

Public Benefits: An Abolitionist Approach to Crime Reduction

By Laya Reddy*

I. INTRODUCTION

Crime rates in the United States have generally decreased in the past few decades, contrary to the beliefs of most Americans.¹ Analysts have credited reductions in crime to several different factors, ranging from changes in policing and prosecution to economic growth for individuals.² Theories that highlight societal and economic factors, like the latter, point to the possibility of decreasing crime by improving such factors. Abolitionist theory, in particular, advocates for addressing social, economic, and political issues by creating and bolstering social institutions that would make incarceration unnecessary.³ This theory argues that prisons are used as a “surrogate solution” to social problems related to racism and poverty, emphasizing the relationship between inequalities, crime, and responses to crime.⁴ Indeed, people who enter the criminal legal system are overwhelmingly poor, and adults in poverty are three times more likely to be arrested than adults who are above the poverty line.⁵

While these statistics raise questions about discriminatory policing, they also provide support for abolitionist theory by suggesting that increased support for people in poverty could reduce crime. By addressing both the criminalization of poverty and the byproducts of living in dire economic situations, abolitionist theory offers its own theory of crime that demands greater societal support for individuals and communities.⁶ Increasing access to public benefits could supply the additional support necessary to effectively decrease crime.⁷ Expanding welfare payments, food assistance programs, housing, and medical care would provide people with greater institutional support and reduce crime rates.⁸

This paper begins with a note on scope to acknowledge the limits and potential for further research in this area. It then offers a brief overview of abolitionist theory as a lens through which to understand the issues and proposed reforms. It next presents research that analyzes the relationship between crime rates and access to specific public benefits: welfare payments, food assistance programs, housing, and medical care. These sections assess the breadth of research about each public benefit, highlighting the arguments and nuances in existing scholarship on the topic. Finally, the paper offers solutions consistent with abolitionist theory, arguing for both increased access to public benefits and decreased institutional violence, among other systemic changes, to reduce crime rates.

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U.S. Crime Rates and Trends - Analysis of FBI Crime Statistics, BRENNAN CENTER FOR JUSTICE, Oct. 16, 2023, <https://www.brennancenter.org/our-work/research-reports/us-crime-rates-and-trends-analysis-fbi-crime-statistics>; Jeffrey M. Jones, More Americans See U.S. Crime Problem as Serious, Gallup, Nov. 16, 2023, <https://news.gallup.com/poll/544442/americans-crime-problem-serious.aspx>.

2 Karen Zamora, Ari Shapiro, & Courtney Dorning, Violent Crime is dropping fast in the U.S. - even if Americans don't believe it, NPR, Feb. 12, 2024, <https://www.npr.org/2024/02/12/1229891045/police-crime-baltimore-san-francisco-minneapolis-murder-statistics>; Lauren-Brooke Eisen, What Caused the Crime Decline?, BRENNAN CENTER FOR JUSTICE, Feb. 12, 2015, <https://www.brennancenter.org/our-work/research-reports/what-caused-crime-decline/>.

3 Allegra M. McLeod, Prison Abolition and Grounded Justice, 62 UCLA L. REV. 1556, 1172 (2015); See discussion *supra* Part II.B for primer on abolitionist theory.

4 Angela Y. Davis & Dylan Rodriguez, The Challenge of Prison Abolition: A Conversation, 27 SOC. JUST. 212, 212 (2000).

5 The Relationship between Poverty & Mass Incarceration, Center for Community Change, https://www.masslegalservices.org/system/files/library/The_Relationship_between_Poverty_and_Mass_Incarceration.pdf (last visited Mar. 8, 2024); Tara O'Neill Hayes & Margaret Barnhorst, Incarceration and Poverty in the United States, AMERICAN ACTION FORUM, Jun. 30, 2020, <https://www.americanactionforum.org/research/incarceration-and-poverty-in-the-united-states/>.

6 Davis & Rodriguez, *supra* note 4, at 213.

7 Anna Terwiel, The Revolutionary Politics of Abolition, 55 POLITY 662, 671 (2023).

8 *Id.*

A. Scope

Public benefits, also known as government benefits or welfare programs, span a wide range of projects intended to help individuals pay for basic living expenses.⁹ While the term “public benefits” covers a broad array of programs, this paper focuses on four of the largest programs in the country.¹⁰ Comparable analysis of the impact of other programs on crime rates would also be useful in assessing the broader effect of public benefits.

Also, this paper does not analyze the impact of employment on crime rates, as public benefits generally do not encompass employment programs.¹¹ A wide range of research, however, points to an inverse relationship between employment and crime rates.¹² Although employment is not usually a public benefit itself, one can readily recognize a relationship between public benefits and employment. Mitigating homelessness and providing medical care, for example, can in turn help people to secure and maintain their employment.¹³ The existing research indicates that strengthening access to public benefits may also increase opportunities for employment, which could help decrease crime rates, as a result.¹⁴

Furthermore, this paper relies on research that studies and reports crime rates through the use of the National Incident-Based Reporting System (NIBRS), the National Crime Victimization Survey (NCVS), other reporting systems, or some combination of the various reporting methods. While the researchers strive to accurately present crime rates in their studies, there are certainly still gaps in reporting that may create inaccuracies in the statistics. Indeed, crime rates can be over or underrepresented as a result of mistrust of the police, lack of faith in the criminal legal system, and political pressures for police to report a certain number of arrests, among other reasons.¹⁵ Consistent with the existing practices in criminological research, however, this paper assumes the statistics are generally accurate.

Finally, this paper focuses primarily on the reasons people commit crimes, without questioning as much why certain acts are considered crimes in the first place. It acknowledges that many states and cities across the United States have laws that criminalize potential acts of poverty, such as homelessness, failure to pay child support, and inability to pay fines.¹⁶ Although the researchers discussed in this paper generally assume that actions labeled as crimes are justifiably designated so, the solutions section of this paper affords more attention to this

9 Government Benefits, <https://www.usa.gov/benefits> (last visited Mar. 9, 2024).

10 About Program Income and Public Assistance, UNITED STATES CENSUS BUREAU, <https://www.census.gov/topics/income-poverty/public-assistance/about.html> (last visited Mar. 9, 2024); Improving Access to Public Benefits, URBAN INST., <https://www.urban.org/projects/improving-access-public-benefits> (last visited Mar. 9, 2024); Joy Moses, The Facts About Americans Who Receive Public Benefits, THE CENTER FOR AMERICAN PROGRESS, Dec. 16, 2011, <https://www.americanprogress.org/article/the-facts-about-americans-who-receive-public-benefits/>.

11 Government Benefits, *supra* note 9; Family & Support Services, CHICAGO, https://www.chicago.gov/city/en/depts/fss/provdrs/senior/svcs/benefits_checkup.html (last visited Mar. 9, 2024).

12 Robert Apel & Julie Horney, How and Why Does Work Matter? Employment Conditions, Routine Activities, and Crime Among Adult Male Offenders, 55 CRIMINOLOGY 307, 308 (2017); Aaron Chalfin & Steven Raphael, Work and Crime, THE OXFORD HANDBOOK OF CRIME AND CRIMINAL JUSTICE, 444, 444 (Oxford 2011); Karin Edmark, Unemployment and Crime: Is there a Connection?, 107 SCAND. J. ECON. (2005).

13 Maureen Sarver, Why Is It So Hard for People Experiencing Homelessness to “Just Go Get a Job?”, URBAN INST., Nov. 3, 2023, <https://www.urban.org/urban-wire/why-it-so-hard-people-experiencing-homelessness-just-go-get-job>; Josh Bivens, Fundamental health reform like ‘Medicare for All’ would help the labor market, ECONOMIC POLICY INST., Mar. 5, 2020, <https://www.epi.org/publication/medicare-for-all-would-help-the-labor-market/>.

14 *Id.*

15 James P. Levine, The Potential for Crime Overreporting in Criminal Victimization Surveys, 14 CRIMINOLOGY 307 (1976); Donald J. Black, Production of Crime Rates, 35 AM. SOCIOLOGICAL REV. 733 (1970); Keshia S. Moore, Ryan Tom, & Jackie O’Neil, The Truth Behind Crime Statistics, LEGAL DEFENSE FUND, <https://www.naacpldf.org/the-truth-behind-crime-statistics/> (last visited Mar. 9, 2024); John Gramlich, What the data says (and doesn’t say) about crime in the United States, PEW RESEARCH CENTER, Nov. 20, 2020, <https://www.pewresearch.org/short-reads/2020/11/20/facts-about-crime-in-the-u-s/>; L G Center & T G Smith, Crime Statistics - Can They Be Trusted, 11 AM. CRIM. L. REV. 1045 (1973).

