ROADMAP TO REENTRY:

A Connecticut Legal Guide

Connecticut Legal Services

in partnership with

Root & Rebound

About the Authors:

Connecticut Legal Services

Connecticut Legal Services (CLS) is a nonprofit law firm dedicated to improving the lives of low-income people by providing access to justice. CLS provides free legal assistance throughout Connecticut - except for greater Hartford and New Haven. CLS engages in legal representation, policy advocacy, education and training and impact litigation on housing, family, consumer, education, health, public benefits and employment (including reentry) social security and immigration issues. Learn more about Connecticut Legal Services at ctlegal.org.

Root & Rebound

Root & Rebound is a national nonprofit that transfers power and information from the policy and legal communities to the people most impacted by our criminal justice system through public education, direct legal services, and policy advocacy, so that the law serves, rather than harms, low-income communities and communities of color in the U.S.

Root & Rebound works to accomplish its mission through three key programs: *direct services* via our weekly reentry legal hotline, prison letter-writing service, and community clinics; *public education* that includes 'know-your-rights' resources, toolkits, and legal trainings and workshops; and *policy & systems reform* to improve the laws and structures that affect people and communities directly impacted by incarceration.

Learn more about Root & Rebound online at rootandrebound.org.

DISCLAIMER

YOUR RESPONSIBILITY WHEN USING THIS GUIDE:

When putting together the *Roadmap to Reentry: A Connecticut Legal Guide*, we did our best to give you useful and accurate information because we know that people who are currently or formerly incarcerated and those who support them often have difficulty getting legal information. However, the laws change frequently and are subject to differing interpretations. Connecticut Legal Services does NOT have the resources to make changes to this informational material every time the law changes. If you use information from the *Roadmap to Reentry* legal guide, it is ***your responsibility*** to make sure that the law has not changed and applies to your particular situation. If you are incarcerated, most of the materials you need should be available in your institution's law library.

The *Roadmap to Reentry* guide is not intending to give legal advice, but rather general legal information. No attorney-client relationship is created by using any information in this guide. You should always consult your own attorney if you need legal advice specific to your situation.

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WHAT IS THE ROADMAP TO REENTRY GUIDE?

The Roadmap to Reentry Legal Guide is a resource for navigating the legal impact of a criminal record on getting ID, housing, public benefits, and family issues. For case-specific questions, start with the Table of Contents. Access our searchable website of the Roadmap to Reentry at ctlawhelp.org.

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CHAPTER SNAPSHOTS OF *ROADMAP TO REENTRY*

CHAPTER 1: THE BUILDING BLOCKS OF REENTRY: Getting ID & Other Key Documents – PG. 9

KEY TOPICS:

- What identification (ID) documents exist, and why they are important.
- An overview of key types of ID: birth certificates, Social Security numbers (SSN) and cards, Connecticut Non-Driver ID cards & Connecticut Driver's licenses, U.S. Passports, tribal ID cards, library cards, voter registration, and Selective Service registration.
- Which forms of ID are most important.
- When and how to get each ID document, and which documents to get first.
- How to get certain documents while incarcerated vs. after release.
- Some options for getting ID for undocumented people.

WHY IT'S IMPORTANT:

- ID is necessary to access public benefits and services; to apply for housing and employment; and to enroll in school and other programs.
- Basic ID is often necessary to apply for other identification documents.

COMMON BARRIERS TO REENTRY:

- People in reentry often have only a prison/jail ID card, which is of limited use.
- People in reentry do not have the documents they need to enroll in programs and services they would otherwise qualify for.
- People with records may have driver's license holds, suspensions, and revocations, often due to court-ordered debts that they don't have the financial means to pay back.
- Certain convictions restrict a person's access to a U.S. passport.

CHAPTER 2: HOUSING – PG. 123

KEY TOPICS:

- Different types of housing options and tips for the housing search.
- Short-term vs. long-term planning for where someone can live in reentry.
- Housing application process, including bans or restrictions related to past convictions.
- What criminal records and other records can lawfully be accessed by government-assisted housing providers (including Public Housing Authorities, or PHAs) vs. by private landlords.
- Joining family and friends in housing — the differing rules of government-assisted housing providers (including PHAs) vs. private landlords.
- Challenging illegal housing denials by both government-assisted housing providers (including PHAs) and private landlords.
- Maintaining (keeping) housing.

WHY IT'S IMPORTANT:

- Housing is the first thing people need when leaving prison or jail.
- Shelter is a basic human need.
- Having approved housing plans is often a requirement of someone's conditions (rules) of supervision.
- Many housing-related restrictions and barriers exist.
- Rates of homelessness are extremely high among people in reentry.

COMMON BARRIERS TO REENTRY:

- Parole / probation housing requirements and restrictions can include: residential restrictions, a requirement to live in transitional housing, etc.
- Discrimination in private housing: Private landlords may be hesitant to rent to people with criminal records, and may engage in discrimination, sometimes legally and sometimes in violation of fair housing law.
- Discrimination in public/government-assisted housing: Criminal record restrictions exist; some are legal, but others may be overbroad and violate fair housing law.
- Housing-related barriers to family reunification may prevent people from living with family or friends – these exist in both private and government-assisted housing.

CHAPTER 3: PUBLIC BENEFITS – PG. 218

KEY TOPICS:

- Key types of public benefits programs, including: cash assistance; food benefits; health care; work services; Social Security benefits; veterans' benefits; and cell phone benefits.
- Eligibility and enrollment rules for each program, including restrictions based on criminal records.
- What happens to your benefits during incarceration, and how to restart benefits after release.
- Applying for and keeping benefits — how to apply for each type of benefit; and how to deal with denials, disqualifications, or terminations of benefits.
- Resources and referrals.

WHY IT'S IMPORTANT:

- Rates of poverty are high among people in reentry as well as their families. Public benefits programs are an essential safety net.
- Many people in reentry have health issues, disabilities, and other special needs that are met through public benefits programs.
- Most benefits in Connecticut do not disqualify people based on criminal records. Myths persist. Many people do not have accurate information about the rules and mistakenly think they are not eligible.

COMMON BARRIERS TO REENTRY:

- Some public benefits programs have restrictions and bans against people with certain criminal convictions (but most do not).
- People may be disqualified from certain benefits based on other items in their history, such as: open felony warrants; **probation or parole violations**; or **Intentional Program Violations** (non-criminal violations of program rules).
- Many people do not get benefits they can and should be getting because of myths and misinformation. Some people may not know the exact program rules, especially new rules that have removed old drug felon bans. Even social service workers may not apply the correct rules.

CHAPTER 4: FAMILY- PG. 340

KEY TOPICS:

- Re-connecting with a child after incarceration, including:
  - First steps to take in locating and reconnecting with a child.
  - How to find out if there are any past or current court cases or court orders involving a child, and how to start or join a court case regarding a child.
  - Restraining and protective orders that can impact a parent or caregiver's rights.
  - Criminal record-related barriers to reconnecting with a child.
- An overview of custody and visitation.
- Three key courts that handle family-related issues in Connecticut: probate court; juvenile court; and family court. (The court that handles juvenile justice issues is the juvenile court, which we describe only very briefly since juvenile justice is not a focus of this guide.)
- Paternity (or parentage) issues.
- Child Support and Spousal Support orders—issues with paying debts during and after incarceration.
- Issues that arise during incarceration, like mothering and pregnancy in prison, and ending a marriage or a domestic partnership.
- Domestic violence.

WHY IT'S IMPORTANT:

- Incarceration creates wide-ranging obstacles to stable family relationships—especially regarding custody, visitation, and guardianship of children.
- Family can be a positive and motivating force in people's lives during and after incarceration, and it can reduce the chance of being re-incarcerated.
- Issues that arise in family courts — especially regarding visitation, custody, and child support — can create more barriers in the reentry process, such as housing restrictions or increasing debt.
- People need to know about the resources that exist, since there are not many legal aid offices that provide family law representation to people who have been convicted of a crime.

COMMON BARRIERS TO REENTRY

- Parents'/caregivers' rights to custody and visitation may be legally restricted because of their criminal history and system involvement:
  - Arrests, convictions, incarceration, and protective, no-contact, and restraining orders can affect parental rights to custody and visitation.
  - Courts have full access to expunged and old criminal history information, and they can consider it along with proof of rehabilitation.

- There are three different court systems to navigate — probate court; family court; and juvenile court. — Some cases may go from one to the other, or open or close, without a parent/caregiver fully understanding the legal process.
- Other barriers to reunification include: parole/probation conditions; travel and residency restrictions; protective and restraining orders; access to housing and employment; and time constraints.
- Child support debt — Payment obligations do NOT automatically stop during incarceration in most cases. Usually, people need to proactively ask the court to stop or pause the payments!
- Very few family law services exist for reentering parents/caregivers.

REENTRY-READY CHECKLIST FOR PEOPLE WHO ARE CURRENTLY INCARCERATED

For currently incarcerated people, this checklist can **help you prepare now** before these common reentry issues become bigger problems down the road! Use this checklist *along with the Reentry Guide*. It can help you understand in what **areas you are already well prepared**, and what **areas you would like to focus on more**. For more information on how to answer a checklist item, see the chapter indicated. Every person's circumstances and needs are different, so use this checklist **however it works best for you**. If you are NOT incarcerated, but have a criminal record, parts of the checklist may still be a helpful tool!

The Building Blocks of Reentry: *Obtaining Identification (ID) and Key Documents* (CHAPTER 1):

- ❑ When I am released, I will have access to (circle if the ID is valid or expired):
  - ❑ Birth certificate
  - ❑ Non –Driver State ID (valid / expired)
  - ❑ Municipal ID (valid / expired) (Note: You can cross off if this is not something that you would need because you already can get a CT State ID or Driver's License.)
  - ❑ Driver's License (valid / expired / suspended or revoked)
  - ❑ Social Security card (or number)
  - ❑ U.S. passport (valid / expired)
  - ❑ Library card
  - ❑ I'm not sure

Housing (CHAPTER 2):

- Previously, I lived at _____
- In the short-term, I will look for _____
- In the long-term, I'd like to live in/with _____
- My record may affect where I can live in the following ways:
  - _____
  - _____
  - I'm not sure. (Circle if this applies to you.) For more info, I can: _____.
- ***For more information/help, I can contact:***

Public Benefits (CHAPTER 3):

- ❑ I have received _____ benefits in the past.
- ❑ While incarcerated, I can begin to apply for (but not yet receive):
  - ❑ Social Security retirement benefits
  - ❑ Supplemental Social Income (SSI)
  - ❑ Social Security Disability Income (SSDI)
  - ❑ Veteran's benefits
  - ❑ Medicaid-HUSKY
  - ❑ Medicare
  - ❑ I'm not sure. For more info, I can: _____.
- ❑ When I'm released, I can also apply for any of the above, plus:
  - ❑ SNAP (food stamps)
  - ❑ Connecticut LifeLine (free phone)
  - ❑ I'm not sure. For more info I can: _____.
- ***For more information/help, I can contact***

Family (CHAPTER 4):

- ❑ I have children (names, ages): _____
- ❑ I am hoping to reunify with my children: Yes / No .
- ❑ There are orders against me…
  - ❑ Criminal court order _____
    - ❑ Who? _____ When? _____

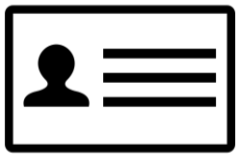
        - ❑ Civil restraining order _____
            - ❑ Who? _____ When? _____
        - ❑ Condition of my supervision (parole/probation) _____
            - ❑ Who? _____ When? _____
        - ❑ Custody/visitation order in place _____
            - ❑ The rules of the custody/ visitation order: _____
        - ❑ Not sure
    - ❑ My child(ren) is/are currently living… (with whom, and where):
      _____
    - ❑ There are court cases involving my child(ren)…
        - ❑ DCF?
            - ❑ Child in foster care?
            - ❑ Child placed with a long-term guardian?
            - ❑ Child adopted by someone else?
        - ❑ Probate guardianship?
        - ❑ Family court case?
        - ❑ Custody/Visitation Orders?
        - ❑ I don't know
    - ❑ Paternity Issues
        - ❑ I want to fight paternity
        - ❑ I want to establish paternity
        - ❑ This doesn't apply to me
    - ❑ I owe child support: Yes / No . I pay it to: _____ (It could be owed to the other parent OR a child support enforcement agency.)
        - ❑ My Driver's License is on hold because of unpaid child support: Yes / No .
- ***For more information/help, I can contact:***
    - Ctlawhelp.org
    - 2-1-1
    - The Court Service Center at the local Superior court after I get out.

THE BUILDING BLOCKS OF REENTRY:

Getting ID & Other Key Documents

"When I got my Driver's License after getting out of prison, I cried. I felt like a person again, with my own identity—not just a number being yelled out in prison. It was one of the best moments of my reentry."

- Woman released after spending 3 years incarcerated



The BUILDING BLOCKS OF REENTRY: ID CHAPTER explains how to access key building blocks of reentry including: how to get identification (ID) and other key documents. ID is proof of who you are—your identity. Government agencies, workplaces, service providers, schools, and other institutions issue ID cards for people who are members. You will want ID and other key documents so that you can participate in all the services that your community has to offer, so that you can legally drive, and so that you can prove who you are.

DISCLAIMER - YOUR RESPONSIBILITY WHEN USING THIS GUIDE: When putting together the *Roadmap to Reentry: A Connecticut Legal Guide*, we did our best to give you useful and accurate information. However, the laws change frequently and are subject to differing interpretations. We do not always have the resources to make changes to this informational material every time the law changes. If you use information from the *Roadmap to Reentry* legal guide, it is *your responsibility* to make sure that the law has not changed and applies to your particular situation. If you are incarcerated, most of the materials you need should be available in your institution's law library. The *Roadmap to Reentry* guide is not intending to give legal advice, but rather legal information. No attorney-client relationship is created by using any information in this guide. You should always consult your own attorney if you need legal advice specific to your situation.



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WHAT WILL I LEARN IN THE ID CHAPTER?

- The difference between various types of ID and other key documents, including: birth certificates; Social Security cards and numbers; Connecticut State IDs and Connecticut Driver's Licenses; U.S. Passports; tribal ID cards; and library cards
- Which forms of ID are most important
- When and how to get ID (and which ones to get first!)
- How to get certain types of ID while you're still incarcerated
- Some options if you are an undocumented person and need ID

GENERAL TIPS FOR GETTING ID

- Start as early as you can. You can start gathering some documents while you're incarcerated.
- Start by getting your birth certificate (or naturalization certificate if you were born outside the U.S. and later became a citizen). A certified copy of your birth certificate or naturalization certificate is necessary to get all other forms of ID. See PG.19 (birth certificate) or PG.25 (naturalization certificate).
- Stick to using your legal name as it appears on your birth certificate. Even if you have used other names in the past, stick with your legal name. It is your only legal identity.
- Keep photocopies of all your important forms as you go.
- Before you pay a fee for anything, find out if you can get a "reduced fee" or "fee waiver" based on your income or public benefits. Many forms of ID require that you pay a fee before they are issued, but some of these fees can be reduced or excused for people with limited income. Ask before you pay.
- Learn about special, limited forms of ID for undocumented people and Non-U.S. citizens living in Connecticut on PG.15.

I. INTRODUCTION

WHAT ARE IDENTIFICATION DOCUMENTS (ID), AND WHY ARE THEY IMPORTANT?

Identification ("ID") is proof of who you are—your *identity*. Government agencies, workplaces, service providers, schools, and other institutions issue ID cards. Many forms of ID include a photo and important information about you, such as your address or physical characteristics. Having an ID is important because when you apply for school or work, or sign up for various programs, licenses, and services, you'll have to show an ID to prove you are who you say you are and to show that you qualify for whatever you are signing up for.

WHY DO I NEED ID?

You need specific forms of ID to apply for many important things, including housing, employment, education, medical care, public benefits, transportation, driving, voting, banking, and licenses that allow you to work in certain types of jobs.

I HAVE A PRISON OR JAIL ID. IS THAT ENOUGH TO IDENTIFY MYSELF?

You may already have a prison or jail ID card but when you are released you will need other official ID.

WHAT ARE THE MOST IMPORTANT FORMS OF ID TO HAVE?

As you rebuild your life in the community, there are 3 KEY DOCUMENTS for you to have: (1) your **birth certificate**; (2) your **Social Security card (or number)**; and (3) a **state ID OR driver's license**.

Once you have your birth certificate and Social Security number (SSN), you will be able to get a Connecticut Non-Driver ID card or a Connecticut Driver's License, the most commonly used forms of ID. Once in a while, you will need to show a copy of your Social Security card. Most of the time, just knowing your Social Security number (SSN) is enough (without presenting the actual card).

NATURALIZED U.S. CITIZEN?

If you were born outside the U.S. and then became a citizen through the naturalization process, instead of a birth certificate, you need your **naturalization certificate**. For details, go to PG. 25.

I DON'T HAVE ANY ID. WHERE AND WHEN CAN I START?

Where do I start?

If you do not have any of the 3 most important forms of ID — your birth certificate, a Social Security card (or number), OR a state ID or driver's license — you will have trouble proving your identity.

For most people, it is best to *get your birth certificate first, your Social Security card second, and then your state ID or driver's license*. To learn more about these 3 key documents:

See PG. 19 for birth certificate
See PG. 25 for Social Security card/SSN
See PG. 30 for Connecticut Non-Driver ID and Driver's License

When can I start? Can I start if I am currently incarcerated?

It is never too early to start gathering official ID. It helps to begin while you are still incarcerated as part of your preparation for release. If you are incarcerated, the Connecticut Department of Correction (DOC) can assist you in getting your birth certificate no earlier than 3 years before your discharge[1] and your social security card no earlier than 6 months prior to your discharge.[2]

Working with your facility Reentry Counselor while you are incarcerated, you can renew your Connecticut Driver's License or Non-Driver identification by mail. You will need to fill out form B-350. See ID Appendix A on PG. 50 for the form. The license or identification will be sent to the facility where you are incarcerated. You cannot renew a **Drive Only** license by mail. The differences between these forms of ID are described on PG. 30.

I HAVE USED DIFFERENT NAMES ("ALIASES"). WHAT NAME IS BEST TO USE ON MY ID?

Your ID documents must be in your "legal" name. This will be *the name that appears on your birth certificate*, unless you have *legally* changed it.

Changes in your legal name are done through marriage or by court order.[3]

[1] State of Connecticut Department of Correction, Administrative Directive Number 10.15, Inmate Personal Identification Procurement and Storage, effective 5/10/17, as amended 9/23/19.
[2] Memorandum of Understanding between the Connecticut Department of Correction and the Social Security Administration, 4/30/15.
[3] Conn. Gen. Stats. §§ 52-11. 46b-1(6), 45a-99, Connecticut Probate Court Rules of Procedure § 47 (2017). How to Petition for a Name Change. See Appendix B for Form PC-901 REV. 10/17, Petition for Change of Name (Adult), PC-910 REV. 1/14, Affidavit RE Change of Name (Adult) and PC-184 REV. 10/15, Request/Order Waiver of fees-Petitioner, https://www.jud.ct.gov/webforms/.

IMPORTANT: Using a false name or presenting false documents to get ID is a FEDERAL offense. Do not do it.

CAN I LEGALLY CHANGE MY NAME?

Maybe.

A judge must approve legal name changes.[4] The judge may find that you cannot legally change your name if the purpose of changing your name is:

To deceive, defraud or mislead any person or government agency; OR
So your name cannot be found on the sex offender or the deadly weapon registry.

If you are on the sexual offender or deadly weapon registry, you must notify the Commissioner of the Department of Emergency Services and Public Protection, on the required form, that you are applying to change your name.[5] See ID Appendix C on PG. 59 for the form.

The Connecticut Judicial Branch Law Library has a helpful guide that tells you how to change your name in Connecticut. It can be found at: https://www.jud.ct.gov/lawlib/law/namechange.htm. The Connecticut Probate Court forms can be found at http://www.ctprobate.gov/Pages/Probate-Court-Forms.aspx and in ID Appendix B on PG. 53.

I AM AN UNDOCUMENTED PERSON. CAN I GET OFFICIAL ID?

No, you *cannot* get official ID that works for all government purposes if you are an undocumented immigrant living in Connecticut, BUT you may be able to get special types of ID that can be used in limited circumstances, listed below.[6]

Connecticut's Drive Only License for people who cannot prove that they are legally present in the US. It does not qualify you for employment, to vote or for public benefits. It cannot be used to enter federal buildings or to board a plane. It is for driving only. People with felony convictions are not eligible for the Drive Only license.

Proof of Identity and Residency: When applying for a "Drive Only" license, you will need to submit proof of identity and where you currently live in Connecticut.[7] For a list of documents that meet these requirements, see ID Appendix D on PG. 62.

Consular Identification Cards (CIDs): Some governments issue CIDs to identify their citizens who are living in foreign countries. CIDs can be issued to people who are undocumented or documented in the foreign country. See ID Appendix E on PG. 64 for a list of countries that issue CIDs. If you are a citizen of one of these countries, visit the nearest consulate to obtain your CID card. In the United States, CIDs can be a helpful ID as you try to get a driver's license, open a bank account, show proof of identity to the police, and access other services. However, CIDs do not grant you legal presence in the United States or other privileges.[8]

Municipal ID Cards: Some Connecticut cities issue municipal ID cards for their residents. You can use a municipal ID to get access to city services and benefits. More importantly, municipal IDs are considered a form of identification by local officials and may provide evidence that may be used to get other forms of ID. Additionally, these IDs do not require proof of citizenship or legal presence. Cities offering municipal ID are:

Park City Card – Photo ID card for Bridgeport residents who can verify their identity and residency in Bridgeport. The Park City Card can be used to access city services, register a child for school, obtain a library card, cash a check, or show proof of identity to the police. Some banks and credit unions will accept the Park City Card to open a bank account. For more information, visit: https://www.bridgeportct.gov/filestorage/341650/341652/341932/342082/17-BRIDGEPORT-0201_ID_Pamphlet-Final.pdf.
Hartford City ID - Photo ID card for Hartford residents that enables residents to access city services and allows entry to city buildings, such as schools. The card can be used to show proof of identification to police. Some banks and credit unions will accept the Hartford City ID to open a bank account. For more information, visit: http://hartford.gov/hartfordcityid.

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[4] Conn. Gen. Stat. § 52-11.
[5] To notify DESPP that you are applying to change you name if you are on the weapons registry, See DESPP-790-C (Rev. 10/28/14), Deadly Weapon Offender Registry Unit, Verification or Change of Registration Information, https://portal.ct.gov/DESPP/Division-of-Emergency-Service-and-Public-Protection/Forms . Contact the Sex Offender Registry Unit, Department of Public Safety SOR Unit, 1111 Country Club Road, Middletown, CT 06457, 800-685-8060 for form to inform DESPP of intention to change name.
[6] Conn. Gen. Stat. § 14-36m, https://www.ct.gov/dmv/cwp/view.asp?a=805&q=547214.
[7] Connecticut Department of Motor Vehicles, Drive Only Document Checklist, https://www.ct.gov/dmv/lib/dmv/20/29/di-4.pdf.
[8] BORDER SECURITY: Consular identification Cards Accepted within United States, but Consistent Federal Guidance Needed, U.S.Gov't Accountability Office, GAO-040881. (Aug.24, 2004).

Elm City Resident Card - Photo ID for New Haven residents to prove identity to open bank accounts and access parks and public libraries. For more information and to download an application, visit: https://www.newhavenct.gov/gov/depts/vital_stats/elm_city_resident_card.htm.

I AM A TRIBAL MEMBER. CAN I GET A TRIBAL ID CARD?

A federally recognized tribal issued ID card is a valid government-issued photo identification in many places, though some places may be unaware of this. For example, a tribal ID card is valid at federal buildings, airports and banks.[9] It is also proof of eligibility for certain services such as the federal Indian Health Service. A tribal ID card is not valid proof of identity for every purpose, so you may want to check before relying exclusively on a tribal ID for any purpose.

You will need to check with your tribe to see what their process is for getting a tribal ID card. Call or write your tribe's enrollment department, and ask if they have forms and instructions for enrollment and/or obtaining a tribal ID card. **There are two federally recognized tribes in Connecticut: the Mashantucket Pequot tribe and the Mohegan tribe.**

For questions about citizenship and/or enrollment, contact in writing:

The Mohegan Tribe
ATTN: Council of Elders
13 Crow Hill Road
Uncasville, CT 06382

The Mashantucket Pequot Tribe
Tribal Public Affairs
P.O. Box 3060
Mashantucket, CT 06338
860-396-6572

I BELIEVE MY IDENTITY WAS STOLEN WHILE I WAS INCARCERATED. WHAT CAN I DO?

If you believe your identity was stolen, you can file a complaint in the town where you live. Several towns have procedures for handling identity theft online.[10] Instead of a police report, you can alternatively report identity theft online at the Federal Trade Commission's website (https://www.identitytheft.gov/Assistant) and access *Identity Theft: A Recovery Plan*, which contains a step-by-step procedure to handling identity theft.

To file an **Identity Theft Affidavit**[11] you will need identifying documentation, such as a driver's license (learn how to get one on PG.30) or U.S. Passport (learn how to get one on PG.42).

You can also call the three major credit bureaus, listed below, to request a 90-day block that will stop anyone from opening an account in your name. The block will expire automatically after 90 days. You do not need to provide a copy of your driver's license to have a 90-day block put on, but you will need your Social Security Number. For information on obtaining your Social Security Number, go to PG. 27.

Below are the three major credit bureaus:
Equifax, P.O Box 740241, Atlanta, GA 30374-024. Phone number: 1-800-525-6285.
Experian, P.O. Box 9532, Allen, TX 75013. Phone number: 1-888-397-3742.
TransUnion, P.O. Box 6790, Fullerton, CA 92834. Phone number: 1-800-680-7289.

[9] See e.g. Transportation Security Administration, Identification, https://tsa.gov/travel/security-screening/identification.
[10] See for example, Norwalk's procedure for reporting identity theft. https://www.norwalkct.org/1470/ScamsFraudID-Theft-Information, https://www.norwalkct.org/DocumentCenter/View/313/idtheftpacket?bidId=.
[11] The Identity Theft Affidavit is not a stand alone document you can download and fill in. It is one of the documents included in your personalized ID Theft Report and recovery plan that you will receive when you report your identity theft at the FTC's IdentityTheft.gov website.

THIS CHART SUMMARIZES HOW & WHY EACH ID IS IMPORTANT AND THE APPROXIMATE COST OF EACH TYPE.

SUMMARY OF KEY DOCUMENTS		
KEY ID DOCUMENT	**COST**	**WHY IT'S IMPORTANT**
U.S. BIRTH CERTIFICATE	$30 for a state certified certificate $20 for a certificate from a town	This proves your age and legal presence in the United States. It is necessary in order to get most other forms of identification, including your Connecticut Non-Driver ID or Driver's License.
NATURALIZATION CERTIFICATE	$555 (may be free if you show financial hardship)	If you are a naturalized citizen, meaning you were born outside of the United States and became a citizen later, you will not have a U.S. birth certificate. Instead, you should use your naturalization certificate.
SOCIAL SECURITY NUMBER/CARD	Free	Your Social Security number (SSN) is required to apply for jobs, education programs, financial aid, and government services. You need it to obtain other forms of ID, such as a state ID or driver's license.
CONNECTICUT NON-DRIVER ID or DRIVER'S LICENSE	$22.50 for a new Non-Driver ID. $72 for a new CT Driver's License. Those 65 and over can renew for 2 years for $24. If you are incarcerated in CT and have insufficient funds, the Inmate Welfare Fund will pay for a CT non-driver ID card or to replace a driver's license. The fund cannot be used to renew a license, pay late fees or to reinstate a driver's license. The non-driver photo ID fee is waived for those: In a CT homeless shelter or other facility for persons who are homeless. Form B-230 must be signed by an official from the facility; Who voluntarily gave up their driver's license; Who are blind veterans; Who were denied a driver's license due to health problems. The fee for a driver's license is waived for active duty U.S. military personnel who complete Form B-88.	Both a Connecticut Non-Driver ID and Driver's License prove your age and identity, and may prove your legal presence in the United States. Either ID can be used as an official photo ID. You will likely need an ID to open a bank account, register to vote, and apply for jobs, housing, or public benefits. State IDs and driver's licenses are generally considered the most common accepted forms of identification. A Connecticut Driver's License is different from a state ID because it also gives you driving privileges if you can meet all the state requirements.
U.S. PASSPORT	$145 for a new passport; $110 for a renewal	A passport is necessary for traveling abroad and coming back to the United States. It is also considered an official photo ID.
TRIBAL ID CARD	It depends on the tribe.	A tribal ID proves your enrollment in a particular Indian (Native American or Alaska Native) tribe, and can be used as official photo ID for some places (like federal buildings, airports, and banks), certain services (the federal Indian Health Service), but not for everything. For example, a tribal ID will not work for notary services in Connecticut.



RAP SHEET	$75	Your RAP sheet is a chronological listing of your entire criminal history. You want to know what shows up on your RAP sheet because employers, Public Housing Authorities, schools, government agencies, and others may use your criminal history to decide if you are eligible for their services.
VOTER REGISTRATION	Free	You may not vote unless you are registered. Connecticut allows Election Day Registration.
SELECTIVE SERVICE REGISTRATION	Free	All male U.S. citizens, and all males living in the United States (except those present on student or visitor visas) *must register* for the Selective Service if they are aged 18-25. Failure to do so can result in disqualification from, or loss of, certain federal and state benefits. In Connecticut, if you do not register, you will not be eligible for state student financial aid. Selective Service used to be called "the Draft."
LIBRARY CARD (OPTIONAL)	Free	A library card gives you access to free resources such as books, movies, and advice from librarians at your local public library and at public libraries throughout Connecticut. Most libraries have free wifi and available time on computers with internet access.

