THE JOURNAL RECORD

Gavel to Gavel: The future of SNAP integrity and the duty to modernize

By: Trent Shores and Jason T. Seay, AIGP, CIPP-US // GableGotwals // August 26, 2026

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The law often moves slowly. Public policy does not have to. Rising error rates now present a legal and operational test for state and federal governments, as outdated benefit systems are asked to defend public funds against administrative mistakes and criminals who adapt faster than bureaucracy. When criminal organizations target benefit programs, the issue is no longer just technology procurement. It becomes a question of stewardship, discretion, and accountability.

The Supplemental Nutrition Assistance Program (SNAP) distributes more than $100 billion in taxpayer-funded food benefits each year through Electronic Benefit Transfer. Agencies commonly focus on application errors, paperwork mistakes, and eligibility reviews. Those efforts matter, but they are not enough. USDA data shows the national SNAP payment error rate remained above 10% in FY 2025, at 10.62%, while Oklahoma's rate rose to 11.04%. This is the state's third consecutive increase, up from 8.89% in FY22. Those figures exceed the 6% benchmark that can trigger state cost-sharing consequences under federal reforms. Although payment errors are not synonymous with fraud, federal oversight agencies recognize that program abuse and intentional misrepresentation contribute to improper payments alongside administrative errors.

A rising error rate is itself a signal about the methods used to address it. The question is not whether agencies should chase every new technology. It is whether existing tools are equal to the challenge in front of them. Program integrity cannot depend on whether a store, county, or legacy vendor has kept pace with modern fraud risks. As criminals use modern tools to automate attacks and exploit vulnerable payment channels, the government needs systems built for that reality.

Artificial intelligence should not replace human judgment in benefits administration, but it should inform it. Used responsibly, AI can help agencies prevent fraud at the point of sale, detect suspicious patterns earlier, and focus investigators on likely abuse — paired with due process, transparent standards, and legal safeguards. A legally sound modernization strategy should focus on prevention, since stolen benefits are difficult, costly, and often impossible to recoup. Program-integrity decisions should be evaluated not only as technology choices, but as exercises of discretion affecting taxpayer money and vulnerable families.

For federal and state leaders, the choice is not between law and innovation. It is whether to use available discretion responsibly while the law catches up. SNAP exists to help families buy food. Protecting that mission requires judgment, modernization, and a willingness to stop fraud before public money leaves the door.

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