16 Hayes & Barnhorst, *supra* note 5.

issue and advocates against the criminalization of poverty.

B. Primer on Abolitionist Theory

Abolitionist theory advocates for both dismantling institutions such as prisons and jails and building societal methods to support collective success and harm reduction.¹⁷ This paper focuses on the latter goal, namely considering how society can effectively reduce harm and increase collective well-being. Abolitionist theory supports “public solutions to public problems” through improved access to resources and services for all people.¹⁸ Specifically, it aims to reallocate government funding from police and prisons and invest it in housing, jobs, education, and health to target underlying crime-breeding wealth and opportunity inequalities.¹⁹ Through structural improvement of societal factors, abolitionist theory seeks to reduce community harm; through the elimination of prisons, it seeks to reduce systemic harm.²⁰

III. RESEARCH

A. Welfare Payments

Overview of welfare payments programs

The government provides cash assistance to impoverished individuals and families through welfare payments.²¹ These payments take many different forms and are provided through various government programs, primarily Temporary Assistance for Needy Families (TANF) and Supplemental Security Income (SSI).²² In 1996, TANF replaced Aid to Families with Dependent Children (AFDC), which provided more support to families in poverty because the federal government, at a minimum, matched funds for every dollar that states spent.²³ TANF, in contrast, is a federally-funded and state-run program through which the federal government provides a fixed block grant to states, which then decide on their own allocation system.²⁴ States can create their disbursement program with flexibility so long as the assistance goes to “needy families with children” and meets at least one of four purposes:

(1) assisting families in need so children can be cared for in their own homes or the homes of relatives; (2) reducing the dependency of parents in need by promoting job preparation, work, and marriage; (3) preventing pregnancies among unmarried persons; and (4) encouraging the formation and maintenance of two-parent families.²⁵

Most states require income levels to be “far below” the federal poverty line in order to qualify for funding, limiting eligibility even among people in poverty.²⁶ Beyond these restrictions, federal law also bans states from using TANF to help some immigrants and people with drug felony convictions, among other communities.²⁷ Through these limitations, along with discretionary state allocation, many families are left without TANF assis-

17 abolitionjournal, If You’re New to Abolition: Study Group Guide, ABOLITION J., Jun. 25, 2020, <https://abolitionjournal.org/study-guide/#Introduction>.

18 Nine Perspectives for Prison Abolitionists, PRISON POLICY INITIATIVE, https://www.prisonpolicy.org/scans/instead_of_prisons/nine_perspectives.shtml#:~:text=The%20abolitionist%20response%20seeks%20to,all%20people%20in%20the%20society (last visited Mar. 9, 2024).

19 Bill Keller, What Do Abolitionists Really Want?, THE MARSHALL PROJECT, Jun. 13, 2019, <https://www.themarshallproject.org/2019/06/13/what-do-abolitionists-really-want>.

20 Beth Potier, Abolish prisons, says Angela Davis, THE HARVARD GAZETTE, Mar. 13, 2003, <https://news.harvard.edu/gazette/story/2003/03/abolish-prisons-says-angela-davis/>.

21 Public Welfare Expenditures, URBAN INST., <https://www.urban.org/policy-centers/cross-center-initiatives/state-and-local-finance-initiative/state-and-local-backgrounders/public-welfare-expenditures> (last visited Mar. 9, 2024).

22 Id.

23 Id.

24 Id.; Policy Basics: Temporary Assistance for Needy Families, CENTER ON BUDGET AND POLICY PRIORITIES, Mar. 1, 2022, <https://www.cbpp.org/research/family-income-support/policy-basics-an-introduction-to-tanf>.

25 Id.

26 Id.

27 Id.

tance. In fact, in 2020, only 21 out of every 100 families in poverty got TANF benefits.²⁸ Thus, TANF is not widely accessible to the families that need them, leaving many of them in need of greater cash assistance.

SSI, the other major welfare payment program, is even more restrictive than TANF because of its heightened requirements for eligibility.²⁹ The eligibility requirements for SSI include: “1) [l]ittle or no income, [] 2) little or no resources, and 3) a disability, blindness, or are age 65 or older.”³⁰

In addition to these requirements, SSI recipients must be citizens or qualifying noncitizens.³¹ SSI, like TANF, receives federal funding - in this case, from the U.S. Treasury.³² Unlike TANF, however, the federal government also manages SSI distribution; all applicants must meet the government’s “stringent” financial and “rigorous” medical criteria, resulting in the rejection of most applications for SSI disability benefits.³³ Indeed, only about 30 percent of SSI applicants are ultimately accepted and receive benefits.³⁴ As a result of strict requirements for both TANF and SSI, welfare payments are not broadly distributed, leaving many people in poverty in need.

The relationship between welfare payments programs and crime

Researchers have studied the impact of welfare payments on crime at length, analyzing general welfare payments, AFDC, TANF, and SSI. While AFDC is no longer used, its impact is still valuable in observing the relationship between welfare payments and crime. James DeFronzo published one of the earliest studies on welfare payments, aiming to observe their impact on crime rates.³⁵ He found that AFDC assistance, adjusted for cost-of-living, had significant negative effects on homicide, rape, and burglary rates.³⁶ An increase of \$10 in AFDC assistance per family member in 1970, he found, correlated with a decrease of 1.38 in the homicide rate, 5.50 in the rape rate, and 105 in the burglary rate per 100,000 people.³⁷ Studying nearly 40 standard metropolitan statistical areas (SMSAs), DeFronzo found that region was not significantly positively related to violent crime rates, and was even significantly negatively related to robbery rates.³⁸

A similar study of AFDC payments that did not adjust for cost of living observed an inverse relationship between payments and urban homicide rates, but no relationship with the crimes of rape or burglary.³⁹ Other studies, using comparable methodologies, have also shown an inverse relationship between welfare benefits and homicide rates.⁴⁰ DeFronzo’s subsequent 1997 study, for example, indicated that AFDC payments per recipient were negatively associated with homicide rates.⁴¹ Another researcher analyzed the impact of AFDC payments on homicide rates between 1989 and 1990, finding the same connection between higher welfare payments and lower homicide rates.⁴² Many of these researchers point to strain and control theories to explain this relationship, theorizing that poor people with more welfare assistance experience less strain and frustration, and are less likely to

28 Id.

29 Supplemental Security Income (SSI), <https://www.ssa.gov/ssi> (last visited Mar. 9, 2024).

30 Id.

31 Supplemental Security Income (SSI) Overview, <https://www.ssa.gov/ssi/text-over-ussi.htm> (last visited Mar. 9, 2024).

32 Id.

33 USAFacts Team, What is the approval rate for Social Security Disability Benefits?, USA FACTS, Dec. 12, 2023, <https://usafacts.org/data-projects/disability-benefit-process>.

34 Id.

35 James DeFronzo, Economic Assistance to Impoverished Americans, 21 CRIMINOLOGY 119, 132 (1983).

36 Id. at 130.

37 Id. at 129-130.

38 Id. at 130.

39 Steven Messner, Geographic mobility, governmental assistance to the poor, and rates of urban crime, 9 CRIME JUSTICE 1 (1986).

40 James DeFronzo, Welfare and Homicide, 34 J. RES. CRIME & DELINQUENCY 395 (1997); James DeFronzo & Lance Hannon, Welfare Assistance Levels and Homicide, 2 HOMICIDE STUD. 31 (1998); Lance Hannon, AFDC and Homicide, 24 J. SOCIOL. SOC. WELF. 125 (1997).

