

Welfare recipients paid after drug testing halted

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MIAMI | The state paid back nearly \$600,000 to welfare recipients who were denied benefits during a four-month period last year because they failed or refused to take a drug test after a federal judge temporarily halted the law, figures from state welfare officials show.

Republican Gov. Rick Scott championed a law that required welfare applicants to pay for and pass a drug test from July through October last year. Roughly 4,000 adults did not have drugs in their system and 108 tested positive. Nearly 2,500 people refused to take the drug test, although it's unclear why they refused, according to figures from the Department of Children and Families.

Nearly 4,000 families that failed or refused to take the test were denied the benefits during that four-month period, the agency said. Under the Temporary Assistance For Needy Families program, the state gives \$180 a month for one person or \$364 for a family of four.

That money "made the difference between paying the rent or going homeless," said Howard Simon, executive director of the American Civil Liberties Union of Florida.

An Orlando federal judge ordered the state to temporarily suspend the law last year, saying it may violate a constitutional ban on unreasonable searches and seizures.

U.S. District Judge Mary Scriven's ruling came after the ACLU filed a lawsuit on behalf of a 35-year-old Navy veteran and single father who sought the benefits while finishing his college degree, but refused to take the test because he believed it unfairly stigmatized the poor. The judge said there was a good chance plaintiff Luis Lebron would succeed in his challenge to the law based on the Fourth Amendment, which protects individuals from being unfairly searched.

After Scriven's ruling, the state had to retroactively pay nearly \$600,000 in benefits to thousands of families regardless of whether they failed or even took the drug test.

DCF spokesman Joe Follick said Saturday the repayments did not cost the state any additional money because the state had already set those funds aside.

Supporters had argued applicants skipped the test because they knew they would have tested positive for drugs. Applicants paid \$25 to \$35 for the test and were initially reimbursed by the state if they passed.