

NEBRASKA

JAIL BULLETIN

AUGUST 1996

NUMBER 128

The *Jail Bulletin* may be used as a supplement to your jail in-service training program. If officers study the material and complete the attached "open book" quiz, they may receive **one-half hour of credit**. The bulletin and quiz may be reproduced for staff use as necessary. **We welcome any material you would like to contribute to the *Jail Bulletin*.**

SOCIAL SECURITY ADMINISTRATION'S SUSPENSION OF PRISONER BENEFITS

I. PRISONER SUSPENSION PROCESS

STATUTORY REQUIREMENTS

Under Section 202 (x) of the Social Security Act, payment of Title II Social Security benefits are suspended if a beneficiary is confined in a penal institution pursuant to conviction of an offense punishable by imprisonment for more than one year (regardless of the sentence imposed). In addition, effective with benefits for months beginning February 1995, the amendment prohibits payment of monthly Title II benefits to individuals confined by court order in an institution at public expense in connection with:

- < a verdict or finding that an individual is guilty but insane with respect to an offense punishable by imprisonment for more than one year,
- < a finding that an individual is not guilty of such an offense by reason of insanity,

The contents of the *Jail Bulletin* represent the views of the author(s) and do not necessarily reflect official views or policies of the Nebraska Crime Commission or the Nebraska Jail Standards Board.

- < a finding that an individual is incompetent to stand trial under an allegation of such an offense, or
- < a similar finding with respect to such an offense based on similar factors (such as mental disease, mental defect or mental incompetence.)

This law applies to all classes of Title II Social Security beneficiaries. Benefits of dependents and survivors of incarcerated felons are not affected by the wage earner's imprisonment.

Section 1611(e)(1)(A) of the Social Security Act restricts the payment of Supplemental Security Income (SSI) payments for any month throughout which a recipient resides in a public institution. Reports of incarceration of SSI recipients are acted on at the field office (FO). The FO suspends the SSI benefit after a 10-day due process period is completed for first party and third-party non-matched reports. Third-party matched reports are given 30 days for due process. The appropriate notice is then sent to the recipient.

SSA's IDENTIFICATION OF INCARCERATED INDIVIDUALS

Types of Reports

Prisoner's subject to the suspension provisions are detected by SSA's national prisoner matching operation and by first-party reports (prisoners themselves) and third-party (nonmatched) reports, e.g., informants, relatives, or newspaper articles. The majority of suspensions that occur in Title II and Title XVI cases are reported by the match (third-party reports) that SSA conducts against the Master Beneficiary Record (MBR) and the information it receives from State and local penal institutions.

Data SSA Requests from Prison Systems

The following prisoner information is requested from all prison systems when an individual is incarcerated in order for SSA to identify which individuals may be beneficiaries:

- < Social Security Number
- < Last Name, First Name, Middle Name or Initial
- < Date of Birth
- < Sex
- < Month of Confinement
- < Length of Sentence
 - < Incarceration over 1 month

- < Incarceration over 1 year

II. PRISONER IDENTIFICATION PROCESS

After inmate data is reported to SSA, the data must be processed in order to determine if the incarcerated individual is a Social Security beneficiary or a Supplemental Security Income recipient. The following steps are used in order to determine the identity of the individual for whom inmate data was reported:

- < Since our beneficiary records are filed by Social Security Number (SSN), our first step toward the suspension of benefits is to obtain an SSN from the inmate facility and verify that the data related to the SSN matches our records.

SSA uses the following data elements to validate if an SSN belongs to an individual:

- < full name of the individual
- < birth information
 - < date of birth
 - < place of birth
 - < sex code
 - < race/ethnic information
 - < citizenship code
- < parent information
 - < mother's name at birth
 - < father's name

NOTE: The minimum amount of information needed for validation of an SSN is: the alleged SSN, the full name of the individual (no nicknames or aliases), the date of birth and the sex code.