41 DeFronzo, *supra* note 40, at 403.

42 Hannon, *supra* note 40, at 129, 134.

commit crimes as a result.⁴³ Some have also relied on social disorganization theory as a basis for this correlation, noting that welfare payments alleviate community disorganization and create conditions that foster less crime.⁴⁴

To be sure, not all studies point to an inverse relationship between welfare payments and crime rates. A 2007 study of various counties in California suggested that there was little to no relationship between the two.⁴⁵ John Worrall, in his paper, admitted the contradictions between his research and the long line of scholarship before him, crediting part of the differences to the fact that his study only covered one state and analyzed a span of time less than a decade.⁴⁶ He also removed several counties from his study in an attempt to minimize the effect of outliers, but it is unclear if all of the excluded counties would have necessarily been inconsistent with the collected data.⁴⁷ While Worrall downplayed these limitations, his research is notably one of the only studies to suggest a lack of relationship between welfare payments and crime.⁴⁸ Further, California is likely not representative of the entire country, given that it has one of the highest public welfare state expenditures per capita.⁴⁹ Thus, the counties in the state, overall, receive more in welfare payments than counties in other states.⁵⁰ This might diminish the effects of differences in AFDC payments between counties in comparison to between states, which have greater disparities in welfare payments.⁵¹ Worrall's research, as a result, may well be an outlier in the long line of scholarship that demonstrates an inverse relationship between AFDC welfare payments and crime rates.⁵²

Researchers have also found an inverse relationship between crime rates and TANF, the program that replaced AFDC. Scott Liebertz and Jaclyn Bunch observed that welfare restrictiveness appeared to correlate with increases in crime.⁵³ As a state enforces more limiting policies in distributing TANF payments, they concluded, violent crime increases.⁵⁴ The researchers studied the effect of the restrictiveness of state policies governing access to TANF benefits from 1996 to 2012, specifically focusing on the state's employment requirements, lifetime limits, punishments for compliance failures, and restrictions on family caps.⁵⁵ They did not find a significant impact of strict policies on property crime, and considered it a potential consequence of not controlling for "states' propensity to provide certain levels of welfare when given the authority to do so," comparing the results to models with weighted propensity scores.⁵⁶ They did, however, find that increasing welfare restrictiveness had a substantial positive impact on violent crime; in other words, restricting welfare support correlated with an increase in violent crime.⁵⁷

Explaining these results, the researchers hypothesized that increased work requirements for TANF eligibility may leave children more vulnerable to gang activity and recruitment.⁵⁸ Also, stricter requirements are positively associated with drug use and arrests, which put people more at risk of engaging in violent criminal behavior.⁵⁹ Furthermore, as welfare benefits decrease, principles that promote crime replace the communal actions

43 DeFronzo, *supra* note 40, at 403, 396; Hannon, *supra* note 40, at 126.

44 *Id.*

45 John L. Worrall, *Reconsidering the Relationship Between Welfare Spending and Serious Crime: A Panel Data Analysis with Implications for Social Support Theory*, 22 JUST. Q. 364, 385 (2005).

46 *Id.*

47 *Id.* at 382.

48 Hannon, *supra* note 40, at 126.

49 Public Welfare State Expenditures Per Capita in 2021, USA STATES IN PROFILE, https://www.statsamerica.org/sip/rank_list.aspx-?rank_label=censgovtre_exp_1_c&item_in=040&ct=S06 (last visited Mar. 10, 2024).

50 Worrall, *supra* note 45, at 372.

51 *Id.*

52 Hannon, *supra* note 40, at 126.

53 Scott Liebertz & Jaclyn Bunch, *Examining the Externalities of Welfare Reform: TANF and Crime*, 35 JUST. Q. 477, 498 (2018).

54 *Id.*

55 *Id.* at 489.

56 *Id.* at 493.

57 *Id.* at 494.

58 *Id.* at 495.

59 *Id.*

and values that might reduce it.⁶⁰ The researchers pointed to social disorganization and social support theories to explain this relationship: without public benefits, society prioritizes market-based institutions which erode norms of trust, respect, and mutual cooperation.⁶¹ Thus, the stricter the restrictions on TANF eligibility, the less individuals can rely on social support, which results in increased criminal behavior.

Another study observed the impacts of both TANF and the Earned Income Tax Credit (EITC) on property crime. The EITC, a lesser known welfare program, provides federal tax credit for working people with moderate and low incomes.⁶² To be eligible for EITC, families with children must make below about \$50,000 and adults without children must make below around \$17,000.⁶³ The amount of EITC an individual receives depends on their income, number of children, and marital status.⁶⁴ In 2018, the EITC helped to bring around 5.6 million people out of poverty.⁶⁵ Despite its success, however, it has rarely been included in research.⁶⁶ One researcher examined the impact of EITC and TANF on violent crime and property crime rates across the country from 1997 to 2006.⁶⁷ She found that the EITC was more effective than TANF in lifting working-poor families from poverty and was significantly negatively related to property crime.⁶⁸ In fact, she went so far as to state that it is possible that the EITC is the “most effective federal social support program.”⁶⁹ Any beneficial impact on crime from welfare payments, she reasoned, is proportional to the effectiveness of the program in bringing people out of poverty; thus, she found that the EITC was more successful than other welfare programs in reducing crime rates.⁷⁰ While the study primarily found an inverse relationship with regards to EITC, and not TANF, the results still complicate the conclusions of Liebertz and Bunch by suggesting that welfare payments, in general, have an inverse impact on property crimes, and not just violent crimes.

The impacts of SSI on crime rates are similar to those of both TANF and EITC. Conducting a natural experiment of SSI removal from young people as a result of a 1996 welfare reform law, a study found that the removal increased criminal charges by 20 percent over two decades.⁷¹ As young people with disabilities lost SSI, it observed, some engaged in legal employment to recover the lost SSI income, but a larger portion responded by pursuing illegal income-generating activity, including burglary, theft, prostitution, and fraud.⁷² The study noted that children who lose SSI, as people with disabilities who are at or below the poverty line, “may not have the skills to succeed in formal employment and might face discrimination” in the labor market, which influences their turn to illegal activity.⁷³ While SSI is less far-reaching than TANF because of the additional requirement of disability for eligibility, it, too, has a demonstrated impact on crime rates.

Another researcher, C. Fritz Foley, offered a more granular analysis of the impacts of TANF and SSI on crime rates. He found that in many large U.S. cities where more than 10 percent of the population receives food stamps, criminal activity increased as more time passed since welfare payments occurred.⁷⁴ This relationship could reflect that people who receive support from welfare payments consume it quickly and then try to supple-

60 Id.

61 Id. at 479.

62 Policy Basics: The Earned Income Tax Credit, CENTER ON BUDGET AND POLICY PRIORITIES, <https://www.cbpp.org/research/policy-basics-the-earned-income-tax-credit> (last visited Mar. 10, 2024).

63 Id.

64 Id.

65 Id.

66 Jessica Brown, Social Support and Crime: A State-Level Analysis of Social Support Policies, 43 J. SOCIOLOG. SOC. WELFARE 135, 139 (2016).

67 Id. at 141.

68 Id. at 150.

69 Id.

70 Id.

71 Manasi Deshpande & Michael Mueller-Smith, Does Welfare Prevent Crime? The Criminal Justice Outcomes of Youth Removed from SSI, 137 Q. J. ECON. 2263, 2263 (2022).

72 Id. at 2304.

73 Id. at 2294.

74 C. Fritz Foley, Welfare Payments and Crime, 93 REV. ECON. STAT. 97, 110 (2011).

ment it with income from crime.⁷⁵ Thus, more frequent payments might reduce crime by providing individuals with consistent income so they avoid criminal activity. This study also highlighted differences between the general populations of those who commit crimes and those who receive welfare.⁷⁶ Women made up 57 percent of SSI recipients and 60 percent of TANF recipients, but only 30 percent of people arrested for financially-motivated crimes.⁷⁷ Additionally, many of the boys and men who received TANF benefits were young children, while crime rates are highest among people in their late teens and early twenties.⁷⁸ The study bridged this gap in data, however, by noting that many women who receive welfare payments share their resources with men, often not reporting the relationships to welfare providers.⁷⁹ This sharing of resources across gender might be consistent with sharing across age, as well. Thus, while the demographic with the highest offending rate is not usually the primary recipient of welfare payments (although adult men are eligible to receive benefits), they still benefit from them. A change to the welfare system would consequently also impact their ability to receive these benefits.

In sum, research overwhelmingly indicates that welfare payments have an inverse relationship with crime rates. Programs like TANF, EITC, and SSI have all proven to decrease crime, with varying levels of success. While one may debate about which program is most wide-reaching and effective, each seems to have a significant impact on crime rates. Also, while some researchers disagree about whether these programs impact property crimes and violent crimes in the same way, many studies consistently show an effect on both; regardless, a decrease in even one crime category would be beneficial. Further research in this area could explore both the difference in welfare payment programs as well as the impact of the programs on specific crimes. Researchers could also continue to analyze the disparities in this relationship between counties and states to offer proposals to decrease crime rates across the country.

