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JANUARY 9, 2015

Do the poor deserve more scrutiny than other beneficiaries of government support?

 November 7, 2014 by [stevenyoder](#)  [Leave a Comment](#)

Last month, New York State's Ulster County launched a new crime-fighting program—those who come to the county social services department seeking welfare benefits must undergo an on-the-spot background check for outstanding arrest warrants. “It’s a great tool for us,” county sheriff Paul VanBlarcum told a local paper. “This is either going to stop you from getting free benefits, or you’re going to clear up your stuff.”

But Christina, a single mother who works as a home health aide and uses food stamps, pointed out to a reporter that warrant checks aren’t required in other county buildings like the Department of Motor Vehicles. Actually, one other facility does mandate them—the county jail.

Advocates for the poor in communities around the country are asking questions about the increasing use of background checks and intrusive searches of those applying for public assistance. And organizations like the ACLU are fighting back with lawsuits.

U.S. spending on social programs—20 percent of GDP last year—has long been lower

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than that of comparable rich economies like France (33 percent), Denmark (31 percent), or Germany (26 percent). But since U.S. passage of welfare reform in 1996, states and localities have shown increasing interest in spending additional money to scrutinize the character and deservingness of poor people who apply for government assistance.

San Diego County has been the pioneer in subjecting the poor to extra attention. Starting in 1997, the county began requiring that all families applying for welfare submit to warrantless, suspicionless, and unannounced home searches and interrogations by county District Attorney investigators.

The Public Interest Law Project, a legal assistance nonprofit, has compiled stories about some of those searches. An investigator told one woman that she was failing to report income because the boots in her home were “work boots.” Other families have been denied assistance when investigators pointed to an extra toothbrush or boxer shorts as evidence of fraud. The county denied one newly homeless family who had just fled from domestic violence because they couldn’t prove they weren’t still living in the home they’d fled in haste—they didn’t have enough belongings in the home of the relative with whom they were temporarily staying.

Arizona became the first state to implement a drug testing program for welfare recipients in 2009. Florida followed suit in 2011, with Governor Rick Scott implementing a drug-testing requirement that he promised would save the state money by disqualifying drug users. Seven other states have instituted similar drug-testing regimes. And in 2012, Congress and the President expanded drug testing to those receiving unemployment checks, passing an amendment to the Social Security Act that authorizes states to do so.

Last year in North Carolina, to reduce fraud, legislators passed a law that directs state social workers to do criminal background checks on anyone applying for food stamps or welfare benefits. Federal law prohibits those found breaking parole or fleeing to

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avoid prosecution from receiving government checks.

But while legislators tout the worth of such programs in saving their governments money, it's not clear they always do. Arizona's drug-testing program conducted 87,000 drug tests on applicants from 2009 to 2012. But only one applicant [tested positive](#), saving the state \$560. An analysis of Florida's program by the *New York Times* found that fewer than 3 percent of applicants tested positive and that the program actually cost the state at least \$45,000, not including administrative, staff, and, litigation costs.

Civil liberties groups have been fighting back, with mixed success. The ACLU sued San Diego County over its program on 4th Amendment grounds, which protect against unreasonable searches and seizures. But the three-judge panel of the U.S. 9th Circuit Court of Appeals, in a bitter split decision in 2007, concluded that welfare home visits don't qualify as searches within the meaning of the 4th amendment. Eight other 9th Circuit judges filed an additional dissent, arguing unsuccessfully for a reconsideration.

But last year, the ACLU won a suit against Florida over its drug-testing regime—a federal district court ruled that the law did violate the 4th Amendment.

It remains for the Supreme Court to settle differences among lower courts over the issue.

One of the dissenting 9th Circuit judges in the San Diego case seemed to suggest an argument that might work should a related case make it to the High Court. "The government does not search through the closets and medicine cabinets of farmers receiving subsidies," Judge Harry Pregerson wrote. "They do not dig through the laundry baskets and garbage pails of real estate developers or radio broadcasters." It's only the poor, he wrote, who must "give up their rights of privacy in exchange for essential public assistance."

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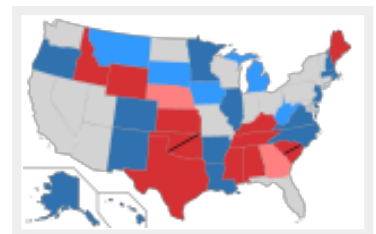
December 4, 2014

By Joan Oleck – The Hunger Games: Mockingjay—Part 1

is, for its teen fan base, a powerful lesson in marketing manipulation. For anyone not living in a cave, this third film in the series of four is based on the über-successful book series by Suzanne Collins and weaves a compelling tale of teen survival in [...]



Commentary: The 2014 US Midterms – The democratic election



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November 11, 2014

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October 31, 2014

As Myanmar, a country with an incipient democracy and alarming human rights record, prepares to host a prestigious regional issues summit in coming weeks, the Southeast Asian nation's galling treatment of its ethnic minority populations is receiving renewed attention. It's an inopportune time for the country's president, Thein Sein, for these issues to be resurfacing

in [...]

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Bandwagon
outrage over
Brunei's strict
Islamic
criminal
code all
but gone**



October 18, 2014

When Brunei became the first Southeast Asian country to nationally adopt a strict Islamic penal code known as Sharia earlier this year, the world was outraged. News and social media told us so in such headlines as “Brunei adopts sharia law amid international outcry” and “Ellen DeGeneres backs boycott of Brunei-owned hotels over ‘stone the [...]”

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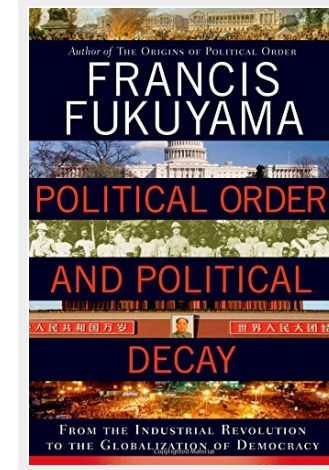
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