- < If the SSN provided by the inmate facility does not match our records, other methods are used in an attempt to locate the SSN assigned to the prisoner. Some of these methods are:
 - < Alphident Microfilm File - This is an alphabetical file based on the Russell Soundex Code and houses SSN application data input before 10/84. This file contains essentially the same data as the electronic file for data entered before 10/18/94, and is no longer updated.
 - < Alpha-Index File - This is an alphabetical file based on the Russell Soundex Code.

This file contains all SSN assignments and corrections to SSA's master SSN records.
This file is used to locate unknown SSNs and to resolve cases when the identifying data are questionable.

- < After the SSN is validated and the identity of the individual is verified based on SSA's records, the payment records are accessed to determine if the individual is receiving Social Security or Supplemental Security income benefits.
 - < The Master Beneficiary Records is queried using the verified SSN to select retirement, survivors and disability insurance payment information.
 - < The Supplemental Security Records is queried using the verified SSN to select the supplemental security income payment information.
- < If payment is being made on either record, notification is sent to the beneficiary to inform him/her that SSA has received information that they have been incarcerated and should have their benefits suspended based on the prisoner suspension provisions of the law.
- < The beneficiary is given a 15-day due process period in order to protest the suspension of their benefit based on a regular third-party report of information (non-matched information).
- < After the 15-day due process period is served, if no protest is received to SSA's suspension determination, benefits are suspended.

NOTE: If a protest is received, a new review of the facts regarding the determination for suspension is undertaken. The protested issue is investigated and a new decision on suspension of the benefit is made. The beneficiary is then notified of our decision, accordingly. Suspension of the benefit will take place if the original determination was correct based on our subsequent reconsideration of the facts of the case.

III. HOW TO REPORT INMATE DATA TO SSA

- < SSA needs your help in obtaining inmate data in order to timely and effectively stop social security benefits to individuals who should not be receiving payments because they are incarcerated.
- < If you have any inmates in your facilities who may be receiving social security benefits, either RSDI or SSI, contact your local social security office for assistance in reporting these individuals.
- < You can call us at 1-800-772-1213 with any questions you may have or to obtain the number of the social security office nearest you.
- < You can also provide your prisoner data to SSA via computer/electronic media.

- < If you wish to report prisoner data to SSA using this method, please get in touch with one of SSA's regional contacts for prisoner data exchanges. Regional contact for Nebraska is:

Theron Holt
Office of Regional Commissioner
601 E. 12th Street, Room 460
Kansas City, MO 64106
(816)426-6185 FAX: (816)426-7078

IV. SSA's COMPUTER MATCHING OPERATION

Actual Identification Process

A. Matching Operation

The Social Security Administration (SSA) has 120 individual agreements with states (there are varying numbers of agreements in all states), the District of Columbia and local subdivisions to provide inmate information for suspension purposes. The regional offices (ROs) are responsible for coordinating the administering formal and informal agreements with the states and the Atlanta Region, for example, field offices (FOS) have negotiated 25 new agreements with local penal facilities since August 1993 as a result of FO educational contacts to advise penal facilities of SSA's prisoner provisions under the law. Some states (e.g., Ohio's Sheriffs Association and New Jersey's Administrative Office of the Courts) maintain data on all incarcerated individuals in local facilities. The ROs are working on obtaining formal matching agreements with these organizations in those States. SSA has also negotiated an agreement with the Federal Bureau of Prisons to obtain data on all federal prisoners to match against the MBR.

The agreements require the participants to report their prisoner information to SSA monthly or quarterly. The data SSA receives consists of the prisoner's Social Security number (SSN), name, sex, date of birth, month of confinement, and length of sentence. SSN data are processed through the Enumeration Verification System (EVS) and records that meet certain verification criteria are matched with the MBR. When the incoming data does not include the individuals' SSN or the SSNs given do not meet the verification criteria, the records are screened against the Alpha-index file for possible SSNs. The SSNs found by using this file are not considered to be verified but are used in the match. The match is basically a search for beneficiaries who are in pay status as of the reported month of confinement. Alerts are generated in the payment centers (PCS) (Title II cases) and in the FOs (Title XVI cases) where there is an SSN match and other data indicate benefit suspension is applicable.

