

THE ROLE OF INCOME SUPPORTS IN SUCCESSFUL REENTRY

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WELCOME

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Why Access to Income Support Is Important to Individuals Involved in the Legal System?

- At least three quarters of incarcerated individuals with mental illness have a co-occurring substance use disorder (Council of State Governments, 2012).
- People with mental illnesses remain in jail eight times longer than other offenders at a cost that is seven times higher (Mental Health America, 2008).
- More than 20 percent of prisoners with mental illness experienced homelessness in the months before their incarceration, compared with 10 percent of the general prison population (Greenberg & Rosenheck, 2008).
- The intersection of criminal justice and behavioral health not only affects the justice-involved person but all systems involved in their care (treatment, housing, employment, and supervision).

Benefits Acquisition: The Underutilized Reentry Tool

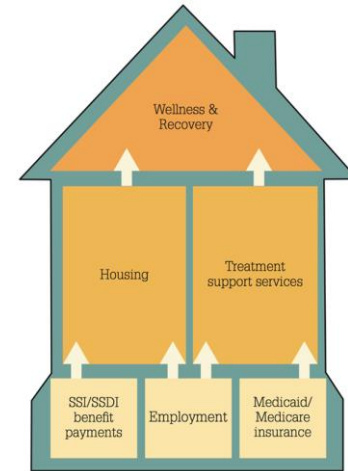
- For eligible individuals, benefits acquisition increases access to income and health insurance and promotes successful reentry
 - Income = Access to housing security
 - Insurance = Access to treatment
 - Housing + Treatment = Reduction in recidivism
 - Reduction in recidivism = Reduced financial burden to states, counties, and agencies

A Foundation for Recovery, Resiliency and Reentry Success

More Than Income

- Access to health care and housing
- Increased education and employment opportunities
- Decrease in incarcerations and hospitalizations

SSI/SSDI: One Brick in Foundation



What is SOAR?

- SSI/SSDI Outreach, Access, and Recovery
- A model for assisting eligible adults and children to apply for Social Security Administration (SSA) disability benefits
- For individuals who are experiencing or at risk of homelessness and have a serious mental illness, co-occurring substance use disorder, or other physical disabilities
- Sponsored by SAMHSA in collaboration with the Social Security Administration (SSA) since 2005
- All 50 states and Washington, DC currently participate

THE BASICS

Social Security Disability Benefits

SSI/SSDI Eligibility: SSA's Definition of Disability

- The law defines disability as the inability to engage in any substantial gainful activity (SGA) by reason of any medically determinable physical or mental impairment(s) which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months.

SSI and SSDI: The Basics

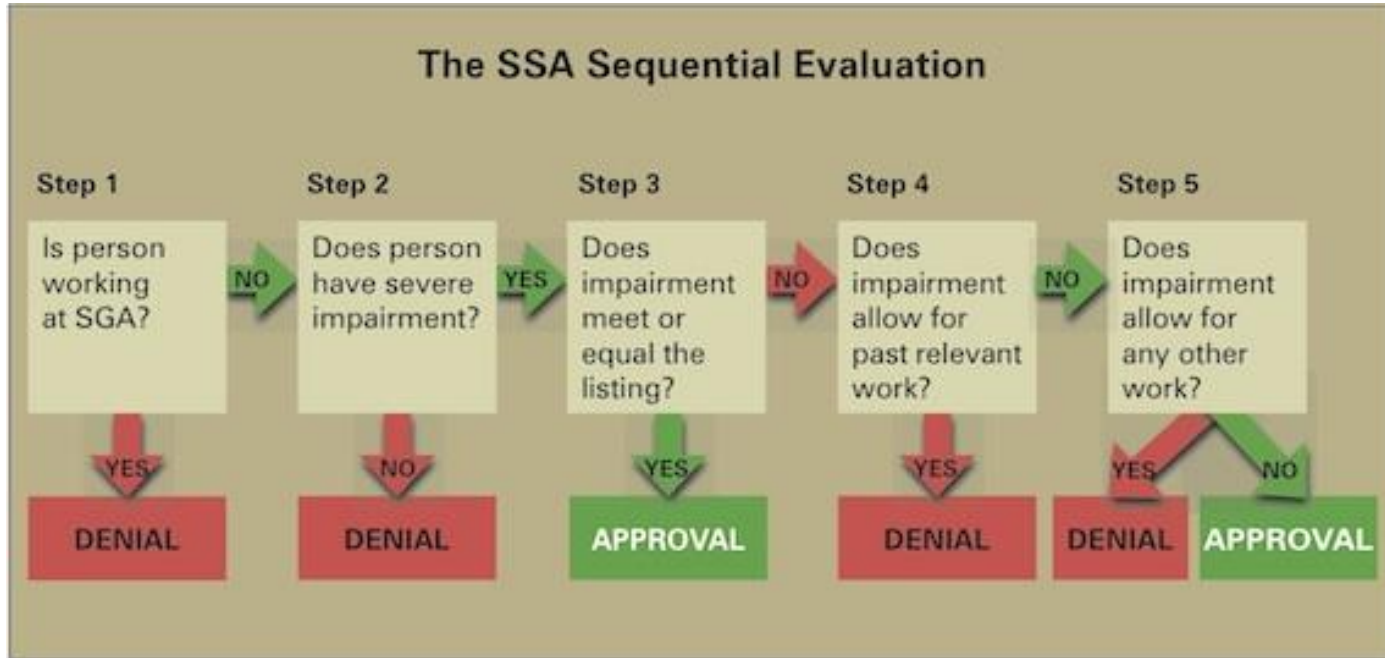
Supplemental Security Income (SSI)