B. Food Assistance

Overview of food assistance programs

Of the several different food assistance programs in the United States, the primary one is the Supplemental Nutrition Assistance Program (SNAP), formerly known as the Food Stamp program.⁸⁰ SNAP provides nutritional assistance to low-paid working families, low-income adults, and people with disabilities living on fixed incomes.⁸¹ The federal government funds SNAP, but splits the cost of administering it with the states, which operate it.⁸² Additionally, a majority of SNAP recipients are in families with children.⁸³ The federal government generally sets SNAP eligibility rules and keeps them uniform across the country; the standards for eligibility are lower than many other welfare programs and are broadly accessible to households with low incomes.⁸⁴ In order to qualify for SNAP benefits, households must meet three criteria:

[a]) Its gross monthly income generally must be at or below 130 percent of the poverty line, or \$2,379 a month (about \$28,550 a year) for a three-person household in fiscal year 2022. Households with a member who is age 60 or older or has a disability need not meet this limit[;]

[b]) [i]ts net monthly income, or income after deductions are applied for items such as housing costs and child

⁷⁵ Id.

⁷⁶ Id.

⁷⁷ Id.

⁷⁸ Id.; Magnus Lofstrom, Brandon Martin, & Deepak Premkumar, Are Younger Generations Committing Less Crime?, PUBLIC POLICY INST. OF CALIFORNIA, Sept. 2023, <https://www.ppic.org/publication/are-younger-generations-committing-less-crime/#:~:text=One%20of%20the%20most%20robust,20s%2C%20and%20then%20continually%20decreases.>

⁷⁹ Id.

⁸⁰ Policy Basics: The Supplemental Nutrition Assistance Program (SNAP), CENTER ON BUDGET AND POLICY PRIORITIES, Jun. 9, 2022, <https://www.cbpp.org/research/policy-basics-the-supplemental-nutrition-assistance-program-snap>.

⁸¹ Id.

⁸² Id.

⁸³ Id.

⁸⁴ Id.

care, must be less than or equal to the poverty line (\$1,830 a month or about \$21,960 a year for a three-person household in fiscal year 2022)[;:]

[and c)] [i]ts assets must fall below certain limits: in fiscal year 2022 the limits are \$2,500 for households without a member who is age 60 or older or has a disability and \$3,750 for those with an older or disabled member.⁸⁵

In 2021, the federal government spent around \$111 billion on SNAP, and SNAP recipients, on average, received about \$127 per month per person.⁸⁶ As of April 2023, about 12.5 percent of the total U.S. population received SNAP benefits.⁸⁷

Another major food assistance program, although less widespread than SNAP, is the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC).⁸⁸ WIC, as its name suggests, is targeted at babies and pregnant people to ensure that children are well-nourished in their early childhood.⁸⁹ With its narrower scope, WIC is only available to “[p]regnant, postpartum, and breastfeeding individuals, infants, and children up to age [five]” who have a gross household income at or below 185 percent of the federal poverty level and are determined to be at “nutritional risk.”⁹⁰ Those who qualify for WIC are eligible for benefits for up to six months after childbirth; those who breastfeed their child beyond six months can receive WIC benefits for up to a year after birth.⁹¹ Young children receive the benefits for up to a year, and then their eligibility is redetermined.⁹² Over three-quarters of people approved for WIC benefits also receive other benefits, like SNAP or TANF.⁹³ WIC, like SNAP, receives federal funding, between \$5 and \$6 billion each year.⁹⁴ State agencies administer the program and distribute the funding to individuals.⁹⁵ In 2021, WIC provided an average of \$56.90 in food each month per participant.⁹⁶ Although 12 million people were eligible to receive WIC benefits, only about six million actually participated in the program.⁹⁷

Finally, there are some other minor food assistance programs available to specific communities. These programs include the Senior Farmers’ Market Nutrition Program (SFMNP) and the Commodity Supplemental Food Program (CSFP), which are available to adults 60 and older; the National School Lunch Program, the School Breakfast Program, and the Special Milk Program, which are for children in school; and the Food Distribution Program on Indian Reservations (FDPIR), which is intended for Native Americans.⁹⁸ Although there are several different food assistance programs, this paper primarily studies SNAP, as it is widespread and one of the most effective programs in reducing hunger.⁹⁹

85 Id.

86 Id.

87 Drew Desilver, What the data says about food stamps in the U.S., PEW RESEARCH CENTER, Jul. 19, 2023, <https://www.pewresearch.org/short-reads/2023/07/19/what-the-data-says-about-food-stamps-in-the-u-s/>.

88 Policy Basics: Special Supplemental Nutrition Program for Women, Infants, and Children, CENTER ON BUDGET AND POLICY PRIORITIES, Oct. 5, 2022, <https://www.cbpp.org/research/policy-basics-special-supplemental-nutrition-program-for-women-infants-and-children>.

89 Id.

90 Id. (Applicants are required to attend a certification appointment in which a professional assesses if they are at “nutritional risk”).

91 Id.

92 Id.

93 Id.

94 Id.

95 Id.

96 Id.

97 National and State Level Estimates of WIC Eligibility and Program Reach in 2021, FOOD AND NUTRITION SERVICE, [https://www.fns.usda.gov/research/wic/eligibility-and-program-reach-estimates-2021#:~:text=Key%20Findings,in%202020%20\(52.0%20percent\)](https://www.fns.usda.gov/research/wic/eligibility-and-program-reach-estimates-2021#:~:text=Key%20Findings,in%202020%20(52.0%20percent)) (last visited Mar. 12, 2024).

98 Food assistance programs for older adults, <https://www.usa.gov/senior-food-programs> (last visited Mar. 12, 2024); School meals and food programs for children, <https://www.usa.gov/school-meals> (last visited Mar. 12, 2024); Food assistance for Native Americans, <https://www.usa.gov/native-american-food-programs> (last visited Mar. 12, 2024).

99 Ty Jones Cox, SNAP Is and Remains Our Most Effective Tool to Combat Hunger, CENTER ON BUDGET AND POLICY PRIORITIES, Feb. 14, 2023, <https://www.cbpp.org/blog/snap-is-and-remains-our-most-effective-tool-to-combat-hunger>.

The relationship between food assistance programs and crime

The effects of food assistance programs on crime rates are largely similar to those of welfare payment programs. In fact, Foley, in his study of TANF and SSI, also analyzed the impacts of food stamps on crime, and found a consistent inverse relationship for all three. He observed that in large U.S. cities where more than 10 percent of the population receives food stamps, criminal activity increased as more time passed since food stamp payments occurred each cycle.¹⁰⁰ Furthermore, not all crimes increased, but those that were likely to be financially motivated did.¹⁰¹ As with his findings regarding TANF and SSI, he noted that individuals first consumed the public benefits they received, and then turned to criminal activity to supplement their losses.¹⁰²

Foley discussed the importance of the timing of food stamps in relation to crime, which another study expanded on, finding that a more dispersed schedule of SNAP benefits helped reduce crime.¹⁰³ Specifically, the study noted that when the staggered period of disbursement was longer than 15 days - so recipients received benefits more than 15 days apart - property crimes fell.¹⁰⁴ It also found that when SNAP benefits were disbursed on the first day of the month, crime increased at the end of the month.¹⁰⁵ The study credited this effect to the fact that SNAP benefits coincided with paycheck issuance, so recipients were more likely to spend their money immediately, run out of food by the end of the month, and turn to crime to find food.¹⁰⁶ Interestingly, the study also suggested that consistent dates in the disbursement schedule led to a higher theft rate, but did not affect other rates for other crimes.¹⁰⁷ It similarly explained this by noting that continuous disbursement likely leads people to continuously purchase food and get concerned about the availability of stock at grocery stores, leading to higher rates of theft.¹⁰⁸ Thus, the research points to the possibility of maximizing the inverse impact of SNAP on crime by altering the timing of its disbursement.

A North Carolina study found that each additional year of food stamp availability in early childhood reduced the likelihood of criminal conviction in adulthood by three to four percent.¹⁰⁹ The researchers used data for convicted people in North Carolina between 1972 and 2015.¹¹⁰ Pointing to prior work that identified a positive relationship between early health intervention and later health, labor market, and educational outcomes, they tested the impact of food stamps on adult crime rates.¹¹¹ They found that food stamps improved both neonatal health and health during childhood, leading to a reduction in crime.¹¹²

The researchers offered a few theories to explain why increased food stamp programs decreased crime. For one, increased nutrition improvements in childhood led to improvements in intermediate outcomes - like better health - which raised the opportunity cost of committing crime.¹¹³ Additionally, improvements in childhood nutrition impacted psychology by improving self-control and decreasing aggression and violent behavior, which in turn decreases crime.¹¹⁴ These explanations are helpful in explaining the relationship between food stamps and

¹⁰⁰ Foley, *supra* note 74.