II. BIRTH CERTIFICATE

WHAT WILL I LEARN?

- How to get a copy of your birth certificate in the following situations: 1) you were born in Connecticut; 2) you were born in another state; 3) you were born in another country; 4) you were adopted and don't know where you were born; 5) you are not a U.S. citizen; or 6) you are a naturalized U.S. citizen
- How to request your birth certificate
- How to get a document notarized, whether you are currently or formerly incarcerated
- Your options if there is no record of your birth

IMPORTANT: For most, a birth certificate is the most important ID you will need. START THE PROCESS AS SOON AS POSSIBLE! If you are incarcerated, the Department of Correction will assist you with the process *no earlier than* 3 years before your release.

WHAT IS A BIRTH CERTIFICATE, AND WHY WOULD I NEED IT?

Your birth certificate is important because it proves your legal name, age, birthdate, and birthplace. If you were born in the United States, it also proves your U.S. citizenship. Having a copy of your birth certificate is necessary to get other key forms of ID.

WHAT IS THE GENERAL PROCESS FOR GETTING A COPY OF MY BIRTH CERTIFICATE?

It depends on what STATE you were born in. Each U.S. state maintains its own birth records.[12] The federal government does not keep records or issue copies of birth certificates.[13] Thus, the requirements and procedures for getting official copies of birth certificates vary from state to state.

If you were born in the U.S., here is the general process:[14]

- Find out which government agency in the state you were born manages birth records;
- Get a request form from that government agency, fill it out, and send it in; OR write a request letter to the agency.
- Present a photo ID.
- Pay the fee.

See PG. 20 for more information on each step.

WHAT IF I WAS BORN IN ANOTHER COUNTRY?

Whether or not you are a U.S. Citizen, if you were born outside the United States, you must check with the country in which you were born for the procedures to get your birth certificate, see PG. 23 for more information.

If you were born out of the United States, but you are a U.S. citizen because one or both of your parents was a U.S. citizen, see PG. 23 on how to obtain your birth certificate.

WHAT ARE THE TYPES OF BIRTH CERTIFICATES?

In Connecticut, there are two types of birth certificates. There is a full size birth certificate and a wallet size certification of birth registration. It is important to know the difference before applying for your birth certificate.

Full Size **— This is the official, certified long form birth certificate.**[15] Only you, your immediate family members, and your attorney can get your birth certificate.[16] The full size birth certificate is considered a valid form of government-issued ID, and can be used to get other forms of ID, such as a passport and driver's license.

Wallet Size **— This is a short form certification of birth registration.**[17] It contains almost all of the important information such as, name, sex, date of birth and place of birth.[18] However, because it smaller, it contains less information than the full size birth certificate. Only you, you remediate family members and your legal representative can get a copy of the wallet size certificate. The wallet size certificate is usually used to prove citizenship, but cannot be used to apply for a passport or driver's license.

[12] CONN. GEN. STAT. § 7-41.
[13] CONN. GEN. STAT. § 7-41, 7-42.
[14] CONN. GEN. STAT. § 7-51, 7-52; Conn. Agencies Regs. § 19a-41-2.
[15] CONN. GEN. STAT. § 7-51a.
[16] CONN. GEN. STAT. § 7-51 (full list of everyone authorized to get a birth certificate).
[17] CONN. GEN. STAT. § 7-52a.
[18] CONN. GEN. STAT. § 7-52a.



IF YOU WERE BORN IN THE U.S.—DIFFERENT SITUATIONS:

(1) IF YOU WERE BORN IN CONNECTICUT:

I WAS BORN IN CONNECTICUT. HOW DO I GET A COPY OF MY BIRTH CERTIFICATE?

Birth Certificates and other important records, such as marriage and death certificates are called vital records.[19] You must go through one of two sources to get your Connecticut birth certificate: (1) the Connecticut Department of Public Health (DPH) State Vital Records Office, or (2) the town where you were born or where your mother resided at the time of your birth. Generally, it is easier to go through the town, but there are pros and cons to each. See the chart on PG. 20 to learn details about the pros and cons.

NOT BORN IN CONNECTICUT?

- If you were born in a state outside of Connecticut, go to PG. 22.
- If you were born outside of the United States, go to PG. 23.
- If you were adopted and don't know where you were born, go to PG. 23.

THIS CHART EXPLAINS THE PROS & CONS OF REQUESTING YOUR BIRTH CERTIFICATE FROM THE CONNECTICUT DEPARTMENT OF PUBLIC HEALTH (DPH) (THE STATE) VS. THE TOWN.

WHERE TO GET YOUR BIRTH CERTIFICATE: *State or Town vital records Office?*	
CONNECTICUT DEPARTMENT OF PUBLIC HEALTH (DPH) "STATE"	**TOWN VITAL RECORDS OFFICE "TOWN"**
TIME: Takes longer to process (6-8 weeks).	TIME: Takes less time to process (same day, in person).
REQUEST METHOD: May be done by mail, online or in person.	REQUEST METHOD: May be done by mail, online or in person.
FEE: Standard fee (currently $30, but subject to change).	FEE: Standard fee (currently $20 for full size and $15 for wallet size certificate.
STATEWIDE REACH: The State is a good option if you don't know what town you were born in. It covers all towns in Connecticut, and the State can help you locate your birth town.	TOWN REACH ONLY: The Town Vital Record's Office can issue birth certificates only for births within that town, not statewide.[20] So it's good if you know exactly which town you were born in or the town in which your mother resided at the time of your birth.
APPLICATION FORMS: Accepts standard state form (see the next question which explains how to get a copy of the form)	APPLICATION FORMS: Accepts town forms (see the question on PG. 21 which explains how to get a copy of the forms)

➢ **CONNECTICUT DEPARTMENT OF PUBLIC HEALTH (DPH):**

I WANT TO GET MY BIRTH CERTIFICATE FROM THE STATE OF CONNECTICUT DEPARTMENT OF PUBLIC HEALTH (DPH). WHAT IS THE PROCESS?

Apply for a birth certificate from the State:

STEP 1: Obtain and fill out a "REQUEST FOR A CERTIFIED COPY OF A BIRTH RECORD FROM THE STATE"

This form is available to download from the DPH website at: https://portal.ct.gov/DPH/Health-Information-Systems--Reporting/Vitalrecs/State-Vital-Records-Office---Birth-Certificates[21] and in ID Appendix F on PG. 65. Check the website for the most up-to-date form. To fill out the form, you will generally need to know your birth name, your birth date, the city/town where you were born, and your parents' names, including your mother's maiden name. If you do not know all of this information, fill in as much as you can. Persons who are incarcerated can obtain assistance from the Facility Identification Procurement (FIP) Coordinator to complete the application form.[22]

[19] CONN. GEN. STAT. § 7-36(4).
[20] Persons born after January 1, 2016 can apply to any town for their birth certificate, https://portal.ct.gov/DPH/Vital-Records/Birth-Certificates.
[21] The direct online link to the application is https://portal.ct.gov/-/media/Departments-and-Agencies/DPH/hisr/VR/vs39bstpdf.pdf?la=en.
[22] State of Connecticut Department of Correction Administrative Directive 10.15, page 2.

STEP 2: **Attach copy of your valid government ID**

You are required to submit a copy of your valid government photo ID with your application. This is required because access to birth certificates is restricted, so persons requesting birth certificates must prove their identity. A valid ID must be issued by the government, contain your photograph and include your date of birth, signature and an expiry date.[23] If you do not have a photo ID, you can submit two (2) documents from a list of acceptable documents, such as, your social security card, voter registration card, copy of utility bill showing name and current address, or a letter from a government agency verifying identity.[24]

STEP 3: **Prepare the fee payment.**

Payment must be by *check* or *money order* made payable to "Treasurer, State of Connecticut."[25] Do not send cash. At the time of writing this guide, the DPH fee is $30, but it could change. *The current fee amount will be on the DPH application form*. If you are incarcerated, your inmate personal funds or the "Inmate Welfare Fund" will be used to pay for the birth certificate.[26]

STEP 4: **Submit your request.**

You can submit the application by mail, online or in person.

Your final packet should include: (1) your application form, a copy of your valid government photo ID, and (2) your fee payment (check or money order).[27]

By Mail: Application packets should be mailed to: **Connecticut Department of Public Health**, 410 Capitol Avenue, MS #11 VRS, P.O Box 340308, Hartford, CT 06134.

Online: You can request the birth certificate online via VitalChek at https://www.vitalchek.com/vital-records/connecticut/connecticut-dept-of-public-health. Requests made online can be expedited for an additional fee.[28]

In Person: You can apply in person at 410 Capitol Avenue, MS #11 VRS, Hartford, CT 06134. Speak with a customer service representative, present your documents and pay the fee. Their customer service window hours of operation are 8:15 am to 3:45 pm, Monday-Friday. Their telephone customer service hours are between noon and 4pm. Call (860) 509-7700.

- **TOWN VITAL RECORDS OFFICE:**

I WAS BORN IN CONNECTICUT AND KNOW MY TOWN OF BIRTH. HOW DO I GET MY BIRTH CERTIFICATE DIRECTLY FROM THE TOWN I WAS BORN IN?

If you know what town you were born in or the town where your mother resided at the time of your birth,[29] we recommend going directly through your Town Vital Records Office usually called the Town Clerk. The town process is usually much faster than the state.

HOW DO I LOCATE THE TOWN VITAL RECORDS OFFICE?

Whether you plan to make your request in person, online or by mail, you first need to locate the Vital Records Office in the town in which you were born or the town where your mother resided at the time of your birth. The DPH provides a statewide directory of Town Vital Records Offices (addresses, phone numbers, and websites). To get the address and phone number for the Town Vital Records Office, call DPH Customer Service at (860) 509-7700[30] or visit the website at: https://portal.ct.gov/DPH/Vital-Records/State-Vital-Records-Office--Home or see ID Appendix G on PG. 67.

IF I USE THE TOWN VITAL RECORDS OFFICE, IS IT BEST TO REQUEST MY BIRTH CERTIFICATE BY MAIL OR IN PERSON?

Once you have located the Town Vital Records Office in the town where you were born (or the town where your mother resided at the time of your birth), you will need to decide if you want to request your birth certificate in person, online or by mail. In most towns if you request the document in person the clerk can tell you almost immediately whether or not there is a record of your birth on file. You can ask the clerk for help if there is a problem locating the correct record. You might even be able to get the *certified copy* that same day. If you are unable to travel to your birth town (or the town where your mother resided at the time of your birth) because of parole or other travel restrictions then your request must be made online or by mail.

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[23] Regs. Conn. State Agencies § 19a-41-2.
[24] https://portal.ct.gov/DPH/Vital-Records/Birth-Certificates [see full list of documents].
[25] Conn. Gen. Stat. § 7-74a, https://portal.ct.gov/DPH/Vital-Records/Birth-Certificates.
[26] State of Connecticut Department of Correction Administrative Directive 10.15, page 2.
[27] https://portal.ct.gov/DPH/Vital-Records/Birth-Certificates.
[28] https://portal.ct.gov/DPH/Health-Information-Systems--Reporting/Vitalrecs/State-Vital-Records-Office---Birth-Certificates.
[29] Persons born after January 1, 2016 can request birth certificate from any town Vital Records Office, https://portal.ct.gov/DPH/Vital-Records/Birth-Certificates.
[30] Telephone Customer Service hours are between12:00 noon and 4:00 pm.

REQUESTS TO THE TOWN VITAL RECORDS OFFICE BY MAIL:

After you have located the Town Vital Records Office in the town where you were born (or the town where your mother resided at the time of your birth), get a copy of the town's application form. You can request the form by phone or by mail, or you can download it from the DPH website at https://portal.ct.gov/-/media/Departments-and-Agencies/DPH/hisr/VR/VS39bpdf.pdf?la=en. An application form is provided in ID Appendix H on PG. 73. Once you have the form, the process for requesting your birth certificate by mail from the town is the same as the process for requesting it by mail from the State (see those instructions on PG. 20). Remember to:
Complete the form to the best of your ability;
Attach a copy of your valid government ID;
Include a check or money order for the fee;
Mail your request (including your application form, a copy of your valid government ID, and fee payment) to the Town Vital Records Office.

REQUESTS TO THE TOWN VITAL RECORDS OFFICE IN PERSON:

If you plan on making your request in person, you can either get an application ahead of time by mail or online, or pick one up at the Town Vital Records office. Give the clerk the completed application, valid government ID or two identification documents and the fee. You can usually pay with cash, credit card, debit card, check, or money order.

REQUESTS TO THE TOWN VITAL RECORDS ONLINE:

The process is the same as the process to apply to the State via VitalChek, https://www.vitalchek.com/vital-records/connecticut/connecticut-dept-of-public-health. Requests made online can be expedited for an additional fee.[31]

IF YOU WERE BORN IN THE U.S. OUTSIDE OF CONNECTICUT:

I WAS BORN IN A STATE OTHER THAN CONNECTICUT. HOW DO I GET AN AUTHORIZED COPY OF MY BIRTH CERTIFICATE?

The federal government does not keep a centralized database of birth records. Each state maintains its own. Each state has its own procedures for requesting an authorized certified copy of your birth certificate for identification purposes, and the fees vary. You will need to find out the procedures for your birth state:

STEP 1: Find the Vital Statistics Office in your birth state.

Each state has a Vital Records Office, sometimes called a Vital Statistics Office that is in charge of birth records for that state. The Centers for Disease Control and Prevention (CDC) has a list of the address and phone number for each state's Vital Statistics Office, as well as basic information about each state's procedures, see ID Appendix I on PG. 76. You can find this information on the CDC website at: http://www.cdc.gov/nchs/w2w.htm, or by calling the CDC at 1-800-CDC-INFO (1-800-232-4636), or writing to:

Centers for Disease Control and Prevention
1600 Clifton Road
Atlanta, GA 30329-4027.[32]

STEP 2: Call or write the Vital Statistics Office in the state where you were born and ask what they need from you to send you a certified copy of your birth certificate.

IF YOU WERE BORN IN THE U.S., BUT NO RECORD OF YOUR BIRTH WAS FOUND:

WHAT IF I WAS BORN IN THE U.S., BUT THERE IS NO RECORD OF MY BIRTH?

If you request a copy of your birth certificate from the state or county where you were born and you receive a notice that no record is available, then you will have to locate a secondary record of your birth to serve the same identifying purpose as a birth certificate. Secondary records are not considered as reliable as authorized certified birth certificates, but they can still help prove your identity to obtain other forms of ID. Secondary records include:
Hospital records;
Census records;
Religious records confirming your birth date (such as a baptism certificate or family bible record);
Statement from the midwife who delivered you;
Early school records; and

[31] https://portal.ct.gov/DPH/Health-Information-Systems--Reporting/Vitalrecs/State-Vital-Records-Office---Birth-Certificates.
[32] CENTERS FOR DISEASE CONTROL AND PREVENTION, http://www.cdc.gov/.

Records of immunization.[33]

If you were born in Connecticut, you can contact the DPH[34] to apply for delayed registration of birth.[35] You will need two people who have firsthand knowledge of your birth to complete affidavits available at DPH. The affidavits, along with other documents such as secondary records, will be considered by DPH to determine whether they are sufficient to prove the facts of your birth.[36] If DPH determines the affidavits and documents are sufficient, your birth certificate will be issued. If DPH denies your application, you can apply to the Probate Court for the district where you were born for an order requiring DPH to prepare the birth certificate.[37] Contact information for the Probate Court in each district can be found at the Connecticut Probate court website at http://www.ctprobate.gov/.[38]

IF YOU WERE ADOPTED AND DON'T KNOW WHERE YOU WERE BORN:

I AM ADOPTED AND I DON'T KNOW WHERE I WAS BORN. WHAT CAN I DO?

If you are adopted, you must request an application for a *certified copy of your birth certificate* in the state where you were adopted, using your adoptive name.[39] If you were adopted in Connecticut follow the town or state procedures given above. Use your adoptive name and adoptive parents' information.

IF YOU WERE BORN OUTSIDE OF THE U.S. — DIFFERENT SITUATIONS:

(1) IF YOU ARE A U.S. CITIZEN BORN TO U.S. CITIZEN PARENT(S) IN ANOTHER COUNTRY

I WAS BORN OUTSIDE OF THE U.S., BUT I AM A U.S. CITIZEN BECAUSE ONE OR BOTH OF MY PARENTS WAS A U.S. CITIZEN. HOW DO I GET CERTIFICATION OF MY BIRTH AND CITIZENSHIP?

If you are a U.S. citizen who was born abroad to U.S. citizen parent(s), your parent(s) should have reported your birth to the nearest U.S. Consulate or Embassy as soon as possible after you were born.[40] Under federal law, they should have applied in your name for a "Consular Report of Birth Abroad of a Citizen of the United States of America" (also called "CRBA," or Form FS-240).[41]

If your parents *did* register your birth with a U.S. Consulate or Embassy, the U.S. Department of State should have given your parents a CRBA in your name. Like a U.S. birth certificate, your CRBA is proof of your U.S. citizenship. You can use your CRBA as official ID to get other key forms of ID, including a U.S. passport.[42]

The only people who can legally request a copy of your CRBA are: (1) you, (2) an authorized government agent, and (3) a person with written authorization. To request a copy of your CRBA, follow these steps:

STEP 1: **Prepare a written (or typed) request.** Include all of the following:

1. Your full name at birth, and any adoptive names you had.
2. Your birth date and birthplace.
3. Your parents' full names.
4. The serial number of your Consular Report of Birth Abroad (also called Form FS-240), if you know it.
5. Any available passport information.
6. Your mailing address and phone number.

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[33] Secondary Evidence of U.S. Citizenship, U.S. DEPARTMENT OF STATE, BUREAU OF CONSULAR AFFAIRS, http://travel.state.gov/content/passports/english/passports/information/secondary-evidence.html.
[34] www.ct.gov/dph.
[35] Conn. Gen. Stat. § 7-57.
[36] Conn. Gen. Stat. § 7-57a.
[37] Conn. Gen. Stat. § 7-57b.
[38] Direct link for Directory of Probate Courts and Judges is at http://www.ctprobate.gov/Documents/Directory%20of%20Probate%20Judges%20and%20Courts.pdf.
[39] When you were adopted in the Unites States, your birth certificate was changed to reflect your adoptive information—whether you were born in the U.S. or not—and your original birth information was sealed. Therefore, the existing birth record will have your adoptive information.
[40] Where to Write for Vital Records, CDC, NAT'L CTR. FOR HEALTH STATISTICS, DIVISION OF VITAL STATISTICS, OFFICE OF INFORMATION SERVICES (July 2014), http://stacks.cdc.gov/view/cdc/22310.
[41] Where to Write for Vital Records, CDC, NAT'L CTR. FOR HEALTH STATISTICS, DIVISION OF VITAL STATISTICS, OFFICE OF INFORMATION SERVICES (July 2014), http://stacks.cdc.gov/view/cdc/22310.
[42] Note: Until January 3, 2011, the document issued for this purpose was "Certificate of Report of Birth Abroad," or "Form DS-1350,"also called "CRBA." The Department of State no longer issues Form DS-1350 for new births. However, if this was the document issued when your parents registered your birth, it is still valid for the same purposes as a Form FS-240, and you can still request a copy by taking the same steps you would to request a Form FS-240. See Foreign Birth and Death Certificates, CDC, http://www.cdc.gov/nchs/w2w/foreign.htm; Birth of U.S. Citizens Abroad, U.S. DEPARTMENT OF STATE, BUREAU OF CONSULAR AFFAIRS, http://travel.state.gov/content/passports/english/abroad/events-and-records/birth.html.

7. Your signature. (Leave space for this, but don't actually sign until Step 2, when you are with a Notary Public.)

STEP 2: **Get your request notarized by a Notary Public.**

See the box below to learn how to get a document *notarized*.

STEP 3: **Prepare a check or money order for $50 (no cash).** Make it payable to "Department of State."

STEP 4: **Mail your request and fee.** Address the envelope to:
Department of State, Passport Vital Records Sections
1150 Passport Services Pl, 6th Floor
Dulles, VA 20189-1150.[43]

WHO CAN I CALL FOR HELP?

For more information, call the Bureau of Consular Affairs at 1-877-487-2778 (TDD/TTY: 1-888-874-7793).

HELPFUL HINT
How do I get a document "notarized"?

WHAT IS NOTARIZATION?

Notarization is when a government-approved person (called a "notary public" or just a "notary") validates an important document. The notary must witness signatures to that document.

WHAT DO I BRING?

1. **The document you need notarized. IMPORTANT: Do not sign it before you go—the notary needs to witness you signing your name.**
2. **Proof of who you are (usually photo ID).**
   The notary can verify who you are by one of 3 ways:

1) *Photo ID issued within the last 5 years.* This can be: a state ID or a driver's license from any U.S. state, a passport from any country, a U.S. Military ID, a Canadian or Mexican driver license, or a Connecticut government employee ID card. *IF YOU ARE CURRENTLY INCARCERATED: You can use your prison ID card while you are still incarcerated, but not after you get out. This is why it is so important to get your birth certificate before you are released.*

2) One witness who the *notary knows* and who *knows you*. This witness will need to show one of the forms of acceptable ID listed above, and verify under oath who you are. —OR—

3) Two witnesses who *know you* (but the notary does *not* need to know them). Both witnesses will also be required to show a form of acceptable ID listed above, and verify who you are under oath.

WHERE DO I FIND A NOTARY?

Try your local bank, credit union, public library, City Hall, courthouse, Post Office, FedEx or UPS stores, senior center, or public school. In Connecticut, an Attorney can notarize documents.[44] *IF YOU ARE CURRENTLY INCARCERATED*: State prisons must provide notary services.[45] Contact your facility notary to make an appointment.

HOW MUCH WILL A NOTARY COST?

In Connecticut, the most a notary can charge is $5.00 per signature. However, mobile notary services that come to you are allowed to charge an additional 35 cents per mile.[46]

IF YOU ARE CURRENTLY INCARCERATED: The CT Department of Correction does not charge for notary services.

(2) IF YOU WERE BORN IN ANOTHER COUNTRY AND YOU ARE NOT A U.S. CITIZEN

I AM NOT A U.S. CITIZEN. HOW DO I GET MY BIRTH CERTIFICATE FROM A FOREIGN COUNTRY?

Most, but not all, foreign countries record births and will provide certifications of births occurring within their boundaries. You should contact your birth country's nearest Embassy or Consulate in the United States. Addresses and telephone numbers for these offices are listed in the U.S. Department of State Publication 7846, Foreign Consular Offices in the United States, which is available in many local libraries. Copies of this publication may also be purchased from the U.S. Government Printing Office, Washington, DC 20402.

[43] See Foreign Birth and Death Certificates, CDC, http://www.cdc.gov/nchs/w2w/foreign.htm; Replace or Amend a Consular Report of Birth Abroad (CRBA), U.S. DEPARTMENT OF STATE, BUREAU OF CONSULAR AFFAIRS, http://travel.state.gov/content/passports/english/abroad/events-and-records/birth/replace-or-amend-consular-report-of-birth-abroad.html.
[44] Conn. Gen. Stat. § 1-29.
[45] Conn. Gen. Stat § 18-81.
[46] Conn. Gen. Stat. § 3-95.

If the Embassy or Consulate is unable to provide assistance, U.S. citizens may obtain assistance by writing to the Office of Overseas Citizens Services, U.S. Department of State, Washington, DC 20520-4818. Non-U.S. citizens residing in the United States may be able to obtain assistance through the Embassy or Consulate of their country of nationality.

(3) IF YOU ARE A NATURALIZED CITIZEN

I AM A NATURALIZED CITIZEN. DO I NEED MY BIRTH CERTIFICATE?

If you were not born in the United States, but immigrated here and became a U.S. citizen, then you are a naturalized citizen, and you should have been issued a *Certificate of Naturalization* at the time you became a U.S. citizen. A Certificate of Naturalization is essentially the same as a birth certificate for purposes of obtaining other ID documents.[47] If your Certificate of Naturalization was lost or destroyed, you can apply for a new one. You will need to fill out an "Application for Replacement Naturalization/Citizenship Document" (Form N-565). You can call the Department of Homeland Security, Citizenship and Immigration Services, National Customer Services Center hotline at 1-800-375-5283 to have the form mailed to you. The form is also available online at http://www.uscis.gov/n-565.[48] A copy of the form is at ID Appendix J on PG. 85.

III. SOCIAL SECURITY NUMBER & CARD

WHAT WILL I LEARN ABOUT SOCIAL SECURITY NUMBERS AND CARDS?

- The difference between a Social Security number (SSN) and Social Security card, and when you'll need them
- How to find out your SSN if you don't know it
- How to apply for an original Social Security card if you've never received a SSN
- How to apply for a replacement Social Security card if you don't have the original
- How to get a Social Security card even if you don't have a U.S. Passport, State ID, or Driver's License

WHAT IS A SOCIAL SECURITY NUMBER (SSN) AND WHAT IS A SOCIAL SECURITY CARD? WHAT IS THE DIFFERENCE AND DO I NEED BOTH?

If you were born in the U.S., and your birth was reported, the government assigned you a ***Social Security number (SSN)***. Your SSN is a 9-digit number that is unique to you. The government uses a SSN to identify you, to track your income for tax purposes and to calculate Social Security benefits you accrue as you work. Also, other institutions—like banks, hospitals, schools, and businesses use your SSN as a way to identify you.[49]

A ***Social Security card*** is a paper card that provides a record of your name and SSN. Social Security cards are issued only by the Social Security Administration of the federal government. Social Security cards are always free.[50]

While there are many circumstances in which you will need to provide your **SSN**, you will only need to show the actual Social Security card in a few limited situations, such as filling out employment paperwork. *It is a good idea to memorize your SSN, store your Social Security card in a safe place and only carry your Social Security card with you when you need it.*

WHY DO I NEED TO KNOW MY SSN?

Like your birth certificate, your SSN proves who you are. You will need to provide your 9-digit SSN to access government services and to apply for jobs, public benefits, housing, a driver's license, health care, education programs, and financial aid.[51]

I HAVE A SSN, BUT I FORGOT IT OR NEVER KNEW IT. HOW DO I FIND OUT WHAT IT IS?[52]

If you were assigned a SSN at some point in your life, but you do not know it now, you need to request a *replacement card*. This is the only way to get your number because the Social Security Administration (SSA) does not give out Social Security numbers any other way. You can apply for a replacement card by mail or in person at a local SSA Office. The SSA will not replace your card more than 3 times in a year nor more than 10 times in a lifetime.[53] For more information on getting a replacement card, see PG. 26 if you are incarcerated, or PG. 27 if you are out.

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[47] 8 C.F.R. § 301.
[48] Application for Replacement Naturalization/Citizenship Document, U.S. Citizenship and Immigration Services, http://www.uscis.gov/n-565.
[49] New or Replacement Social Security Number Card, SOC. SEC. ADMIN., http://www.ssa.gov/ssnumber/.
[50] New or Replacement Social Security Number Card, SOC. SEC. ADMIN., http://www.ssa.gov/ssnumber/.
[51] New or Replacement Social Security Number Card, SOC. SEC. ADMIN., http://www.ssa.gov/ssnumber/.
[52] How do I apply for a new or replacement Social Security card?, SOC. SEC. ADMIN., https://faq.ssa.gov/ics/support/kbanswer.asp?QuestionID=3755.
[53] 20 C.F.R. § 422.103.



I DON'T THINK I EVER GOT A SSN. CAN I GET ONE NOW?

Yes. If you were never assigned a SSN, you will need to apply for an *original card*.[54] See PG. 28 for more information on getting an original card.

PRE-RELEASE PLANNING — GETTING A SOCIAL SECURITY CARD WHILE INCARCERATED:

CAN I GET A SOCIAL SECURITY CARD WHILE I AM STILL INCARCERATED?

Maybe. If you never had a SSN, the Social Security Administration (SSA) will not assign you a new SSN or issue you an "original" Social Security card while you are incarcerated. You will have to wait until you get out.

However, if you were given a SSN at some point in the past, the SSA may issue you a replacement card with your original number on it while you are incarcerated—under limited circumstances.[55] See the next question to learn how to get a replacement card while incarcerated.

HOW DO I GET A REPLACEMENT CARD WHILE I AM INCARCERATED?

- Before the Social Security Administration (SSA) will accept "certification" (proof) of your identity from a correctional facility, that facility must enter a special agreement with the SSA called a Memorandum of Understanding (MOU). The MOU's purpose is to ensure that corrections officials follow the same rules as SSA officials do when verifying people's identities. If your facility has a MOU with the SSA, the SSA will accept the facility's certification of your identity as proof that you are who you say you are. Connecticut has an MOU with the SSA.[56]

HOW DO I APPLY FOR MY REPLACEMENT CARD FROM INSIDE?

Follow these steps:

STEP 1: **Meet with your facility Reentry Counselor to get and fill out the application (Form SS-5).**

Your facility Reentry Counselor will have a copy of the form and can help you with your application no earlier than 6 months before your release. The form can be found at https://www.ssa.gov/forms/ss-5.pdf or you can call the Social Security Administration (SSA) at 1-800-772-1213 to have the form mailed to you. See also, ID Appendix K on PG. 93 for Form SS-5.

STEP 2: **Gather the documents you will need.**

You will need to submit two documents with your application:

- Certification of Inmate Identity: A designated prison official should verify your identity through prison records and issue a certification to the SSA.[57]
- Information Release — You need to sign an information release form, giving the SSA permission to send your Social Security card to your facility. Ask your correctional counselor for this form.

HELPFUL HINT

You should include the prison staff's certification of your identity, as well as a copy of your prison ID card, if possible. In fact, you should include any and all documents related to your identity, because the SSA must consider everything. Start gathering documents while you are incarcerated. If you don't have primary forms of ID, you can use these types of proof after you get released, as well. Along with your birth certificate, these documents will probably be enough. For more information on "other proof of identity," see PG.28.