- Eligibility based on need: low income and resources; living arrangement
- Monthly amount based on Federal Benefit Rate: \$783/month (2020)*
- Date of eligibility based on Protective Filing Date/Application Date
- Health insurance: Medicaid

Social Security Disability Insurance (SSDI)

- Eligibility based on insured status (FICA payments)
- Monthly amount based on earnings history
- Date of eligibility based on “date of onset” of disability, 5 month waiting period
- Health insurance: Medicare

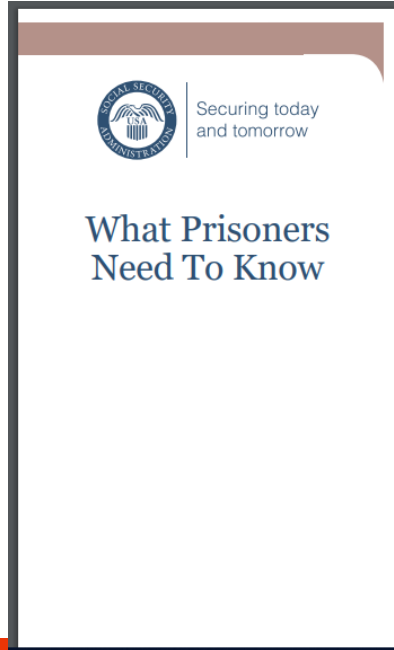
The Sequential Evaluation for Adults



Step 3 is Key!

- Person can be found disabled at Step 3 and begin receiving benefits
- If adequate evidence is presented that impairment meets or equals the Listings and the applicant is unable to work
- Connecting functional limitations to their inability to maintain work at a substantial gainful level, using appropriate medical documentation, is key

SSA Benefits for Justice Involved Persons



Justice-Involved Persons

- A person can apply for benefits while incarcerated
- Prior history of incarceration alone does not make someone (in)eligible for benefits
- Warrants (other than escape) should not hinder a person from applying or receiving payment

Pre-Release Applications

- New applications can be made prior to release
- The general rule is 30 days prior to the expected release date
- Pre-release agreements between SSA and the institution can be extended to as many as 120 days prior to release

Receiving Benefits: Supplemental Security Income (SSI)

Incarceration Time	Effect on Benefits	Action Needed Upon Release
< 1 full calendar month	No effect	N/A
1 - 12 calendar months	Suspended	Can be reinstated upon release
12+ consecutive calendar months	Terminated	Must reapply*

*As a general rule, reapplication can be made 30 days prior to expected release date but benefits cannot begin until release. With a pre-release agreement, this time can be extended to 120 days prior to release.

Receiving Benefits: Social Security Disability Insurance (SSDI)

Incarceration Time	Effect on Benefits	Action Needed Upon Release
< 30 days	No effect	N/A
> 30 days* *convicted and confined	Suspended	Can be reinstated upon release

*Recipients are eligible to continue receiving their benefits until they are convicted of a criminal offense and confined to a penal institution for more than 30 continuous days.

SOAR Criminal Justice Outcomes

- **Cumulative Total: 443 Decisions**

for SOAR – assisted initial applications for people residing in correctional facilities

- **Approval Rate: 73%**

- **Average Days to Decision: 86 days**

**Data Accessed from SOAR Online Application Tracking (OAT) report February 25, 2020*

SOAR and Jail Collaboration: Davidson County

- Davidson County, Tennessee SOAR DCSO (Department of Corrections/Sheriff's Office)
- Collaboration through the Mayor's Office of Innovation, Sheriff's Office, and Metro Social Services
- Initiative within the Jail was established July 2014
- Sole mission of SOAR at DCSO:
 - Assist incarcerated individuals with a severe and persistent mental illness who are without income and/or experiencing homelessness to re-enter into society
- Outcomes: 89% of applications approved in average of 48 days

Criminal Justice Services-Forensic Evaluations Unit



- Mecklenburg County, NC 6 SOAR Trained staff at Criminal Justice Services (Forensic Evaluations Unit, Reentry Services, Treatment Court)
- 2 SOAR Trained staff at Jail Inmate Services
- 2 SOAR Trained Social Workers at the Public Defender's Office
- All working in collaboration with SOAR trained community partners

SOAR and Prison Collaboration: Oklahoma

- Funded by the Oklahoma Department of Mental Health and Substance Abuse Services
- Oklahoma Department of Corrections staff trained to assist with accessing public benefits, e.g. SSI/SSDI
- Built and nurtured relationships with state and federal partners
 - Held regular meetings with all stakeholders
- Collaboration on 4 federal re-entry grants
 - These grants target people with co-occurring disorders
 - Also includes applying for public benefits when applicable
- Over the past 11 years, approval rates have been >80%

Resources

Learn more about SOAR:

To assist with applications for individuals that are incarcerated/reentering communities:

- Infographic
- FAQs
- Sample tools
- Issue Brief

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Thank You



SafetyAndJusticeChallenge.org