¹⁰¹ *Id.*

¹⁰² *Id.*

¹⁰³ Licheng Xu, Timing of SNAP disbursement and crime rate in the United States, DEPT. OF AG. & APPLIED ECONOMICS, U. OF WISCONSIN-MADISON 1, 15 (2020).

¹⁰⁴ *Id.* at 13.

¹⁰⁵ *Id.* at 16.

¹⁰⁶ *Id.*

¹⁰⁷ *Id.* at 15.

¹⁰⁸ *Id.* at 16.

¹⁰⁹ Andrew Barr & Alex Smith, Fighting Crime in the Cradle: The Effects of Early Childhood Food Stamp Access, 58 J. HUM. RES. 1, 29 (2017).

¹¹⁰ *Id.* at 2.

¹¹¹ *Id.* at 5.

¹¹² *Id.* at 6.

¹¹³ *Id.* at 11-12.

¹¹⁴ *Id.* at 12.

crime, especially considering that children are among the largest categories of food assistance recipients.

Finally, the researchers found that food stamp availability had particularly strong effects on violent and felony offenses, crimes with the highest costs to society.¹¹⁵ This research points to the potential of increased food assistance programs to decrease crime, particularly with regards to violent crime. Food assistance programs are instrumental in shaping natal and early childhood health, which significantly impact criminal behavior later in life. This study is consistent with a long line of research that suggests that proactive approaches to improving adolescence could help curb future crime.¹¹⁶

Food stamps may also contribute to criminal desistance. Cody Tuttle found that denying people convicted of drug offenses SNAP benefits increased their likelihood of recidivism.¹¹⁷ He identified a natural experiment in Florida, where he could study recidivism rates after August 23, 1996.¹¹⁸ People convicted of drug trafficking offenses prior to this date had access to SNAP, while people convicted after the date did not.¹¹⁹ Tuttle observed that people subject to the ban were nine percent more likely to return to prison than people convicted of drug trafficking who had access to SNAP.¹²⁰ Specifically, the crimes that drove recidivism had monetary motives, such as property crimes.¹²¹ Notably, Tuttle also observed that people subject to the ban did not immediately return to drug trafficking once released from prison, suggesting that they might have attempted to avoid further collateral consequences from drug trafficking, despite already experiencing a ban on SNAP.¹²²

Tuttle explained this relationship between SNAP access and recidivism rates with two theories. First, he noted the possibility that there was an “increase in the illegal labor supply of ex-offenders,” since they have a “high attachment” to illegal labor or difficulty entering the legal labor market.¹²³ Second, he highlighted the possibility that people not subject to the ban were deterred from committing crime by the potential of losing access to SNAP if they committed a drug trafficking offense.¹²⁴

Research on food assistance programs, similar to that on welfare payments, strongly suggests that increasing access to these benefits would decrease crime. Foley’s study demonstrates an inverse relationship between food stamps and crime rates, and Tuttle’s scholarship furthers this by highlighting a similar relationship between food stamps and recidivism rates, as well. Other researchers offer an explanation for this relationship by establishing that food assistance positively impacts both natal and early childhood health, which then reduces the likelihood of criminal convictions in adulthood.¹²⁵ Another study provides a nuanced approach to the existing research by highlighting how even disbursement schedules of food stamps have an effect on crime rates, due to the dire need for food from low-income communities.¹²⁶ This research individually and collectively establishes the potential for increased access to food assistance programs to decrease crime rates, particularly as they relate to financially-motivated offenses. Research has generally focused on SNAP since it is the largest food assistance program in the United States, but further scholarship could study other programs, like WIC or CSFP, as well.

115 *Id.* at 29.

116 Robert Agnew, Timothy Brezina, John Paul Wright, & Francis T. Cullen, *Strain, Personality Traits, and Delinquency: Extending General Strain Theory*, 40 *CRIM.* 43 (2002); Robert J. Sampson & John H. Laub, *A Life-Course View of the Development of Crime*, 602 *ANN. AM. ACAD. POL. & SOC. SCI.* 12 (2005); David Garland, *The Current Crisis of American Criminal Justice: A Structural Analysis*, 6 *ANNUAL REVIEW OF CRIM.* 43 (2022).

117 Cody Tuttle, *Snapping Back: Food Stamp Bans and Criminal Recidivism*, 11 *AM. J. ECON.* 301, 324 (2019).

118 *Id.* at 302.

119 *Id.*

120 *Id.*

121 *Id.*

122 *Id.* at 316.

123 *Id.* at 303, 322.

124 *Id.*

125 Barr & Smith, *supra* note 109.

126 Xu, *supra* note 103.

C. Housing

Overview of housing assistance programs

Three federal programs primarily provide housing assistance to individuals in need: housing choice vouchers, public housing, and section 8 project-based rental assistance.¹²⁷ The Housing Choice Voucher Program serves as the country's largest source of rental assistance for individuals.¹²⁸ The federal government funds the program, but the Department of Housing and Urban Development (HUD) and state and local public housing agencies administer it.¹²⁹ Eligibility rules may vary by housing agency, but generally, 75 percent of new households admitted to the program each year must have "extremely low incomes," which are at or below the poverty line or 30 percent of the local median (whichever is higher).¹³⁰ Families can use vouchers to help pay the rent for their current or new unit, as long as the housing agency verifies that the unit meets federal housing quality standards and has a reasonable rent.¹³¹ Generally, families with vouchers must contribute either 30 percent of their income or a minimum rent of up to \$50 for rent and utilities (whichever is higher), and the voucher covers the rest of the costs.¹³² The Housing Choice Voucher Program assists just over five million people across the country.¹³³

Public housing, another well-known program, provides affordable housing to nearly two million people across the country.¹³⁴ About half of public housing units are in areas with high poverty, and are generally concentrated in racially segregated and under-resourced neighborhoods.¹³⁵ In order to qualify for public housing, families must have a "low income," which is defined as less than 80 percent of the local median income; additionally, at least 40 percent of new families must have "extremely low incomes."¹³⁶ Housing agencies generally charge tenants 30 percent of their income for rent and utilities.¹³⁷ The federal government funds public housing, through the Public Housing Operating Fund and the Public Housing Capital Fund, but local housing agencies administer it.¹³⁸

Section 8 project-based rental assistance (PBRA) is a combination of public housing and the voucher program. PBRA helps more than two million people in the United States by providing them with PBRA housing and covering most of the rental cost.¹³⁹ A family or individual must have a "low income" to live in PBRA housing, and each PBRA housing development must provide at least 40 percent of its subsidized units to families with "extremely low incomes."¹⁴⁰ Tenants in PBRA housing pay 30 percent of their income, and the PBRA subsidy covers the remaining cost.¹⁴¹ While Congress provides funding to renew PBRA contracts, property owners, who are either public housing agencies or private owners in agreements with HUD, administer PBRA.¹⁴² The main difference between PBRA and vouchers is that PBRA tenants are generally not permitted to move without losing their rental assistance; vouchers, however, allow tenants to move to new locations without this loss.¹⁴³

127 Policy Basics: Federal Rental Assistance, CENTER ON BUDGET AND POLICY PRIORITIES, Jan. 11, 2022, <https://www.cbpp.org/research/policy-basics-federal-rental-assistance>.

128 Policy Basics: The Housing Choice Voucher Program, CENTER ON BUDGET AND POLICY PRIORITIES, Apr. 12, 2021, <https://www.cbpp.org/research/policy-basics-the-housing-choice-voucher-program>.

129 Id.

130 Id.

131 Id.

132 Id.

133 Id.

134 Policy Basics: Public Housing, CENTER ON BUDGET AND POLICY PRIORITIES, Jun. 16, 2021, <https://www.cbpp.org/research/policy-basics-introduction-to-public-housing>.

135 Id.

136 Id.

137 Id.

138 Id.

139 Policy Basics: Section 8 Project-Based Rental Assistance, CENTER ON BUDGET AND POLICY PRIORITIES, Jan. 10, 2022, <https://www.cbpp.org/research/policy-basics-section-8-project-based-rental-assistance>.