B. Informal Agreements

Generally, most of the negotiations for the local agreements are handled at the local FO level, with parallel FOs working out informal agreements with penal institutions in their area. Only one region, Denver, handles all agreements at the RO level. These informal agreements range from monthly lists to ad hoc phone calls.

Many prisoners are identified through tips from friends, relatives, parole officers or other law enforcement personnel. Some prisoners are identified by FO personnel from articles published in local newspapers. Several regions have asked FOs to conduct educational contacts with parallel penal facilities informing them of the prisoner suspension provisions and requesting the prisons to notify them if they become aware of prisoners who may be receiving Social Security benefits.

C. Obstacles to Obtaining Prisoner Data at the Local Level

In most states, prisoner records at local penal facilities are generally maintained only by the county having jurisdiction over the facility. Many institutions (e.g., Cook County Jail in Chicago) do not attempt to obtain an SSN from the prisoner (because it is usually unreliable). In the Chicago Region, only 57 percent of the local institutions have computerized records. Many of these records do not contain SSNs or have invalid SSNs, fictitious names, or incorrect dates of birth and are, therefore, not suitable for matching. The most significant problem continues to be reliance on manual reporting. States do not receive any reimbursement for these reporting services and some of the informal arrangements are tenuous, at best. FOs with large penal facilities in their area do not have the staff to screen manual records, obtain MBR queries, and determine if suspension is appropriate.

Suspension Process

Title II Beneficiaries

First-party reports of incarceration of Title II beneficiaries are transmitted to PCS via teletype for immediate suspension of benefits. The PC takes a manual suspension action and sends the appropriate notice to the beneficiary.

Third-party reports (matched and nonmatched records) are forwarded to PCS for processing. Due process is given before suspension can be taken based on third-party reports of incarceration. After the appropriate due process periods have been served (10-days due process period for nonmatched reports and 30-days due process period for matched reports), a manual suspension action is taken and the appropriate notice is sent to the beneficiary.

Title XVI Recipients

First-party and third-party reports (matched and nonmatched) of a recipient being maintained at public expense are received and acted on at the FO. The FO suspends the SSI benefit after the 10-day due process period is completed for first-party and third-party nonmatched reports. Third-party matched reports are given 30 days for due process. The appropriate notice is then sent to the recipient.

Reinstatement of Benefits

An individual must contact SSA upon his release from prison or a public institution in order to resume benefits. SSA verifies the month of release before reinstating benefits.

V. PAPER LISTING MAILING INSTRUCTIONS

The Social Security Administration (SSA) is required by law to suspend benefit payments to certain incarcerated individuals. Since our beneficiary records are uniquely identified by Social Security Number (SSN), our first step toward the suspension of benefits is to obtain an SSN from the correctional facility and verify that the data related to the SSN matches our records.

The Enumeration Verification System (EVS) issued to verify that the SSN and related data provided by the correctional facility matches our records. If the SSN provided by the correctional facility does not match our records, various electronic systems are used in an attempt to locate the SSN assigned to the inmate.

The following pages supply all the instructions that the correctional facility will need to create a paper listing which can be used by SSA to begin the verification process and ultimately suspend the benefit payments of those incarcerated. After the initial paper listing is made, subsequent paper listing should only include new admissions (i.e., admissions since the initial report).

NOTE: It is very important to enclose a completed copy of the transmittal sheet (see attached) when forwarding paper listings to SSA for processing.

1. Prepare a mailing label for the outside of your shipping envelope showing the following address: SSA, DOS

Metro West Building
P.O. Box 17764
Baltimore, MD 21201

2. Please also include your return address on the shipping label or envelope for the postal service in the event the paper listing is undeliverable.

