the independent variables are significantly correlated with the drug felony lifetime ban except for state-level unemployment rate, the total female drug crime rate, and female drug possession rate. Based on the legislatures purpose for codifying the ban into welfare reform, I would expect female drug crime to be significantly related to the ban, however this relationship is not present in the correlation tables. There are significant correlations between the incarceration rates (both total and female), TANF Spending, and the percent of the population that is African American with the ban. All of those variables are significantly correlated beyond the $p<.001$ level. The African American population has the strongest correlation with the ban, .279. Both incarceration rates, total and female, are positively correlated with the ban, .217 and .177 respectively. Citizen ideology is negatively and significantly correlated with the ban (-.106, $p<.01$) and the total drug crime rate and female drug sale rate are positively correlated with the ban ($p<.01$ and $p<.05$) however each of these correlations are smaller in magnitude than the other significant correlations discussed above. Neither the ban nor any of the other independent variables are significantly correlated with the years utilized in this study (not shown).

	Ban	Unempl	Max TANF	Percent Black	Citizen Ideology	Total Drug Crime	Total Incar Rate	Total Female Drug	Female Incar Rate	Female Drug Poss	Female Drug Sale
Ban	1										
Unemployment	-.011	1									
Max TANF Benefits 3 Person Family	-.186***	.226***	1								
Percent Black	.279***	.155***	-.452***	1							
Citizen Ideology	-.106**	.027	.477***	-.114**	1						
Total Drug Crime Rate	.085**	.225***	-.127**	.424***	-.045	1					
Total Incarceration Rate	.217***	.169***	-.264***	.594***	-.285***	.362***	1				
Total Female Drug Crime	.022	.248***	-.070	.227***	0.135***	.936***	.312***	1			
Female Incarceration Rate	.177***	.114**	-.077*	.230***	-.320***	.203***	.857***	.275***	1		
Female Drug Possession Rate	-.001	.242***	-.078*	.198***	0.170***	.898***	.303***	.978***	.279***	1	
Female Drug Sale Rate	.095*	.168***	-.015	.235***	.045***	.682***	.215***	.668***	.145***	.496***	1

Table 3: Correlations
*** p<0.001, ** p<0.01, * p<0.05

Table 4 depicts the bivariate multilevel logistic regression models between each individual variable, each year in the time period, and whether or not the state has a ban (modified and full). There are five variables that are significantly related to a state implementing the ban. The African American population within a state is significantly related to a state implementing a ban ($\beta = 0.350$, O.R. 1.420 $p < .05$). This means that as a state's African American population increases by one percent, the state is 42% more likely to implement a ban than opt out. Citizen ideology is also significantly related to a state implementing a ban ($\beta = -0.099$, O.R. 0.906 $p < .01$). As a state's citizen ideology score increases by one point that state is 9% less likely to implement a ban. Due to the operationalization of citizen ideology, a higher value on the scale indicates a more liberal citizen ideology. This indicates that as a state's ideology scale increases or becomes more liberal that state is less likely to implement the ban.

Table 4: Bivariate Models

Ban	β	SE	Odds Ratio
Unemployment	-.094	.124	.911
Percent African American	.350*	.145	1.420
Total Incarceration Rate	.003	.002	1.003
Total Drug Crime Rate	-.003	.002	.997
Citizen Ideology	-.099**	.033	.906
Female Drug Crime Rate	-.020**	.008	.980
Female Drug Sale Rate	-.023	.024	.977
Female Drug Possession Rate	-.026**	.009	.974
Female Incarceration Rate	.006	.014	1.006
Max TANF Benefits Per 3 Person Family	-.008**	.003	.992
1997	-.929	.712	.395
1998	.713	.801	2.041
1999	.713	.801	2.041
2000	1.430	.902	4.177
2001	1.430	.902	4.177
2002	1.430	.902	4.177
2003	.713	.801	2.041
2004	.713	.801	2.041
2005	.118	.747	1.126

2006	-.929	.712	.395
2007	-.929	.712	.395
2008	-.929	.712	.395
2009	-.929	.712	.395
2010	-1.438*	.718	.237

All female drug crime variables are negatively related to the ban which indicates that states with higher female drug crime rates (total, sale, and possession) are less likely to implement a ban. As a state's total female drug crime rate increases by one arrest per 100,000, the state will be 2% less likely to implement a ban (β = -0.020, O.R. 0.980 $p < .01$). Similarly, as a state's female drug possession rate increases by one arrest per 100,000, the state will be 3% less likely to implement a ban (β = -0.026, O.R. 0.974 $p < .01$). Additionally, max benefit level spending, specifically TANF for a 3-person household, was significantly related to a state implementing a ban. As a states max benefit level for a family of three increases by one dollar, the state is 1% less likely to implement the ban (0.08, O.R. 0.992 $p < .01$).