[54] New or replacement Social Security Number Card, SOC. SEC. ADMIN., http://www.ssa.gov/ssnumber/.
[55] SOC. SEC. ADMIN., PROGRAM OPERATIONS MANUAL SYSTEM, RM 10225.125 Replacement SSN Cards for Prison Inmates Covered by a Memorandum of Understanding (February 27, 2014).
[56] The MOU was effective December 5, 2014. See, State of Connectiut Department of Correction Administrative Directive Number 10.15 effective 5/10/2017, Inmate Personal Identification Procurement and Storage, page 1.
[57] SOC. SEC. ADMIN., PROGRAM OPERATIONS MANUAL SYSTEM, RM 10225.125 Replacement SSN Cards for Prison Inmates Covered by a Memorandum of Understanding (February 27, 2014), RM 10225.130 Negotiating a Memorandum of Understanding (MOU) to Process Replacement SSN Cards for Prison Inmates (Oct. 27, 2009), RM 10225.135 Elements of Prisoner Replacement Card Memorandum of Understanding (MOU) (Oct. 27, 2009).

POST-RELEASE — GETTING A SOCIAL SECURITY CARD AFTER YOU'RE OUT:

I AM FORMERLY INCARCERATED, AND I HAVE A SSN. HOW DO I GET A REPLACEMENT SOCIAL SECURITY CARD?

You can apply to your local SSA office in person or make the request by mail. Applying IN PERSON is better for 3 reasons:

REASON 1: First, if you go in person, the SSA agent can actually see that you are a real person. This helps verify your identify, especially if you are coming out of prison or jail without any other official ID documents.
REASON 2: Second, it will be less of a hassle for you to go in person. If you request a replacement card by mail, you must submit your *original* ID documents (not copies) with your application. *This means that while your application is being processed, you won't have these ID documents for other purposes.*
REASON 3: Lastly, the in-person process is much faster than the by-mail process. If the SSA accepts your application in person, you can leave with your new Social Security number the same day (and they will mail you the card)! In contrast, applications by mail can take days or even weeks to process.
In case you still decide to make your request by mail, we explain both application processes below: *application in person* (PG. 27) and *application by mail* (PG.28).

NEVER HAD A SSN? NEED AN ORIGINAL CARD?

You can only get an original SSN and card after you're released. Go to PG. 28 to learn how.

NOT SURE IF YOU EVER HAD A SSN?

If you're not sure if you've ever had a SSN, unfortunately there's no easy way to check. There are services that you can pay to check, but it's unclear if they are trustworthy. For this situation, we suggest trying to get a replacement card, and seeing if the SSA tells you that there was no original card to replace.

GETTING A SOCIAL SECURITY CARD IN PERSON

I WANT TO GET A REPLACEMENT SOCIAL SECURITY CARD IN PERSON (WHICH IS RECOMMENDED). HOW DO I DO THAT?

STEP 1: **Gather the documents you need to prove your identity.**

Proof of identity must show 3 key facts about you (which may be possible with just one document):[58]
Proof of your age;
Proof of your citizenship or legal presence in the United States;
Proof that you are still alive.

You may need to show only one "primary" ID document,[59] if that one document shows all 3 key facts about you by itself. Primary ID documents that are accepted as proof of identity for a replacement Social Security card are:
U.S. state-issued driver's license;
U.S. state-issued ID card;
U.S. passport.[60]

The documents you submit must show your **legal name** AND provide **biographical information** (date of birth, age, or parents' names) as well as **physical information** (a photograph or physical description — height, eye and hair color, etc.). Generally, an ID without an expiration date is acceptable if it was issued in the past 2 years.[61] If you don't have these documents, find the information you need in this chapter's Table of Contents on PG.10.

STEP 2: **Find your local Social Security Administration (SSA) Office.**

Search online at http://www.socialsecurity.gov, or call the SSA at 1-800-772-1213, or see ID Appendix L on PG. 95.

STEP 3: **Go to your local SSA Office and fill out the application for a replacement card.**

STEP 4: **Meet with an SSA employee to verify your identity.**

Remember, the SSA agent will evaluate the evidence you bring in and make a judgment call as to who you are. If you are there in person with as much identifying documentation as possible, hopefully all of your documents combined will be enough to prove your identity (even if each of your documents, considered separately, might not be enough).

! **IMPORTANT: HOW TO GET A SOCIAL SECURITY CARD WHEN YOU DON'T HAVE PRIMARY ID:**

[58] SOC. SEC. ADMIN., PROGRAM OPERATIONS MANUAL SYSTEM, RM 10210.405 Evidence of Identity for an SSN Card (3/31/2015).
[59] SOC. SEC. ADMIN., PROGRAM OPERATIONS MANUAL SYSTEM, RM 10210.020 Policy for Number of Documents Required for an SSN Card (9/30/2013.
[60] SOC. SEC. ADMIN., PROGRAM OPERATIONS MANUAL SYSTEM, RM 10210.405 Evidence of Identity for an SSN Card (3/31/2015); RM 10210.420 Priority List of Acceptable Evidence of Identity Documents (8/30/2017).
[61] See Application for a Social Security Card (Form SS-5), Soc. Sec. Admin. (Aug. 2011).

If you have been incarcerated since you were young and/or for a long time, you may never have had primary ID documents, or they may have been lost or destroyed. Unfortunately, the SSA's rules are not written with your situation in mind.

Fortunately, even if you do not have primary ID, you may be able to get a replacement Social Security card. Gather as much identifying information and documentation as you can, and include it with your application. Then, on a case-by-case basis, the SSA will decide whether or not you have presented enough proof of who you are.

IF YOU DO NOT HAVE PRIMARY ID, USE AS MANY OF THE FOLLOWING AS YOU CAN:

- **Authorized Birth Certificate — Without a primary ID document, your birth certificate will be the most important document you submit. A birth certificate alone is not enough to prove your identity. The SSA still needs proof that the person named on the birth certificate is alive and that you are that person!**
- **Other proof of identity — The more evidence of your identity you provide, the better. Any ID with your photo and name on it, even if it is not government-issued, will make it easier to prove who you are to the SSA. Other proof that can help: an employee ID; a school ID; a library card; a prison ID card, a U.S. Military ID; a health insurance or Medicaid card (not Medicare); or a certified copy of your medical record from a health clinic, doctor, or hospital that treated you.[62] SSA employees are required to consider each applicant's situation and evidence on a case-by-case basis.**

GETTING A SOCIAL SECURITY CARD BY MAIL

HOW DO I GET A REPLACEMENT SOCIAL SECURITY CARD BY MAIL?

STEP 1: **Obtain and fill out the application for a replacement card, Form SS-5.**

You can get this form from your local Social Security Administration (SSA) Office, download it from the SSA's website at http://www.socialsecurity.gov/forms/ss-5.pdf, or call the SSA at 1-800-772-1213 and ask to have the form mailed to you. If you decide to call the SSA, be patient. You will likely not speak to a live person, and will have to navigate through several voice prompts before getting to the right function. See Form SS-5 in ID Appendix K on PG. 93.

STEP 2: **Gather the documents you will need to prove your identity.**

See STEP 1 on PG.27 — the same types of proof apply by mail.[63]

STEP 3: **Mail your application and supporting documentation to any SSA Office.**

To get the address of your local SSA Office, call 1-800-772-1213, or visit the SSA's website at: https://secure.ssa.gov/ICON/main.jsp and enter your ZIP code.[64] For a list of Social Security Offices in Connecticut, see ID Appendix L on PG. 95.

REMEMBER TO MAKE COPIES BEFORE MAILING!

If you are sending your application by mail, you must send the originals of all your ID documents, so you won't have those original documents until your claim has been processed and the IDs have been mailed back to you. Make copies of every document before you send it in!

I AM FORMERLY INCARCERATED, AND I'VE NEVER HAD A SOCIAL SECURITY NUMBER (SSN). HOW DO I GET AN ORIGINAL SSN AND CARD?

If you have never had a Social Security number (SSN)—meaning you were never assigned one at any point in your life—you need to apply for an original number. The process is similar to the process for getting a replacement card, but *it must be done in person* and *the ID requirement is stricter*.

STEP 1: **Gather the identifying documents you will need.**

To get a SSN for the first time, you must prove your identity (a process called "enumeration") with proof of: (1) your age; (2) your U.S. citizenship or legal presence; and (3) your identity.[65]

For an ***original SSN***, you *must* bring more than one document to prove this information (not just one primary ID document). However, the types of ID documents you can use as proof are the same as for getting a replacement card (see PG. 27).[66] Some documents carry more weight than others: an authorized certified birth certificate (or proof of naturalization, hospital record,

[62] SOC. SEC. ADMIN., PROGRAM OPERATIONS MANUAL SYSTEM, RM 10210.405 Evidence of Identity for an SSN Card (3/31/2015); RM 10210.420 Priority List of Acceptable Evidence of Identity Documents (8/30/2017; RM 10210.430 What Documents Are Not Evidence of Identity for an SSN Card (4/13/2010).
[63] SOC. SEC. ADMIN., PROGRAM OPERATIONS MANUAL SYSTEM, RM 10210.405 Evidence of Identity for an SSN Card (3/31/2015).
[64] Learn What Documents You Need to Get a Social Security Card, SOC. SEC. ADMIN., http://www.socialsecurity.gov/ssnumber/ss5doc.htm.
[65] SOC. SEC. ADMIN., PROGRAM OPERATIONS MANUAL SYSTEM, RM 10210.020 Policy for Number of Documents Required for an SSN Card (Sept. 30 2013).
[66] SOC. SEC. ADMIN., PROGRAM OPERATIONS MANUAL SYSTEM, RM 10210.405 Evidence of Identity for an SSN Card (3/31/2015); RM 10210.420 Priority List of Acceptable Evidence of Identity Documents (8/30/2017); RM 10210.430 What Documents Are Not Evidence of Identity for an SSN Card (4/30/2010).



or religious record) will be the most important. Remember, the SSA Office reviewer has to decide that you are who you claim to be. Give him or her every reason to believe so, and bring as much proof as possible.

STEP 2: **Find your local Social Security Administration Office or Card Center.**

Go to the website https://secure.ssa.gov/ICON/main.jsp to locate a local SSA Office or see ID Appendix L on PG. 95.

STEP 3: **Go to your local SSA Office or Card Center and fill out the application (Form SS-5). Form SS-5 can be found in ID Appendix K on PG. 93.**

STEP 4: **Meet with an SSA employee to verify your identity.**

Bring with you everything that could help prove who you are — even family members who can vouch for you (they must bring valid ID for themselves)! An SSA Office reviewer will interview you and review all the documents you bring. Depending on what you provide, the reviewer may ask for additional evidence of your age, citizenship/legal presence, or identity.[67] The reviewer will enter all of your documentation into the SSA's electronic application system.[68] Generally, if the reviewer believes your documents are authentic and that you are who you say you are, your completed electronic application will be sent to a central office, and you'll be issued a Social Security card within about 2 weeks. If your information needs to be verified, the process can take several weeks or months.[69]

[67] SOC. SEC. ADMIN., PROGRAM OPERATIONS MANUAL SYSTEM, RM 10210.210 Reviewing Age, Identity, Citizenship and Lawful Alien Status Evidence for an SSN Card (7/21/2017); RM 10210.410 How Do you Examine, Evaluate, and Assess Documents Submitted as Evidence of Identity (March 30, 2011).
[68] SOC. SEC. ADMIN., PROGRAM OPERATIONS MANUAL SYSTEM, RM 10201.025 Enumeration Process: SSA Component Responsibilities (6/2/2017).
[69] SOC. SEC. ADMIN., PROGRAM OPERATIONS MANUAL SYSTEM, RM 10205.100 How Long Does it Take to Get an SSN Card? (5/22/2018).

IV. CONNECTICUT NON-DRIVER ID, DRIVER'S LICENSE & MUNICIPAL ID

WHAT WILL I LEARN?

- The difference between a Non-Driver ID and a Driver's License, and how to decide which will be most useful to you
- How to apply for a Non-Driver ID if you: have never been issued a Connecticut ID; have an expired Connecticut ID; or are currently incarcerated
- How to apply for a duplicate card if you know you have a non-expired Connecticut ID but misplaced the original card
- How to get a valid ID or Driver's License if you are undocumented
- How to get a new Connecticut Driver's License
- What to do if you have an expired Connecticut Driver's License
- What to do if you have a Driver's License from another state
- What you can do if your Connecticut Driver's License has been suspended or revoked
- What happens when you have an outstanding traffic ticket in another state

A *Non-Driver **ID card*** and a ***Driver's License*** are the most commonly used forms of identification for most people in their daily lives. In Connecticut, the Department of Motor Vehicles (DMV) issues both of these documents. The major difference between these two forms of ID is that a Connecticut Non-Driver ID can be used *only* for *identification*. A Connecticut Driver's License can be used for *identification* AND permits you to legally *drive* a car.[70]

Once you have an authorized copy of your birth certificate and your Social Security card (SSN), along with proof of residency and legal presence in the United States, you have what you need to apply for a Connecticut Non-Driver ID card or a Connecticut driver's license. [71]

WHICH ONE IS RIGHT FOR ME - A STATE ID CARD OR A DRIVER'S LICENSE? WHAT'S THE DIFFERENCE?

Both a Connecticut Non-Driver ID and a Connecticut Driver's License serve as official government-issued, photo identification that can be used to prove your identity, age, and legal presence in the United States (unless you have a Drive Only Connecticut Driver's License). Either one will allow you to prove your identity when you open a bank account, register to vote, or apply for jobs, housing, or public benefits.

If you eventually want to *drive*, you will need to get a driver's license, which requires that you pass certain tests. You will need ID right away after you are released. We recommend you get a Connecticut Non-Driver ID first and go back later for a driver's license.

THIS CHART COMPARES THREE TYPES OF IDENTIFICATION: CONNECTICUT NON-DRIVER ID, DRIVER'S LICENSE AND DRIVE-ONLY LICENSE.

CT NON-DRIVER ID vs. DRIVER'S LICENSE vs. DRIVE-ONLY LICENSE

CONNECTICUT NON-DRIVER ID	CONNECTICUT DRIVER'S LICENSE	CONNECTICUT DRIVE-ONLY LICENSE (for undocumented individuals)
Government-issued ID; can be used to prove age, identity, and legal presence.	Government-issued ID; can be used to prove age, identity, and legal presence.	Government-issued; *cannot* be used to prove identity or legal presence.
Can obtain while incarcerated.	Cannot apply for while incarcerated; you must apply in person upon release.	Cannot apply for while incarcerated; you must apply in person upon release.
	You must take and pass a written test and a road test.	You must take and pass a written test and a road test.
Does not authorize you to drive a car.	Authorizes you to drive a car.	Authorizes you to drive a car and register a motor vehicle.
There are ***no*** restrictions in getting a CT Non-Driver ID based on your criminal history.	There *could be* some restrictions in getting a CT Driver's License, depending on your criminal history, e.g. a "Driving Under the Influence" conviction.	Ineligible if convicted of a felony in Connecticut.

[70] Driver's License and ID, CT DMV, https://www.ct.gov/dmv/cwp/view.asp?a=803&q=583186, Conn. Gen. Stat.§1-1h.
[71] Obtaininga Non-Driver Photo ID, CT. DMV, https://www.ct.gov/dmv/cwp/view.asp?a=805&q=490078.

***** A NOTE IF YOU ARE UNDOCUMENTED:**

If you cannot provide proof of legal presence in the United States, but otherwise qualify for a Connecticut Driver License, you can apply for a Drive-Only license. If you hold this license, you can legally drive a motor vehicle in Connecticut; but it does not prove legal presence in the United States for any purpose.[72]

PRE-RELEASE PLANNING — GETTING A CONNECTICUT NON-DRIVER ID OR DRIVER'S LICENSE WHILE INCARCERATED

I AM CURRENTLY INCARCERATED. CAN I APPLY FOR A CONNECTICUT NON-DRIVER ID OR A CONNECTICUT DRIVER'S LICENSE?

You cannot apply for a driver's license from prison or jail. You must apply for a driver's license in person. You can however, renew or replace your driver's license while incarcerated. You can also apply for, replace and renew a Non-Driver ID while incarcerated.[73] A Facility Identification Procurement Coordinator (FIP) should be available to help you get Department of Motor Vehicle (DMV) identification.[74]

- You can file to renew your driver's license 4 months prior to its expiration or if it is less than 2 years since it expired. Fill out form DMV-350 which can be found at ID Appendix A on PG. 50. You must use personal funds to pay.
- You can apply to replace a current license 6 months prior to discharge or release to community supervision. Fill out form DMV-350 which can be found at ID Appendix A on PG. 50. You use personal funds to pay but if you have insufficient funds, the "Inmate Welfare Fund" will pay.
- You can replace or renew a Non-Driver ID 6 months prior to discharge or release to community supervision. Fill out form DMV-350 which can be found at ID Appendix A on PG. 50. You use personal funds to pay but if you have insufficient funds, the "Inmate Welfare Fund" will pay.
- You can apply for a new Non-Driver ID 6 months prior to discharge or release to community supervision. Fill out form DMV-230 which can be found at ID Appendix M on PG. 97. You use personal funds to pay but if you have insufficient funds, the "Inmate Welfare Fund" will pay.

The DMV will send your Connecticut Non-Driver ID or driver's license directly to the prison. The prison will hold the ID or license in your ID file and give it to you at the time you are released. NOTE: It's possible that your ID or license will not arrive in time for your release (for example, if your release date is recalculated so that you get out earlier than expected). If this is the case, you will need to contact the facility property officer or Reentry Counselor to see if your Connecticut ID or license is ready and to arrange pickup. If you are on community supervision, the ID will be sent to the parole office or the FIP officer at the Central Office, Programs and Treatment Unit. Unclaimed ID and licenses will be sent to the central office after 30 calendar days from discharge and will be kept for 2 years. Call the central office at 860-692-7869 to claim your ID.

POST-RELEASE — GETTING A CONNECTICUT NON-DRIVER ID OR DRIVER'S LICENSE AFTER YOU ARE OUT

I AM FORMERLY INCARCERATED AND WANT TO GET A CT NON-DRIVER ID. HOW DO I APPLY?

You must apply in person at the DMV unless you are out of state, on active duty in the military, or unable to appear for medical reasons, in which case you can apply by mail.[75] The ID is good for 6 years. [76]

Under Connecticut's REAL ID program, you will get a verified ID. Your ID meets the federal requirements that begin in 2020 for getting on planes, entering federal buildings and doing commercial transactions.[77] Your card will be marked with a gold star to show that it is good for federal identification.

Applicants applying by mail must have a photo ID on file with the DMV and complete a B-350 form which can be found at http://www.ct.gov/dmv/lib/dmv/b-350.pdf and at ID Appendix A on PG.50. If the mail application is for medical reasons, a

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[72] Conn. Gen. Stat. § 14-36m.
[73] Conn. Gen. Stat. § 14-41c.
[74] State of Connecticut Department of Correction Administrative Directive Number 10.15, Inmate Personal Identification Procurement and Storage, effective 5/10/17.
[75] Conn. Gen. Stat. § 14-36d.
[76] Conn. Gen. Stat. § 1-1h (b).
[77] REAL ID Act, 49 USC 30301 Note §202, 6 C.F.R. §37.5. **WHAT ARE REQUIREMENTS FOR NON-U.S. CITIZENS?**
Non-U.S. citizens also will need to show a valid foreign passport with a U.S. Visa and an I-94 or permanent resident card along with other legal presence documents (see list). Anyone with a current driver's license or DMV-issued ID card that does not meet requirements for legal presence in the U.S. will not receive a renewal of that license or ID card.



doctor must sign a form CS-1, which can be found at http://www.ct.gov/dmv/lib/dmv/20/29/ci-1.pdf. A card issued by mail is not valid for federal ID requirements unless the DMV has previously verified the applicant.

You will need to have documents to prove your identity, what your social security number is, that you are a resident of Connecticut that you are legally present in the U.S. and if your name does not match the name on your identity papers, you must show proof of the name change.

See ID Appendix O on PG. 105 for DMV Instructions on "Obtaining a Non-Driver Photo ID".

Follow the steps below to apply for a Non-Driver ID.

STEP 1: **Find a DMV office near you. You must apply for a Non-Driver ID in person at the DMV.**

You can apply for a Non-Driver ID at any DMV hub office. Hubs are located in Bridgeport, Danbury, Hamden, Norwalk, Old Saybrook, Waterbury, Wethersfield, and Willimantic. You can also apply in Enfield, New Britain, Norwich and Winsted.

STEP 2: **Prepare the required information and documents you need to bring to the DMV office. See REAL ID DOCUMENT CHECKLIST found in ID Appendix N on PG. 100.**

You will need:

Two forms of identification:

- If you are a U.S. citizen, one of the documents must be an original U.S. birth certificate or a U.S. passport.
- If you were not born in the U.S., one of the documents must be: a U.S. passport, a certificate of naturalization or citizenship, a permanent resident card, a U.S. consular report of birth abroad, or a foreign passport with supporting documents.
- **Original Social Security card or a W-2 or 1099 from the last 5 years that shows your social security number.** If you are not a U.S. Citizen and do not have a social security number, you must present proof of ineligibility from the Social Security Administration.
- **Two pieces of mail with your name and address on them to prove you live in Connecticut.**
- **Original papers showing lawful status in the U.S.** Examples include: A U.S. passport, I-94, permanent resident card, or employment authorization card. People who are not U.S. citizens or permanent residents are not eligible for a non-driver ID.
- **Name change documents:** If your name is different than what is on your birth certificate, you must also show proof of the name change: For example: original marriage licenses, divorce decree, legal name changes by court orders, or adoption papers. Certified copies will be accepted.

STEP 3: **Go to your local DMV office to submit your application and pay the fee.**

Have your information and documents ready, and complete Application Form B-230 found in ID Appendix M on PG. 96. Make sure you provide a reliable and accurate mailing address where you can receive your Connecticut Non-Driver ID in three weeks.[78]
At the DMV, you will have your photo taken.

FEE PAYMENT: Pay $22.50 by cash, money order, personal check, bank check, Mastercard, Visa, Discover or a debit card with a Mastercard/Visa logo at DMV hub offices. Cash is not accepted at some other locations. For a list of acceptable forms of payment at each location, see ID Appendix P on PG. 106. Or go to https://www.ct.gov/dmv/cwp/view.asp?a=805&Q=285308&PM=1. Non-DMV locations charge an $8 convenience fee.

FEE WAIVERS FOR A NON-DRIVER ID ARE AVAILABLE IN THE FOLLOWING SITUATIONS: (1) If you have voluntarily given up your driver's license; (2) If you were denied a driver's license because of health problems; (3) If you are a blind or, a veteran; or (4) If you live in a facility for people who are experiencing homelessness.[79]

[78] Obtaining a CT Non-Driver Photo ID, https://www.ct.gov/dmv/cwp/view.asp?a=805&q=490078, provide the address of a shelter, transitional housing, P.O. Box, family, or trusted friend where you can securely receive mail.
[79] CONN GEN. STAT. § 1-1h (a).

STEP 4: Receive your temporary ID, and wait for your official state ID card to come by mail.

After you have submitted your application and paid the fee, DMV staff will print a *temporary paper ID* for you. You can use this temporary paper ID until your official Connecticut Non-Driver ID card arrives in the mail.

***** A NOTE IF YOU ARE UNDOCUMENTED:**

If you cannot provide proof of legal presence in the United States, but otherwise qualify for a Connecticut driver's license, you can apply for a Drive Only driver's license. If you hold a Drive Only license, you can legally drive a motor vehicle in Connecticut; but the license does not prove legal presence in the United States for any purpose.[80] See ID Appendix Q on PG. 107 for DMV's Drive Only Licensing Process.

I AM FORMERLY INCARCERATED AND WANT TO GET A CT DRIVER'S LICENSE. HOW DO I APPLY?

Below are 3 charts that explain detailed steps for getting your Connecticut driver's license after your release. Go to the chart appropriate for your situation: **(A) "I've never had a driver's license, but I want one;" (B) "I used to have a driver's license, but it expired;" or (C) "I used to have a driver's license, but it's from another state.**

I NEED A DRIVER'S LICENSE	
(A) I'VE NEVER HAD A DRIVER'S LICENSE . . .	
…BUT I WANT ONE	**WHAT DO I HAVE TO DO TO DRIVE LEGALLY?**
New driver	**First** you will have to get a learner's permit. For instructions, go to: https://www.ct.gov/dmv/cwp/view.asp?a=805&q=514952. 1. Go online to make your learner's permit knowledge test appointment. You pay online when your appointment is scheduled. $40 covers vision, knowledge and road tests. The cost is $19 for the learner's permit. 2. Collect all the required acceptable forms of identification. See ID Appendix N on PG. 100 or go to: https://www.ct.gov/dmv/lib/dmv/selectct/selectid_accpt_docs3.pdf. 3. Study for the learner's permit knowledge test. You can download a copy of the Connecticut driver's manual or get one for free at a DMV office. There are iphone, android or ipad apps with practice test questions. 4. Bring with you to your permit test: • All of your original documents from the checklist • A copy of your appointment verification • Your glasses or contact lenses (if needed to pass the vision test) Pass the vision test and 25-question knowledge test for the permit. The test is offered in English, Spanish, French, Italian, Polish, Portuguese, Mandarin, Chinese, Arabic, and Russian. If you fail the vision test, you cannot take the knowledge test. If you fail either the vision or knowledge test, you will be required to reschedule online and pay the fees again. *****NOTE: Naturalized Citizens and documented Non-U.S. Citizens seeking a Connecticut learner's permit or driver's license must go to a DMV hub office to apply. See ID Appendix S on PG. 114.** **Next,** to get your driver's license: 1. You must have your learner's permit for at least 90 days before you can take the road test, except e.g. if you are active military stationed outside Connecticut or if you have had a driver's license before (an out-of-state license counts). 2. Practice driving. When driving, the permit holder must drive with a qualified trainer. A qualified trainer is a person age 20 or older who has been a licensed driver for at least four consecutive years with no suspensions.

[80] CONN GEN. STAT. § 14-36M.

	3. Take an 8 hour Safe Driving Practice Course. Proof of completion (Form CS-1) must be shown at the time of the road test. For a list of places to take the course see, https://www.ct.gov/dmv/cwp/view.asp?a=805&Q=289746&PM=1&dmvPNavCtr=|41797|42553|#42645. 4. Go online to schedule your road test at https://www.dmvroadtest.ct.gov/dmv/do-it-online. 5. On the day of your road test arrive 15 minutes before your appointment time. If you cannot make it to your road test, reschedule at https://www.ct.gov/dmv/cwp/view.asp?a=805&q=469194. If you do not reschedule you will lose the testing fee you paid. What to bring with you to your road test: https://www.ct.gov/dmv/cwp/view.asp?a=805&q=469194. • You must be accompanied by a licensed driver. • A print-out of your road test appointment confirmation page. This is emailed to you when you schedule your appointment. • A completed R-229 form application found at https://www.ct.gov/dmv/lib/dmv/r-229.pdf, or in ID Appendix R on PG. 111. • Your learner's permit. • A properly registered and insured vehicle. It must be mechanically safe and pass an evaluation. It cannot be a rental car. • Valid Motor Vehicle Registration Certificate. • Connecticut Insurance card. The insurance must be in the same name as the registration, with the exception of leased vehicles, which may be in the name of the lessee. • The original CS-1 Driver Education Certificate. The online certificate is not accepted. • The license fee is $72. See, https://www.ct.gov/dmv/cwp/view.asp?a=805&Q=285308&PM=1, for acceptable forms of payment or ID Appendix P on PG. 107. The road test evaluates: Safe condition of the car used for the road test. Ability to adjust seat, mirror and seat belts ("preparing to drive"). Response to traffic control signs and signals, signaling, road markings and interaction with other drivers (yielding right-of-way, response to emergency vehicles). Basic driving skills such as turns, backing and parking. Other driver maneuvers at the direction of the inspector/license agent. Knowledge of common phrases used during the road test. For example, sound your horn, high beams, K turn. See, A Guide to Passing Your Driving Test, https://www.ct.gov/dmv/lib/dmv/20/29/pass.pdf and https://www.ct.gov/dmv/lib/dmv/road_test_common_commands.pdf for common phrases and commands. If you pass the road test you will get a temporary paper license until your permanent license arrives in the mail within 20 calendar days. If you fail the road test, you must wait at least two weeks (14 days) before taking the road test again and must pay another $40 testing fee. To reschedule and pay for another road test appointment, go to https://www.dmvroadtest.ct.gov/dmv/do-it-online.

I NEED A DRIVER'S LICENSE

(B) I USED TO HAVE A DRIVER'S LICENSE, BUT IT EXPIRED.

TIME SINCE D.L. EXPIRED	WHAT DO I HAVE TO DO TO DRIVE LEGALLY?

I used to have a driver's license, and it expired less than 2 years ago.	If your driver's license has been expired for 2 years or less, you do not have to retake the driving test. To renew your license: Go to DMV with: • Your expired license or one form of ID from the primary or secondary list of acceptable forms of identification from the REAL ID DOCUMENT CHECKLIST found in ID Appendix N on PG. 99 or at https://www.ct.gov/dmv/cwp/view.asp?a=805&q=244772. Photocopies will not be accepted. • The $72 fee for a six-year renewal. See, https://www.ct.gov/dmv/cwp/view.asp?a=805&Q=285308&PM=1, for acceptable forms of payment or ID Appendix P on PG. 107. • A $25 late fee for an expired driver's license. You will get a temporary paper license until your permanent license arrives in the mail within 20 calendar days.
I used to have a driver's license, and it expired more than 2 years ago.	If your Connecticut Driver's License expired more than two years ago, you will be required to complete all testing requirements again. See Obtaining a License for the First Time, for detailed information regarding testing, on page 33.

