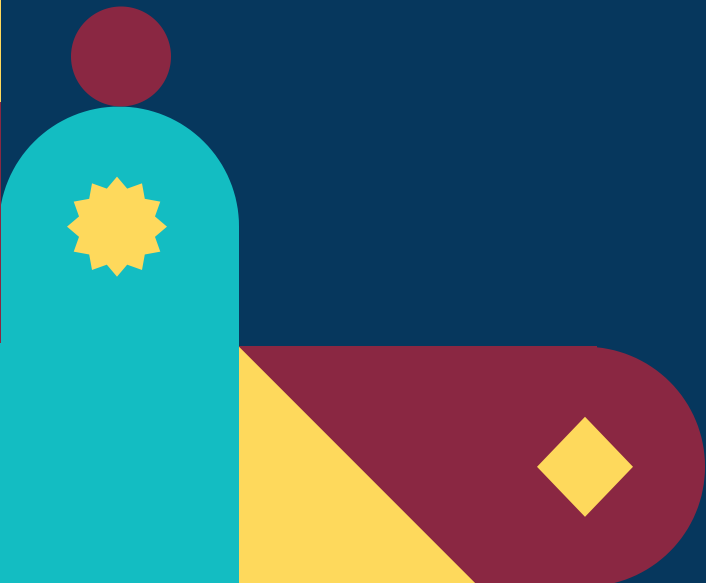




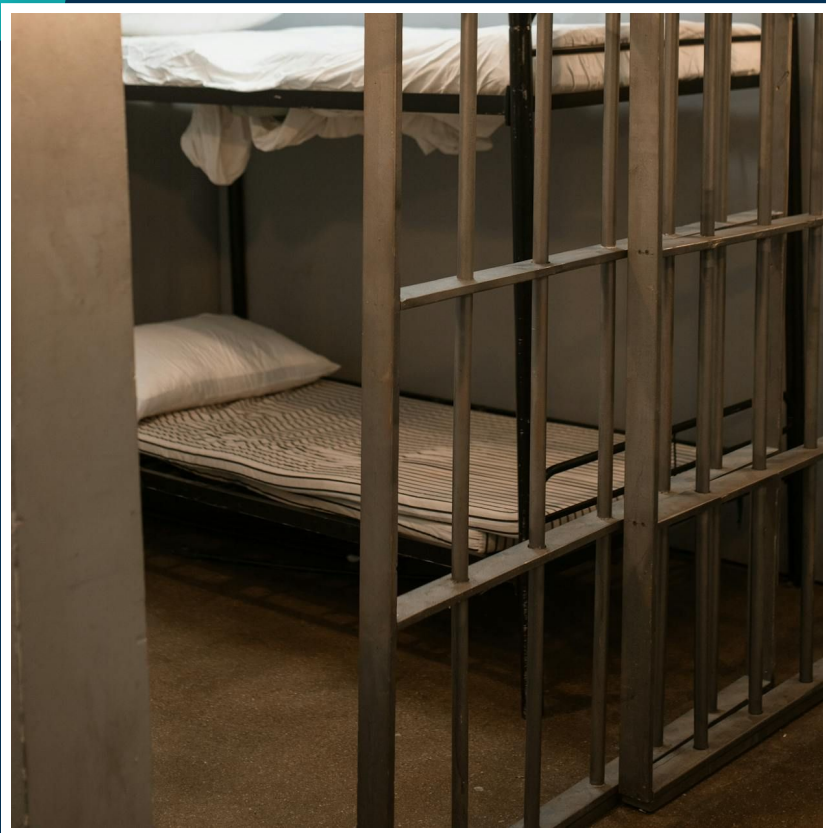
Ask an Attorney

May 2024

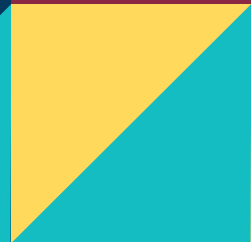
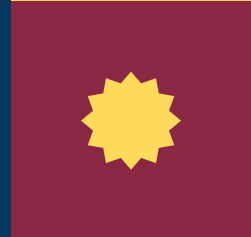
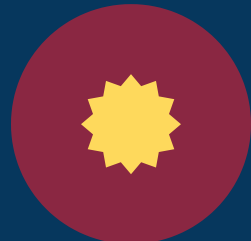




SSI/SSDI for Incarcerated People



WHILE INCARCERATED:
One cannot receive SSDI after being incarcerated for 30 continuous days. One cannot receive SSI after being incarcerated for more than one calendar month.





AFTER RELEASE FROM INCARCERATION:

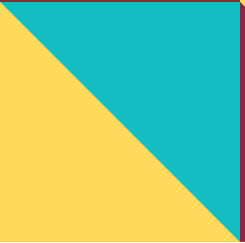
Having an open court case, owing restitution to the court, being on probation or parole, or having been convicted of a misdemeanor or felony in general does not affect an individual's ability to receive SSI, SSDI, or CAPI. The one exception to this is if someone is injured during the course of convicting a felony and this injury leads them to be unable to work, they cannot then receive SSI or SSDI.

If they are released within less than 12 months, they can go to SSA and have their benefits reinstated. If they were incarcerated for longer than 12 months, they will have to apply for benefits all over again once they are released.



HALFWAY HOUSES:

If you are assisting a participant who was sentenced to home confinement or to reside in a halfway house, contact Change Well Project for assistance as the next steps are somewhat more complicated.



APPLYING FOR BENEFITS WHILE INCARCERATED

Some institutions have pre-release agreements with local SSA field offices. Individuals residing in those institutions can notify a jail or prison official that they want to apply for SSI or SSDI prior to their release and they should be assisted with doing so a few months before their scheduled release. That way, their benefits can begin more quickly if they are ultimately approved for SSI/SSDI after their release.

Without this type of agreement, the individual will need to apply for SSI or SSDI once released.



Thank you!

**Please reach out to our Benefits
Helpline with questions by going to:**

www.changewellproject.com/benefits-helpline

