

Fighting Sanctions in Montana



Call to action

In November 1997, Montana People's Action (MPA) approached the Department of Public Health and Human Services, which was working on a Welfare Recipient's Bill of Rights. MPA asked the department to declare in the bill that welfare recipients would not lose Medicaid or food stamps when they received a welfare sanction; MPA members were concerned that welfare sanctions were having a negative impact on the communities in which they worked. Sanctions are imposed by the state to punish welfare recipients who have, in some way, broken part of the welfare contract. Breaking the contract could mean anything from not looking for work to missing a redetermination meeting. As a result, the state may temporarily cut cash assistance—for an individual or an entire family—until the welfare recipient becomes compliant. Because Montana had opted to terminate Medicaid for adults who receive a welfare sanction, some families were not only losing some or all of their cash assistance but were also losing services such as Medicaid and food stamps. The department refused to deal with sanctions administratively. Since sanctions are protected by federal statute, the Welfare Advocates of Montana (a chapter of MPA) had to work around them, even though they wanted to eliminate them entirely. MPA then researched what was acceptable within federal guidelines and set out to pass legislation that modified the effects of sanctions on families.

Legislative campaign

In October 1998, the annual Montana hunger and homelessness conference took place. The conference, which deals with various public interest issues, was the jumping-off point for the legislative campaign. MPA released a report on statewide sanctions that included personal stories of people who had suffered a loss of income, health care, child care, and food stamps as a result of sanctions. The report also included statistics collected by the state, data the state released to the Department of Health and Human Services, and MPA's own look at the state computer system. MPA's report contradicted the state's claim that only 2 to 5 percent of the total welfare caseload were affected by sanctions. MPA's analysis showed a much higher figure—as high as 18 percent in some counties.

Along with the report, MPA issued a press release with statistics showing that sanctions that deny adults and children cash assistance, Medicaid, food stamps, and child care are counterproductive to the state's goal of full employment.

Educating the public

From October 1998 through the end of January 1999, MPA aggressively distributed its report to heighten public awareness of the issue. It organized meetings between legislators and people affected by sanctions to personalize the problem and educate legislators. According to Carson Streg-Flora, researcher for MPA, "The legislators willingly listened to our proposal even if they did not agree with us. From an education standpoint, it helped us to be able to implant names and faces in their heads to accompany somewhat dry statistics."

MPA worked with many other groups to promote the sanction bill, but the most useful collaboration was a project associated with the Women's Opportunity Resource Development (WORD) known as the Coping with Block Grants Project. From a policy standpoint, WORD's support and advice were instrumental. It insisted that MPA make reasonable, winnable goals and helped devise a strategy to see that happen. While it did no lobbying, WORD was influential with legislators during hearings because its welfare policy expert testified on MPA's behalf, highlighting MPA's statistics and, according to Streg-Flora, giving added weight to the numbers by presenting a slightly different perspective.

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Using the media

Throughout, the media played a pivotal role. In November 1998, MPA arranged an interview between a sanctioned welfare recipient and a local TV reporter. The story was carried throughout the state in print and did well on TV. In the two major media markets of Missoula and Billings, MPA set up interviews with welfare recipients that focused on the families' stories. Before the stories ran, the only welfare message voters had heard was that welfare reform was an unmitigated success. Seeing the faces of sanctioned welfare recipients as they told their stories of lost Medicaid, food stamps, and child care, people awakened to a new perspective.

During the legislative hearings, MPA went into full-court press with the media. Because of MPA's earlier efforts to engage the media through press releases and advisories, there was some high-visibility media coverage of the hearings. Advocates talked to the press in the statehouse halls, facilitated one-on-one meetings between reporters and welfare recipients, and sent out press releases with MPA's message after the hearings.

Whereas visual media had been a big part of the early campaign, during the hearings print became much more important. TV had been instrumental in elevating the sanctions issue in the public eye and making it an issue legislators had to take seriously. Once hearings began the target audience became the legislators, not the public. Print media went into more specifics about the proposals and educated legislators more thoroughly on the sanctions problem.

In the Senate, MPA's bill, known as the Welfare Recipients Protection Act, passed on February 20, 1999, by a vote of 32 to 16. Nearly one month later, it also passed in the House, although in a much tighter vote, 57 to 43. In April, Governor Marc Racicot signed the bill. The new law prevents sanctions from having any effect on Medicaid and food stamps.

Compromise

MPA's victory was not without its concessions. In order to pass the sanctions bill, MPA had to compromise a key concern—child care. Although it wanted all child care to be protected from sanctions, it had to work with conservatives who felt that child care should only be exempt in cases where the parent uses it while working or attending job training. MPA had also wanted child care to be protected for parents who attend school, but it was unable to get that included.

Lessons learned

As a result of the legislative campaign, MPA's relationship with the Department of Public Health and Human Services was strained. "Our relationship became much more confrontational because our report contradicted its analysis of data," Strege-Flora said. The department lobbied against the sanctions bill in the Senate and incited senators to push for the child care amendment. In the House, once the Senate had already passed the bill, department officials testified as informational witnesses and neither opposed nor supported the bill.

Overall, the most effective tools MPA used were media, high-visibility hearings, and grassroots and traditional lobbying. In addition to meeting one on one with legislators, MPA had its membership call in and e-mail before every vote on sanctions.

And the least effective tool? According to Strege-Flora, "We spent too much time trying to get the support of the Department of Public Health and Human Services." Up until January, MPA was still trying to engage department support, which was ultimately unnecessary to its success. Strege-Flora believes that, while it is important to try to have the department on your side, advocates have to be aware of their limited resources and judge this use of their time accordingly.