I NEED A DRIVER'S LICENSE

(C) I USED TO HAVE A DRIVER'S LICENSE, BUT IT'S FROM ANOTHER STATE

TIME SINCE D.L. EXPIRED	WHAT DO I HAVE TO DO TO DRIVE LEGALLY?
Hasn't expired — still valid or expired less than 2 years ago.	If you have an out-of-state license that has not expired or expired not more than 2 years ago, you will not have to take a driving test, but you will have to pass a vision test. Go to a DMV Hub office with: • Your glasses or contact lenses if needed for vision testing. • Your current driver's license. It may not be expired for more than 2 years. • A completed application for a Non-Commercial Driver's License (Form R-229), https://www.ct.gov/dmv/lib/dmv/r-229.pdf, found at ID Appendix R on PG. 109. • The documents required as acceptable forms of identification, https://www.ct.gov/dmv/cwp/view.asp?a=805&Q=244772&PM=1, found at ID Appendix N on PG. 99. • The application fee of $40. See https://www.ct.gov/dmv/cwp/view.asp?a=805&Q=285308&PM=1, • or ID Appendix P on PG. 106 for acceptable forms of payment. • The license fee of $72. To find a DMV *Hub* office near you, see https://www.ct.gov/dmv/cwp/view.asp?a=808&q=244586. If paying by check bring **two separate** checks-one for the application fee and one for the license fee. Special situations: • If you have lost your out-of-state license you will need to obtain a certified copy of your out of state driver history or abstract dated within 60 days. The previous licensing state will be notified of the issuance of the Connecticut license, and your previous state license will be cancelled. • A license from Puerto Rico is the same as an out-of-state license (same requirements as above). DMV will verify your Puerto Rico license before transferring your Puerto Rico license to Connecticut. The DMV will notify you via mail of your Puerto Rico license status. The letter that you receive from the DMV will provide you with information on how to proceed with the licensing transaction. • A valid license from Canada, Germany or France can also be transferred to Connecticut using the same procedures for an out-of-state license. • A license from American Samoa, Guam or U.S. Virgin Islands is the same as an out-of-state license (same requirements as above). However, you must obtain an abstract of your driver record prior to transferring your license to Connecticut.



Expired more 2 years ago	If your out-of-state license expired more than two years ago, you will be required to complete all testing requirements again, See Obtaining a License for the First Time, for detailed information about how to get a learner's permit and arrange for a driver's test on page 33.

DRIVER'S LICENSE SUSPENSIONS & REVOCATIONS

MY DRIVER'S LICENSE HAS BEEN SUSPENDED OR REVOKED. WHAT DOES THIS MEAN AND WHAT ARE THE REASONS IT MIGHT HAVE HAPPENED?

If your driver's license was *suspended* or *revoked*, this means you lost your right to drive as a penalty for a violation, a criminal conviction, and/or an unpaid debt. Here are some examples why your license can be suspended or revoked:

- **Driving violations**: Driving under the influence, hit-and-run, failing or refusing to submit to a blood, breath or urine test, fleeing a law enforcement officer, driving without a license twice, too many accidents in a short time, more than 10 points on your driving record, or reckless driving.[81]
- **Other violations**: Manslaughter in the 2nd degree with a motor vehicle, assault in the 2nd degree with a motor vehicle, misrepresentation of identity on driver's license application, not using or tampering with a required interlock device, failing to appear in court or honor a traffic summons.[82]
- **Unpaid debts:** Failing to pay traffic tickets and failing to pay child support.[83] To learn general information about child support, go to the FAMILY CHAPTER, beginning on PG. 340, with specific information on child support starting on PG. 340.

WHAT HAPPENS IF MY LICENSE IS SUSPENDED?

If your driver's license is suspended,[84] that means you temporarily lose your driving privileges. You will not be able to drive for a period of time, anywhere from 30 days to over 5 years. After your period of suspension is over, you will get a notice of restoration. The notice will give you instructions on how to get your license back. Reinstatement requirements vary. Your license will be reinstated if you follow the directions in the notice. You will need to:

- Pay the $175 license reinstatement fee (for each "suspension item"). You can pay online or with a check or money order payable to the "CT DMV."[85] The CT Department of Correction will not pay this or any related fees or fines.
- Send the payment(s) at least 2 weeks prior to your reinstatement eligibility date.
- Provide your full name, current address and date of birth.
- Do not drive until you receive your restoration notice from the DMV (*i.e.*, up to 10 business days after the DMV receives your information).

Note: If your license is suspended because of a physical or mental condition or disorder that affects your ability to drive, the suspension will become permanent if the condition becomes permanent.[86]

[81] Conn. Gen. Stat. Sections 14-227a, 227g, 227i, 14-227b, 14-224(a), 14-111b, 14-223, 14-213(b), 14-111 and 137a, 14-222(a).
[82] Conn. Gen. Stat. Sections 53a-53b, 53a-60d, 14-100a, 14-227k.
[83] Conn. Gen. Stat. § 46b-220.
[84] For further details on the suspension periods for a variety of violations, see Table 1.
[85] Conn. Gen. Stat. §14-50b.
[86] Conn. Gen. Stat. § 14-36 (e) (4).

For questions about license suspension or revocation you can call the automatic phone system at (860)-263-5720. It operates 24/7, 365 days a year. If you are incarcerated you can write to the DMV, Driver Services Division, 60 State Street, Wethersfield, CT 06161-1013.

CONNECTICUT'S WORK-ONLY AND EDUCATION-ONLY DRIVING PERMITS. WHO IS ELIGIBLE?

Connecticut allows a person to apply for a "work only" driving permit for employment purposes when the person's driver's license has been suspended for a violation of the motor vehicle laws.[87] This permit allows a person to drive to and from work, or, if there is no fixed place of employment, only to the extent necessary to properly perform the job. The permit will state the daily allowable time which will be no more than 12 hours. At the DMV Commissioner's discretion, DMV may issue such a permit "upon a showing of significant hardship" (*i.e.*, driving is necessary for the person to get to work and retain his employment and there is no public transportation or other alternative way to get to work).

You are not eligible for a special permit if:

- Your license was suspended for operating a vehicle while under suspension, failing to appear or pay for your citation fee, or reckless driving and evading responsibility
- You have 3 or more moving violations
- You have any prior offense involving alcohol
- You have a violation for vehicular manslaughter or vehicular assault

Connecticut also allows a person whose license has been suspended to apply for an "education-only" driving permit to allow attendance at institutions of higher learning or private occupational schools for classes and exams.[88] You must submit a certified copy of your class and exam schedule and report any schedule changes within 72 hours. You must show significant hardship to be eligible for the permit. You are not eligible for an education-only driving permit for the same reasons that you would be ineligible for a work-only driving permit. See above.

The fee for a special work-only or education-only driving permit is $100.

WHAT HAPPENS IF MY DRIVER'S LICENSE IS REVOKED?

If your driver's license is revoked, your driving privileges are "terminated" (ended). To get a driver's license again, you likely will have to wait several years[89]. In extreme cases, you may be legally forbidden from ever driving again. If you become eligible for a driver's license again, you will have to apply for a new license.

IF MY LICENSE WAS SUSPENDED OR REVOKED, COULD I GET MY DRIVING PRIVILEGES BACK?

Maybe. Unless your license was *permanently revoked*, you should be able to regain your driving privileges if (1) the required time period of your suspension or revocation has passed, AND (2) you've fulfilled any conditions of your suspension or revocation. Depending on the reason why your license was suspended, the length of suspension and the steps you must take to get your license back will vary. If your driver's license was suspended or revoked and you want to regain your driving privileges, here are some steps you can take:

STEP 1: Know the details of your situation.

The requirements to reinstate your license will depend on exactly why it was suspended or revoked. Contact the DMV at (860) 263-5720 or dmv.suspension@ct.gov, ask them to look up your case, and find out what you need to do. When you call, be prepared with your old driver's license number and any information the DMV has sent to you.

[87] Conn.Gen. Stat. § 14-37a, Form A-62 REV. 4-2010, Application for Special Permit to Operate a Motor Vehicle to and From Work.
[88] Regs. Conn. State Agencies § 14-37a-1, Application for Special Operator's Permit for Higher Education or Private Occupational School, Form P-225 REV. 9-13.
[89] Conn. Gen. Stat.§ 14-111(i) and § 14-111(n).



STEP 2: Prepare all required documents and payments.

Unless your driver's license was permanently revoked, you will probably find out that you need to fulfill specific conditions and submit to the DMV "proof of completion" of those conditions to reinstate your license.

Keep all documents proving that you've fulfilled these conditions, such as certificates and pay stubs, and be prepared to submit them as required.

You will also need to submit proof of "financial responsibility." Most of the time, this means proof of car insurance.[90]

Make copies of all your important documents, and keep careful records of all payments.

STEP 3: Submit all required documents and payments to the DMV.

STEP 4: Confirm that you're eligible to reinstate your license, and get proof from the DMV.

[90] Conn. Gen. Stat. § 14-112.



MY DRIVER'S LICENSE WAS SUSPENDED IN ANOTHER STATE, WILL I BE ABLE TO GET A CONNECTICUT DRIVER'S LICENSE?

Unfortunately, if your driver's license was suspended or revoked in another state (which has entered into an agreement with Connecticut) you cannot get a Connecticut Driver's License until:

- You fix the violation and complete all the requirements to get your license reinstated in the state where the suspension or revocation happened; and/or
- The period of suspension or revocation in that state is over, or more than 5 years has passed since the suspension or revocation. In such circumstances, the Commissioner of the DMV may, but is not required to, issue a new driver's license.[91]

To figure out your situation and what steps you need to take, it is best to contact the DMV agency in the state where your license was suspended or revoked. If you do not know which state this happened in, call the National Driver Register (NDR) to find out. See next section.

National Driver Register (NDR)[92]

When you apply for a Connecticut Driver's License, the DMV will check to see whether your name is listed in the NDR's Problem Driver Pointer System.[93] The NDR database contains information about all drivers who have had their licenses denied, revoked, or suspended, or who have been convicted of serious traffic violations such as driving under the influence of alcohol or drugs.[94] The NDR has information on drivers from *all 50 states*.

If your name appears in the NDR database, the DMV will investigate the reason and decide whether or not to issue you a Connecticut Driver's License.

How do I find out if my name is in the NDR database?

You can find out if your name is in the NDR database and check your driver status *for free* by sending a request letter to the NDR.[95] Although the database does not contain details of your driving record (i.e. it will not tell you *why* your license was suspended), it will tell you the status of your driver's license and the state where any problem occurred (called the state of record).[96] If you already know the state in which your offense occurred, it may be faster and easier to contact *that* state's DMV agency directly for information.

To check your NDR status, send a notarized letter (also called a "privacy act request") to the NDR, stating that you would like a NDR file check. Be sure to include your full legal name, date of birth, gender, height, weight, eye color, and your previous driver's license number and state (if you know them); your social security number is optional. [97] There is no charge for this service. It can take NDR 45 days or more to respond to your request.

What can I do if my name is in the NDR database?

Once you know where the problem occurred, you must contact the state's DMV agency directly to find out how to fix the issue and reinstate your license. You may need to request a copy of your driving record from that state to learn why your license was suspended or revoked. If you think the NDR database is incorrect, you still need to contact the state DMV agency reporting a problem. You need to resolve the error directly with that agency before the NDR can correct or delete your record.

Driver License Agreement (DLA)[98]

[91] Gen. Stat. § 14-111k(c).
[92] 49 U.S.C. § 30301 et seq.; 23 C.F.R. §1327.1 et seq.
[93] 49 U.S.C. § 30305(a).
[94] 49 U.S.C. § 30302(a), 30304.
[95] 49 U.S.C. § 30305(b)(11).
[96] National Driver Register, http://www.nhtsa.gov/Data/National+Driver+Register+(NDR).
[97] Mail your request to the National Driver Register, 1200 New Jersey Avenue, S.E., Washington D.C. 20590.
[98] Conn. Gen. Stat. § 14-111h-q.



The DLA is an agreement among most states, including Connecticut, to share driver records and information about traffic violations. When you apply for a Connecticut Driver's License, the DMV will check to see if you ever had a driver's license in another state.[99] If your license from another state was suspended, the DMV will not issue a new license to you until the suspension period is over. If your license from another state was revoked, the DMV will not issue a new license to you until the revocation period is over or one year has passed since the revocation (whichever comes first).

In addition, the DLA requires each state to enforce any traffic convictions that happened in other states – including by suspending or revoking your license for serious violations. For example, if you have a Connecticut Driver's License, but you were convicted of a DUI in another state and failed to pay the penalties, the state where your DUI occurred will report the conviction to the Connecticut DMV[100]. The Connecticut DMV will then penalize you for the violation – possibly by suspending or revoking your Connecticut Driver's License.[101]

If you want to appeal your Connecticut license suspension for an out-of-state traffic conviction, you must follow Connecticut's appeal procedures.[102]

DOES GETTING MY CRIMINAL CONVICTION ERASED HELP ME GET MY SUSPENDED OR REVOKED DRIVER'S LICENSE BACK?

No. Getting your record erased will not get your Connecticut Driver's License back if the DMV suspended or revoked it. The only way to get your license back is to satisfy the requirements of the DMV.

[99] Conn. Gen. Stat. § 14-111k.
[100] Conn. Gen. Stat. § 14-111n.
[101] Conn. Gen. Stat. §§ 14-111 m and n.
[102] Conn. Gen. Stat. § 14-111q.

Table 1: Sample of Laws Authorizing or Requiring License Suspension

Offenses	*Driver's Licenses Suspension Period*
Misrepresentation of identity or other facts on application for driver's license	1st violation—not less than 1 year Subsequent violation—not less than 2 years
Four or more speeding convictions within two-year period	4th conviction-30 days 5th conviction-60 days 6th conviction or more-6 months
Accumulation of driver's license points	30 days
Loan or sale of or improper use of any license, registration or marker plates	1st violation—not less than 90 days Subsequent —not less than 5 years
Driving while license is suspended, revoked, or cancelled	1st violation— not less than 1 year Subsequent —not less than 2 years Note: The penalty doubles for someone who has been issued a special operator's permit allowing driving for employment purposes who commits an offense requiring license suspension and who drives after having received notice of such suspension
Reckless Driving	1st violation—30-90 days Subsequent —not less 90 days
Fleeing or evading police or roadblock	1st violation—not less than 1 year Subsequent —not less than 2 years
Evading responsibility (hit and run) following involvement in an accident that results in fatality or serious injury	1st violation—not less than 1 year Subsequent —not less than 2 years
Evading responsibility (hit and run) following involvement in an accident resulting in non-serious physical injury or property damage	1st violation—not less than 90 days Subsequent —not less than 1 year
Avoiding the use of, circumventing, or tampering with required ignition interlock device	Not less than 1 year
Failure to make required child support payments	Indefinite period

V. U.S. PASSPORT

WHAT WILL I LEARN ABOUT U.S. PASSPORTS?

- What a U.S. passport is and why it's useful
- Whether you are eligible to apply for a U.S. passport
- How to apply for a U.S. passport if you are on probation, parole, or other supervision
- Whether you must apply for a passport in person or can apply by mail
- How to find your local Passport Office or Acceptance Facility and apply for a U.S. passport in person
- How to apply for a U.S. passport by mail
- What documents and information you will need to apply for a U.S. passport
- How long it takes to get your passport after you have applied
- How to get your passport quickly when you have an emergency

WHY WOULD A U.S. PASSPORT BE USEFUL? WHY MIGHT I NEED ONE?

If you have a U.S. passport, you can lawfully travel outside the United States and return home by air, sea, or land. A passport can be useful if you need to visit family abroad, especially in case of an emergency like illness or death.[103] A passport also counts as a government-issued photo ID for all purposes. For these reasons, if you are eligible OR when you become eligible for a U.S. passport, it is a good idea to get one!

WHO IS ELIGIBLE FOR A U.S. PASSPORT?

To be eligible for a U.S. passport, you must:[104]

- Be a U.S. citizen or U.S. national
- Provide a Social Security Number, proof of citizenship, and proof of identity
- NOT be currently "under sentence" (incarcerated, on probation, or on parole) for any federal or state drug felony committed while using a passport or crossing international borders (drug trafficking)[105]
- NOT have a conviction for sex trafficking or a seriously delinquents tax debt[106]
- NOT be under a court order or sentence condition forbidding you from leaving the country — for example, if your conditions of parole, probation, or some other type of supervision forbid you from leaving the U.S.,[107] you need to ask your supervising officer or the court for permission to get a U.S. passport or to change the conditions
- Get permission from your supervising officer if you are under any form of supervision but are allowed to leave the country (see the IMPORTANT NOTE below about getting permission from a supervising officer)
- NOT have any state or federal warrants out for your arrest[108]
- NOT owe $2,500 or more in child support[109]

[103] U.S.Passports & Int'l Travel, U.S. Dep't of State, http://travel.state.gov/content/passports/english/passports/FAQs.html.
[104] U.S.Passports & Int'l Travel, U.S. Dep't of State, http://travel.state.gov/content/passports/english/passports/apply.html.
[105] 22 U.S.C. § 2714 and§ 2714a; see also 22 C.F.R. § 51.61. There are also a few misdemeanor offenses, such as federal and state drug offenses, that would make someone ineligible for a U.S. passport. See 22 U.S.C. § 2714.
[106] 22 U.S.C. § 212a.
[107] 22 C.F.R. § 51.70(a)(2).
[108] 22 C.F.R. § 51.60.
[109] 42 U.S.C. § 652(k).

IMPORTANT NOTE: GET PERMISSION FROM YOUR PAROLE OR PROBATION OFFICER TO APPLY FOR A PASSPORT OR TRAVEL: If you are on supervision (like parole or probation), you MUST get permission from your parole or probation officer if you want to apply for a Passport (even if you are legally allowed to leave the country).[110] The officer can write a letter on your behalf giving the passport agency permission to issue you a U.S. Passport. You must submit this letter with your passport application. This is required even if you only want to use the Passport as photo ID, and don't plan to travel outside of the country. If you submit an application for a U.S. Passport without first getting written approval from your supervising officer, you could face legal consequences, including your probation being revoked or a warrant being issued for your arrest.[111]

HOW DO I APPLY FOR A U.S. PASSPORT—IN PERSON OR BY MAIL?

It depends on your situation. Some people can apply by mail. Others must apply in person.

You can apply for a U.S. passport BY MAIL if you:

- Currently have a U.S. passport;
- Your U.S. passport is undamaged;
- Your U.S. passport (not a copy) is sent in with your application;
- Your U.S. passport was issued when you were age 16 or older;
- Your U.S. passport was issued less than 15 years ago; AND
- Your U.S. passport was issued in your current name.[112]
- If ALL of the above requirements are true for you, then you can simply apply by mail to renew your U.S. passport.

You must apply IN PERSON if:

- You have never had a passport before; OR
- Your previous U.S. passport was lost, stolen, or damaged; OR
- Your previous U.S. passport was issued when you were age 15 or younger; OR
- Your previous U.S. passport was issued more than 15 years ago; OR
- Your name has legally changed since your U.S. passport was issued, and you don't have official documents proving your legal name change (like government-issued papers showing your legal name change or an original or certified copy of your marriage certificate, if you changed it for marriage.[113]
- If you are required to apply in person, you will need to find a local Passport Office. You can also apply at any Passport Acceptance Facility, which is a broad category of places that includes post offices, court clerk's offices, public libraries, and any other government office that accepts passport applications.[114] To find passport offices or Passport Acceptance Facilities near you, you can check your local yellow pages, call "Information" at 4-1-1, or check the Internet for these online guides:
- For a directory of Passport Offices in Connecticut, listed by county, visit: www.uspassporthelpguide.com/passport/connecticut/.
- For a directory of Passport Acceptance Facilities in Connecticut, listed by city, visit: www.us-passport-service-guide.com/connecticut-passport-acceptance-facility-list.html.
- To search for any Passport Acceptance Facility near you, based on your ZIP code and city, visit: http://iafdb.travel.state.gov/.

HOW DO I APPLY IN PERSON FOR A NEW U.S. PASSPORT?

STEP 1: Put together the required information and documents.

To apply for a U.S. passport, you will need ALL of the following types of documents: (1) Social Security Number, (2) proof of citizenship or naturalization, (3) photo ID, and (4) proof that you are off probation or parole. Here are more details about each of these 4 documents.[115]

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[110] E-mail from National Passport Information Center Agent 2019 (Jan. 21, 2015, 0:15 p.m.) (on file with author).
[111] Telephone call with agent at the U.S. Department of State Office of Legal Affairs (Jan. 21, 2015).
[112] Exception to this last condition: If you legally changed your name since your most recent passport, you can still apply by mail if you provide official documents proving your name change. Acceptable documents include: an original or certified copy of your marriage certificate, or government-issued papers showing your legal name change. U.S. PASSPORTS & INT'L TRAVEL, U.S. DEP'T OF STATE, http://travel.state.gov/content/en/passports/apply-renew.html.
[113] U.S. PASSPORTS & INT'L TRAVEL, U.S. DEP'T OF STATE, http://travel.state.gov/content//en/passports/apply-new.html.
[114] U.S. DEPARTMENT OF STATE, BUREAU OF CONSULAR AFFAIRS, http://apply/iafdb.travel.state.gov/.
[115] NOTE: If your name or gender is different on your evidence of citizenship and/or ID, you may need to provide additional documentation. For more details, see U.S. PASSPORTS & INT'L TRAVEL, U.S. DEP'T http://travel.state.gov/content/en/passports/requirements/identification.html.



1. **Social Security Number (SSN)** — You must provide your 9-digit SSN, if you have one (but you don't need to show your actual Social Security card).[116] See PG.26. for information on how to request an original SSN or a replacement Social Security card.[117] If you don't have a SSN, you might still be able to get a U.S. passport. You have the option of entering zeroes on the application although entering zeroes may delay the processing of your application and may be used as a reason to deny you a passport.

2. **Proof of U.S. Citizenship or Naturalization** — You can use any ONE of the following documents as *primary evidence* of citizenship:

   - An authorized U.S. birth certificate;
   - A previous U.S. passport (can be expired, but must be undamaged);
   - A Consular Report of Birth Abroad (see PG.23 for how to get one); OR
   - A Certificate of Naturalization or Citizenship (see PG.25 for how to get one).[118]

   If you don't have any of the above, you must provide either:
   (1) *secondary evidence* of citizenship[119] such as a delayed birth certificate (one that was filed more than 1 year after birth); or
   (2) a letter of no record which was issued by the state where you were born and which sets forth your name and date of birth, the years for which a birth record was searched and a statement that no birth certification was found on file;

   and
   - a combination of early public records (any records showing your name, birthdate, and birthplace, preferably created in the first 5 years of your life, for example, hospital/doctor records, early school records, religious records, or census records).[120]

   For this category ("Proof of U.S. Citizenship or Naturalization"), you will have to submit the *ORIGINAL* documents with your application. They will all be mailed back to you.

3. **Photo ID — You can use any ONE of these documents as a *primary* ID:**

   - Valid, current driver license from the state where you now live;
   - U.S. passport (must be undamaged, and must have been issued less than 15 years ago);
   - Certificate of Naturalization;
   - Current (valid) foreign passport;
   - Matricula Consular (Mexican Consular ID) - commonly used by a parent of U.S. citizen child applicant;
   - U.S. Permanent Resident Card (Green Card) -commonly used by a parent of a U.S. citizen child applicant;
   - Trusted Traveler IDs (including valid Global Entry, FAST, SENTRI, and NEXUS cards);
   - Enhanced Tribal Cards and Native American tribal photo IDs;
   - Valid city, state, or federal government ID (such as a Connecticut Non-Driver ID; see PG.31 for how to get one); OR
   - Valid military ID.[121]

   If you don't have any of the above, you must provide at least two *secondary* ID documents that have your name, signature and if possible, your photo. Bring all the documents you have. Examples of *secondary* ID documents include:

   - Expired driver's license;
   - Driver's license from a state where you no longer live;
   - Expired state ID card;
   - Student ID card;
   - School yearbook with identifiable photograph;
   - Selective Service (draft) card;
   - Medicare or other health card; and
   - Employee ID card from your workplace.[122]

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[116] If you don't, your application may be significantly delayed and/or denied. 26 U.S.C. 6039E; *see also* U.S. PASSPORTS & INT'L TRAVEL, U.S. DEP'T http://travel.state.gov/content/en/passports/new.html.
[117] U.S. PASSPORTS & INT'L TRAVEL, U.S. DEP'T OF STATE, http://travel.state.gov/content/en/passports/FAQs.html.
[118] U.S. PASSPORTS & TRAVEL, U.S. DEP'T OF STATE, http://travel.state.gov/content/en/passports/apply-review.html.
[119] U.S. PASSPORTS & INA TRAVEL, U.S. DEP'T OF STATE, http://travel.state.gov/content/en/passports/apply-renew.html.
[120] Other forms of "secondary evidence" of citizenship: (3) a state-issued Letter of No Record; (4) a notarized Birth Affidavit: Form DS-10. For more details on these forms of evidence, see U.S. PASSPORTS & INT'L TRAVEL, U.S. DEP'T OF STATE, http://travel.state.gov/content//en/passports/information/secondary-evidence.html.
[121] U.S. PASSPORTS & I NT' L TRAVEL, U.S. DEP'T OF STATE, http://travel.state.gov/content/en/passports/apply.html.
[122] U.S., PASSPORTS & INT'L TRAVEL, U.S. DEP'T OF STATE, http://travel.state.gov/content/en/passports/apply.html.



The original ID documents in this category do not need to be sent in with your application, but copies do. *Bring the original ID document(s)* to show when you apply in person, *plus a copy of each ID document* to submit with your form.

4. **Proof that you're no longer on probation, parole, or any other community supervision (for people with certain drug trafficking[123] or sex trafficking convictions[124]*)*, OR a letter from your supervising officer to the passport agency allowing you to apply for a U.S. passport**.

- **IF YOU'RE NO LONGER UNDER COMMUNITY SUPERVISION SUCH AS PROBATION OR PAROLE**, you may apply for a U.S. passport so long as you meet all other eligibility requirements (see the full list of eligibility requirements on PG. 42)
- **IF YOU'RE STILL UNDER COMMUNITY SUPERVISION SUCH AS PROBATION OR PAROLE but** you are allowed to leave the country, the passport agency may allow you to get a U.S. passport if you provide a letter from your supervising officer supporting your application.

STEP 2: **Obtain and Complete the Application (Form DS-11).**

- This form is available at any Passport Office, and also may be available from some Passport Acceptance Facilities. You can download the form on this website: http://www.state.gov/content/travel/en/passports/requirements/forms.html. You can call the Department of State at 1-877-487-2778. You may also contact the Department of State and have the form mailed to you although this takes the longest.

IMPORTANT: Do not sign the form at home. You must sign it in front of a passport agent. If you fill out the form at home, wait until the agent asks you to *sign it* at the passport office. Get a passport photo taken and pay for at least one copy.[125]

You must provide 1 passport photo with your application. Passport photos must meet strict requirements, so be sure to have the photo taken by a someone who is familiar with these requirements (most pharmacies have photo centers where you can get passport photos taken). Do not attach your photo to the application form, but bring it with you.

STEP 3: **Go to your local Passport Office or Passport Acceptance Facility with all your documents (see PG.43 to learn how to find a location near you), submit your application, and pay the fees.**

You must pay two fees separately: $110 for your new passport, and $35 for a processing/execution fee — that's $145 total.[126] For the passport you can pay using check or money order.[127] If paying by check or money order, make it payable to "U.S. Department of State," and make sure that your full name and birthdate are typed or printed on the front (use the "Memo" or "For" line). For the processing/execution fee, you can pay using money orders (payable as instructed by the facility) and at some locations, personal checks or the exact amount in cash. Ask the passport agent if you have any questions!

Receive your passport in 4-6 weeks, and make a reminder about when it needs to be renewed.[128]

After you submit your passport application, it may take about 4-6 weeks to receive your U.S. passport in the mail. If you were age 16 or older when your U.S. passport was issued, it will be valid for *10 years*. If you were age 15 or younger when your U.S. passport was issued, it will be valid for 5 years[129] (Note: If possible, it's best to renew your passport about 9 months before it expires. Some countries require that your passport be valid at least six months *prior to the dates of your trip*. Some airlines will not allow you to board if this requirement is not met.)

If you have Internet access, you can track the status of your passport application online by going to http://travel.state.gov/content/passports/english.html, and clicking "Check Your Application Status."

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[123] U.S.C. § 2714.
[124] U.S.C. § 212a.
[125] You can use a photo you take yourself. However, to ensure your photo is acceptable, it may be a good idea to have a professional passport photo service take your photo. You can find these services for a modest price at many post offices, print shops, grocery stores, and drug stores.
[126] But you can pay an extra $60 fee for "Expedited Service"—quicker processing and delivery of your new passport. U.S. PASSPORTS & INT' L TRAVEL, U.S. DEP'T OF STATE, http://travel.state.gov/content/en/passports/new.html, U.S. PASSPORTS & INT'L TRAVEL, U.S. DEP'T OF STATE, http://travel.state.gov/content/en/passports/information/costs.html.
[127] U.S. PASSPORTS & INT'L TRAVEL, U.S. DEP'T OF STATE, http://travel.state.gov/content/en/passports/information/costs.html.
[128] If you're paying an extra $60 fee for Expedited Service, it should take 3 weeks. U.S. PASSPORTS &TRAVEL, U.S. DEPT OF STATE, http://travel.state.gov/content/en/passports/information/processing-times.html.
[129] U.S. PASSPORTS & INT'L TRAVEL, U.S. DEP'T OF STATE, http://travel.state.gov/content/en/passports/information/processing-times.html.



HOW DO I APPLY BY MAIL FOR A RENEWAL OF MY U.S. PASSPORT?