140 Id.

141 Id.

142 Id.

143 Id.

The relationship between housing assistance programs and crime

Research has established a positive relationship between homelessness and reported crime rates. A study of Los Angeles found that an increase in homelessness increased crimes against people, property, and society.¹⁴⁴ Other studies have also shown higher rates of reported criminal behavior among adults who are unhoused with severe mental illness as compared to housed adults with severe mental illness.¹⁴⁵ The San Diego District Attorney's Office came to a similar conclusion with regards to recidivism rates, as well.¹⁴⁶ They found that not only did people experiencing homelessness become involved with the criminal legal system at significantly higher rates than others, but they also had high recidivism rates.¹⁴⁷

While these studies demonstrate a positive relationship between homelessness and crime, they also make note of the societal factors that contribute to this finding. For one, policies often criminalize homelessness by prohibiting acts like sleeping, eating, and asking for money in public spaces.¹⁴⁸ Indeed, people experiencing unsheltered homelessness - which exposes them to arrest for these acts - report more interactions with law enforcement than people living in shelters.¹⁴⁹ Specifically, people who are unhoused are frequently arrested for "survival crimes" like theft and "nuisance crimes" like sleeping on benches.¹⁵⁰ The research thus indicates that public benefits that address homelessness would help to reduce crime by taking people off the streets and out of the situations in which they are most likely to be arrested. In other words, public benefits could lower rates of homelessness, thereby diminishing the number of interactions between people who are unhoused and the criminal legal system. Overall, studies have shown that housing assistance has the potential to decrease crime rates, but different programs have had varying levels of success. Housing vouchers have proved to be one of the most effective forms of assistance in decreasing crime rates.¹⁵¹ One study examined administrative records at public service agencies in Los Angeles County in 2016 and 2017 to analyze the impact of housing programs on crime rates.¹⁵² It found that housing programs - in the form of monetary assistance - reduced crime; specifically, it lowered the probability of committing a crime by 80 percent, compared to a baseline mean.¹⁵³ Jail bookings fell significantly for people who received housing assistance, compared to those who did not.¹⁵⁴ Additionally, individuals with housing assistance were nearly eight percent less likely to be charged with at least one crime than those who did not receive assistance.¹⁵⁵ Indeed, housing assistance appeared to decrease future returns to homelessness, which might have a longer-term negative impact on crime rates, as well.¹⁵⁶

144 Marilyn Ee & Yan Zhang, Homelessness and Crime in Neighborhoods, *CRIME & DELINQUENCY* 1, 17 (2022).

145 Laurence Roy, Anne G. Crocker, Tonia L. Nicholls, Eric A. Latimer, & Andrea Reyes Ayllon, Criminal Behavior and Victimization Among Homeless Individuals With Severe Mental Illness: A Systematic Review, 65 *PSYCHIAT. SERV.* 739, 739 (2014).

146 DA Share First-of-Its Kind Crime Data, Proposes Three-Point Plan to Address Intersection of Crime and Homelessness, *OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SAN DIEGO*, 1, 1 (2022).

147 *Id.* ("Of the individuals experiencing homelessness who have been charged with a crime and recidivated in the two-year period studied, 83% had two to four cases filed against them, and 15% had between five and nine cases filed against them").

148 Ee & Zhang, *supra* note 145, at 4-5; The Criminalization of Homelessness, *NATIONAL COALITION FOR THE HOMELESS*, <https://nationalhomeless.org/civil-rights-criminalization-of-homelessness/> (last visited Mar. 14, 2024).

149 Janey Rountree, Nathan Hess, & Austin Lyke, Health Conditions Among Unsheltered Adults in the U.S., *CALIFORNIA POLICY LAB*, Oct. 6, 2019, <https://www.capolicylab.org/health-conditions-among-unsheltered-adults-in-the-u-s/>.

150 Christopher Mayer & Jessica Reichert, The Intersection of Homelessness and the Criminal Justice System, *ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY*, Jul. 3, 2018, <https://icjia.illinois.gov/researchhub/articles/the-intersection-of-homelessness-and-the-criminal-justice-system>.

151 Elinor Cohen, Housing the Homeless: The Effect of Homeless Housing Programs on Future Homelessness and Socioeconomic Outcomes, *UCLA ANDERSON SCHOOL OF MANAGEMENT*, 1, 3 (2021).

152 *Id.* at 1-2.

153 *Id.* at 3.

154 *Id.* at 37.

155 *Id.*

156 *Id.* at 2.

Other city-specific studies complicate this research, though, by suggesting that the success of housing voucher programs is dependent on the location of the housing. A study of housing vouchers in Charlotte, North Carolina, found that voucher households were associated with higher crime, relying on UCR data from 2000 to 2009.¹⁵⁷ The researchers explained that these results did not indicate higher criminality among voucher recipients, but instead suggested a convergence of neighborhood conditions that foster crime, which include “higher residential turnover, decreased social cohesion, and increased numbers of at-risk youths.”¹⁵⁸ They specifically connected their results with social disorganization theory to demonstrate that the location of subsidized housing mitigated the potential positive effect of vouchers.¹⁵⁹

A study of Dallas, Texas, came to a similar conclusion but also cast doubt on the use of vouchers as a cause for high crime, noting that subsidized households are more likely to be in “distressed neighborhoods,” leading to increases in crime.¹⁶⁰ Neighborhoods with higher numbers of households with vouchers experienced high crime rates not because of a change in the number of voucher households in their neighborhood, but because the neighborhood was already experiencing higher levels of crime.¹⁶¹ Thus, the location of the subsidized housing - rather than the voucher program itself - served as an explanation for the relationship between vouchers and crime rates. Location is also a significant factor in public housing, which blurs the relationship between housing assistance and crime rates. Hartley and Sandler, in two separate studies of Chicago, both found that demolishing public housing decreased crime rates.¹⁶² Hartley, identifying a natural experiment through public housing destruction in Chicago, found that demolition was associated with a reduction in murder and assault rates across the city, pointing to the concentration of low-income housing in one area as a cause.¹⁶³ Importantly, the alternative to public housing in this study was not homelessness, but instead relocation of public housing residents.¹⁶⁴ Thus, the results of this study point to spatial distribution of public housing as a method of decreasing crime, rather than solely eliminating public housing.¹⁶⁵ Hartley suggested a reliance on social disorganization theory, noting that collective efficacy deteriorated when poverty was spatially concentrated, leading to higher crime rates.¹⁶⁶ The current concentration of public housing in low-income and low-resourced areas only increases the crime that those neighborhoods are already experiencing, so effective public housing would require more distribution across neighborhoods. Sandler’s study, analyzing the same natural experiment as Hartley, corroborated these findings and indicated that crime significantly decreased within a quarter mile of the demolition.¹⁶⁷ Sandler, like Hartley, explained that Chicago’s housing was “above average” in its need for renovation.¹⁶⁸ Specifically, she established that the poor maintenance and large size of housing primarily drove the decrease in crime after the public housing demolition.¹⁶⁹

157 Brent D. Mast & Ronald E. Wilson, *Housing Choice Vouchers and Crime in Charlotte, NC*, 23 *HOUS. POLICY DEBATE* 559, 559 (2013).

158 *Id.* at 591; see also Susan Clampet-Lundquist, Kathryn Edin, Jeffrey R. Kling, & Greg J. Duncan, *Moving At-Risk Youth Out of High-Risk Neighborhoods: Why Girls Fare Better Than Boys*, 116 *AM. J. OF SOC.* 1154, 1155 (2011) (“Children who grow up in public housing developments may be at particular risk for these adverse outcomes, since families who live in public housing are typically in neighborhoods with higher poverty than families who are similarly poor but have no housing subsidy”).

159 Mast & Wilson, *supra* note 158, at 591.

160 Shannon S. Van Zandt & Pratik C. Mhatre, *The Effect of Housing Choice Voucher Households on Neighborhood Crime: Longitudinal Evidence from Dallas*, 5 *POVERTY & PUBLIC POLICY* 229, 243 (2013).

161 *Id.* at 244.

162 Daniel A. Hartley, *Blowing it Up and Knocking it Down: The Effect of Demolishing High Concentration Public Housing on Crime*, *FED. RESERVE BANK OF CLEVELAND*, 1, 23 (2010); Danielle H. Sandler, *Externalities of public housing: The effect of public housing demolitions on local crime*, 62 *REG. SCI. URB. ECON.* 24, 34 (2016).

163 Hartley, *supra* note 163.

164 *Id.* at 16.

165 *Id.* at 23.

166 *Id.*

167 Sandler, *supra* note 163.

168 *Id.*

169 *Id.*

Another study of the same natural experiment in both Chicago and Atlanta similarly found no adverse impact on neighborhood crime as a result of public housing relocation.¹⁷⁰ The researchers pointed to public housing transformation that relocated residents to improved housing in safer neighborhoods as a method of reducing crime.¹⁷¹ They offered several reasons to explain this phenomenon:

First, relocating public housing residents for redevelopment could disrupt their social networks (Hagedorn and Rauch 2007), increasing their risk for either perpetrating or becoming victims of crime in their new neighborhoods (Haynie and South 2005; Sharkey and Sampson 2010).