3. Include copy of the paper listing transmittal form along with your paper listing in the shipping envelope. The transmittal form will ensure that your paper listing will be processed quickly and accurately. It will allow us to contact you if any problems with the processing the paper listing may occur.

FORMAT FOR PAPER LISTINGS CORRECTIONAL FACILITY SENDS TO SSA		
FIELD NAME	FIELD SIZE	FIELD TYPE
Social Security Number ¹	9	N
Surname ²	13	A/N
First Name	10	A/N
Middle Name or Initial	7	A/N
Date of Birth (MMDDYY)	6	A/N
Sex Code (M=Male; F=Female; U=Unknown)	1	A/N
Date of Confinement (MMYY)	4	N
Length of Sentence “Y” = More than 1 Year of Felony Conviction “N” = 12 Months or Less	1	A/N

¹ **Social Security Number:** This field may not be left blank. If the SSN is missing or incomplete, input all zeroes.

² **Surname:** Required field and may not be left blank.

FORMAT FOR PAPER LISTINGS CORRECTIONAL FACILITY SENDS TO SSA		
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Facility Identification Code ³	4	A/N
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³ **Facility Identification Code**: A four position alpha or numeric code agreed upon by SSA and the correctional facility. The prisoner location code identifies the name and address of the facility where the prisoner is incarcerated. SSA uses this information to develop reports generated by computer matching activities, when necessary. A correctional facility may use just one facility identification code, with a central location that SSA can contact to verify data produced by computer matching activity.

Before the file is submitted to SSA, the correctional official needs to submit a list of correctional facility identification codes with corresponding name and address information to the SSA regional prisoner coordinator (RPC).

NOTE: The correctional facility representative should also indicate if SSA should contact these facilities when SSA needs to confirm prisoner matching data or if SSA should contact a central office correctional institution location instead of the facility directly. If the existing codes are changed or new codes are needed, the SSA RPC should be notified.

EXAMPLE OF PAPER LISTING DATA TO SEND TO SSA								
REQUESTER ID CODE: 1000 (Woodlawn Jail Center)								
Data to Report to SSA:								
SSN	NAME			DOB	SEX	DOC	LOC	FIC
001-10-5679	Doe	John	J	070173	M	0396	N	6900
276-89-0001	Corn	Mary	H	121264	F	0396	Y	PITC
666-21-7000	Barn	Samuel	Q	010149	U	0396	Y	FA00
Key to SSA Terminology:								
SSN	Social Security Number							
NAME	Last Name, First Name, Middle Initial							
DOB	Date of Birth							
SEX	Male, Female, or Unknown							
DOC	Date of Confinement to the Correctional Institution							
LOC	Length of Sentence (i.e., Y= more than 12 months or a felony conviction; or N = 12 months or less)							
FIC	Facility Identification Code (i.e., the code of the facility that the individual is incarcerated at currently)							

TRANSMITTAL SHEET FOR PAPER LISTINGS

1. Name and Address of your Correctional Facility

(Show name of the facility, street address, city, State and Zip Code)

Name of Facility: _____

Street Address: _____

(City, State, Zip Code): _____

2. Contact Name and Phone Number (include area code)

(Show the name and phone number of the person SSA should contact regarding this listing if questions should arise.)

Name of Contact: _____

Job Title: _____

Telephone No: (____)-_____

3. EVS Requester ID Code Number (EXAMPLE: 3CAP)

4. Prisoner Record County Sent to SSA

Number of Records: _____

5. Date Mailed to SSA

Date: ____ / ____ / ____
MM/DD/YY

TRANSMITTAL SHEET FOR PAPER LISTINGS

6. Commitment Data

Enter the commitment dates that the report data is representing (e.g., admissions for 03/96, etc.).