STEP 1: **Make sure you're eligible and prepared to renew your passport. This means:**

You have a previously issued U.S. passport, and ALL of the following is true about it:

- It is undamaged, and it can be sent in with your renewal application;
- It was issued when you were age 16 or older;
- It was issued less than 15 years ago;
- It was issued in your current name;[130] AND
- Depending on what convictions are on your record, and depending on the conditions of your supervision, you may need to be off parole, probation, and any other type of community supervision; or you may need to have permission from your supervising officer. See PG. 45 above for details.[131]

STEP 2: **Put together the required documents.**

If your legal name *hasn't changed,* you just need to provide your previously issued, undamaged passport — nothing more.

If your legal name *has changed,* you need to provide two additional items: (1) your previously issued U.S. passport, and (2) official documents showing your legal name change, such as a certified copy of either your marriage certificate or a court order.

NOTE: You need to submit the *original* documents. They will all be mailed back to you.

STEP 3: **Complete and sign the application form (DS-82).**[132]

This form is available at any Passport Office, and may be available from some Passport Acceptance Facilities as well. The form is available online at: http://www.state.gov/content/travel/en/passports/apply-review-passport/renew-by-mail.html.

STEP 4: **Get a passport photo taken.**[133]

You must provide 1 passport photo with your application. Passport photos must meet strict requirements, so be sure to have the photo taken by someone who is familiar with these requirements (most pharmacies have photo centers where you can get these photos taken). Do *not* attach your photo to the application form.

STEP 5: **Pay the fee.**

The fee for a renewal passport is $110. There is no additional processing fee.[134] You must pay using a personal check or money order — not cash. Make the check or money order payable to "U.S. Department of State," and make sure your full name and birthdate are typed or printed on the front (use the "Memo" or "For" line).[135] Ask the passport agent if you have any questions.

STEP 6: **Mail, via the U.S. Postal Service, your renewal application materials.**

Make sure you include ALL of the following:

- Your completed DS-82 with photo attached,
- Your previous passport,
- Your fee payment of $110, AND
- Official documents showing your legal name change (if necessary).

Address the envelope to:
National Passport Processing Center
P.O. Box 640155
Irving, TX 75064-0155

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[130] Exception to this last condition: If you legally changed your name since your most recent passport, you can still apply by mail if you provide official documents proving your name change. Acceptable documents include: an original or certified copy of your marriage certificate, or government-issued papers showing your legal name change. U.S. PASSPORTS & INT'L TRAVEL, U.S. DEP'T OF STATE, http://travel.state.gov/content/en/passports/renew.html.
[131] U.S. PASSPORTS & INT'L TRAVEL, U.S. DEP'T OF STATE, http://travel.state.gov/content/en/passports/renew.html.
[132] U.S. PASSPORTS & IL TRAVEL, U.S. DEP'T OF STATE, http://travel.state.gov/content/en/passports/renew.html.
[133] You can use a photo you take yourself. However, to ensure your photo is acceptable, it may be a good idea to have a passport photo service take your photo. You can find these services at many post offices, print shops, grocery stores, and drug stores.
[134] But you can pay an extra $60 fee for "Expedited Service" — quicker processing and delivery of your new passport. U.S. PASSPORTS & INT'L TRAVEL, U.S. DEP'T OF STATE, http://travel.state.gov/content/en/passports/renew.html; http://travel.state.gov/content/en/passports/information/costs.html.
[135] U.S., PASSPORTS & INT'L TRAVEL, U.S. DEP'T OF STATE, http://travel.state.govicontent/en/passports/renew,html.

STEP 7: **Receive your passport in 4-6 weeks, and set up a reminder to yourself about when it needs to be renewed.**[136]

After you submit your application, it may take about 4-6 weeks to receive your U.S. passport in the mail. If you are age 16 or older when your U.S. passport is issued, it will be valid for *10 years*. If you are age 15 or younger when your U.S. passport is issued, it will be valid for 5 *years.*[137] (Note: If possible, it's best to renew your passport about 9 months before it expires. Some countries require that your passport be valid at least six months *beyond the dates of your trip*. Some airlines will not allow you to board if this requirement is not met.)
If you have Internet access, you can track the status of your passport application online: go to http://travel.state.gov/content/en/passports.html, and click "Check Your Application Status."

[136] If you're paying an extra $60 fee for Expedited Service, it should take 3 weeks. U.S. PASSPORTS & INT'L TRAVEL, U.S. DEP'T OF STATE, http://travel.state.govicontent/en/passports/information/processing-times.html.
[137] U.S. PASSPORTS & INT'L TRAVEL, U.S. DEP'T OF STATE, http://travel.state.gov/content/en/passports/apply-renew-passport/under-16.html.

VI. LIBRARY CARD

WHAT WILL I LEARN ABOUT LIBRARY CARDS?

- Why a library card is useful, and how to make the most of resources at the library
- How to find your local public library
- What to bring to the library when you go to apply for a library card
- What to do if you want a library card but don't have photo ID
- How to submit your application for a library card

WHY WOULD I GET A LIBRARY CARD, AND WHAT ARE THE BENEFITS?

Although anyone can go to the public library, you need a library card to borrow books and other materials (to use them outside of the building). Also, some libraries require you to get a library card before you can use the computers or Internet there. Plus, a library card is FREE!

Benefits of a library card include:

Free access to books and media materials. Public libraries contain all kinds of books, movies, music, newspapers, magazines, and more. Anyone can visit a public library and use these materials on-site even without a library card.

Free access to helpful librarians. Public libraries have librarians on staff who are trained to help with all kinds of research questions. Anyone can walk in and get free research help from a librarian.

Free access to computers and the Internet. Most public libraries have computer labs where anyone can go online for FREE. You can use email, search for information, and visit websites. This can make it much easier to contact people, find jobs and services, do research for school, and look up news and information.

Free access to classes, programs, and events. Many public libraries provide free trainings, computer services, and educational programs and events for community members of all ages.

HOW DO I GET A LIBRARY CARD?

Below are some basic steps. You might do them in a slightly different order, depending on your situation.

STEP 1: Find a public library near you.

Call 211 or go online to 211.org to find your local library.

STEP 2: Bring a photo ID and proof of your current address.

If you have a Connecticut non-driver ID or driver's license, you can use it as both your photo ID and proof of address.

If you don't have a Connecticut non-driver ID or driver's license, each town may have a slightly different list of acceptable alternatives. Generally, they include: U.S. passport, school ID, any government-issued ID, employee ID, personal check, credit card statement, rental or property tax receipt, utility bill, or postmarked business mail sent to you at your home address.

If you don't have a photo ID: Connecticut law says that everyone in the state should have equal access to public libraries.[138] For this reason, libraries will make an exception to the photo ID rule. Depending on where you live, your local library may accept some other official document with your name and address on it. To find out if the public library in your area accepts other types of identification, call or visit the library and explain your situation.

Ask a librarian for the form or get it online, fill it out, and turn it in. The librarian will check your ID and proof of address, process your application, and give you your new library card. The card and processing are FREE.

HELPFUL HINTS FOR USING A PUBLIC LIBRARY

- Enjoy yourself!
- Once you have a library card from your hometown library you may check out materials from other libraries in Connecticut.
- Don't be afraid to ask for help from librarians — they are there to help you find books and resources, and use the computers.
- Take care of any materials you borrow, and keep track of due dates — to be respectful and to avoid being fined (libraries charge late fees if you return materials past their due date).
- If you're using library computers, give yourself extra time in case you have to wait for an open one.
- Many libraries offer free classes, literacy programs, computer skills training classes, etc. Ask a librarian for a list!

[138] Conn. Gen. Stat. § 11-24(b)(7).

ID APPENDIX

APPENDIX A. Request for Connecticut Driver's License/ID Card by Mail, Form B-350 Rev. 12-17 – PG. 50

APPENDIX B. Petition for Name Change, Affidavit and Fee Waiver Forms, Forms PC901 Rev. 10/17, PC910 Rev.1/14, PC184 Rev. 10/15 – PG. 53

APPENDIX C. Deadly Weapon Offender Registry Unit, Verification of Change of Registration Information, Form DESPP- 790-C Rev. 10/28/14 – PG.59

APPENDIX D. Drive Only Document Checklist, Form DI-4 Rev. 9-2018 – PG. 62

APPENDIX E. Countries that Issue Consular Identification Cards – PG. 64

APPENDIX F. Request for Birth Certificate From the State, Birth Request Rev. 5-12 – PG. 65

APPENDIX G. Town Clerk Directory – PG. 67

APPENDIX H. Request for Birth Certificate From Town, Birth Request Rev. 5-12 – PG. 73

APPENDIX I. U.S. Vital Statistics Offices – PG. 76

APPENDIX J. Application for Replacement Naturalization/Citizenship Document, Form N-565, Expires 6/30/19 – PG. 85

APPENDIX K. Application for Social Security Card, Form SS-5, 8-2011 – PG. 93

APPENDIX L. List of Social Security Offices in Connecticut – PG. 95

APPENDIX M. Identification Card Requirements and Application, Form B-230 Rev. 12-2008 – PG. 97

APPENDIX N. DMV Acceptable Forms of Identification, REAL ID Document Checklist – PG. 100

APPENDIX O. DMV Obtaining a Non-Driver Photo ID – PG. 105

APPENDIX P. DMV Acceptable Forms of Payment – PG. 107

APPENDIX Q. DMV Drive Only License Licensing Process – PG. 109

APPENDIX R. DMV Application for Non-Commercial Learner Permit and/or Driver License, Form R-229 Rev. 7-2013 – PG. 111

APPENDIX S. DMV Requirements for Naturalized and Non-Citizens – PG. 114

APPENDIX T. U.S. Passport Renewal Application, Form DS-82-01-2017 – PG. 116

APPENDIX A

Request For A Connecticut Driver's License/Identification Card By Mail,

Form B-350 Rev. 12-17[139]

See next page.

[139] Available at https://www.ct.gov/dmv/lib/dmv/b-350.pdf.

REQUEST FOR A CONNECTICUT DRIVER'S LICENSE/IDENTIFICATION CARD BY MAIL
B-350 Rev. 12-17

STATE OF CONNECTICUT
DEPARTMENT OF MOTOR VEHICLES
CENTRAL ISSUANCE OPERATIONS UNIT
60 STATE STREET, WETHERSFIELD, CT 06109

DMV VALIDATION AREA

(SEE INSTRUCTIONS ON BACK)

NAME OF APPLICANT ON DRIVER'S LICENSE (Last, First, Middle Initial)	DRIVER'S LICENSE OR ID CARD NUMBER (If known)	DATE OF BIRTH

STREET ADDRESS WHERE LICENSE IS TO BE MAILED	EYE COLOR	GENDER	HEIGHT

CITY	STATE	COUNTRY	ZIP/POSTAL CODE	CLASS (If known)	ENDORSEMENTS (If known)	RESTRICTIONS (If known)

SECTION A

STATE THE REASON YOU CANNOT APPEAR AT DMV IN PERSON

☐ OUT-OF-STATE ☐ OUT-OF-COUNTRY ☐ INCARCERATED/INMATE NUMBER: _____ ☐ MILITARY (Complete Section E on back of form)

☐ OTHER (Explain):

APPLICATION FOR:

☐ DUPLICATE LICENSE ($30.00)
☐ DUPLICATE NON-DRIVER IDENTIFICATION CARD ($30.00)
☐ DUPLICATE LEARNER PERMIT ($19.00)
☐ RENEWAL OF NON-DRIVER ID ($22.50)
☐ RENEWAL OF DRIVER LICENSE ($72.00 for 6 year renewal or $24.00 for 2 year renewal. A 2 year renewal is only available for operators 65 years or older.)

REASON FOR DUPLICATE:
☐ LOST
☐ STOLEN
☐ DESTROYED

DRIVER LICENSE RENEWALS ONLY: IF YOU ARE RENEWING YOUR DRIVERS LICENSE THIS FORM MUST BE RECEIVED BY THE DMV PRIOR TO YOUR EXPIRATION DATE.
AN ADDITIONAL LATE FEE OF $25 WILL APPLY IF YOUR RENEWAL AND PAYMENT IS RECEIVED BY DMV AFTER YOUR EXPIRATION DATE.

CONNECTICUT RESIDENT ADDRESS (Number, Street, City or Town, State, Zip Code) MILITARY: Connecticut address at time of induction

CONNECTICUT MAILING ADDRESS (If different from Connecticut resident address)

E-MAIL ADDRESS	MAY WE CONTACT YOU VIA E-MAIL?	PHONE NUMBER YOU CAN BE REACHED AT (If available)	FAX NUMBER (If available)
	☐ YES ☐ NO		

THIS FORM CANNOT BE USED TO CHANGE YOUR ADDRESS PERMANENTLY - YOU MUST COMPLETE A INDIVIDUAL CHANGE OF ADDRESS (B-58) TO CHANGE YOUR ADDRESS.

DO YOU WANT TO BE IN THE ORGAN/TISSUE DONOR REGISTRY?
☐ YES ☐ NO IF YES, YOU ARE AGREEING TO BE A DONOR AND THE DESIGNATION WILL BE ON YOUR LICENSE.

SECTION B - CERTIFICATION FOR DRIVER'S LICENSES AND IDENTIFICATION CARDS

The information provided to the Commissioner of Motor Vehicles on this form is subscribed by me, the undersigned, under penalty of false statement, in accordance with the provisions of Sections 14-110 and 53a-157b of the Connecticut General Statutes. I understand that if I make a statement that I do not believe to be true, with the intent to mislead the Commissioner, I will be subject to prosecution under the above referenced laws. Additional Certification for Driver's License: I also swear or affirm, under penalty of false statement, that my driver's license or driving privilege is not suspended, revoked or withdrawn, and that I do not have any health problems or conditions that prevent me from driving safely.

APPLICANT'S SIGNATURE

X

DATE

SECTION C - FEES

Circle applicable fees and determine correct amount

TRANSACTION TYPE	FEE
Duplicate License (military personnel are not exempt from duplicate fees)	$30.00
Duplicate Non-Driver Identification Card (military personnel are not exempt from duplicate fees)	$30.00
Duplicate Learner Permit	$19.00
Renewal of Non-Driver ID	$22.50
Renewal of 6 year driver license	$72.00
Renewal of a 2 year driver license (only available for operators 65 years or older)	$24.00
LATE FEE for the renewal of driver license (A late fee will be applied on all applications (must include payment) RECEIVED by DMV after its expirations date).	$25.00
TOTAL ENCLOSED	$

☐ PAYMENT ENCLOSED (Check or money order)

☐ CREDIT CARD PAYMENT (Please call (860)263-5401 1 business day after emailing/faxing the form to provide credit card number. Credit card payments must be received prior to expiration date or the late fee will apply).

SECTION D - VOTER REGISTRATION APPLICATION

TO APPLY TO REGISTER TO VOTE YOU MUST BE: A United States citizen; at least 18 years of age (by election day); and a resident of Connecticut and the city or town where you are applying to register to vote.

Are you a citizen of the United States of America? ☐ YES ☐ NO

Will you be 18 years of age on or before election day? ☐ YES ☐ NO

If you checked "NO" in response to either of these questions, do NOT complete below this line as you cannot register to vote.

Do you wish to enroll in a political party?

☐ YES NAME OF PARTY: ☐ DEMOCRATIC ☐ REPUBLICAN

☐ OTHER: _____

☐ NO I DO NOT WISH TO ENROLL IN A PARTY AT THIS TIME AND WILL BE REGISTERED AS *UNAFFILIATED*

Note: Declaring a party enables you to vote in the party's primary election, which is open only to party members. You may later choose to switch enrollment to or from a political party.

LEAVING THIS SECTION BLANK WILL AUTOMATICALLY RESULT IN SELECTING *UNAFFILIATED*

VOTER DECLARATION:

- I swear or affirm under penalty of perjury that:
  - * I am a U.S. Citizen
  - * I live in Connecticut at the address shown above
  - * I am at least 17 years old and will be 18 years old on or before election day
  - * I have not been convicted of a disfranchising felony, or if so,
  - I am eligible to register to vote

SIGNATURE OF APPLICANT**	TODAY'S DATE

**Voter registrations without signatures will not be processed.

The information that I have provided is true to the best of my knowledge under penalty of perjury. If I have provided false information, I may be subject to a fine or imprisonment or both under federal or state laws.

By signing this application form, I agree to allow the signature from my license record to be used as the signature on my voter registration record.

INSTRUCTIONS:

NOTE: Out of State/Country Applicants: You **MUST** provide an out of state/country address, if you do not provide an out of state/country address your application **cannot** be processed by mail and you must appear at your local branch office. Your Connecticut license/identification will be sent to the out of state/country address provided via regular mail.

1. Only legal residents of Connecticut with a VALID CT license/identification card who meet the following criteria may use this application: a) must be temporarily located out of state/out of country b) currently incarcerated c) currently suffering from an incapacitating medical condition, which does not allow you to appear in person for your duplicate/renewal. (See number 5 for additional requirements)
2. Complete section A entirely. Type or print clearly. Sign the certification in section B.
3. Complete Section D if you want to apply to register to vote in CT. To register, you must be a U.S. citizen and at least 18 years old before the next election. You are not a voter until your application is approved by the registrar of voters in your CT town of residence. If you do not receive an acceptance or rejection within three weeks, contact the registrar of voters.
4. Military: If recently honorably discharged or an active member of the armed services of the United States, Section E (below) must be completed if requesting a no fee renewal. A fee exemption is not given for duplicate licenses or identification cards.
5. Medical Condition: If request is due to a incapacitating medical condition this application must be submitted with the Request to renew or obtain duplicate by mail due to medical conditions (CI-1) form.
6. Send completed application through either postal mail, e-mail or fax (email or fax will reduce wait time).

MAIL

Send the completed application and payment (fees are listed in section C) of check or money order drawn on United States bank (dollar currency) and mail to:

Department of Motor Vehicles
60 State Street
Wethersfield, CT 06109
Attn: Central Issuance Operations Unit

E-MAIL OR FAX

E-mail completed form(s) to DMV.CIU@ct.gov or fax to 860-263-5591. After one business day contact the Central Issuance Operations Unit at 860 263-5401 (Monday-Friday 8:30 a.m. to 3:00 p.m.) to make a credit card payment (MASTERCARD, VISA OR DISCOVER ONLY).

NOTE - LICENSE RENEWALS: Payments must be received prior to or the day of expiration or $25.00 late fee will be charged.

The following transactions cannot process through the mail: Renewal of commercial driver license (CDL), public service license, name change, or drive-only permit/license.

Per REAL ID Act, you are allowed only two consecutive renewals through the mail before a new photo is required.

ACTIVE MILITARY PERSONNEL ONLY SECTION E

Connecticut General Statutes, Section 14-50(c). The Commissioner of Motor Vehicles shall waive the operator's license fee and examination fee in the case of any person in the active service of the armed forces of the United States who was a legal resident of Connecticut at the time of his induction; and for one licensing period to any person honorably separated from service who applies therefore within two years following the date of separation and was a legal resident of Connecticut at the time of his induction.

I AM ENTITLED TO A WAIVER BECAUSE OF (Check One)	☐ Present Active Service in U.S. Armed Forces ☐ Honorably Separated From Active Service *(If checked, fill in date of separation and submit copy of separation papers -DD214)*	DATE OF INDUCTION	DATE OF SEPARATION

RANK	BRANCH OF SERVICE

NAME AND MAILING ADDRESS OF ARMED FORCES UNIT

I certify that I was a legal resident of the state of Connecticut at the time of my induction and that all information provided in this application is correct.	SIGNATURE OF APPLICANT X
I certify under penalty of false statement in accordance with provision of Section 14-110 and 53a-157b of the Connecticut General Statutes that the above named applicant is in the active service of the U.S. Armed Forces. I understand that if I make a statement which I do not believe to be true, with the intent to mislead the Commissioner, I will be subject to prosecution under the above referenced laws.	SIGNATURE OF COMMISSIONED OFFICER IN CHARGE *(If Active)* X

APPENDIX B

Petition for Name Change, Affidavit re Change of name, Request/Order Waiver of fees, Forms - PC901 REV. 10/17, 910 REV. 1/14, 184 REV. 10/15[140]

SEE NEXT PAGE.

[140] Available from the Connecticut Probate Courts, http://www.ctprobate.gov/Pages/Probate-Court-Forms.aspx.

RESET

Petition for Change of Name (Adult)
PC-901 REV. 10/17

CONNECTICUT PROBATE COURTS

RECEIVED:

Instructions:
1) An individual 18 years of age or older may use this form to petition for a change of his or her name.
2) The petition must be filed in the court for the probate district in which the petitioner resides and accompanied by a) PC-910, Affidavit RE Change of Name, b) a certified copy of the petitioner's long-form birth certificate and c) two forms of identification, one of which must be photographic identification.
3) The court will conduct a search of the sex offender registry and of the registry of offenders convicted of crimes with a deadly weapon and may conduct a full criminal background check.
4) For more information, see Probate Court Rules of Procedure sections 47.1 and 47.4.
5) Type or print the form in ink. Use an additional sheet, or PC-180, if more space is needed.

Probate Court Name | **District Number**

Petitioner's Current Name: First | Middle | Last

Petitioner's Address and Telephone Number	**Date of Birth**	**Place of Birth**

Name on Birth Certificate (if different)

Name to be Changed to: First | Middle | Last

Spouse (Name, address and telephone number.)

The Petitioner represents that:

A change of name is sought for the following reasons:

The purpose of seeking a change of name is not to deceive, defraud or mislead any person or governmental agency, nor to avoid the legal consequences of a criminal conviction, but solely for the reason(s) stated above.

WHEREFORE, the petitioner requests a change of name to the name stated above.

The representations made in this petition are made under the penalty of false statement.

Signature of Petitioner

Type or Print Name

Date

CONFIDENTIAL INFORMATION/
Petition for Change of Name
(Adult) PC-901CI REV. 10/17

CONNECTICUT PROBATE COURTS

FOR COURT USE ONLY

RECEIVED:

Probate Court Name **District Number**

In the Matter of **,an adult**

The social security numbers of the following parties are required in connection with this proceeding for change of name:

1) Petitioner:

Name _____

Social Security Number _____

RESET

Affidavit Re Change of Name (Adult)
PC-910 REV. 1/14

CONNECTICUT PROBATE COURTS

RECEIVED:

Instructions: 1) Submit with form PC-901, Petition for Change of Name (Adult).
2) Type or print the form in ink.

Probate Court Name **District Number**

In Re Change of Name of

The subscriber, being duly sworn, hereby swears, affirms or avers that:

1. I have petitioned this court for a change of name.
2. I presently live at: _____ and have been a resident of _____ Connecticut for _____ years.
3. I own real estate located in _____.
4. I do not have any outstanding debts that are in arrears. I will notify my creditors of the change of name.
5. ☐ A. There are no criminal charges pending against me.

   ☐ B. There are criminal charges pending against me as described below:

   ☐ C. I have never been convicted of any offense.

   ☐ D. I have been convicted of a criminal offense(s) as described below:

   ☐ Due to the nature of my offense, I am obligated to register on the Sex Offender Registry, and, prior to filing this petition with the court, I notified the commissioner of emergency services and public protection in accordance with C.G.S. section 45a-99.

   ☐ Due to the nature of my offense, I am obligated to register on the Deadly Weapons Offender Registry, and, prior to filing this petition with the court, I notified the commissioner of emergency services and public protection in accordance with C.G.S. section 45a-99.
6. The purpose of the change of name is not to deceive, defraud or mislead any person or governmental agency, nor to avoid the legal consequences of a criminal conviction.
7. I ☐ *have* ☐ *have not* previously petitioned for a change of name in either a Probate Court or the Superior Court in Connecticut or in a court of another state.
   Court name and address:

Subscriber_____ Date:_____

SUBSCRIBED AND SWORN TO BEFORE ME	DATE	Judge, Clerk, Notary Public, Comm. of Superior Court

RESET

Request/Order
Waiver of Fees - Petitioner
PC-184 REV. 10/15

CONNECTICUT PROBATE COURTS

RECEIVED:

Instructions:
1) A petitioner in a probate matter may use this form to establish that he or she is indigent and unable to pay probate fees and expenses for which the petitioner may be responsible.
2) The request for waiver of fees must be accompanied by documentation substantiating the petitioner's reported assets and income and the reported assets and income of members of the petitioner's household. For example, pay stubs from employment and evidence of public assistance are required.
3) There is a rebuttable presumption that the petitioner is indigent if (1) he or she receives public assistance OR (2) the annual income of the petitioner's household is 125% or less of the federal poverty level after taxes, other mandatory payroll deductions, and child care expenses.
4) Type or print the form in ink. Use Second Sheet, PC-180, if more space is needed.

Probate Court Name | **District Number**

In the Matter of

Petitioner (List name and address.) | **Type of Matter**

The undersigned represents that:

1) The total number of the petitioner's dependents (exclude petitioner) is .....
2) The petitioner's gross monthly income from employment is .....
3) The petitioner's net monthly income from employment after taxes and other mandatory payroll deductions is.....
4) The net monthly income from employment of all other members of petitioner's household after taxes and other mandatory payroll deductions is.....
5) Other monthly income (include income to petitioner and other members of the petitioner's household) is:
   a) Public Assistance (Specify.)
   b) Social Security.....
   c) Pension .....
   d) Unemployment Compensation .....
   e) Other (Specify.)
   Total other monthly household income (Items 5a through 5e above).....
   Total net monthly household income (Items 3,4 and 5 above).....

The undersigned further represents that:

1) Estimated value of assets owned by petitioner and other members of the petitioner's household:
   a) Real estate Outstanding mortgage Net value...
   b) Motor Vehicles Outstanding loans Net value...
   c) Balance of all savings accounts .....
   d) Balance of all checking accounts .....
   e) Cash .....
   f) Other assets (specify)

Total net value of the household assets (Items 1a through 1f above) .....

Request/Order
Waiver of Fees - Petitioner
PC-184 REV. 10/15

CONNECTICUT PROBATE COURTS

2) The liabilities/debts of the petitioner's household are (excluding above mortgages/loans):
   a) Credit card balance.....
   b) Other (specify)_____

3) The estimated monthly expenses of the petitioner's household are:
   a) Rent/Mortgage.....
   b) Property Taxes.....
   c) Utilities.....
   d) Food.....
   e) Medical and Dental.....
   f) Insurance premiums (medical, auto, home, etc.).....
   g) Clothing.....
   h) Child Care.....
   i) Car loan.....
   j) Minimum monthly credit card payment.....
   k) Other transportation costs (bus, gasoline).....
   l) Other (specify)_____

Total Monthly Household Expenses (Items 3a through 3l above).....

The undersigned requests that the court grant a waiver of fees and expenses in the above matter for which the petitioner may be responsible because the petitioner is indigent and unable to pay the fees and expenses.

The representations made in this petition are made under the penalty of false statement.

Signature

Title (if applicable)

Type or Print Name

Date

For Court Use Only

COURT OF PROBATE, **DISTRICT NO.**

PRESIDING JUDGE: Hon.

The foregoing request having been presented to the court, the COURT FINDS that the petitioner:

☐ is indigent and entitled to a waiver of fees and expenses as requested above. ☐ is not indigent.

WHEREFORE, it is ORDERED and DECREED that a waiver of fees and expenses for which the petitioner may be responsible is: ☐ granted. ☐ denied.

Dated at , Connecticut, on [Month, Day, Year]

.....
Judge

APPENDIX C

Deadly Weapon Offender Registry Unit, Verification of Change of Registration Information, https://portal.ct.gov/-/media/DESPP/DWOR/DESPP0790CNewpdf.pdf?la=en[141]

See next page.

[141] Available at https://portal.ct.gov/-/media/DESPP/DWOR/DESPP0790CNewpdf.pdf?la=en.

STATE OF CONNECTICUT
DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION
DIVISION OF STATE POLICE
Deadly Weapon Offender Registry Unit

Verification or Change of Registration Information

1. *In accordance with C.G.S. § 54-280, et seq., any registered deadly weapon offender shall, without undue delay, notify the Commissioner of the Department of Emergency Services and Public Protection (DESPP) of any changes in registration information by completing this form and mailing it to DESPP, Deadly Weapon Offender Registry Unit, 1111 Country Club Road, Middletown, CT. 06457-2389 or by calling (860) 685-8465. Any person subject to registration as a deadly weapon offender who violates any provisions of C.G.S § 54-280a(a) or C.G.S § 54-280a(b) shall be guilty of a class D felony. Any person who is subject to registration as a deadly weapon offender who fails to notify the DESPP Commissioner of a change of name or address not later than five (5) business days after such change of name or address shall be guilty of a class D felony.*

2. *This form shall be used when a registrant is reporting:*
   a. *An annual verification of registration information;*
   b. *A name change and/or address change;*
   c. *A name change through the Probate or Superior Court, complete Part VIII prior to filing the court application;*
   d. *An employment, vocation, or student status at a trade or professional institution or institution of higher learning in Connecticut; or*
   e. *Any electronic mail address or other similar Internet communication address established, changed or used.*

Part I. Registrant's Information

Registrant's Full Name: **DOB:**

Last *First* *M.I.* *Month* *Day* *Year*

Current Address:

Number *Street* *City/Town* *State* *Zip Code* *Apt./Condo Unit Number*

Part II. Method of Positive Identification

☐ **Motor Vehicle Operator's License:** **State & Number:** _____

☐ **State-Issued Identification Card:** **State & Number:** _____

☐ **Other, Explain:**

Part III. Registration Anniversary Date

Note: This date can be located in COLLECT on the File 37 message.