Lastly, when each individual year is regressed onto the dependent variable only 2010 is significantly related to the ban (β = -1.438, O.R. 0.237 $p < .05$). The relationships between the ban and unemployment, total incarceration, total drug crime, female drug sale, and female incarceration are not significant in the bivariate models. The unemployment rate in the bivariate model is negatively related to the ban, however in the subsequent models this variable becomes significant and positively related to the ban. Based on additional analysis the reason for this change is the inclusion of the time trend. Once the time trend is accounted for it Is clear that states with a higher unemployment rate are more likely to implement the ban.

Table 5: 1997 through 2010 Multilevel Logistic Regression Models					
	Model 1			Model 2		
VARIABLES	Level 1	OR	Level 2	Level 1	OR	Level 2
Unemployment	.630*	1.878		.735*	2.085	
	(-.302)			(-.318)		
Max TANF Benefits	-0.0018	0.998		-0.0003	0.999	
	(-.006)			(-.007)		
Percent Black	.411*	1.508		.341*	1.407	
	(-.164)			(-.172)		
Citizen Ideology				-.134*	0.875	
				(-.0603)		
Total Drug Crime Rate				-0.001	0.999	
				(-.003)		
Total Incarceration Rate				0.002	1.002	
				(-.003)		
1998	1.846	6.335		2.12	8.333	
	(-1.097)			(-1.121)		
1999	2.064	7.876		2.092	8.097	
	(-1.123)			(-1.139)		
2000	3.390**	29.67		2.585*	13.27	
	(-1.237)			(-1.313)		
2001	3.024*	20.57		3.449*	31.47	
	(-1.227)			(-1.342)		
2002	2.518*	12.4		2.483	11.98	
	(-1.253)			(-1.342)		
2003	1.554	4.732		1.652	5.217	
	(-1.199)			(-1.324)		
2004	1.841	6.302		2.228	9.28	
	(-1.188)			(-1.365)		
2005	1.525	4.594		2.538	12.65	
	(-1.207)			(-1.513)		
2006	0.809	2.246		1.431	4.182	
	(-1.225)			(-1.486)		
2007	0.957	2.604		2.357	10.56	
	(-1.281)			(-1.623)		
2008	0.472	1.603		2.144	8.531	
	(-1.384)			(-1.766)		

2009	-1.335	0.263			-0.775	0.461	
	(-1.949)				(-2.188)		
2010	-2.108	0.121			-2.916	0.054	
	(-2.313)				(-2.585)		
Constant	-0.217		2.168***	4.235			2.313***
	(-5.589)		(-.344)	(-7.312)			(-.310)
Observations	669		669	669			669
Number of groups	49		49	49			49

Standard errors in parentheses

*** p<0.001, ** p<0.01, * p<0.05

Table 5 depicts the first two multilevel logistic regression models focusing on state economics (unemployment and welfare spending), racial demographics (African American population), citizen ideology, and total state drug crime and incarceration rates. In each of these models, there is no significant relationship between the max TANF benefit level for a three-person family and the drug felony ban. Model 1 focuses on state economics and racial demographics. The percent unemployment and percent African American are significantly related to a state implementing a ban. As a state's unemployment rate increase by one percent a state is 88% more likely to implement a ban than opt out (β = 0.630, O.R. 1.878 $p < .05$). Also, as a state's African American population increases by one percent the state is 51% more likely to implement a ban than opt out (β = 0.411, O.R. 1.508 $p < .05$).

Model 2 adds citizen ideology, total state drug crime rate, and incarceration rate. Neither the total drug crime rate nor the total incarceration rate is significantly related to the ban. As a state's citizen ideology score increases by one point, a state is 12% less likely to implement a ban (β = -0.134, O.R. 0.875 $p < .05$). Although the coefficient changes for unemployment (From .701 to .735), the relationship is still significant. As a state's unemployment rate increase by one unit, a state is 109% more likely to implement a ban than opt out (β = 0.735, O.R. 2.085 $p < .05$).