Commitment Date: (_____/_____)
Month/Year

The “Social Security Administration’s Suspension of Prisoner Benefits” was adapted from Social Security Administration Office of Program Benefits Policy.

If you or your agency wishes to contribute to the *Jail Bulletin*, or if you have a special need you wish to be addressed through the bulletin, please contact:

**Jail Standards Division
P.O. Box 94946
Lincoln, NE 68509-4946
Telephone: 402-471-3710
Fax: 402-471-2837**

QUIZ

Nebraska Jail Standards require that jail staff receive eighteen (18) hours of in service training each year. The Jail Bulletin may be used to supplement in service training if an officer studies the bulletin, completes the quiz, and this process is documented by the jail administrator for review during annual jail inspections.

AUGUST 1996

NUMBER 128

**SUBJECT: Social Security Administration's
Suspension of Prisoner Benefits**

NAME: _____

DATE: _____

1. Social Security Benefits can be suspended when a recipient is confined in a public institution by court order when found incompetent to stand trial. (Check One)
_____ True _____ False
2. Among other criteria, a person in a penal institution when convicted of a charge punishable by a year of imprisonment can lose his/her social security benefits. (Check One)
_____ True _____ False
3. List the information that local jails need to send SSA when an individual is incarcerated.
 - 1) _____
 - 2) _____
 - 3) _____
 - 4) _____
 - 5) _____
 - 6) _____
4. The SSA uses several data elements to validate if a SSN belongs to an individual. Which of the following is not one of those elements? (Circle One)
 - A. Birth information
 - B. Place of birth
 - C. Last employment
 - D. Race/ethnic information
 - E. Father's name
5. When a beneficiary is notified that his/her benefits have been suspended, he/she has _____
_____ To protest the suspension when based on a regular third party report. (Fill in the blank)
6. When sending paper listing to the SSA of those incarcerated, the facility must include a copy of the paper listing transmittal form. (Check One)
_____ True _____ False
7. The Social Security Act restricts the payment of SSI payments for any month throughout which a recipient resides in public institution. (Check One)
_____ True _____ False

CREDIT: One Half Hour credit for jail in service training requirement.

QUIZ

(ANSWERS)

Nebraska Jail Standards require that jail staff receive eighteen (18) hours of in service training each year. The Jail Bulletin may be used to supplement in service training if an officer studies the bulletin, completes the quiz, and this process is documented by the jail administrator for review during annual jail inspections.

AUGUST 1996

NUMBER 128

**SUBJECT: Social Security Administration's
Suspension of Prisoner Benefits**

NAME: _____

DATE: _____

1. Social Security Benefits can be suspended when a recipient is confined in a public institution by court order when found incompetent to stand trial. (Check One)
 True False
 2. Among other criteria, a person in a penal institution when convicted of a charge punishable by a year of imprisonment can lose his/her social security benefits. (Check One)
 True False
 3. List the information that local jails need to send SSA when an individual is incarcerated.
 - 1) Social Security Number
 - 2) Last Name, First Name, Middle Name or Initial
 - 3) Date of Birth
 - 4) Sex
 - 5) Month of Confinement
 - 6) Length of Sentence
 4. The SSA uses several data elements to validate if a SSN belongs to an individual. Which of the following is not one of those elements? (Circle One)
 - A. Birth information
 - B. Place of birth
 - C. Last employment
 - D. Race/ethnic information
 - E. Father's name
 5. When a beneficiary is notified that his/her benefits have been suspended, he/she has 15 Days to protest the suspension when based on a regular third party report. (Fill in the blank)
 6. When sending a paper listing to the SSA of those incarcerated, the facility must include a copy of the paper listing transmittal form. (Check One)
 True False
 7. The Social Security Act restricts the payment of SSI payments for any month throughout which a recipient resides in a public institution. (Check One)
 True False
-
-

**CREDIT: One Half Hour credit for jail in service training requirement.
Answer sheet should be retained by the Jail Administrator.**