Second, new residents moving into a neighborhood could disrupt the community’s “collective efficacy”—the degree of mutual trust and social cohesion that acts as a protective factor for residents—thereby making the residents of these neighborhoods less safe (Sampson, Raudenbush, and Earls 1997).

And third, some public housing residents or their associates could simply bring crime with them, essentially displacing problems like drug trafficking and gang activity from one neighborhood to another.¹⁷²

While these studies, on their face, suggest an ambiguous or even positive relationship between access to public housing and crime rates, they more clearly serve as an indictment of the current public housing program in the United States. They highlight the shortcomings of the program in concentrating public housing in areas that already have fewer resources and experience high crime rates. Housing assistance programs, overall, though, have the potential to decrease crime rates by reducing homelessness. Vouchers have proven to be more effective than public housing in decreasing crime, but this is primarily because public housing is poorly located. If these programs instead spread public housing and housing participating in the voucher program throughout cities and counties, housing assistance could have a significant inverse relationship with crime rates across the country.

D. Medical Care

Overview of public health insurance programs

Medicaid and Medicare are the two primary public health insurance programs in the United States. Medicaid, the most expansive program, provides health coverage to low-income individuals and families.¹⁷³ The federally-funded and state-administered health insurance program offers financial support to, at the very least, children in families with an income below 138 percent of the federal poverty line, pregnant people with an income below 138 percent of the poverty line, certain parents and caretakers with very low incomes, and most seniors and people with disabilities who get cash assistance through SSI.¹⁷⁴ Proponents of the Affordable Care Act (ACA) intended to expand coverage of Medicaid to other populations, but the Supreme Court gave states discretion over whether to expand their program.¹⁷⁵ The federal government requires state Medicaid to cover certain mandatory services, like hospital and physician care, but all states also cover certain additional services, like prescription drugs and vision services.¹⁷⁶ In 2018, the federal and state governments spent about \$630 billion on Medicaid, and provided health coverage to 97 million low-income Americans throughout the year.¹⁷⁷

170 Susan J. Popkin, Michael J. Rich, Leah Hendey, Chris Hayes, & Joe Parilla, Public Housing Transformation and Crime, URBAN INST. 1, 6 (2012).

171 Id. at 2.

172 Id. at 2-3 (citations omitted).

173 Policy Basics: Introduction to Medicaid, CENTER ON BUDGET AND POLICY PRIORITIES, Apr. 14, 2020, <https://www.cbpp.org/research/policy-basics-introduction-to-medicaid/>.

174 Id.

175 Id.

176 Id.

177 Id.

Medicare is a slightly different program, which provides health insurance to people aged 65 or older who are eligible for Social Security benefits.¹⁷⁸ It covers many of the same services that are covered by Medicaid.¹⁷⁹ The major difference between the two, other than the eligibility requirements, is that Medicare is both federally-funded and federally-administered.¹⁸⁰ In the context of crime, Medicare is far less researched because people aged 15-25 commit most crimes, with criminal activity slowing or entirely stopping by the age of 40.¹⁸¹ While health insurance that is targeted at individuals over the age of 65 is not necessarily unrelated to crime rates, it does not target the most impacted age group. As a result, researchers have focused on access to Medicaid, rather than Medicare, as a driver of crime rates across the country.

The relationship between public health insurance programs and crime

Research overwhelmingly shows that increased access to Medicaid decreases crime rates. One study compared state-level crime rates from 2010 to 2016 between states that expanded Medicaid and those that did not.¹⁸² It found that the ACA expansion of Medicaid in participating states reduced crime by improving people's quality of life, thereby increasing the opportunity cost of criminal behavior.¹⁸³ The results suggested that the ACA Medicaid expansion was negatively correlated with burglary, vehicle theft, homicide, robbery, and assault.¹⁸⁴ The ACA, in particular, targeted childless adults, a population likely to include many people engaging in criminal behavior.¹⁸⁵ This approach of focusing on specific vulnerable communities likely contributed to the inverse relationship between health insurance and crime rates.¹⁸⁶

In states that expanded Medicaid eligibility, violent crime rates significantly decreased compared to non-expansion states.¹⁸⁷ The effect was concentrated mainly among younger adults, the demographic most likely to commit crimes.¹⁸⁸ Jacob Vogler identified three possible theories to explain the relationship between Medicaid and crime rates. First, increased medical care may address the connections between mental illness, substance use, and violence, thereby reducing crime as a result.¹⁸⁹ Second, insurance "reduces expected medical expenditures and increases disposable income," creating positive income shocks that correlate with decreased financially-motivated and violent crimes.¹⁹⁰ Third, increased insurance coverage might increase quality of life, which would raise the opportunity cost of committing a crime.¹⁹¹ For these reasons, increased access to Medicaid may translate to lower rates of crime.

Other researchers similarly found a relationship between Medicaid expansion and a reduction in crime rates.¹⁹² Focusing on Medicaid expansions through Health Insurance Flexibility and Accountability (HIFA) waiv-

178 Basic Introduction to Medicare, CENTER FOR MEDICARE ADVOCACY, <https://medicareadvocacy.org/medicare-info/medicare-basics-2/> (last visited Mar. 15, 2024).

179 Id.

180 Policy Basics: Introduction to Medicaid, *supra* note 174.

181 Millennials Commit Less Crime Than Prior Generations, U. OF TX. AUSTIN, May 10, 2021, <https://news.utexas.edu/2021/05/10/millennials-commit-less-crime-than-prior-generations/>.

182 Qiwei He & Scott Barkowski, The effect of health insurance on crime: Evidence from the Affordable Care Act Medicaid expansion, 29 HEALTH ECON. 261, 266-267 (2020).

183 Id. at 262.

184 Id. at 261.

185 Id.

186 Id.

187 Jacob Vogler, Access to Healthcare and Criminal Behavior: Evidence from the ACA Medicaid Expansions, 39 J. POLICY. ANAL. MANAG. 1166, 1190 (2020).

188 Id.

189 Id. at 1171.

190 Id. at 1171-1172.

191 Id. at 1172.

192 Hefei Wen, Jason M. Hockenberry, & Janet R. Cummings, The effect of Medicaid expansion on crime reduction: Evidence from HIFA-waiver expansions, 154 J. PUBLIC ECON. 67, 78 (2017).

ers, a study found that rates of robbery, aggravated assault, and larceny theft declined.¹⁹³ Medicaid expansions increased substance use disorder treatments, which reduced the prevalence of substance use, and consequently decreased crime rates.¹⁹⁴ The researchers highlighted the importance of substance use treatment, in particular, as a major factor in crime reduction.¹⁹⁵

Another study observed arrest rates before and after Medicaid expansion in various states, and found that arrests significantly declined after the ACA expanded Medicaid, with the largest negative difference for drug arrests.¹⁹⁶ With greater access to Medicaid, the researchers proposed, individuals would be able to get mental health and substance use disorder treatment, “reduc[ing] the likelihood that police would arrest individuals who may present mental health problems or are involved in drug-related activity or other criminalized behaviors.”¹⁹⁷

Overall, they found that Medicaid expansion’s increased insurance coverage among people with substance use disorders resulted in fewer crimes.¹⁹⁸ Beyond drug use, the study corroborated the findings of other researchers, observing a decrease in violent and low-level arrests following the expansion of Medicaid.¹⁹⁹ It offered similar hypotheses to Vogler’s in explaining this trend, noting that insurance increased the financial stability of uninsured populations and also advanced community health, which both reduced crime.²⁰⁰

Research consistently proves an inverse relationship between medical care and crime rates. As states opted to expand Medicaid, they saw crime fall for a variety of reasons. For some, medical care improved people’s quality of life, which raised the cost of committing crime and risking one’s life. For others, medical care helped to address underlying issues often associated with crime, such as mental health issues and substance use disorders. Expanded access to medical care also increased people’s disposable incomes, reducing their need to engage in crime for financial benefit. These reasons help to demonstrate that investing in expanded medical care through Medicaid could contribute to a decrease in crime rates across the board.