Similarly, the coefficient for the African American population slightly changed but the

relationship is still significant (From .411 to .341). As a state's African American population

increases by one percent a state will be 41% more likely to implement a ban than opt out (β =

0.341, O.R. 1.407 $p < .05$).

Table 6: 1997 through 2010 Mulitlevel Logistic Regression Models Total Female Drug Crime and Female Incarceration						
	Model 1			Model 2		
VARIABLES	Level 1	OR	Level 2	Level 1	OR	Level 2
Unemployment	.745*	2.106		.931*	2.537	
	(-.344)			(-.363)		
Max TANF Benefits	-.001	.999		.003	1.003	
	(-.007)			(-.006)		
Percent Black	.440*	1.553		.413*	1.511	
	(-.19)			(-.183)		
Citizen Ideology	-.157*	.855		-.161*	.851	
	(-.065)			(-.067)		
Total Female Drug Crime Rate	-.030*	.970		-.031	.969	
	(-.015)			(-.017)		
Female Incarceration Rate				.051*	1.052	
				(-.021)		
1998	2.459*	11.693		2.406*	11.084	
	(-1.161)			(-1.174)		
1999	2.627*	13.829		2.267*	9.649	
	(-1.158)			(-1.151)		
2000	3.179*	24.035		2.479	11.933	
	(-1.337)			(-1.366)		
2001	4.241**	69.491		3.667**	39.118	
	(-1.399)			(-1.381)		
2002	3.539*	34.444		2.533	12.597	
	(-1.406)			(-1.417)		
2003	3.016*	20.403		1.666	5.293	
	(-1.43)			(-1.487)		
2004	3.873*	48.064		2.397	10.991	
	(-1.518)			(-1.57)		
2005	4.425*	83.539		2.665	14.372	

	(-1.726)			(-1.729)	
2006	3.494*	32.933		1.713	5.546
	(-1.734)			(-1.793)	
2007	4.567*	96.279		2.902	18.203
	(-1.952)			(-1.953)	
2008	4.338*	76.533		2.764	15.867
	(-2.062			(-2.035)	
2009	1.523	4.585		-0.859	.424
	(-2.433)			(-2.463)	
2010	-.560	.571		-3.506	.030
	(-2.75)			(-2.860)	
Constant	10.11		2.361***	3.774	2.356***
	(-7.743)		(-.332)	(-6.914)	(-.322)
Observations	669		669	669	669
Number of groups	49		49	49	49

Standard errors in parentheses

*** p<0.001, ** p<0.01, * p<0.05

Table 6 explores the relationship between state economics, racial demographics, political partisanship, and total female drug crime and incarceration. Model 1 explores the relationship between the ban, state economics, racial demographics, political partisanship, and the total female drug crime rate. As a state's female drug crime rate increases by one arrest per 100,000, a state is 3% less likely to implement a ban ($\beta = 0.0302$, O.R. 0.970 $p < .05$). Again, in neither of these models is there a significant relationship between the maximum TANF benefits for a three-person family and the drug felony ban. As in previous models, as a state's unemployment rate increases by one unit a state is 111% more likely to implement a ban ($\beta = 0.745$, O.R. 2.106 $p < .05$). Additionally, as a state's African American population increases by one percent a state is 55% more likely to implement a ban ($\beta = 0.440$, O.R. 1.553 $p < .05$). There is also a significant relationship between citizen ideology and the ban. The relationship indicates that as a state's

citizen ideology increases by one point, becoming more liberal, the state is 11% less likely to implement a ban (β = -0.157, O.R. 0.885 $p < .05$).

Model 2 incorporates the total female incarceration rate. When a state's female incarceration rate increases by one per 100,000 residents, a state is 5% more likely to implement a ban (β = 0.0509, O.R. 1.052 $p < .05$). The addition of this variable eliminates the significant relationship between the total female drug crime rate and a state implementing the ban however, all other significant relationships remain. The relationship between the unemployment rate and the ban remains significant in the second model. As a state's unemployment rate increase by one unit, a state is 154% more likely to implement a ban than opt out (β = 0.931, O.R. 2.537 $p < .05$). Similarly, the coefficient for African American population and citizen ideology slightly changed but the relationships are still significant (From .440 to .413 and from -.157 to -.161 respectively). As a state's percent African American population increases by one percent a state is 51% more likely to implement a ban than opt out (β = 0.413, O.R. 1.511 $p < .05$). Additionally, as a state's citizen ideology scale score increases by one and moves towards becoming more liberal, a state is 15% less likely to implement a ban (β = -0.161, O.R. 0.851 $p < .05$).