Registration Anniversary Date: _____.
(mm/dd/yyyy)

Part IV. Name and/or Address Change

New Address:

Number *Street* *City/Town* *State* *Zip Code* *Apt./Condo Unit Number*

This change of address becomes effective on _____.
(mm/dd/yyyy)

New Name: **Effective Date:**

Last *First* *Middle Name* **Reason for Change:**

Part V. Employment, Vocation, or Student Status ☐ **Out of State** ☐ **In-State** ☐ **Both Out of State and In-State**

Name of Business and Full Address of Employment or Vocation: *(Number, Street, City/Town, State, Zip Code, Suite/Unit Number)*

Name and Address of Trade or Professional Institution or Institution of Higher Learning: *(Number, Street, City/Town, State, Zip Code)*

Part VI. Electronic Mail Address or Similar Internet Communication Address

Electronic Mail Address:

Other Internet Communication Address:

STATE OF CONNECTICUT
DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION
DIVISION OF STATE POLICE

Part VII. Good Cause Shown Deferment

***Note**: This option is intended for use in exceptional circumstances only.*

Date deferred to: .
(mm/dd/yyyy)

Description of circumstances validating deferment:

Part VIII. Change of Name Only *Prior* to Probate or Superior Court Application

Registrant's Full Name: **DOB:**

Last *First* *Middle Name* *Month* *Day* *Year*

I am seeking to change my name to:

Last Name:	**First Name:**	**Middle Name:**

I am seeking to change my name for the following reason:

As a person who has been convicted, or who has been found not guilty by reason of mental disease or defect, of an offense committed with a deadly weapon within the State of Connecticut, I am notifying the Commissioner of the Department of Emergency Services and Public Protection (DESPP) of my intention to apply for a change of my name through a Probate Court or a Superior Court under the provisions of C.G.S. § 52-11 and C.G.S. §54-280 et seq.

I understand that ***prior*** to filing such application with the Probate or Superior Court, I must notify the DESPP Commissioner on this form that I intend to file an application for a change of name and indicate the change of name sought.

I hereby state that such change of name is not being sought for the purpose of avoiding the legal consequences of a criminal conviction, including, but not limited to, a criminal conviction that requires me to register as an offender committing a crime with a deadly weapon.

I understand as a person subject to registration as a deadly weapon offender, if I violate any provisions of C.G.S §54-280a(a) or C.G.S § 54-280a(b), I shall be guilty of a class D felony.

I understand that as a person who is subject to registration as a deadly weapon offender if I fail to notify the DESPP Commissioner of a change of name or address not later than **five (5)** business days after such change of name or address, I shall be guilty of a class D felony.

I understand that any false statement herein, which I do not believe to be true and which is intended to mislead a public servant in the performance of his or her official function, is punishable by law (See C.G.S. § 53a-157b).

Registrant : _____ *Signature of Registrant (Signed in presence of Notary/Trooper/Police Officer)*	**Date signed by registrant:** _____ *mm/dd/yyyy*
Notary/Trooper/Police Officer: _____ *Signature* *Print Name* *Date Commission Expires*	**Subscribed and sworn to before me this** ____ day of _____ 20___
Received by DESPP, Deadly Weapon Offender Registry Unit: _____ *Signature DESPP Registry Official* *Print Name* *Title*	**Date received at DESPP/DWOR Unit** _____ *mm/dd/yyyy*

Distribution: 1) Original to DESPP DWOR Unit-Middletown **2) Copy to registrant** **3) Court, for change of name *only***

APPENDIX D

DMV Drive Only Document Checklist, Form DI-4 REV. 9-2018[142]

See next page.

[142] Available at https://www.ct.gov/dmv/lib/dmv/20/29/di-4.pdf.

DRIVE ONLY DOCUMENT CHECKLIST

Connecticut DMV

Drive Only

ct.gov/dmv/driveonly

To obtain a new learner permit or renew your Drive Only license you must provide original or certified documents. Out of state learner permits are not transferable.

Photocopies, notarized photocopies, non-certified copies, and damaged or mutilated documents are not acceptable. DMV will scan and store images of all documents.

If any document is in a language other than English, it must be translated by a DMV approved translator. See list of DMV approved translators here.

US Citizens and documented immigrants and non-immigrants (including B1 and B2 visitors) are NOT eligible for a Drive Only credential.

You must schedule an appointment online.

IDENTITY:

You must present two forms of identification; at least one document must be from the Primary document list.

PRIMARY document list

- ☐ Foreign Passport (not expired for more than 3 years)
- ☐ Valid, unexpired consular identification document issued by your country of citizenship

*If you have an expired B-1/B-2 status, you can obtain a Drive Only license if you can provide the expired I-94 or the B-1/B-2 admission stamp in your foreign passport is older than 1 year.

SECONDARY document list

- ☐ Valid foreign national identification card (current or expired)
- ☐ Valid, unexpired motor vehicle operator's license, with security features, issued by another state or country
- ☐ Original birth certificate with a raised seal issued by a foreign country
- ☐ Marriage certificate issued by any state or territory of the United States

AND

CONNECTICUT RESIDENCY:

The Drive Only law requires you to be a resident of Connecticut for at least 90 days. To prove this:

- You must bring two pieces of mail or electronic mail from two different sources that show you receive mail at your home in Connecticut.
- **If you moved within the past 90 days**, you must bring four pieces of mail; two pieces of mail addressed to you at your new address and two pieces of mail addressed to you at your old Connecticut address that are older than 90 days from List A or older than 12 months from List B as of the date you come to DMV.

As of the date you come to DMV, all mail:

- Must include your name and Connecticut residence address
- Must be dated older than 90 days from List A
- Must be dated older than 12 months from List B
- Cannot be dated older than two years

The two proofs of residency can be from either List A or List B.

List A (Older than 90 Days)

- ☐ Bill from a bank or mortgage company, utility company, credit card company, doctor or hospital
- ☐ Bank statement or bank transaction receipt showing the bank's name and mailing address
- ☐ Preprinted pay stub
- ☐ Medicaid or Medicare benefit statement
- ☐ Postmarked mail
- ☐ Change of address confirmation from the United States Postal Service indicating an applicant's current and prior address
- ☐ Survey of an applicant's real property issued by a licensed surveyor
- ☐ Official school records showing enrollment

List B (Older than 12 Months)

- ☐ Property or excise tax bill
- ☐ Annual benefits summary statement from the Social Security Administration or other pension or retirement plan
- ☐ Homeowner's insurance or renter's insurance policy or motor vehicle insurance card or policy
- ☐ Residential mortgage or similar loan contract, lease or rental contract showing signatures from all parties needed to execute the agreement

Parents or legal guardian of minor may provide any two pieces of mail addressed to the parent residing at same address to prove minor residency, or use their own CT driver license or ID which shows the same address as one of the two required proofs of residency.

AND

NAME CHANGE DOCUMENTS (if applicable):

- ☐ Marriage or civil union certificate (certified copy issued by town/city)
- ☐ Marriage or civil union dissolution
- ☐ Probate court name change document

If there have been multiple name changes, you must provide documentation to prove the continuity of the names.

When you schedule an appointment online, you will sign an affidavit that you will file an application to legalize your immigration status when you are eligible. The Connecticut DMV will check your criminal history. If you have a Connecticut felony, you will not be eligible for a Drive Only credential or a refund of any fees collected.

DMV

DI-4 Rev. 9-2018

If you have a question regarding acceptable documents, please phone the DMV Contact Center 860-263-5700.

APPENDIX E

Countries that Issue Consular Identification Cards (CIDs)

ARGENTINA: Matrícula Consular Argentina; Website: www.embassyofargentina.us/espanol/consuladosargentinoseneeuu/consuladosargentinoseneeuu.htm; Embassy Phone Number: (202) 238-6401
BRAZIL: Matrícula de Cidadão Brasileiro; Website: www.brasilemb.org/consulado/consular_jurisdictions.shtml; Embassy Phone Number: (202) 238-2828
COLOMBIA: Tarjeta de Registro Consular; website: https://www.cancilleria.gov.co/en/content/colombian-id-card; Embassy Phone Number: (202) 387-8338
GUATEMALA: Tarjeta de Identificación Consular; Website: http://www.guatemala-embassy.org/main.php?parent_id=7&id_area=109; Embassy Phone Number: (202) 745-4952
GUINEA: Website: http://www.guineaembassy.com; Embassy Phone Number: (202) 986-4300
MALI: Carte d'Identité Consulaire; Website: http://www.maliembassy.us; Embassy Phone Number: (202) 332-2249; Consulate General of Mali in NY: (212) 737-4150
MEXICO: Mexican Matrícula Consular de Alta Seguridad; To find your consulate, visit http://www.embassyofmexico.org or http://directorio.gob.mx and click on Relaciones Exteriores, Embajadas y Consulados, Consulados de México en el extranjero. Embassy Phone Number: (202) 728-1600
SENEGAL: Carte Consulaire; Website: http://www.senegalembassy-us.org/enOurReps.htm; Embassy Phone Number: (202) 234-0540 or (202) 234-0541
DOMINICAN REPUBLIC: To find your local consulate, visit: http://www.domrep.org; Embassy Phone Number: (202) 332-6280
ECUADOR: Website: http://www.ecuador.us/info/consulate.htm; Embassy Phone Number: (202) 234-7200 ext. 224
EL SALVADOR: Website: http://www.elsalvador.org/home.nsf/infoconsular
Embassy Phone Number: (202) 265-9671

HONDURAS: Website: http://www.hondurasemb.org; Embassy Phone Number: (202) 737-2972
NIGERIA: *Atlanta's Nigeria Consulate Website*: http://www.nigeria-consulate-atl.org; Phone Number: (770) 394-6261. *New York's Consulate Website*: http://www.nigeria-consulate-ny.org; Phone Number (212) 850-2200; Embassy Phone Number: (202) 986-8400
PAKISTAN: Consulate General of Pakistan; Website: http://www.pakistanconsulateny.org; Embassy Phone Number: (212) 879-5800
PERU: Documento Nacional de Identificación, Peruvian consulates do not offer consular ID cards. However, their national ID may be accepted as form of ID by some institutions or companies. Website: https://www.gob.pe/rree; Information Hotline: (800) 535-3953; Embassy Phone Number: (202) 833-9860/69

APPENDIX F

Request for a Certified Copy of a Birth Certificate From the State, Birth Request REV. 5-12[143]

See next page.

[143] Available from https://portal.ct.gov/DPH/Health-Information-Systems--Reporting/Vitalrecs/State-Vital-Records-Office---Birth-Certificates; the form can be accessed directly at https://portal.ct.gov/-/media/Departments-and-Agencies/DPH/hisr/VR/vs39bstpdf.pdf?la=en.

STATE OF CONNECTICUT DEPARTMENT OF PUBLIC HEALTH
VITAL RECORDS SECTION, CUSTOMER SERVICES
410 CAPITOL AVENUE, MS #11VRS
P.O. BOX 340308
HARTFORD, CT 06134-0308

REQUEST FOR A CERTIFIED COPY OF A BIRTH RECORD FROM THE STATE

FEE: $30.00 PER COPY. REMIT MONEY ORDER MADE PAYABLE TO: 'TREASURER, STATE OF CT'

PLEASE PRINT

FULL NAME ON CERTIFICATE*: _____
FIRST MIDDLE LAST NAME

DATE OF BIRTH: ____/____/____ (MONTH / DAY / YEAR) PLACE OF BIRTH: _____ (TOWN/CITY)

FATHER'S FULL NAME: _____
FIRST MIDDLE LAST NAME

MOTHER'S MAIDEN NAME:
FIRST MIDDLE LAST NAME

PERSON MAKING THIS REQUEST:

NAME: _____
FIRST MIDDLE LAST NAME

ADDRESS: _____
NUMBER/STREET/UNIT #

TOWN/CITY: _____ STATE: _____ ZIP CODE: _____

TELEPHONE NO: _____ E-MAIL ADDRESS: _____

SIGNATURE: X_____

RELATION TO PERSON NAMED ON CERTIFICATE: _____

REASON FOR MAKING REQUEST: _____

STATE OF CONNECTICUT
$30 FEE

CERTIFICATE SIZE:

FULL SIZE	WALLET SIZE	TOTAL NUMBER OF COPIES:
NUMBER OF COPIES: _____	The wallet size birth certificate contains less information than the full size certificate. It does not satisfy the proof of identification requirements needed for a passport or driver's license. NUMBER OF COPIES: _____	_____ X $30.00 = $ _____ SEND POSTAL MONEY ORDER ONLY DO NOT MAIL CASH OR PERSONAL CHECKS - THEY WILL NOT BE ACCEPTED.

Attach a copy of the requester's valid government issued photo ID or passport below:

Or two (2) forms of the following:

- Social security (SS) card
- Paycheck Stub or a W-2 form showing SS #
- Current school or college photo ID
- Automobile registration
- Copy of utility bill or bank statement showing name and address
- See our website ct.gov\dph for other forms of ID accepted

Please mail the completed request with the following requirements:

Money order made payable to 'Treasurer, State of CT'
Current government issued photo ID
(If applicable) verification of relationship to the registrant (for example, an individual requesting his/her parent's birth certificate must provide a certified copy of his/her own birth certificate).

*If adopted, please provide your adoptive name and adoptive parents' information.
*If the requester had a legal name change, please provide a copy of the court documents authorizing the name change.

Birth Request REV 5-12

APPENDIX G

Connecticut Town Clerk Directory[144]

See next page.

[144] Available from the the Connecticut Town Clerks Association, http://www.ctclerks.com/content/5645/5649/default.aspx.



Town Clerk Directory for Connecticut

Town/City	Title	Address	City, State	ZIP	Work Phone
Andover	Town Clerk	P.O. Box 328	Andover CT	06232	(860) 742-0188
Ansonia	T & City Clerk	253 Main Street	Ansonia CT	06401	(203) 736-5980
Ashford	Town Clerk	25 Pompey Hollow Rd	Ashford CT	06278	(860) 429-7044
Avon	Town Clerk	60 West Main Street	Avon CT	06001	(860) 409-4310
Barkhamsted	Town Clerk	P.O. Box 185	Pleasant valley CT	06063	(860) 379-8665
Beacon Falls	Town Clerk	10 Maple Avenue	Beacon Falls CT	06403	(203) 729-8254
Berlin	Town Clerk	240 Kensington Rd	Berlin CT	06037	(860) 828-7036
Bethany	Vital Records	40 Peck Road	Bethany CT	06524	(203) 393-0820
Bethel	Town Clerk	One School Street	Bethel CT	06801	(203) 794-8505
Bethlehem	Town Clerk	PO. Box 160	Bethlehem CT	06751	(203) 266-7510
Bloomfield	Town Clerk	P.O. Box 337	Bloomfield CT	06002	(860) 769-3506
Bolton	Town Clerk	222 Bolton Center Rd	Bolton CT	06043	(860) 649-8066
Bozrah	Town Clerk	P.O. Box 158	Bozrah CT	06334	(860) 889-2689
Branford	Town Clerk	P.O. Box 150	Branford CT	06405	(203) 488-6305
Bridgeport	Vital Statistics	202 State Street	Bridgeport CT	06604	(203) 576-8208
Bridgewater	Town Clerk	P.O. Box 216	Bridgewater CT	06752	(860) 354-5102
Bristol	T & City Clerk	111 North Main Street	Bristol CT	06010	(860) 584-6200
Brookfield	Town Clerk	P.O. Box 5106	Brookfield CT	06804	(203) 775-7313
Brooklyn	Town Clerk	P.O. Box 356	Brooklyn CT	06234	(860) 774-9543
Burlington	Town Clerk	200 Spielman Highway	Burlington CT	06013	(860) 673-2108
Canaan	Town Clerk	P.O. Box 47	Falls Village CT	06031	(860) 824-0707
Canterbury	Town Clerk	P.O. Box 27	Canterbury CT	06331	(860) 546-9377
Canton	Town Clerk	P.O. Box 168	Collinsville CT	06022	(860) 693-7870
Chaplin	Town Clerk	P.O. Box 286	Chaplin CT	06235	(860) 455-9455
Cheshire	Town Clerk	84 South Main Street	Cheshire CT	06410	(203) 271-6601
Chester	Town Clerk	P.O. Box 328	Chester CT	06412	(860) 526-0006
Clinton	Town Clerk	54 East Main Street	Clinton CT	06413	(860) 669-9101
Colchester	Town Clerk	127 Norwich Avenue	Colchester CT	06415	(860) 537-7215
Colebrook	Town Clerk	P.O. Box 5	Colebrook Center CT	06021	(860) 379-3359
Columbia	Town Clerk	323 Route 87	Columbia CT	06237	(860) 228-3284
Connecticut	State Library	231 Capitol Avenue	Hartford CT	06106	(860) 757-6500
Cornwall	Town Clerk	P.O. Box 97	Cornwall CT	06753	(860) 672-2709
Coventry	Town Clerk	1712 Main Street	Coventry CT	06238	(860) 742-7966
Cromwell	Town Clerk	41 West Street	Cromwell CT	06416	(860) 632-3440
Danbury	Town Clerk	155 Deer Ave Rm 323	Danbury CT	06810	(203) 797-4531



Darien	Town Clerk	Two Renshaw Road	Darien CT	06820	(203) 656-7307
Deep River	Town Clerk	174 Main Street	Deep River CT	06417	(860) 526-6024
Derby	Town Clerk	35 Fifth Street	Derby CT	06418	(203) 7361462
Durham	Town Clerk	P.O. Box 428	Durham CT	06422	(860) 349-3452
East Granby	Town Clerk	P.O. Box TC East	Granby CT	06026	(860) 653-6528
East Haddam	Town Clerk	Goodspeed Plz. PO Box K	East Haddam, CT	06423	(860) 873-5027
East Hampton	Town Clerk	20 East High Street	East Hampton CT	06424	(860) 267-2519
East Hartford	Town Clerk	740 Main Street	East Hartford CT	06108	(860) 291-7230
East Haven	Town Clerk	250 Main Street	East Haven CT	06512	(203) 468-3201
East Lyme	Town Clerk	Town Hall, P.O. Box 519	Niantic CT	06357	(860) 739-6931
East Windsor	Town Clerk	P.O. Box 213	Broad Brook CT	06016	(860) 623-9467
Eastford	Town Clerk	P.O. Box 273	Eastford CT	06242	(860) 974-1885
Easton	Town Clerk	225 Center Road	Easton CT	06612	(203) 268-6291
Ellington	Town Clerk	P.O. Box 187	Ellington CT	06029	(860) 875-3190
Enfield	Town Clerk	820 Enfield Street	Enfield CT	06082	(860) 253-6440
Essex	Town Clerk	P.O. Box 98	Essex CT	06426	(860) 767-4344
Fairfield	Town Clerk	611 Old Post Road	Fairfield CT	06430	(203) 256-3090
Farmington	Town Clerk	One Monteith Drive	Farmington CT	06032	(860) 673-8247
Franklin	Town Clerk	7 Meeting House Hill Rd	North Franklin CT	06254	(860) 642-7352
Glastonbury	Town Clerk	2155 Main Street	Glastonbury CT	06033	(860) 652-7616
Goshen	Town Clerk	P.O. Box 54	Goshen CT	06756	(860) 491-3647
Gran by	Town Clerk	15 North Granby Road	Granby CT	06035	(860) 653-8949
Greenwich	Vital Statistics	P.O. Box 2540	Greenwich CT	06830	(203) 622-7869
Griswold	Town Clerk	P.O. Box 369	Jewett City CT	06351	(860) 3767063
Groton	Town Clerk	45 Fort Hill Road	Groton CT	06340	(860) 441-6640
Guilford	Town Clerk	31 Park Street	Guilford CT	06437	(203) 453-8001
Haddam	Town Clerk	P.O. Box 87	Haddam CT	06438	(860) 345-8531
Hamden	Town Clerk	2372 Whitney Avenue	Hamden CT	06518	(203) 287-2510
Hampton	Town Clerk	P.O. Box 143	Hampton CT	06247	(860) 455-9132
Hartford	Vital Records	550 Main Street	Hartford CT	06103	(860) 543-8539
Hartland	Town Clerk	22 South Road PO Box 297	East Hartland CT	06027	(860) 653-0285
Harwinton	Town Clerk	100 Bentley Drive	Harwinton CT	06791	(860) 485-9613
Hebron	Town Clerk	P.O. Box 156	Hebron CT	06248	(860) 228-9406
Kent	Town Clerk	P.O. Box 678	Kent CT	06757	(860) 927-3433
Killingly	Town Clerk	P.O. Box 6000	Danielson CT	06239	(860) 779-5308
Killingworth	Town Clerk	323 Route 81	Killingworth CT	06419	(860) 663-1616



Lebanon	Town Clerk	579 Exeter Road	Lebanon CT	06249	(860) 642-7319
Ledyard	Town Clerk	741 Colonel Ledyard Hwy	Ledyard CT	06339	(860) 464-8740
Lisbon	Town Clerk	One Newert Road	Lisbon CT	06351	(860) 376-2708
Litchfield	Town Clerk	P.O. Box 488	Litchfield CT	06759	(860) 567-7561
	Town Clerk	480 Hamburg Road	Lyme CT	06371	(860) 434-7733
Madison	Town Clerk	8 Campus Drive	Madison CT	06443	(203) 245-5672
Manchester	Town Clerk	41 Center Street	Manchester CT	06040	(860) 647-3037
Mansfield	Town Clerk	4 South Eagleville Road	Storrs CT	06268	(860) 429-3302
Marlborough	Town Clerk	P.O. Box 29	Marlborough CT	06447	(860) 295-6206
Meriden	Town Clerk	142 East Main St. 124	Meriden CT	06450	(203) 630-4031
Middlebury	Vital Statistics	P.O. Box 392	Middlebury CT	06762	(203) 758-2557
Middlefield	Town Clerk	P.O. Box 179	Middlefield CT	06445	(860) 349-7116
Middletown	Vital Records	P.O. Box 1300	Middletown CT	06457	(860) 344-3477
Milford	T & City Clerk	70 West River Street	Milford CT	06460	(203) 783-3210
Monroe	Town Clerk	7 Fan Hill Road	Monroe CT	06468	(203) 452-5417
Montville	Town Clerk	310 Norwich/New London Rd	Uncasville CT	06382	(860) 848-1349
Morris	Town Clerk	P.O. Box 66	Morris CT	06763	(860) 567-7433
Naugatuck	Town Clerk	229 Church Street	Naugatuck CT	06770	(203) 720-7055
New Britain	T & City Clerk	27 West Main Street	New Britain CT	06051	(860) 826-3344
New Canaan	Town Clerk	77 Main Street	New Canaan CT	06840	(203) 972-2323
New Fairfield	Town Clerk	4 Brush Hill Road New	Fairfield CT	06812	(203) 312-5616
New Hartford	Town Clerk	P.O. Box 316 New	Hartford CT	06057	(860) 379-5037
New Haven	Vital Statistics	165 Church Street	New Haven CT	06510	(203) 946-8084
New London	T & City Clerk	181 State Street	New London CT	06320	(860) 447-5205
New Milford	Town Clerk	P.O. Box 360	New Milford CT	06776	(860) 355-6020
Newington	Town Clerk	131 Cedar Street	Newington CT	06111	(860) 545
Newtown	Town Clerk	45 Main Street	Newtown CT	06470	(203) 2704210
Norfolk	Town Clerk	P.O. Box 552	Norfolk CT	06058	(860) 542-5679
North Branford	Town Clerk	P.O. Box 287	North Branford CT	06471	(203) 315-6015
North Canaan	Town Clerk	P.O. Box 338	North Canaan CT	06018	(860) 824-3138
North Haven	Town Clerk	18 Church Street	North Haven CT	06473	(203) 239-5321
North Stonington	Town Clerk	40 Main Street	North Stonington CT	06359	(860) 535-2877
Norwalk	Town Clerk	P.O. Box 5125	Norwalk CT	06856	(203) 854-7746
Norwich	T & City Clerk	100 Broadway	Norwich CT	06360	(860) 823-3732
Old Lyme	Town Clerk	P.O. Box 338	Old Lyme CT	06371	(860) 434-1655

Old Saybrook	Town Clerk	302 Main Street	Old Saybrook CT	06475	(860) 395-3135
Orange Town Clerk		617 Orange Center Rd	Orange CT	06477	(203) 891-2122
Oxford Town Clerk		486 Oxford Road	Oxford CT	06478	(203) 888-2543
Plainfield	Town Clerk	8 Community Avenue	Plainfield CT	06374	(860)230-3010
Plainville	Town Clerk	One Central Square	Plainville CT	06062	(860) 793-0221
Plymouth	Town Clerk	80 Main Street	Terryville CT	06786	(860) 585-4039
Pomfret	Town Clerk	5 Haven Road	Pomfret Center CT	06259	(860) 974-0343
Portland	Town Clerk	P.O. Box 71	Portland CT	06480	(860) 342-6743
Preston	Town Clerk	389 Route 2	Preston CT	06365	(860) 887-9821
Prospect	Town Clerk	36 Center Street	Prospect CT	06712	(203) 758-4461
Putnam	Town Clerk	126 Church Street	Putnam CT	06260	(860) 963-6807
Redding	Town Clerk	Route 107	Redding Center CT	06875	(203) 938-2377
Ridgefield	Town Clerk	400 Main Street	Ridgefield CT	06877	(203) 431-2783
Rocky Hill	Town Clerk	P. O. Box 657	Rocky Hill CT	06067	(860) 258-2705
Roxbury	Town Clerk	29 North Street	Roxbury CT	06783	(860) 354-3328
Salem	Town Clerk	270 Hartford Road	Salem CT	06420	(860) 859-3873
Salisbury	Town Clerk	P.O. Box 548	Salisbury CT	06068	(860) 435-5182
Scotland	Town Clerk	P.O. Box 122	Scotland CT	06264	(860) 423-9634
Seymour	Town Clerk	One First Street	Seymour CT	06483	(203) 888-0519
Sharon	Town Clerk	P.O. Box 224	Sharon CT	06069	(860) 364-5224
Shelton	Town Clerk	P.O. Box 364	Shelton CT	06484	(203) 924-1555
Sherman	Town Clerk	P.O. Box 39	Sherman CT	06784	(860) 354-5281
Simsbury	Town Clerk	P.O. Box 495	Simsbury CT	06070	(860) 658-3243
Somers	Town Clerk	P.O. Box 308	Somers CT	06071	(860) 763-8206
South Windsor	Town Clerk	1540 Sullivan Avenue	South Windsor	06074	(860) 644-2511
Southbury	Town Clerk	501 Main Street South	Southbury CT	06488	(203) 262-0657
Southington	Town Clerk	75 Main Street	Southington CT	06489	(860) 276-6211
Sprague	Town Clerk	P.O. Box 162	Baltic CT	06330	(860) 822-3001
Stafford	Town Clerk	P.O. Box 11	Stafford Springs CT	06076	(860) 684-2532
Stamford	Registrar Vital Rec.	P.O. Box 891	Stamford CT	06904	(203) 977-4056
Sterling	Town Clerk	P.O. Box 157	Oneco CT	06373	(860) 564-2657
Stonington	Town Clerk	P.O. Box 352	Stonington CT	06378	(860) 535-5060
Stratford	Town Clerk	2725 Main Street	Stratford CT	06497	(203) 385-4020
Suffield	Town Clerk	83 Mountain Road	Suffield CT	06078	(860) 668-3880



Thomaston	Town Clerk	158 Main Street	Thomaston CT	06787	(860) 283-4141
Thompson	Town Clerk	815 Riverside Drive N,	Grosvernordale CT	06255	(860) 923-9900
Tolland	T & City Clerk	21 Tolland Green	Tolland CT	06084	(860) 871-3630
Torrington	T & City Clerk	140 Main Street	Torrington CT	06790	(860) 489-2236
Trumbull	Town Clerk	5866 Main Street	Trumbull CT	06611	(203) 452-5035
Union	Town Clerk	1043 Buckley Highway	Union CT	06076	(860) 684-3770
Vernon	Town Clerk	14 Park Place	Vernon CT	06066	(860) 872-8591
Voluntown	Town Clerk	P.O. Box 96	Voluntown CT	06384	(860) 376-4089
Wallingford	Town Clerk	P.O. Box 427	Wallingford CT	06492	(203) 294-2145
Warren	Town Clerk	7 Sackett Hill Road	Warren CT	06754	(860) 868-0090
Washington	Town Clerk	P.O. Box 383	Washington Depot CT	06794	(860) 868-2786
Waterbury	TIC Vital Statistics	235 Grand Street	Waterbury CT	06702	(203) 574-6801
Waterford	Town Clerk	15 Rope Ferry Road	Waterford CT	06385	(860) 444-5831
Watertown	Town Clerk	37 Deforest Street	Watertown CT	06795	(860) 945-5230
West Haven	Town Clerk	355 Main Street	West Haven CT	06516	(203) 937-3535
Westbrook	Hall of Records	P.O. Box G	Westbrook CT	06498	(860) 399-3044
Weston	Town Clerk	PO, Box 1007	Weston CT	06883	(203) 222-2616
Westport	Town Clerk	P.O. Box 549	Westport CT	06880	(203) 341-1105
Wethersfield	Town Clerk	505 Silas Deane Hwy	Wethersfield CT	06109	(860) 721-2880
Willington	Town Clerk	40 Old Farms Road	Willington CT	06279	(860) 429-9965
Wilton	Town Clerk	238 Danbury Road	Wilton CT	06897	(203) 563-0106
Winchester	Town Clerk	338 Main Street	Winsted CT	06098	(860) 379-2713
Windham	Town Clerk	P.O Box 94	Willimantic CT	06226	(860) 465-3013
Windsor	Town Clerk	275 Broad Street	Windsor CT	06095	(860) 285-1902
WindsorLocks	Town Clerk	50 Church Street	Windsor Locks CT	06096	(860) 627-1441
Wolcott	Town Clerk	10 Kenea Avenue	Wolcott CT	06716	(203) 879-8100
Woodbridge	Town Clerk	11 Meetinghouse Lane	Woodbridge CT	06525	(203) 389-3425
Woodbury	Town Clerk	P.O. Box 369	Woodbury CT	06798	(203) 263-2144
Woodstock	Town Clerk	415 Route 169	Woodstock CT	06281	(860) 928-6595

APPENDIX H

Request for a Certified Copy of a Birth Certificate From the Town, Birth Request Form REV. 5-12[145]

See next page.