IV. SOLUTIONS

The research on public benefits demonstrates a clear inverse relationship between increased access to welfare programs and crime rates. Tuttle suggested that this relationship could be based at least in part on deterrence.²⁰¹ He hypothesized that people may not have engaged in drug trafficking because they feared losing access to SNAP benefits.²⁰² While a plausible mechanism, a theory of deterrence would be detrimental in practice, as it would punish already financially-disadvantaged groups and defund marginalized communities, which would increase crime, contrary to the principles of abolitionist theory.²⁰³ Rather, the combined strength of the other research findings support increasing, rather than limiting, access to welfare programs.²⁰⁴

¹⁹³ Id. at 78-79.

¹⁹⁴ Id. at 79.

¹⁹⁵ Id.

¹⁹⁶ Jessica T. Simes & Jaquelyn L. Jahn, The consequences of Medicaid expansion under the Affordable Care Act for police arrests, 17 PLOS ONE 1, 1 (2022).

¹⁹⁷ Id. at 3.

¹⁹⁸ Id. at 11.

¹⁹⁹ Id. at 1.

²⁰⁰ Id. at 3.

²⁰¹ Tuttle, *supra* note 118, at 322.

²⁰² Id.

²⁰³ Connections Among Poverty, Incarceration, and Inequality, INST. RESEARCH ON POVERTY, May 2020, <https://www.irp.wisc.edu/resource/connections-among-poverty-incarceration-and-inequality/>; Nine Perspectives for Prison Abolitionists, *supra* note 18.

²⁰⁴ No More Double Punishments: Lifting the Ban on SNAP and TANF for People with Prior Felony Drug Convictions, CLASP, Apr. 2022, <https://www.clasp.org/publications/report/brief/no-more-double-punishments/> (Furthermore, a deterrence theory would be challenging to execute, as the federal government does not limit access to SNAP based on criminal records; these restrictions are based on state decisions, so employing this theory nationally would require implementing a federal ban).

Indeed, as a direct and immediate response to the connection between welfare programs and crime rates, activists working in coalition with the government must improve access to public benefits. This would require at least a three-pronged approach. First, the government should broaden eligibility requirements so more people can have access to these programs. Considering that the distribution of most of these benefits relies on proof of low-income status, expanding access might require reconstruction of the standards for income eligibility. SNAP, for example, is available to families who are at or below 130 percent of the poverty line, which would mean they make about \$32,000 a year or less.²⁰⁵ An MIT study, though, found that a living salary - the income required to meet a four-person family's basic needs - in the United States for 2022 was around \$104,000.²⁰⁶ This discrepancy between the legal standard of poverty and the realistic standard of poverty demonstrates the need to amend the legal standards to reflect the experiences of families in America. SNAP administrators could respond to this disparity by increasing the bar to 200 percent of the poverty line, or even greater.

Many welfare programs also implement procedural barriers that make it more difficult for people to apply for and receive them. From large amounts of paperwork to long wait times after mailing in applications, low-income people face obstacles to receiving benefits.²⁰⁷ Many people simply lack information on how to enroll in benefits in the first place.²⁰⁸ Others do not have the means or the time to travel to government agencies to offer proof of their eligibility.²⁰⁹ Additionally, programs could benefit from federal administration, rather than state administration, so requirements could be more uniform across the country, limiting a state's ability to deny people access to benefits. Federal funding for these programs is also important, as programs funded fully by the federal government usually get more support from state policymakers than programs that rely on state funding.²¹⁰

Second, the government should provide more funding for public benefits, so that a) more people can access them, and b) people can receive more support from the programs. Funding can come from a variety of places; often, activists call for taxing the rich to invest in low-income communities.²¹¹ Abolitionist theory calls for divesting from police departments and prisons and reallocating that funding to public benefits.²¹² In 2017, the federal government spent \$30 billion on police and \$7 billion on corrections; state and local governments spent \$129 billion on police and \$86 billion on corrections in 2020.²¹³ If even a fraction of this money went to funding welfare programs, they would see material expansion. While fixing the budget and reallocating funds is a long and complicated process that requires a strong financial infrastructure, the government must pursue this path to provide better assistance to people in poverty.²¹⁴

205 A Quick Guide to SNAP Eligibility and Benefits, CENTER ON BUDGET AND POLICY PRIORITIES, Oct. 2, 2023, <https://www.cbpp.org/research/food-assistance/a-quick-guide-to-snap-eligibility-and-benefits>.

206 Amy K. Glasmeier, NEW DATA POSTED: 2023 Living Wage Calculator, Feb. 1, 2023, <https://livingwage.mit.edu/articles/103-new-data-posted-2023-living-wage-calculator>.

207 Sheila White, The government makes it way too hard to apply for benefits, Dec. 10, 2021, <https://streetsensemedia.org/article/the-government-makes-it-way-too-hard-to-apply-for-benefits/>.

208 Shelley Waters-Boots, Improving Access to Public Benefits, CENTER FOR HIGH IMPACT PHILANTHROPY, 1, 5, https://www.impact.upenn.edu/wp-content/uploads/2016/2015/03/CHIPSeminar2010_ImprovingAccess_Ford-OSI-AECF.pdf (last visited Mar. 15, 2024).

209 Id.

210 Id.

211 Tax the Rich: 9 Reasons for a Wealth Tax, FIGHT INEQUALITY, <https://www.fightinequality.org/blog/tax-rich-9-reasons-wealth-tax> (last visited Mar. 15, 2024).

212 Ending Police Violence: What Do Defund and Divest Mean?, VERA INST. OF JUSTICE, <https://www.vera.org/publications/ending-police-violence-what-do-defund-and-divest-mean> (last visited Mar. 15, 2024).

213 Criminal Justice Expenditures: Police, Corrections, and Courts, URBAN INST., <https://www.urban.org/policy-centers/cross-center-initiatives/state-and-local-finance-initiative/state-and-local-backgrounders/criminal-justice-police-corrections-courts-expenditures> (last visited Mar. 15, 2024).

214 Policy Basics: Introduction to the Federal Budget Process, CENTER ON BUDGET AND POLICY PRIORITIES, Oct. 24, 2022, <https://www.cbpp.org/research/policy-basics-introduction-to-the-federal-budget-process>; MATTHEW DESMOND, EVICTED: POVERTY AND PROFIT IN THE AMERICAN CITY (2016) (Desmond argues that the benefits of increased welfare coverage through a program like universal housing vouchers far outweigh the cost and length of the funding process).

Third, the government should improve existing public benefits to ensure effective and comprehensive support for people. As the research on housing demonstrates, public housing and housing vouchers can be problematic, primarily because they concentrate recipients in neighborhoods with high rates of poverty.²¹⁵ More thoughtful housing assistance could eliminate this de facto class segregation (and racial segregation, considering the relationship between race and class). Governments should invest in poorer neighborhoods while also dispersing public housing across communities. Other programs, like SNAP and TANF, might benefit from increased coverage and a revised distribution schedule to ensure maximum access and assistance.

Public welfare programs reforms should be coupled with policy reforms that end the criminalization of poverty. Many laws and policies currently in place criminalize people in poverty solely for their existence.²¹⁶ Crimes that punish homelessness and inability to pay fees directly criminalize people in poverty. Other crimes, like theft and disorderly conduct, indirectly significantly impact communities in poverty, since these groups are more likely to be found guilty of such crimes.²¹⁷ If lawmakers rewrote or eliminated these policies that have a clear disproportionate effect on people in poverty, impacted communities would feel immediate relief.

Finally, abolitionist theory calls for society to eradicate prisons and police to reduce harm.²¹⁸ Efforts to invest in public benefits must be simultaneous with efforts to abolish systems of violence. Prisons in the United States increase crime, so eliminating these would decrease crime.²¹⁹ Policing, as an institution that contributes to and perpetuates the harms of prisons, should also be abolished. In fact, some studies have shown that intensifying policing can exacerbate crime rates.²²⁰ Thus, consistent with abolitionist theory, to decrease crime, activists in coalition with the government must increase access to public benefits, eliminate laws that criminalize poverty, and abolish police and prisons.

V. CONCLUSION

Studies on public benefits have established a strong inverse relationship between crime and at least four different programs: welfare payments, food assistance, housing, and medical care. This research points to the potential power of public benefits in reducing crime, through an abolitionist approach that invests in communities while eliminating systems of harm. In addition to increasing funding for these programs, governments should improve their existing programs to ensure that they are accessible and effective in providing people with the support they need. Further research on this topic could explore different forms of public welfare, the impact of reformed assistance programs, and a more granular analysis of impacted communities. As the existing scholarship makes clear, reducing crime rates requires supporting marginalized communities.

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