

November 18, 2022

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY WELFARE DIRECTORS LETTER

The purpose of this All County Welfare Directors Letter is to share recommendations with County Welfare Departments regarding processing CalFresh applications for incarcerated individuals in state prisons and county jails prior to their scheduled release date per the requirements of Welfare and Institutions Code section 18901.35.



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GAVIN NEWSOM
GOVERNOR

November 18, 2022

ALL COUNTY WELFARE DIRECTORS LETTER

TO: ALL COUNTY WELFARE DIRECTORS

FROM: JENNIFER HERNANDEZ, DEPUTY DIRECTOR
FAMILY ENGAGEMENT AND EMPOWERMENT DIVISION

SUBJECT: CALFRESH PRE-RELEASE APPLICATION PROCESS FOR
INCARCERATED INDIVIDUALS IN STATE PRISONS AND
COUNTY JAILS

REFERENCE: [WELFARE AND INSTITUTIONS CODE \(WIC\) SECTION 18901.35](#); [ASSEMBLY BILL \(AB\) 3073 \(CHAPTER 225, STATUTES OF 2020\)](#); [TITLE 7 OF THE CODE OF FEDERAL REGULATIONS \(CFR\) 273.1\(b\)\(7\)\(vi\)](#); [7 CFR 273.2\(c\)\(1\)\(iv\)](#); [7 CFR 273.2\(g\)\(1\)](#); [7 CFR 273.2\(a\)\(2\)](#); [7 CFR 273.2\(e\)](#); [7 CFR 273.2\(f\)\(1\)](#); [MANUAL OF POLICIES AND PROCEDURES \(MPP\) 63-300.5\(e\)](#); [MPP 63-404.1](#); [ALL COUNTY INFORMATION NOTICE \(ACIN\) I-45-11](#); [SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM \(SNAP\) QUALITY CONTROL REVIEW HANDBOOK \(FOOD AND NUTRITION SERVICE HANDBOOK 310\)](#); [ALL COUNTY WELFARE DIRECTORS LETTER \(ACWDL\) 14-24](#); [ALL COUNTY LETTER \(ACL\) 20-10, ACL 19-51](#); [CRYSTAL YANG, DOES PUBLIC ASSISTANCE REDUCE RECIDIVISM? AMERICAN ECONOMIC REVIEW: PAPERS AND PROCEEDINGS, VOL. 107, NO. 5 \(2017\)](#).

The purpose of this All County Welfare Directors Letter (ACWDL) is to share recommendations with County Welfare Departments (CWDs) regarding processing CalFresh applications for incarcerated individuals in state prisons and county jails prior to their scheduled release date per the requirements of [Welfare and Institutions Code \(WIC\) section 18901.35](#). Note that CWD engagement may vary depending on the county needs and relationships with other entities. Therefore, CWDs may use the recommendations in this letter for reference to support the development of county-specific best practices. Currently, the state does not have federal approval to enact

CalFresh pre-release application processes statewide. Another letter will be released with additional details and guidance should a statewide waiver approval be granted to enact pre-release application assistance for incarcerated individuals in state prisons and county jails.

Background

[Assembly Bill \(AB\) 3073 \(Chapter 225, Statutes of 2020\)](#) added section 18901.35 to the WIC, requiring CDSS to issue a letter providing recommendations to CWDs on the pre-release application process for incarcerated individuals in state prisons and county jails. To fulfill the requirements of [WIC section 18901.35](#), this ACWDL includes information on:

- the benefits of enrolling formerly incarcerated individuals in CalFresh,
- acceptable forms of verification,
- how to connect individuals released from state prison with employment or employment opportunities, and
- recommendations for CWDs to partner with the California Department of Corrections and Rehabilitation (CDCR) and county jails for the purpose of CalFresh pre-release applications.

Additionally, [AB 3073](#) encourages CWDs to require county eligibility workers to regularly enter any state prison or county jail within the county to conduct interviews and assist individuals that are within 45 days of release from state prison or county jail with completing applications for CalFresh benefits.

Orange County Pre-Release Application Pilot

CDSS submitted and received approval from the United States Department of Agriculture (USDA), Food and Nutrition Service (FNS), to waive regulations at [Title 7 of the Code of Federal Regulations \(CFR\) 273.1\(b\)\(7\)\(vi\)](#), [7 CFR 273.2\(c\)\(1\)\(iv\)](#), and [7 CFR 273.2\(g\)\(1\)](#) in Orange County. This waiver allows incarcerated individuals to apply for CalFresh up to 30 days before their release date. The waiver was implemented via a pilot program at five county jails within Orange County.

The pilot was approved from March 1, 2021 to February 28, 2023. The pre-release application process has not been fully implemented because the county jails were closed to visitors during the COVID-19 pandemic. However, CDSS collected promising practices from Orange County which are relayed in this letter.

Benefits of Enrolling Formerly incarcerated Individuals in CalFresh

According to the [California Department of Corrections and Rehabilitation Spring 2022 Population Projections](#), the incarcerated population in California includes over 110,000 individuals, of whom over 10,000 are released annually. Formerly incarcerated individuals often experience post-release challenges including chronic health conditions,

poor mental health, unstable housing, and difficulty finding and keeping employment. Research by [Crystal S. Yang at the Harvard Law School John M. Olin Center for Law, Economics, and Business](#) links access to federal food benefits to a lower likelihood of returning to prison within the first year of release, the time when formerly incarcerated individuals are most likely to be incarcerated again.