[145] Available from https://portal.ct.gov/DPH/Health-Information-Systems--Reporting/Vitalrecs/State-Vital-Records-Office---Birth-Certificates; the form can be accessed directly at https://portal.ct.gov/-/media/Departments-and-Agencies/DPH/hisr/VR/VS39bpdf.pdf?la=en.

REQUEST FOR A CERTIFIED COPY OF A BIRTH RECORD FROM THE TOWN

Mail this request to the Town Vital Records office. For the address and phone number of Town Vital Records offices in Connecticut, please refer to the Town website or the DPH Town Directory.

PLEASE PRINT

FULL NAME ON CERTIFICATE*: _____ (FIRST) _____ (MIDDLE) _____ (LAST NAME)

DATE OF BIRTH: _____ / _____ / _____ (MONTH / DAY / YEAR) PLACE OF BIRTH: _____ (TOWN/CITY)

FATHER'S FULL NAME: _____ (FIRST) _____ (MIDDLE) _____ (LAST NAME)

MOTHER'S MAIDEN NAME: _____ (FIRST) _____ (MIDDLE) _____ (LAST NAME)

PERSON MAKING THIS REQUEST:

NAME: _____ (FIRST) _____ (MIDDLE) _____ (LAST NAME)

ADDRESS: _____ (NUMBER/STREET/UNIT #)

TOWN/CITY: _____ STATE: _____ ZIP CODE: _____

TELEPHONE NO: _____ E-MAIL ADDRESS: _____

SIGNATURE: X _____

RELATION TO PERSON NAMED ON CERTIFICATE: _____

REASON FOR MAKING REQUEST: _____

REQUEST TO THE TOWN

CERTIFICATE SIZE:

FULL SIZE	WALLET SIZE	TOTAL NUMBER OF COPIES:
$20.00 EACH NUMBER OF COPIES: _____	The wallet size birth certificate contains less information than the full size certificate. It does not satisfy the proof of identification requirements needed for a passport or a driver's license. $15.00 EACH NUMBER OF COPIES: _____	_____ X $20.00 = $ _____ _____ X $15.00 = $ _____ TOTAL: $ _____ Send Postal Money Order Only. Do Not Mail Cash or Personal Checks.

Attach a copy of the requester's valid government issued photo ID or passport below:	Please mail the completed request with the following required documents:
Or two (2) forms of the following: - Social security (SS) card - Paycheck Stub or a W-2 form that contains the SS # - Current school or college photo ID - Automobile registration - Copy of utility bill or bank statement showing name and address - See website ct.gov\dph for other forms of ID accepted	Money order made payable to City/Town (refer to the Town or DPH website cited above) Current government issued photo ID (If applicable) verification of relationship to the registrant (for example, an individual requesting his/her parent's birth certificate must provide a certified copy of his/her own birth certificate).

*If adopted, please provide your adoptive name and adoptive parents' information.

*If the requester had a legal name change, please provide a copy of the court documents authorizing the name change.

Birth Request form from Town Rev. 5-2012



Requesting a Certified Copy of a Birth Certificate from Town

For births occurring on or after January 1, 2003:
You may request a certified copy of the birth certificate from any town vital records office or the State Vital Records Office.

For a birth occurring prior to January 1, 2003:
You may request a certified copy of the birth certificate **ONLY** from the following:

- ☐ The town vital records office of the town where the birth occurred, or
- ☐ The town of the mother's residence at the time of birth, or
- ☐ The State Vital Records Office.

Who Can Request a Certified Copy of a Birth Certificate?
Birth records are confidential records and are not open to the general public (except for those that are at least 100 years old). You must be able to document that you are related to the registrant to be eligible to receive the certificate. You are eligible if:

- ☐ You are the registrant and you are at least 18 years old or an emancipated minor
- ☐ You are the parent, legal guardian, grandparent, spouse, child, or grandchild over 18 years of age
- ☐ You are an attorney-at-law representing an eligible party, approved state or federal agency, or a member of an incorporated genealogical society authorized to conduct business in the State of Connecticut (see the Connecticut State Library for more information)
- ☐ The birth record is at least 100 years old

If you are requesting a birth certificate for someone other than yourself or your child, you will need to submit proof verifying your relationship to the person whose birth certificate you are requesting. For example:

- ☐ If you are requesting the birth certificate of your parent, you must submit a copy of your own birth certificate in order to prove the parent/ child relationship.
- ☐ If you have had your name legally changed by a court decree and your birth certificate does not reflect your new name, you must submit a **copy** of the court order verifying the legal name change.

Checklist for Obtaining a Certified Copy of a Birth Certificate

- ☐ Make sure that you are eligible to obtain the birth certificate
- ☐ Complete the application
- ☐ Include your photo ID
- ☐ Provide documentation proving that you are entitled to obtain the birth certificate (only applicable if the requester is not the birth registrant or a parent listed on the birth certificate)
- ☐ Include the applicable fee

APPENDIX I

A Listing of Vital Statistics Office Phone Numbers for Each State, Revised 11-20-2006

For people born outside of Connecticut in the U.S., this Appendix provides a chart with contact information for the Vital Statistics Office (also called Vital Records Office) in each state. However, because these addresses and phone numbers are subject to change, you should check with the CDC for the most up-to-date information. You can:

Visit the CDC website at http://www.cdc.gov/nchs/w2w.htm.
Call the CDC directly by phone at 1-800-CDC-INFO (1-800-232-4636)
OR
Write to the CDC at:

Centers for Disease Control and Prevention
1600 Clifton Road
Atlanta, GA 30329-4027

Once you locate the Vital Statistics Office in the state where you were born, let them know that you are trying to get an *authorized certified copy* of your birth certificate. Ask (1) what their procedures are; (2) what you need to send the Vital Statistics Office; and (3) the cost.

IMPORTANT NOTE IF YOU ONLY HAVE A PRISON/JAIL ID CARD:

If the only identification (ID) that you currently have is a valid prison ID card, it may be enough in some states to request your birth certificate. First, call the state where you were born, follow the instructions to be connected to an operator, and confirm what document you need to provide to get your *certified birth certificate*.



CONTACT INFORMATION OF VITAL STATISTICS OFFICES IN EVERY STATE			
STATE	**MAILING ADDRESS**	**PHONE**	***COST* FOR A COPY OF BIRTH CERTIFICATE, AND WHO TO ADDRESS THE CHECK TO**
Alabama	Alabama Vital Records P.O. Box 5625 Montgomery, AL 36103-5625	(334) 206-5418	• $15.00 (Additional copies $6.00 each, and to expedite a request is an additional $15.00) • Check or money order should be made payable to "State Board of Health"
Alaska	Dept. of Health and Social Services Bureau of Vital Statistics 5441 Commercial Blvd. Juneau, AK 99801	(907) 465-3391	• $30.00 (Additional copies are $25.00 each) • Personal check or money order should be made payable to "Bureau of Vital Statistics" • SPECIAL NOTES: 1. You must include a copy of government-issued picture ID with your application (e.g., Identification Card, Drivers License, a Prison/Jail ID Card, etc.) 2. While copying/scanning picture ID, enlarge the copy and lighten the picture on the computer or printer as much as possible to be sure that it is clear and readable when sent to Alaska's Bureau of Vital Statistics. 3. REQUIRED: After copying your picture ID, you must sign the paper you submit along with the application itself.
American Samoa	American Samoa Government Dept. of Homeland Security Office of Vital Statistics P.O. Box 6894 Pago Pago, AS 96799	(684) 633-1405/1406. For Health Information Office, Health and Vital Statistics call (684) 633-4606/2262	• $5.00 • Money order should be made payable to "The Office of Vital Statistics/ASG." Personal checks are not accepted.
Arizona	Office of Vital Records Arizona Dept. of Health Services P.O. Box 3887 Phoenix, AZ 85030-3887	(602) 364-1300	• $20.00 • Cashier's checks and money orders must be for the exact amount and made payable to "Office of Vital Records" • SPECIAL NOTES: Acceptable payment methods are cashier's check, money order, Visa or MasterCard. If you pay by credit/debit card, you must include the full number and expiration date on your application.
Arkansas	Arkansas Dept. of Health 4815 West Markham St. Little Rock, AR 72205	(501) 661-2336	• $12.00 ($10.00 for each additional copy) • Personal check or money order should be made payable to "Arkansas Dept. of Health"
California	CA Dept. of Public Health—Vital Records MS: 5103 P.O. Box 997410 Sacramento, CA 95899-7410	(916) 445-2684	• $25.00 • A personal check or money order should be made payable to "CDPH Vital Records"
Canal Zone	Vital Records Section Passport Services U.S. Dept. of State 1111 19th St. NW, Suite 510 Washington, DC 20522-1705	(202) 955-0307	• $30.00 (Additional copies of the same record requested at the same time are $20.00 each. • Personal check or money order must be signed, dated and made payable to "U.S. Dept. of State"



Colorado	Vital Records Section CO Dept. of Public Health and Environment 4300 Cherry Creek Drive South HSVRD-VS-A1 Denver, CO 80246-1530	(303) 692- 2200	• $17.75 (Additional copies of the same birth record ordered at the same time are $10.00 each.) • Personal check or money order should be made payable to "Vital Records Section"
Connecticut	CT Dept. of Public Health 410 Capitol Ave., MS #11 VRS Hartford, CT 06134	(860) 509-7897	• $30.00 • Requests sent to the State Vital Records Office require a postal money order made payable to the "Treasurer, State of Connecticut"
Delaware	Office of Vital Statistics Division of Public Health 417 Federal St. Dover, DE 19901	(302) 744-4549	• $25.00 • Personal check or money order should be made payable to "Office of Vital Statistics"
District of Colombia	Vital Records Division 899 North Capitol St. NE, First Floor Washington, DC 20002	(202) 671- 5000	• $23.00 • Personal check or money order should be made payable to "DC Treasurer"
Florida	Dept. of Health Bureau of Vital Statistics P.O. Box 210 1217 Pearl St. (Zip 32202) Jacksonville, FL 32231-0042	(904) 359-6900	• $9.00 • Personal check or money order should be made payable to "Bureau of Vital Statistics"
Georgia	MAIL-IN REQUEST: State Vital Records Office 2600 Skyland Dr., NE Atlanta, GA 30319 IN-PERSON REQUEST: There are 159 counties in Georgia. You can go to the office in the county where you were born. If you aren't sure, call the phone number listed to the right.	(404) 679-4702 Call this phone number if you need the mailing address or telephone of a specific county's Vital Records office in Georgia.	• $25.00 (Additional copies of the same record ordered at the same time are $5.00.) • A certified check or money order should be made payable to "Vital Records Services" • SPECIAL NOTES: All requests for vital records include the signature and photocopy picture ID of the requestor and the proper fee.
Guam	Office of Vital Statistics P.O. Box 2816 Hagatna, Guam 96932	(671) 735-7292	• $5.00 • Money order should be made payable to "Treasurer of Guam"
Hawaii	State Dept. of Health Office of Health Status Monitoring Issuance/Vital Statistics Section P.O. Box 3378 Honolulu, HI 96801	(808) 586-4533	• $10.00 (Additional copies ordered at the same time are $4.00 each.) • Cashiers check, certified check, or money order should be made payable to "State Dept. of Health"
Idaho	Vital Records Unit Bureau of Vital Records and Health Statistics P.O. Box 83720 Boise, ID 83720-0036	(208) 334- 5988	• $13.00 • Personal check or money order should be made payable to "Idaho Vital Records"
Illinois	Division of Vital Records Illinois Dept. of Public Health 925 E Ridgely Ave. Springfield, IL 62702	(217) 782-6553	• $15.00 (Additional certifications of the same record ordered at the same time are $2.00 each.) • Money orders, certified checks, or personal checks should be made payable to "Illinois Dept. of Public Health"

Indiana	Vital Records Indiana State Dept. of Health P.O. Box 7125 Indianapolis, IN 46206-7125	(317) 233-2700	• $10.00(Additional copies of the same birth record ordered at the same time are $4.00 each.) • Personal check or money order should be made payable to "Indiana State Dept. of Health"
Iowa	Iowa Dept. of Public Health Bureau of Vital Records Lucas Office Building 1st Floor 321 East 12th St. Des Moines, IA 50319-0075	(515) 281-4944	• $15.00 • Personal check or money order should be made payable to "Iowa Dept. of Public Health"
Kansas	Office of Vital Statistics, Curtis State Office Building 1000 SW Jackson St., Suite 120 Topeka, Kansas 66612-2221	(785) 296-1400	• $15.00(Additional copies of the same record ordered at the same time are $15.00 each.) • Personal check or money order should be made payable to "Vital Statistics"
Kentucky	Office of Vital Statistics Dept. for Public Health, Cabinet for Health and Family Services 275 East Main St. 1E-A Frankfort, KY 40621-0001	(502) 564- 4212	• $10.00 • Personal check or money order should be made payable to "Kentucky State Treasurer"
Louisiana	Office of Public Health Vital Records Registry P.O. Box 60630 New Orleans, LA 70160	(504) 593-5100 Fax: (504) 568-8716	**Louisiana (LA) Birth Certificate Types:** Birth Long: (SUGGESTED, CERTIFIED) A certified birth certificate that can typically be used for travel, passport, proof of citizenship, social security, driver's license, school registration, personal identification and other legal purposes. Birth Certificates are available for events that occurred in the State of Louisiana within the last 100 years. **First Long Copy: $15.00; Additional Copies: $15.00** Birth Short—Card: The Birth Short—Card is a wallet size version of the Birth Certificate that can be used for INFORMATIONAL PURPOSES ONLY. THIS CANNOT BE USED TO OBTAIN A PASSPORT, DRIVER'S LICENSE OR TRAVEL. **First Copy: $9.00; Additional Copies: $9.00** • Checks made payable to "Louisiana Vital Records" • SPECIAL NOTES: Walk-in services only accept cash, check, or money order payment (no credit/debit cards).
Maine	Maine Center for Disease Control and Prevention 11 State House Station 220 Capitol St. Augusta, Maine 04333-0011	(207) 287-3181, or toll-free at 1-888-664-949	• Certified $15.00. Non-Certified $10.00. • (Additional copies of same record ordered at same time are $6.00 each.) • Personal check or money order should be made payable to "Treasurer, State of Maine"
Maryland	Division of Vital Records Dept. of Health and Mental Hygiene 6550 Reisterstown Road P.O. Box 68760 Baltimore, MD 21215-0036	(410) 260-6400	• $24.00 • Personal check or money order should be made payable to "Division of Vital Records"



Massachusetts	Registry of Vital Records and Statistics 150 Mount Vernon St., 1st Floor Dorchester, MA 02125-3105	If your birth certificate is from *the year 1920 or earlier*, CALL (617) 727-2816 If your birth certificate is from the year *1921 or later*, CALL (617) 740-2600	• $20.00 (In-person Request) • $32.00 (Mail-In request) • *Additional $3.00 for Birth Certificated from year 1920 or earlier* • Personal check or money order should be made payable to "Commonwealth of Massachusetts" • SPECIAL NOTES: State office has no records previous to 1921. For earlier records, write to The Massachusetts Archives at Columbia Point, 220 Morrissey Blvd., Boston, MA 02125 (617) 727-2816.
Michigan	Vital Records Request P.O. Box 30721 Lansing, MI 48909	To request an application, call the recorded message at (517) 335-8656 to leave your name and mailing address with type of application needed. To speak to a customer service representative call (517)- 335-8666 and press option #4	• $34.00 (Only $14.00 for Senior Citizens age 65+ if requesting their own birth record.) • Rush fee additional $12.00. • Additional copies of any record ordered at the same time are $16.00 each.) • Personal check or money order should be made payable to "State of Michigan"
Minnesota	Minnesota Dept. of Health Central Cashiering – Vital Records P.O. Box 64499 St. Paul, MN 55164	(651) 201-5970	• $26.00 (Additional copies of the birth record when ordered at the same time are $19.00.) • Personal check or money order should be made payable to Minnesota Dept. of Health.
Mississippi	Mississippi Vital Records State Dept. of Health P.O. Box 1700 Jackson, MS 39215-1700	To verify current fees, the telephone number is (601) 576-7981. A recorded message may be reached on (601) 576-7450	• $15.00 (Additional copies of same record ordered at the same time are $5.00 each.) • Personal check, bank or postal money order or bank cashier's check are accepted and should be made payable to "Mississippi State Dept. of Health"
Missouri	Missouri Dept. of Health and Senior Services Bureau of Vital Records 930 Wildwood P.O. Box 570 Jefferson City, MO 65102-0570	(573) 751-6387	• $15.00(Copies of these records are $15.00 each) • Personal check or money order should be made payable to "Missouri Dept. of Health and Senior Services" • SPECIAL NOTES: Please include a legal size self-addressed stamped envelope.
Montana	Office of Vital Statistics, MT Dept. of Public Health and Human Services 111 N Sanders, Rm. 6 P.O. Box 4210 Helena, MT 59604	(406) 444- 2685	• $12.00 • (Additional copies of the same record requested at the same time are $5.00.) • Personal check or money order should be made payable to "Montana Vital Records"
Nebraska	Nebraska Vital Records P.O. Box 95065 Lincoln, NE 68509-5065	(402) 471- 2871	• $17.00 • Personal check or money order should be made payable to "Nebraska Vital Records"
Nevada	Office of Vital Records 4150 Technology Way, Suite 104 Carson City, NV 89706	(775) 684- 4242	• $20.00 • Personal check or money order should be made payable to "Office of Vital Records"

New Hampshire	Division of Vital Records Administration— Archives Building 71 South Fruit St. Concord, NH 03301-2410	(603) 271-4651	• $15.00 • Personal check or money should be made payable to "Treasurer, State of New Hampshire"
New Jersey	New Jersey Dept. of Health Office of Vital Statistics and Registry P.O. Box 370 Trenton, NJ 08625-0370	TOLL FREE (866) 649-8726 (OR visit online at http://www.state.nj.us/health/vital for up-to-date information on ordering)	• $25.00 (Additional copies of the same record ordered at the same time are $2.00 each.) • SPECIAL NOTES: For information on Express Mail or In persons order visit http://www.state.nj.us/health/vital/contact.shtml
New Mexico	NM Vital Records P.O. Box 25767 Albuquerque, NM 87125	TOLL FREE (866) 534-0051	• $10.00 • Personal check or money order should be made payable to "NM Vital Records"
New York	Certification Unit Vital Records Section, 2nd Floor 800 North Pearl St. Menands, NY 12204	1-855-322-1022	• $30.00 • Personal check or money order should be made payable to "New York State Dept. of Health"
New York City	NYC Health Department Office of Vital Records 125 Worth St., CN4, Rm. 133 New York, NY 10013	(212) 639-9675	• $15.00 (Additional Copies $15.00) SPECIAL NOTES: • The office has birth records for people who were born and/or died in the five boroughs of New York City: Brooklyn, the Bronx, Manhattan, Queens, or Staten Island. • Birth records issued before 1910 and death records issued before 1949 must be ordered through the Municipal Archives. • For more information please visit: http://www.nyc.gov/html/doh/html/services/vr-order-other.shtml or write to Dept. of Records and Information Services, 31 Chambers St., New York, NY 10007.
North Carolina	NC Vital Records 1903 Mail Service Center Raleigh, NC 27699-1903	(919) 733- 3000	• $24.00 • Business or certified check or money order should be made payable to "NC Vital Records"
North Dakota	ND Dept. of Health Division of Vital Records 600 East Blvd. Ave., Dept. 301 Bismarck, ND 58505-0200	(701) 328- 2360	• $7.00(Additional copies of birth records are $4.00) • Personal check or money order should be made payable to "ND Dept. of Health"
North Mariana Islands	Commonwealth Healthcare Corporation Vital Statistics Office P.O. Box 500409 Saipan, MP 96950	(670) 236-8717 or (670) 236-8702	• $20.00 • Money order or bank cashiers check should be made payable to "Commonwealth Healthcare Corporation"
Ohio	Vital Statistics Ohio Dept. of Health P.O. Box 15098 Columbus, OH 43215-0098	(614) 466- 2531	• $21.50 • Personal check or money order should be made payable to "Treasury, State of Ohio"



Oklahoma	Vital Records Service Oklahoma State Dept. of Health P.O. Box 53551 Oklahoma City, OK 73152	(405) 271-4040	• $15.00(Additional Copies $ 15.00 each) • Personal check or money order should be made payable to “OSDH”
Oregon	Oregon Vital Records P.O. Box 14050 Portland, OR 97293-0050	(971) 673-1190	• $20.00(Additional copies of the same record ordered at the same time are $15.00 each.) • Personal check or money order should be made payable to “OHA/Vital Records”
Pennsylvania	Division of Vital Records ATTN: Birth Unit 101 South Mercer St., Room 401 P.O. Box 1528 New Castle, PA 16103	(724) 656-3100	• $20.00 • Personal check or money order should be made payable to “Vital Records”
Puerto Rico	Dept. of Health Demographic Registry P.O. Box 11854 Fernández Juncos Station San Juan, PR 00910	(787) 765-2929 Ext. 6131	• $5.00 ($4.00 each additional copy requested on the same application. Registrants over 60 years of age and Veterans of the United States Armed Forces can obtain copies of their birth records free of charge.) • Payment method via money orders, which should be made payable to the “Secretary of Treasury” • SPECIAL NOTES: Maximum three (3) copies per registrant per year. Beneficiaries of a Veteran of the United States Armed Forces can obtain copies of their death records free of charge (widow or children under 21 years of age).
Rhode Island	RI Dept. of Health Office of Vital Records, Room 101 3 Capitol Hill Providence, RI 02908-5097	To verify current fees after office hours, the telephone number is (401) 222-2811. To verify current fees and general information during office hours, please call the Health Hot Line at (401) 222-5960	• $20.00(Additional copies of the same record ordered at the same time are $15.00 each.) • Personal check or money order should be made payable to “Rhode Island General Treasurer”
South Carolina	Office of Vital Records, SCDHEC 2600 Bull St. Columbia, SC 29201	(803) 898-3630	• $12.00(Additional copies of the same birth records ordered at the same time of certification are $3.00 each.) • Acceptable method of payment is a money order or cashiers check made payable to “SCDHEC-Vital Records.”
South Dakota	Vital Records, State Dept. of Health 207 E Missouri Ave, Suite 1-A Pierre, SD 57501	(605) 773-4961	• $15.00 • Personal check or money order should be made payable to “South Dakota Dept. of Health.”
Tennessee	Tennessee Vital Records Central Services Building 4215th Ave. North Nashville, TN 37243	(615) 741- 1763	• Long term- $15.00 • Short term- $ 8.00 • (Additional copies of the same birth, marriage, or divorce record requested at the same time are $5.00 each.) • Personal check or money order should be made payable to “Tennessee Vital Records”

Texas	Texas Vital Records Dept. of State Health Services P.O. Box 12040 Austin, TX 78711-2040	(512) 776- 7111	• $22.00 (Additional copies of the birth record ordered at same time are $22.00 each. • Mail-in requests must be made by personal check or money order made payable to DSHS.
Utah	Certification Unit Office of Vital Records P.O. Box 141012 Salt Lake City, UT 84114-1012	(801) 538-6105	• $20.00 (Additional copies, when requested at the same time, are $8.00 each.) • Personal check or money order should be made payable to "Vital Records" SPECIAL NOTES: • ID is now required to purchase a Utah Birth Certificate. • Mailed request must include an enlarged and easily identifiable photocopy of the front and back of your ID. If no proofs are enclosed, your application will be returned.
Vermont	VT Dept. of Health Vital Records Section P.O. Box 70 108 Cherry St. Burlington, VT 05402-0070	(802) 863-7275	• $10.00. • Personal check or money order should be made payable to "Vermont Dept. of Health"
Virginia	Division of Vital Records P.O. Box 1000 Richmond, VA 23218-1000	(804) 662-6200	• $12.00 • Personal check or money order should be made payable to " State Health Department" • SPECIAL NOTES: Must submit a photocopy of their ID.
Virgin Islands	Dept. of Health Vital Statistics, Charles Harwood Memorial Hospital St. Croix, VI 00820	(340) 774-9000 ext. 4685 or 4686	• $15.00 (mail requests). $12.00 (in person). • Money order for birth records should be made payable to "Department of Health" • SPECIAL NOTES: Personal checks are not accepted
Washington	Center for Health Statistics Department of Health P.O. Box 9709 Olympia, WA 98504-7814	(360) 236- 4300	• $20.00(For Expedited Delivery must add Express Mail, an additional $18.30) • Personal check or money order should be made payable to "Department of Health"
West Virginia	Vital Registration Office, Room 165 350 Capitol St. Charleston, WV 25301-3701	(304) 558-2931 VitalChek Phone: (877) 448-3953 Fax: (866) 870-8723	• $12.00(By Mail or In Person) • $30.50 + shipping (By Phone, Internet, or Fax) (Non-Rush Fee Charged by VitalChek) • $35.50 + shipping (Rush Fee Charged by VitalChek) • SPECIAL NOTES: Can order in person, by mail, by phone, Internet or fax (Credit Card/ Debit Card Only). Personal check or money order should be made payable to "Vital Registration"



Wisconsin	WI Vital Records Office 1 West Wilson St. P.O. Box 309 Madison, WI 53701-0309	For 24/7 automated assistance, call (608) 266-1371. If you want to talk to a live person, call the service counter 8:00 A.M. to 4:15 P.M. (Central Time), Monday through Friday at (608) 266-1373	• $20.00 (Additional copies of the same record ordered at the same time are $3.00 each.) • Personal check or money order should be made payable to “State of Wisconsin Vital Records” • SPECIAL NOTES: A stamped, self addressed business size (#10) envelope should be include with the request. A copy of valid photo ID and a signature is required of the applicant.
Wyoming	Vital Statistics Services Hathaway Building 2300 Capitol Avenue Cheyenne, WY 82002	(307) 777-7591	• $13.00 • Personal check or money order should be made payable to “Vital Statistics Services" • SPECIAL NOTES: Please enclose a self-addressed, stamped envelope with the request. All personal checks are only accepted when: (1) the requestor is entitled to the record and the check in personalized and on the account of the person making the request; (2) third party or non-bank checks will not be processed.

APPENDIX J

Application for Replacement Naturalization/Citizenship Document, Form N-565, Expires 6/30/19[146]

See next page.

[146] Available at https://www.uscis.gov/n-565.

Application for Replacement Naturalization/Citizenship Document

Department of Homeland Security
U.S. Citizenship and Immigration Services

USCIS
Form N-565
OMB No. 1615-0091
Expires 06/30/2019

For USCIS Use Only		Fee Stamp	Action Block
	Returned		
	Resubmitted		
	Relocated Sent		
	Relocated Received		
	☐ Applicant Interviewed ☐ Declaration of Intention Verified by: ☐ Citizenship Verified by:	Remarks:	

To be completed by an attorney or BIA-accredited representative (if any)	☐ Select this box if Form G-28 is attached to represent the applicant.	Attorney State Bar Number (if applicable)	Attorney or Accredited Representative USCIS Online Account Number (if any)

►START HERE - Type or print in black ink.

Part 1. Information About You

1. Full Legal Name
   Family Name (Last Name) | Given Name (First Name) | Middle Name
2. Date of Birth (mm/dd/yyyy)
3. Country of Birth
4. Certificate Number
5. Alien Registration Number (A-Number)
   ► A-
6. Mailing Address
   In Care Of Name
   Street Number and Name
   Apt. Ste. Flr.
   City or Town
   State
   ZIP Code
   Province
   Postal Code
   Country

Part 2. Type of Application

1. I hereby apply for (select **only one** box):

   A. ☐ New Certificate of Citizenship

   B. ☐ New Certificate of Naturalization

   C. ☐ New Certificate of Repatriation

   D. ☐ New Declaration of Intention

   E. ☐ Special Certificate of Naturalization to obtain recognition of my U.S. citizenship by a foreign country. (Skip **Item Number 2.** and complete **Part 3.**, **Part 8.**, and **Part 9.**)

2. Basis for application (Select **all applicable** boxes):

   A. ☐ My certificate was lost, stolen, or destroyed. Explain when, where, and how. (Complete **Part 3.** and **Part 9.**, and attach a copy of the certificate (if any), police report, or sworn statement.)

   _____

   _____

   B. ☐ My certificate is mutilated. (Complete **Part 3.**, **Part 9.**, and attach the certificate.)

   C. ☐ My certification or declaration is incorrect due to typographical/clerical error. (Complete **Part 3.**, **Part 4.**, and **Part 9.**, and attach the documents.)

   D. ☐ My name has legally changed. (Complete **Part 3.**, **Part 5.**, and **Part 9.**, and attach the certificate and documents.)

   E. ☐ My date of birth has legally changed due to a court order or other state-issued documents. **NOTE:** Only applicants applying for a replacement Certificate of Citizenship may select this option. (Complete **Part 3.**, **Part 6.**, and **Part 9.**, and attach the certificate and documents.)

   F. ☐ My gender has legally changed. (Complete **Part 3.**, **Part 7.**, and **Part 9.**, and attach the certificate and documents.)

   G. ☐ Other: Explain (Complete **Part 3.**, **Part 4.**, and **Part 9.**, and attach the documents.)

   _____

   _____

Part 3. Processing Information

1. Gender ☐ Male ☐ Female

2. Height Feet ▾ Inches ▾

3. Marital Status ☐ Single ☐ Married ☐ Divorced ☐ Widowed

My last certificate or Declaration of Intention was issued to me by:

4. USCIS Office or Name of Court

5. Date (mm/dd/yyyy)

6. Name in Which the Document Was Issued

7. Other Names I Have Used (if none, type or print "None")

Family Name (Last Name)	Given Name (First Name)	Middle Name

8. Since becoming a citizen, have you lost or renounced your citizenship in any manner? ☐ Yes (attach an explanation) ☐ No

Part 4. Complete If Applying To Correct Your Document

If you are applying for a new certificate or Declaration of Intention because your current one is incorrect, explain why it is incorrect and attach copies of any documents supporting your request.