Table 7: 1997 through 2010 Mulitlevel Logistic Regression Models Female Drug Possession, Female Drug Crime, and Female Incarceration						
	Model 1			Model 2		
VARIABLES	Level 1	OR	Level 2	Level 1	OR	Level 2
Unemployment	.711*	2.036		.829*	2.291	
	(-.337)			(-.351)		
Max TANF Benefits	-.001	.999		.002	1.002	
	(-.007)			(-.006)		
Percent Black	.431*	1.539		.541t	1.718	
	(-.177)			(-.286)		
Citizen Ideology	-.162*	.850		-.160*	.853	
	(-.065)			(-.067)		

Female Drug Possession Rate	-.044*	.957	-.051**	.950
	(-.019)		(-.019)	
Female Drug Sale Rate	.007	1.007	.011	1.011
	(-.034)		(-.034)	
Female Incarceration Rate			.051*	1.052
			(-.019)	
1998	2.413*	11.165	2.314*	10.114
	(-1.174)		(-1.179)	
1999	2.573*	13.109	2.187	8.904
	(-1.168)		(-1.156)	
2000	3.127*	22.799	2.503	12.219
	(-1.337)		(-1.332)	
2001	4.405**	81.831	3.865**	47.705
	(-1.413)		(-1.371)	
2002	3.626*	37.575	2.737*	15.443
	(-1.412)		(-1.368)	
2003	3.151*	23.369	1.987	7.290
	(-1.422)		(-1.38)	
2004	4.126**	61.926	2.847	17.244
	(-1.52)		(-1.457)	
2005	4.784**	119.623	3.207	24.711
	(-1.767)		(-1.66)	
2006	3.882*	48.499	2.356	10.547
	(-1.755)		(-1.637)	
2007	5.035*	153.716	3.583	35.969
	(-1.981)		(-1.848)	
2008	4.896*	133.759	3.594	36.39
	(-2.119)		(-1.997)	
2009	2.167	8.73	.387	1.472
	(-2.481)		(-2.358)	
2010	.178	1.195	-1.984	.138
	(-2.797)		(-2.649)	
Constant	10.82	2.341***	4.351	2.253***
	(-7.685)	(-.331)	(-6.65)	(-.306)
Observations	669	669	669	669
Number of groups	49	49	49	49

Standard Errors in Parentheses
*** p<0.001, ** p<0.01, * p<0.05, t p<0.10

The last two models, depicted in Table 7, incorporate female drug possession rates and female drug sale rates into the models. Model 1 in this table is similar to Model 1 in Table 5, but female drug crime is parsed into possession and sale rather than total female drug crime rates. There is also a significant relationship between female drug possession and the ban, however, the relationship between female drug sale and the ban is not statistically significant. As a state's female drug possession rate increases by one arrest per 100,000, a state is 4% less likely to implement a ban ($\beta = -0.444$, O.R. 0.957 $p < .05$).

Similar to previous models, there is no between significant relationship between TANF spending for a three-person family and the drug felony ban. Consistent with the previous models, there are significant positive relationships between unemployment and the African American population with the ban as well as a negative relationship between citizen ideology and the ban. First, as a state's unemployment rate increases by one unit a state is 104% more likely to implement a ban ($\beta = 0.711$, O.R. 2.036 $p < .05$). Additionally, as a state's African American population increases by one percent, a state is 54% more likely to implement a ban ($\beta = 0.431$, O.R. 1.539 $p < .05$). The significant negative relationship between citizen ideology and the ban indicates that as a state's citizen ideology score increases by one point and becomes more liberal, a state is 15% less likely to implement a ban ($\beta = -0.162$, p $< .05$ O.R. 0.850).

Lastly, Model 2 adds the total female incarceration rate into the model. The significant relationship between the unemployment rate and states implementing the ban remained consistent across both models. As a state's unemployment rate increases by one unit, a state is 129% more likely to implement a ban ($\beta = 0.829$, O.R. 2.291 $p < .05$). There is also a significant relationship between citizen ideology and the ban, the relationship indicates that as a state's citizen ideology score increases by one point and moves towards becoming more liberal a state is

15% less likely to implement a ban (β = -0.160, O.R. 0.853 p < .05). The significant relationship

between female drug possession and the ban also remains consistent across these models, as a

state's female drug possession rate increases by one arrest per 100,000, the state is 5% less likely

to implement a ban (β = -0.512, O.R. 0.950 p < .01). The relationship between the African

American population and the ban is marginally significant in model 2. As a state's African

American population increases by one percent, a state is 72% more likely to implement a ban (β

= 0.541, O.R. 1.718 p < .10). There is also a significant relationship between the female

incarceration rate and a state implementing the drug felony lifetime ban. The model indicates

that as a state's female incarceration rate increases by one per 100,000, a state is 5% more likely

to implement a ban (β = 0.0509, O.R. 1.052 p < .05).