CalFresh may support these individuals by providing food assistance and supplementing income. CalFresh Employment and Training (E&T) programs may mitigate the barriers these individuals encounter when seeking employment. Other pilot programs with this population have shown a relationship between robust supportive services and successful re-entry into society, which includes a decrease in the likelihood of homelessness.

Acceptable Forms of Verification

For purposes of verifying the identity of the applicant, CWDs must accept any readily available documentary evidence which reasonably establishes the applicant's identity and, if documentary evidence is not readily available, CWDs may verify identity through a collateral contact. For more information, please see [Manual Of Policies And Procedures \(MPP\) 63-300.5\(e\)\(3\)](#) and [All County Information Notice \(ACIN\) I-45-11](#), released on October 28, 2011.

According to [7 CFR 273.2\(f\)\(1\)\(vii\)](#), examples of acceptable documentary evidence of identity include, but are not limited to, driver's licenses, work or school IDs, IDs for health benefits, another assistance program, or social services programs, voter registration cards, wage stubs, and birth certificates. For formerly incarcerated individuals, identification cards and booking sheets produced by the prison/jail are examples of acceptable forms of identification. Any documents which reasonably establish the applicant's identity must be accepted, and no requirement for a specific type of document may be imposed.

Social Security Number (SSN)

CWDs submit SSNs through the Income Eligibility Verification System (IEVS) to the Social Security Administration (SSA) for verification in accordance with [MPP 63-404.6](#). SSA matches applicant information with the individual assigned to the reported SSN. As a best practice identified to reduce the likelihood of a data mismatch requiring additional verification, the application should be filed under the exact name associated with the SSN, even when the individual is incarcerated under an alias or other alternate name of record.

Obtaining Required Verifications

In addition to identity, specific information must be verified, when applicable, in accordance with federal regulations at [7 CFR 273.2\(f\)\(1\)](#). Applicants may have limited

ability to produce mandatory verification due to limitations caused by incarceration. The CWD has a responsibility to assist all households in securing mandatory verification. As such, CWDs are reminded to use existing verification when available including electronic sources when applicable to the household. A Release of Information may be used by CWDs or institutions to obtain verification on an applicant's behalf.

Advising of Available Employment Resources

All CalFresh applicants must be screened for work registration requirements, including formerly incarcerated individuals, and be informed of available local employment services related to experience, training, and education that the individual has obtained before or during their incarceration. In addition to employment resources, CWDs should consider referring individuals to other available services such as disability or veterans' services when appropriate. Per [ACL 20-10](#), methods of informing may include:

- Paper flyers,
- Online resources,
- Text-messaging,
- Verbal informing, and/or
- Employment partner referrals.

The CWDs are reminded that local employment services are not limited to CalFresh E&T. In addition to CalFresh E&T, local employment services may include, but are not limited to, state or local programs funded by Workforce Innovation Opportunity Act, community service programs, programs under Section 236 of the Trade Act of 1974, American Job Centers, CDCR Reentry Services, and those offered by Community-Based Organizations (CBOs).

Partnership with CDCR in State Prisons and Sheriffs' Offices in County Jails

Partnership with CDCR in State Prisons

CDSS is exploring effective practices learned from the CDCR partnership with Department of Health Care Services (DHCS) to provide Medi-Cal pre-release application assistance to incarcerated individuals released from state prisons. Through a partnership with CDCR, CWDs would be able to accept and process CalFresh pre-release applications from state prisons.

Partnership with County Jails

Collaborative partnerships with Sheriffs' offices and the Department of Corrections have been integral to implementing the Orange County pre-release initiative. CWDs may work with local jails to identify best practices for serving the incarcerated individuals who are potentially eligible for CalFresh benefits.

Partnership with CBOs

CWDs may also partner with CBOs to provide application assistance inside the county jails. For example, Orange County is partnered with Community Health Initiative of Orange County (CHIOC), a CBO which contracts with Project Kinship (PK). PK is a nonprofit organization in Orange County that assists individuals with the re-entry process through the provision of intensive case management, supportive services, mental health and substance use treatment. Additionally, PK assists with CalFresh and Medi-Cal applications and creating plans to support individuals impacted by incarceration, gangs, and violence.

The Orange County Social Services Agency and PK application process is listed below:

1. Orange County Sheriff's Department Inmate Services Division (ISD) identifies interested incarcerated individuals,
2. ISD sends a list of individuals to the Social Services Agency,
3. The Social Services Agency completes a soft clearance and sends the cleared list back to ISD,
4. ISD forwards the cleared list to PK, and
5. PK collects applications and sends to the Social Services Agency for eligibility determination.

In addition to assisting the Social Services Agency with collecting applications, PK is also stationed outside of the Intake Release Center (at Central jail) and assists inmates upon release with use of cell phones, clothes, and transportation.

As a reminder, CWD engagement may vary depending on county needs and relationships with other entities. Therefore, CWDs may use Orange County's practices for reference to support the development of county-specific procedures should statewide waiver approval be granted for CalFresh pre-release application assistance.

Quality Control (QC) Impact

CDSS must apply the verification standards and procedures specified in the [Supplemental Nutrition Assistance Program \(SNAP\) Quality Control Review Handbook \(FNS Handbook 310\)](#) when conducting QC reviews. CWDs are reminded that the case record must provide sufficient documentation to support the eligibility determination. Documentation must provide enough detail to permit a reviewer with no prior knowledge of the individual case to determine the accuracy of benefit allotments, and the case record should specifically address the application receiving and effective dates.

If you have questions or need additional guidance regarding the information in this letter, contact the CalFresh Policy and Employment Bureau at CalFreshPolicy@dss.ca.gov.