CHAPTER FOUR

DISCUSSION AND CONCLUSION

The primary goal of this study was to explore state policy implementation by focusing on the relationship between state characteristics and the drug felony lifetime ban. Previous research on the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 has concentrated on the sanctions put in place via time-limits or work requirements; however, the drug felony lifetime ban has not been researched to the same degree. The current study followed the research designs of previous research looking at state economics, political ideology, and racial demographics. Due to the punitive nature of the ban, drug crime and incarceration were also used in this study. The findings in this study support the notion that the different approaches to state policy implementation, specifically the drug felony lifetime ban, are attributed to a unique combination of political ideology, racial demographics, and incarceration.

Similar to the research of Joe Soss and colleagues (2001) and Fellowes and Rowe (2004), the drug felony lifetime ban has a strong relationship with a state's African American population which supports hypothesis one. Overall, my results indicate that a state with a larger African American population has a strong positive association with that state implementing either a full or modified version of the ban. This differs from findings by Owens and Smith (2012) which indicates a threshold effect, where a larger minority population is related to the ban but a medium or small minority population is not. This finding may be due to the operationalization of the dependent variable in Owens and Smiths' study because the researchers combined modified and opting out to indicate reform. Based on Figure 1., in the results section shown above,

between 1997 and 2004 a larger portion of states implemented a modified ban than opting out. Many of those states have larger African American populations which may account for the threshold effect. However, the finding in my study regarding the African American population within states is consistent with other state policy research that has concluded, "welfare politics in the United States remains racialized" (Soss et al. 2001; pg. 390). According to Burnham (2004) the United States has racism deeply intertwined within its society, and that some level of racial assumptions will inevitably lie within its policies. My results provide further support for these claims.

Additionally, a state's citizen ideology and unemployment rate were also positively related to a state's likelihood of implementing the ban. If a state has a more liberal citizen ideology, then that state is less likely to implement a full or modified version of the ban. This finding provides support for hypothesis three and previous research on welfare reform sanctions which specified conservative political partisanship as a motivator for strict welfare sanctions and policies. This finding is also contrary to the Owens and Smith's study, which indicated that there is no significant relationship between political ideology and a state's implementation of the ban. Similar to the finding regarding the African American population, I believe this inconsistency may be due to the operationalization of the dependent variable. Ultimately, the association between liberal ideology and the ban remains consistent over all models in this study. This finding should direct researchers' attention to the connection between race and political ideology for past, present, and future policies in the United States.

If a state has a higher unemployment rate, it is more likely that there will be a full or modified version of the ban in that state. This finding indicates that states where more citizens would need benefits are the states where the ban has been put in place over time. There is limited

support for hypothesis two, that states with a higher maximum TANF benefit level for a three-person family in a state will be less likely to implement the ban. Although the correlation table and bivariate model indicate a significant relationship between the maximum TANF benefit level for a three-person family and the ban in the direction hypothesized, neither of the logistic multilevel regression models show a significant relationship between the two.

When looking at the total drug crime and total incarceration rates in each state, there is no indication that either of these state-level factors has any effect on implementation of the ban, which is inconsistent with Owens and Smith's finding regarding the total incarceration rate within a state. The addition of variables measuring female criminality provides an interesting contrast to Owens and Smith's analysis because it uncovers different state characteristics that influence the implementation of the drug felony lifetime ban. Female drug crime and the female incarceration rate in each state are significant predictors of the likelihood a state will implement the ban.

The results above do not provide support for hypothesis four, that states with higher female drug arrest rates will be more likely to implement either the full or modified drug felony lifetime ban. Although the legislation specified that the drug felony lifetime ban was put into welfare reform in order to combat the drug crime of welfare recipients, my analysis indicates that there is an inverse relationship between female drug crime and the ban. This is inconsistent with the reason why the ban was passed into legislation in the first place and leads to questions of whether this policy is combating drug crime or is solely utilized for punitive purposes. Additionally, the female incarceration rate in a state is positively related to a state's likelihood of implementing a ban. This finding provides support for hypothesis five, indicating that states with higher female incarceration rates will be more likely to implement either the full or modified

drug felony lifetime ban than opting out of the ban. Future research should parse out the female

incarceration rate by type of crime in order to see whether drug crime convictions could be

influencing this finding, or if other criminal convictions by women influence implementation of

the ban. Additionally, future research should also analyze lagged variables in order to examine

causality between these state characteristics and the ban.

The findings discussed above, in regards to female drug crime and incarceration, citizen

ideology, and the African American population, call into question state's motives towards

implementing the ban. Are states ultimately utilizing the ban in a punitive manner adding to the

many other collateral consequences ex-offenders endure? The most pressing issue that has been

illuminated through this study is the strong relationship the ban has with the state's African

American population, conservative citizen ideology, and female incarceration rate.

The unexpected finding regarding drug crime arrests for women is specifically important

due to previous findings that indicate that welfare reform has led to a decline in illicit drug use of

women researchers and policy makers deem "at risk" for being dependent on welfare (Corman

2013). The ban itself may not be leading to the reduction in drug crime because the states with

higher drug crime arrests for women are not significantly more likely to implement the ban.

Looking beyond my analysis and towards other sociological research on welfare, this decline

may be due to the strict policies incorporated into welfare reform which has limited women on

the welfare rolls in general. Similarly, other drug sanctions utilized within the United States

criminal justice and welfare systems may account for this reduction as well.

Collateral consequences that restrict ex-felons from employment, education, and public

assistance such as the drug felony lifetime ban create unnecessary hindrances to reintegration

(Welsh 2015; Cammett 2014; McCluer 2014; Whittle and Parker 2014; Lenox 2011). These

consequences coupled with the finding in this study regarding the female drug possession rates'

inverse relationship with the ban, indicates that it would benefit society to completely remove the

ban from legislation. In fact, many policy briefs have stated that the ban should be eliminated

given its primary effects on effects poor women of color (Allard 2002; Mukamal and Smauels

2002). One specific brief by the Center for Public Policy Priorities in Texas (2013) indicates that

the ban should be eliminated or modified for SNAP, however there was no indication that any

changes should be made for TANF (Cooper and Donovan 2013). Future research should

compare the changes between the ban for TANF and SNAP over time, specifically focusing on

dependency and public sentiment towards welfare recipients. Further, some research connecting

welfare reform, the drug felony lifetime ban, and female drug arrests has found that states where

the ban is imposed see increases in female arrests (Thompson and Uggen *paper in progress*;

Grogger and Karoly 2009). The purpose of the ban, according to the legislature, was to deter

welfare recipients from engaging in drug related criminal activity. However, if the states that are

implementing the ban are seeing an increase in female criminality then the ban is most likely

acting as a punitive policy rather than a deterrent and the legislature should reconsider having it

as a component of current welfare policy.

CONCLUSION

According to my findings, many factors influence the variability of state policy

implementation when looking at the drug felony lifetime ban. This analysis shed light on which

state characteristics influenced the implementation of the ban from 1997 to 2010. One of the

limitations of this research is the inability to look at states implementing the modified version of

the ban in comparison to the full ban and opting out. This is the next step I will take in the future

with this research. Additionally, I plan to focus on how feminist criminology can be utilized to

explain the punitive nature of the ban towards women in the United States. As stated in the first chapter, previous research in the vein of welfare and incarceration indicate that there is a welfare-imprisonment trade off where spending on welfare programs is inversely related to incarceration (Owens and Smith 2012; Soss et al. 2011; Beckett and Western 2001). Because female incarceration is positively associated with the ban in my analysis, I also plan to research spending patterns of states between justice and welfare and whether or not there is a relationship between the two areas of spending and the implementation of the drug felony lifetime ban. Lastly in future research I will examine potential moderation and mediation relationships between state economics, political ideology, racial demographics, crime, and incarceration. For example, it is possible that citizen ideology mediates the effect of the African American population on the decision to implement the ban or not.

Like other policies passed as part of welfare reform, the drug felony lifetime ban has had a disparate impact on low-income African American and Latina women in the United States (Allard 2002). Based on the current study, a state's implementation of this restriction on welfare benefit eligibility likely has more to do with race, the conservative nature of the citizens, and higher female incarceration rate than with drug crime. The findings from this study show consistency with both prior sanctions in welfare reform legislation and penal policies as they relate to poor women, in particular women of color, in the United States.

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