Part 5. Complete If Applying for a New Document Because of a Name Change

Name changed because of (select **only one** box):

A. ☐ Marriage or divorce on (Attach a copy of marriage or divorce certificate) (mm/dd/yyyy)

B. ☐ Court Order (Attach a certified copy of the document) (mm/dd/yyyy)

Part 6. Complete If Applying for a New Certificate of Citizenship Because of a Date of Birth Change

Date of birth changed by:

A. ☐ Court Order (Attach a certified copy of the document) (mm/dd/yyyy)

B. ☐ State-issued document (For example, birth certificate, certificate recognizing the foreign birth, certificate of birth abroad, or other similar records issued by the child's state of residence.) (mm/dd/yyyy)

Part 7. Complete If Applying for a New Document Because of a Change in Gender

Evidence of official recognition of gender change recognized by (select **all applicable** boxes):

A. ☐ Court Order (Attach a certified copy of the document)

B. ☐ Amended birth certificate (Attach a certified copy of the document)

C. ☐ Other official documentation recognizing the new gender by U.S. state, local jurisdiction, or foreign state, such as a passport or driver's license.

D. ☐ Medical certification by a licensed physician (doctor of medicine (M.D.) or doctor of osteopathy (D.O.)

Part 8. Complete If Applying for a Special Certificate of Recognition as a Citizen of the United States by the Government of a Foreign Country

1. Name of Foreign Country

Information about official of the country who has requested this certificate (if known)

2. Family Name (Last Name) | Given Name (First Name) | Middle Name

Official Title | Name of Government Agency

Part 8. Complete If Applying for a Special Certificate of Recognition as a Citizen of the United States by the Government of a Foreign Country (continued)

3. Address of Foreign Official

Street Number and Name | Apt. Ste. Flr.

City or Town | State | ZIP Code

Province | Postal Code | Country

USCIS or Consular Official's Certification

4. USCIS or Consular Official's Signature | Date of Signature (mm/dd/yyyy)

Part 9. Applicant's Statement, Contact Information, Certification, and Signature

NOTE: Read the **Penalties** section of the Form N-565 Instructions before completing this part.

Applicant's Statement

NOTE: Select the box for either **Item A.** or **B.** in **Item Number 1.** If applicable, select the box for **Item Number 2.**

1. Applicant's Statement Regarding the Interpreter

   A. ☐ I can read and understand English, and I have read and understand every question and instruction on this application and my answer to every question.

   B. ☐ The interpreter named in **Part 10.** read to me every question and instruction on this application and my answer to every question in _____, a language in which I am fluent, and I understood everything.

2. Applicant's Statement Regarding the Preparer

   ☐ At my request, the preparer named in **Part 11.**, _____, prepared this application for me based only upon information I provided or authorized.

Applicant's Contact Information

3. Applicant's Daytime Telephone Number

4. Applicant's Mobile Telephone Number (if any)

5. Applicant's Email Address (if any)

Applicant's Certification

Copies of any documents I have submitted are exact photocopies of unaltered, original documents, and I understand that USCIS may require that I submit original documents to USCIS at a later date. Furthermore, I authorize the release of any information from any of my records that USCIS may need to determine my eligibility for the immigration benefit I seek.

I further authorize release of information contained in this application, in supporting documents, and in my USCIS records to other entities and persons where necessary for the administration and enforcement of U.S. immigration laws.

Part 9. Applicant's Statement, Contact Information, Certification, and Signature (continued)

I understand that USCIS may require me to appear for an appointment to take my biometrics (fingerprints, photograph, and/or signature) and, at that time, if I am required to provide biometrics, I will be required to sign an oath reaffirming that:

1) I reviewed and provided or authorized all of the information in my application;
2) I understood all of the information contained in, and submitted with, my application; and
3) All of this information was complete, true, and correct at the time of filing.

I certify, under penalty of perjury, that I provided or authorized all of the information in my application, I understand all of the information contained in, and submitted with, my application, and that all of this information is complete, true, and correct.

Applicant's Signature

6. Applicant's Signature

Date of Signature (mm/dd/yyyy)

NOTE TO ALL APPLICANTS: If you do not completely fill out this application or fail to submit required documents listed in the Instructions, USCIS may deny your application.

Part 10. Interpreter's Contact Information, Certification, and Signature

Provide the following information about the interpreter.

Interpreter's Full Name

1. Interpreter's Family Name (Last Name)

Interpreter's Given Name (First Name)

2. Interpreter's Business or Organization Name (if any)

Interpreter's Mailing Address

3. Street Number and Name

Apt. Ste. Flr. Number

City or Town

State

ZIP Code

Province

Postal Code

Country

Interpreter's Contact Information

4. Interpreter's Daytime Telephone Number

5. Interpreter's Mobile Telephone Number (if any)

6. Interpreter's Email Address (if any)

Part 10. Interpreter's Contact Information, Certification, and Signature (continued)

Interpreter's Certification

I certify, under penalty of perjury, that:

I am fluent in English and _____, which is the same language specified in **Part 9.**, **Item B.** in **Item Number 1.**, and I have read to this applicant in the identified language every question and instruction on this application and his or her answer to every question. The applicant informed me that he or she understands every instruction, question, and answer on the application, including the **Applicant's Certification**, and has verified the accuracy of every answer.

Interpreter's Signature

7. Interpreter's Signature _____ Date of Signature (mm/dd/yyyy) _____

Part 11. Contact Information, Declaration, and Signature of the Person Preparing this Application, if Other Than the Applicant

Provide the following information about the preparer.

Preparer's Full Name

1. Preparer's Family Name (Last Name) _____ Preparer's Given Name (First Name) _____

2. Preparer's Business or Organization Name (if any) _____

Preparer's Mailing Address

3. Street Number and Name _____ Apt. Ste. Flr. ☐ ☐ ☐ Number _____

City or Town _____ State _____ ZIP Code _____

Province _____ Postal Code _____ Country _____

Preparer's Contact Information

4. Preparer's Daytime Telephone Number _____

5. Preparer's Mobile Telephone Number (if any) _____

6. Preparer's Email Address (if any) _____



Part 11. Contact Information, Declaration, and Signature of the Person Preparing this Application, if Other Than the Applicant (continued)

Preparer's Statement

7. **A.** ☐ I am not an attorney or accredited representative but have prepared this application on behalf of the applicant and with the applicant's consent.

   B. ☐ I am an attorney or accredited representative and my representation of the applicant in this case ☐ extends ☐ does not extend beyond the preparation of this application.

   NOTE: If you are an attorney or accredited representative, you may be obliged to submit a completed Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative with this application.

Preparer's Certification

By my signature, I certify, under penalty of perjury, that I prepared this application at the request of the applicant. The applicant then reviewed this completed application and informed me that he or she understands all of the information contained in, and submitted with, his or her application, including the **Applicant's Certification**, and that all of this information is complete, true, and correct. I completed this application based only on information that the applicant provided to me or authorized me to obtain or use.

Preparer's Signature

8. Signature of Preparer

Date of Signature (mm/dd/yyyy)

APPENDIX K

Application for a Social Security Card, Form SS-5, 8-2011[147]

See next page.

[147] This form can be found at https://www.ssa.gov/forms/ss-5.pdf or you can call the Social Security Administration (SSA) at 1-800-772-1213 to have the form mailed to you.

SOCIAL SECURITY ADMINISTRATION
Application for a Social Security Card

Form Approved
OMB No. 0960-0066

1	**NAME** TO BE SHOWN ON CARD	First	Full Middle Name	Last
	FULL NAME AT BIRTH IF OTHER THAN ABOVE	First	Full Middle Name	Last
	OTHER NAMES USED			
2	Social Security number previously assigned to the person listed in item 1	___ – ___ – ____		
3	**PLACE OF BIRTH** (Do Not Abbreviate) City	State or Foreign Country	Office Use Only FCI	
4	**DATE OF BIRTH**	MM/DD/YYYY		
5	**CITIZENSHIP** (Check One)	☐ U.S. Citizen	☐ Legal Alien Allowed To Work	☐ Legal Alien **Not** Allowed To Work(See Instructions On Page 3) ☐ Other (See Instructions On Page 3)
6	**ETHNICITY** Are You Hispanic or Latino? (Your Response is Voluntary) ☐ Yes ☐ No	7 **RACE** Select One or More (Your Response is Voluntary)	☐ Native Hawaiian ☐ Alaska Native ☐ Asian	☐ American Indian ☐ Black/African American ☐ Other Pacific Islander ☐ White
8	**SEX**	☐ Male	☐ Female	
9	**A. PARENT/ MOTHER'S NAME AT HER BIRTH**	First	Full Middle Name	Last
	B. PARENT/ MOTHER'S SOCIAL SECURITY NUMBER (See instructions for 9 B on Page 3)	___ – ___ – ____	☐ Unknown	
10	**A. PARENT/ FATHER'S NAME**	First	Full Middle Name	Last
	B. PARENT/ FATHER'S SOCIAL SECURITY NUMBER (See instructions for 10B on Page 3)	___ – ___ – ____	☐ Unknown	
11	Has the person listed in item 1 or anyone acting on his/her behalf ever filed for or received a Social Security number card before? ☐ Yes (If "yes" answer questions 12-13) ☐ No ☐ Don't Know (If "don't know," skip to question 14.)			
12	Name shown on the most recent Social Security card issued for the person listed in item 1	First	Full Middle Name	Last
13	Enter any different date of birth if used on an earlier application for a card	MM/DD/YYYY		
14	**TODAY'S DATE** MM/DD/YYYY	15 **DAYTIME PHONE NUMBER** Area Code	Number	
16	**MAILING ADDRESS** (Do Not Abbreviate)	Street Address, Apt. No., PO Box, Rural Route No.		
		City State/Foreign Country	ZIP Code	
17	**I declare under penalty of perjury that I have examined all the information on this form, and on any accompanying statements or forms, and it is true and correct to the best to my knowledge.** **YOUR SIGNATURE**	18 **YOUR RELATIONSHIP TO THE PERSON IN ITEM 1 IS:** ☐ Self ☐ Natural Or Adoptive Parent ☐ Legal Guardian ☐ Other Specify		

DO NOT WRITE BELOW THIS LINE (FOR SSA USE ONLY)

NPN			DOC	NTI	CAN			ITV
PBC	EVI	EVA	EVC	PRA	NWR	DNR	UNIT	

EVIDENCE SUBMITTED

SIGNATURE AND TITLE OF EMPLOYEE(S) REVIEWING EVIDENCE AND/OR CONDUCTING INTERVIEW

DATE

DCL DATE

Form **SS-5** (08-2011) ef (08-2011) Destroy Prior Editions Page 5

APPENDIX L

Connecticut Social Security Offices

BenefitsOffices.com, https://www.benefitsoffices.com/state/CT.html

Office	Address	City	Phone
Ansonia Office	475 Main Street Ansonia CT 6401	Ansonia	1-866-331-7096
Bridgeport Office	35 Courtland St Bridgeport CT 6606	Bridgeport	1-866-331-6399
Danbury Office	131 West Street Danbury CT 6810	Danbury	1-866-275-7821
East Hartford Office	478 Burnside Avenue East Hartford CT 6108	East Hartford	1-866-706-6759
Hartford Office	960 Main St Hartford CT 6103	Hartford	1-877-619-2851
Meriden Office	One West Main St Meriden CT 6451	Meriden	1-877-409-8429
Middletown Office	425 Main Street Middletown CT 6457	Middletown	1-877-692-3145
New Britain Office	233 Main Street 2nd Fl New Britain CT 6051	New Britain	1-866-858-6086
New Haven Office	150 Court St 4th Fl New Haven CT 6510	New Haven	1-866-331-5281
New London Office	2 Shaws Cove New London CT 6320	New London	1-866-643-3401
Norwich Office	55 Main St Norwich CT 6360	Norwich	1-888-482-3170
Stamford Office	2 Landmark Square Stamford CT 6901	Stamford	1-866-770-1881



Torrington Office	147 Litchfield Street Torrington CT 6790	Torrington	1-877-405-0486
Waterbury Office	51 North Elm St Waterbury CT 6702	Waterbury	1-877-405-4874
Willimantic Office	1320 Main Street Willimantic CT 6226	Willimantic	1-877-405-0488

APPENDIX M

Connecticut Identification Card Requirements and Application, Form B-230 REV. 12-2008[148]

See next page.

[148] Form B-230 can be requested from https://www.ct.gov/dmv/cwp/view.asp?a=805&q=490078.

CONNECTICUT IDENTIFICATION CARD
REQUIREMENTS AND APPLICATION
B-230 REV. 12-2008

DMV VALIDATION

STATE OF CONNECTICUT
DEPARTMENT OF MOTOR VEHICLES
BRANCH OPERATIONS
On The Web at ct.gov/dmv

INFORMATION, INSTRUCTIONS AND DOCUMENTS REQUIRED TO OBTAIN A CONNECTICUT NON-DRIVER IDENTIFICATION CARD

1. Applicant must not possess a valid driver's license or identity card from any state or U.S. territory.
2. Applicant must apply in person to the Department of Motor Vehicles and present the following:
   (1) Certified Birth Certificate or Valid Passport plus one additional form of acceptable identification. See reverse for identification information.
   (2) Resident Address Verification (ie: utility bill, mortgage or lease papers, postmarked letter). (Exception: see Declaration of Homeless Status)
   (3) $22.50 fee. (Exception: see Declaration of Homeless Status)

☐ NEW ☐ DUPLICATE ☐ RENEWAL ☐ CHANGE

APPLICANT INFORMATION

LAST NAME (Please Print)	FIRST NAME	MIDDLE INITIAL	DATE OF BIRTH

MAILING ADDRESS (No. and Street)	(City or Town)	(State)	(Zip Code)

RESIDENT ADDRESS IF DIFFERENT FROM MAILING (No. and Street) (City or Town)

RESIDENT ADDRESS IS (Check One)	HEIGHT (Feet, Inches)	SEX	EYE COLOR
☐ PERMANENT ☐ TEMPORARY		☐ MALE ☐ FEMALE	

SOCIAL SECURITY NUMBER | ARE YOU A U.S. CITIZEN? ☐ YES ☐ NO | IF NO, LIST ALIEN REGISTRATION NUMBER

DO YOU CURRENTLY HAVE A LICENSE OR ID CARD?	IF YES, WHAT STATE OR U.S. TERRITORY?	LICENSE OR ID CARD NUMBER
☐ YES ☐ NO		

DO YOU WANT TO BE IN THE ORGAN/TISSUE DONOR REGISTRY? ☐ YES ☐ NO
If yes, you are agreeing to be a donor and the designation will be on your identification card.

NON U. S. CITIZEN INFORMATION

If you are not a citizen of the United States you will be required to show proof of your legal status in this country. (See reverse side of form)

DECLARATION OF HOMELESS STATUS

Connecticut General Statute 1-1h allows a resident of a homeless shelter or other facility for homeless persons to apply for a fee waiver for a Non-driver Identification card. To qualify for a waiver the following information must be completed and submitted to the Department of Motor Vehicles.

To be completed by a director or other authorized official of the Homeless Shelter or other facility as defined in the Regulations of Connecticut State Agencies section 1-1h-6.

NAME AND ADDRESS OF FACILITY/SHELTER

NAME OF FACILITY/SHELTER OFFICIAL (Please Print) (Last Name) (First Name) (Middle Initial)

Official: By signing this form the applicant and official at the homeless shelter or other facility are attesting that the individual listed above is a resident of the homeless shelter/facility and is confirming that the Non-Driver Identification fee can be waived.

CERTIFICATION

The information provided to the Commissioner of Motor Vehicles herein is subscribed by me, the undersigned, under penalty of false statement, in accordance with the provisions of Section 14-110 and 53a-157b of the Connecticut General Statutes. I understand that if I make a statement which I do not believe to be true, with the intent to mislead the Commissioner, I will be subject to prosecution under the above-cited laws.

SIGNATURE OF APPLICANT OR DESIGNEE (Must be signed in presence of Department of Motor Vehicles Official)	DATE SIGNED
X	

SIGNATURE OF FACILITY/SHELTER OFFICIAL	DATE SIGNED
X	

OFFICE USE ONLY

MLIV BY: DATE:

TYPE OF IDENTIFICATION SHOWN	LIST ADDITIONAL IDENTIFICATION
☐ BIRTH CERTIFICATE ☐ PASSPORT ☐ ADDRESS VERIFICATION	

EXAMINER'S INITIALS	AUTHORIZED DMV PERSONNEL	ID NO. ISSUED	DATE ISSUED
	X		



To obtain a **new** Connecticut Identification Card, one document from Group one must be presented, in addition to one form of identification from the lists below.

To obtain a **replacement** Identification Card, two forms of identification must be presented.

Two forms of the same identification will not be accepted. Identification being presented must be in the name in which you are applying. Foreign documents other than a passport are not acceptable.

GROUP ONE: (*Photocopies will NOT be accepted*)

- A U.S. birth certificate or registration (must be original or certified copy, have a seal, and be issued by an authorized United States government agency such as the Bureau of Vital Statistics or State Board of Health. Hospital issued certificates are not acceptable).
- A valid passport or passport card (if foreign passport, must have appropriate and VALID U.S. Citizenship and Immigration Services (USCIS) documents-see below).
    - I-551 Stamp contained in valid foreign passport
    - I-94 card contained in valid foreign passport
    - Temporary Resident card
    - Employment Authorization card
    - Refugee Travel document
- Citizenship or Naturalization certificate
- Permanent Resident Card

GROUP TWO: (*Photocopies will NOT be accepted*)

- An official, unexpired document issued by a federal or state government containing the person's signature and a photograph or computerized image of the person;
- A military identification card or military dependent card with photograph;
- An identification card issued by the Connecticut Department of Social Services with photograph;
- A social security card with signature;
- An original baptismal certificate or similar document;
- A Connecticut pistol or firearm permit;
- A military discharge form DD214;
- An original or a certified copy having a raised seal thereon of an adoption decree or order;
- An original or a certified copy having a raised seal thereon of school records;
- A Connecticut identity card issued on October 1, 2001 or later, in accordance with section 1-1h of the Connecticut General Statutes;
- A temporary resident card;
- A travel document issued by the United States Department of Homeland Security; or
- An original certificate of identification issued by the Department of Correction.

NOTE: At least one of the documents presented to the commissioner shall include a photograph or computerized image of the applicant or have both the applicant's full legal name and date of birth.

NON U.S. CITIZEN INFORMATION

- Holders of a B1 or B2 Visitors Visa are not eligible for a CT identification card unless a valid Employment Authorization Card (EAC) and verification of an application pending for lawful permanent residence is provided.
- Foreign students with an F1 Visa status must show U.S. Citizenship and Immigration Services (USCIS) document I-20 and verification of current enrollment in a CT school.
- H1B Visa holders are required to show a valid USCIS Employment Authorization Card and an employee verification letter from a Connecticut employer.
- J1 Visa holders are required to show USCIS document DS2019
- **All applicants will be verified through USCIS for legal status before an identification card will be issued.**

APPENDIX N

DMV Acceptable Forms of Identification, REAL ID Document Checklist for Identity Verification

See next page.

Acceptable Forms of Identification

REAL ID DOCUMENT CHECKLIST
For Identity Verification[149]

NEW PROCESS: You will not receive a permanent driver's license or ID card while at an office. It will arrive through the mail. You will keep your expiring license/ID and receive a temporary paper card. For more on this, please see Central Issuance. After visiting an office, you can track the delivery of your new card.

To obtain a new learner's permit, driver's license or ID card, or to obtain a verified driver's license or ID card you will need to provide valid/unexpired original documents or certified copies. Out-of-state learner's permits are not transferable.

Photocopies, notarized photocopies, non-certified copies, and damaged or mutilated documents are not acceptable. DMV will scan and store images of all documents.

Two (2) forms of the same identification will not be accepted. If any document presented is in a language other than English, it must be translated by a DMV-Approved Translator.

See checklist of required documents in PDF (En Espanol)

You must satisfy items 1, 2, 3 and if applicable, 4 and 5:

IMPORTANT: Individuals arriving in the U.S. with an I-94 stamp in your passport must visit the U.S. Customs and Border Protection website www.cbp.gov/I94 to obtain a hard copy of your I-94 document. This document must be presented to the DMV along with all other required documents.

1. IDENTITY:

You must present two (2) forms of identification; at least one of the documents must be from the Primary document list.

PRIMARY document list
U.S. born

- U.S. or U.S. Territory Birth Certificate or Registration of Birth (Hospital issued and Puerto Rico issued prior to July 1, 2010 not acceptable; foreign place of birth see Non-U.S. Born)
- U.S. Passport or Passport Card

Non-U.S. born

- U.S. Passport or Passport Card

[149] See also https://www.ct.gov/dmv/lib/dmv/selectct/selectid_accpt_docs3.pdf for the Real ID Document Checklist for Identify Verification.



- Foreign Passport w/ supporting documents (See Legal Presence noted below)*
- Certificate of Naturalization*
- Certificate of Citizenship*
- Permanent Resident Card*
- U.S. Consular Report of Birth Abroad (Issued by the Department of State)

FULL LEGAL NAME
By law, the full name shown on the Primary document is your legal name and will be printed on your card. If your name is different than the Primary document, see Name Change Documents section below.

* Subject to Verification using SAVE (See 4. Legal Presence)

SECONDARY document list

- Out-of-State U.S. photo driver license
- U.S. Territory or Canadian photo driver license
- Out of State U.S. or Canadian issued photo learner permit
- Connecticut issued non-driver identification card, driver license or learner permit
  (Your driver license or ID may be required to be surrendered)
- U.S. Military ID or dependent card with photo
- Connecticut State Permit to Carry Pistols or Revolvers
- Military discharge/separation papers (DD-214)
- Court Order: Must contain full name and date of birth (i.e. name change, adoption, marriage or civil union dissolution) Does not include abstract of criminal or civil conviction
- Marriage or Civil Union Certificate (certified copy issued by town/city)
- Pilot's license (issued by the US DOT Federal Aviation Administration)
- Certified school transcript (school photo ID not acceptable)
- Social Security Card (Not laminated or metal. 16 and older must sign)
- CT Department of Corrections certificate (CN101503)
- Baptismal certificate or similar document
- State or Federal Employee Identification with signature and photo and/or physical description with or without date of birth
- Employment Authorization card
- Veteran Health Identification Card (VHIC)
- Federally Recognized Tribal Member ID card
- DHS Trusted Traveler Cards (Global Entry, NEXUS, SENTRI, FAST)

2. SOCIAL SECURITY NUMBER:

By law, you must present one of the following to prove your Social Security number. The 1099 or W-2 must show your full Social Security number and is only for proof of Social Security number, not identity.

- Social Security card
- W-2 form (issued within 5 years)
- 1099 (issued within 5 years)

Non-U.S. Citizens not eligible for a Social Security number must present proof of ineligibility from the Social Security Administration.



3. CONNECTICUT RESIDENCY:

You must provide two (2) different pieces of mail from two (2) different sources to prove your home is located in Connecticut. The documents do not need to include a postmarked envelope and may have been sent to a P.O. Box or by email. Both documents must:

- Show your name and your Connecticut residence address
- Be dated within 90 days (unless stated otherwise below)
- Be computer generated (typed)

Examples of these documents are:

- Postmarked mail (address may be handwritten)
- Bill from a bank or mortgage company, utility company, credit card company, doctor or hospital
- Bank statement or bank transaction receipt showing the bank's name and mailing address
- Pre-printed pay stub showing your employer's name and address
- Property or excise tax bill, or Social Security Administration or other pension or retirement annual benefits summary statement and dated within the previous 12 months
- Medicaid or Medicare benefit statement
- Current valid homeowner's, renter's policy or motor vehicle insurance card or policy dated within the previous 12 months
- Current valid Connecticut motor vehicle registration
- Current motor vehicle loan statement for a motor vehicle registered in your name
- Residential mortgage or similar loan contract, lease or rental contract showing signatures from all parties needed to execute the agreement and dated within the previous 12 months
- Connecticut voter registration card
- Change-of-address confirmation from the United States Postal Service showing your prior and current address (Form CNL107)
- Survey of your Connecticut property issued by a licensed surveyor
- Official school records showing enrollment
- Parents or legal guardian of minor (under 18) may provide any two of the foregoing documents addressed to the parent residing at same address to prove minor residency, or use their own CT driver license or ID which shows the same address as one of the two required.

4. LEGAL PRESENCE IN THE UNITED STATES (Non-U.S. born):

Legal status will be verified using Systematic Alien Verification of Eligibility (SAVE) which may take 10 business days or more.

- U.S. Passport or Passport Card
- I-94
- I-551 Stamp in foreign passport
- Permanent Resident card or Resident Alien card
- Employment Authorization card
- Refugee Travel document
- B1/B2 requires Employment Authorization Card and verified Adjustment of Status Application

- F1 requires I-20 and I-94
- J1 requires DS2019 and I-94

• Non-U.S. Citizens not eligible for a Social Security number must present proof of ineligibility from the Social Security Administration and are not qualified for a verified driver license or ID card.

• Only U.S. Citizens and Permanent Residents are eligible for a **verified** driver license or ID card.

• B1/B2 visitor status is NOT eligible to obtain a CT credential.

5. NAME CHANGE DOCUMENTS (if applicable):

- Marriage or civil union certificate (certified copy issued by town/city)
- Marriage or civil union dissolution
- Probate court name change document
- DHS Petition for Name Change (USCIS Form N-662)

If there have been multiple name changes, you must provide documentation to prove the continuity of the names.

NOTE: Your new name must verify with Social Security Administration (SSA). Visit the SSA first to change your name. Allow at least 48 hours for SSA update.

If you have a question regarding acceptable documents, please phone the DMV Contact Center 860-263-5700.

Content Last Modified on 1/10/2019 3:09:37 PM

APPENDIX O

DMV Obtaining a Non-Driver Photo ID

Obtaining a Non-Driver Photo ID[150]

NEW PROCESS: You will not receive a permanent driver license or ID card while at a DMV office. It will arrive through the mail. You will keep your expiring license/ID and receive a temporary paper card. For more on this, please see Central Issuance.[151] After visiting an office, you can track the delivery of your new card.

The applicant must be a Connecticut resident. To obtain an ID card, qualified persons must apply at any DMV Hub Offices, as well as Enfield, New Britain, Norwich and Winsted.[152]

Please note the following:

- New-issue ID cards **will not be processed** at the Putnam Satellite office, DMV Photo License Centers, AAA offices, Milford and North Haven Nutmeg State Financial Credit Union, Stamford (The WorkPlace, Inc.) or West Haven City Hall.

When you arrive at the DMV your first stop will be at the information desk where you will be instructed to enter your information into the kiosk to start the ID card process. You will then be directed to the licensing/ID card issuance area with your kiosk receipt.

What to bring:

- If you have a Connecticut-issued driver's license or learner's permit, you have the option to exchange it without bringing all your identity documents to DMV. If you do not, please follow the instructions below.
- The required documents from this list of acceptable forms of identification. If you are not a citizen of the United States, you will be required to show proof of your legal status in this country. **Please note:** Puerto Rico-issued birth certificates dated before July 1, 2010, are not acceptable and need to be replaced.
- If you are a non-U.S. citizen, please see additional information.
- Completed identification application form (form B-230).
- Payment for fee of $22.50. Please see acceptable forms of payments.

The non-driver photo ID fee is waived for:

[150] The process for obtaining a Non-Driver ID can also be found at https://www.ct.gov/DMV/cwp/view.asp?q=490078.
[151] Central Issuance of Driver Licenses and ID Cards, CT. DMV, https://www.ct.gov/dmv/cwp/view.asp?a=805&q=590164.
[152] DMV Hub Offices, CT. DMV, https://www.ct.gov/dmv/cwp/view.asp?a=808&q=244586.

- Applicants living in a homeless shelter who provide proof of residency from an authorized shelter or transitional housing location in Connecticut. The identification card application (form B-230) must be signed by an official from the shelter or transitional housing location.
- Blind veterans who provide a Certificate of Blindness form from the Bureau of Education and Services for the Blind or a letter from a doctor/optometrist that they meet the definition of blind as defined in Connecticut General Statutes 1-1f(a) and provide a DD214 indicating they have been honorably discharged.

NOTE: If an applicant obtains a Connecticut Driver's License, the identification card **must** be surrendered when a driver's license is issued.

APPENDIX P

DMV Acceptable Forms of Payment

Acceptable Forms of Payment[153]

Many DMV transactions require a fee from the customer. Acceptable forms of payment vary by location and are as follows:

DMV Hub Offices and Limited Service Offices

- Acceptable forms of payment are: cash, money orders, personal checks, bank checks, Mastercard, Visa, Discover and most debit cards with Mastercard/Visa logo. Please make all checks payable to DMV**.**

DMV Photo License Centers

- Due to security reasons, cash is not accepted at the Photo License Centers. Acceptable forms of payment are: personal checks, bank checks, money orders and Master Card Visa, Discover and most debit cards with Mastercard/Visa logo.

AAA Locations (limited DMV services)

- Acceptable forms of payment are: cash, money orders, personal checks and bank checks. Mastercard, Visa, Discover and most debit cards with Mastercard/Visa logo. Please make all checks payable to DMV. AAA locations may charge a convenience fee up to $8.00 per DMV transaction.

Milford Nutmeg State Financial Credit Union (limited DMV services)

- Acceptable forms of payment are: cash, money orders, personal checks and bank checks. Mastercard, Visa, Discover and most debit cards with Mastercard/Visa logo. Please make all checks payable to DMV. This location may charge a convenience fee up to $8.00 per DMV transaction.

Stamford - The WorkPlace, Inc. (limited DMV services)

- Acceptable forms of payment are: personal checks, bank checks, money orders and Master Card/Visa. Cash is not accepted. The WorkPlace Inc. will charge a convenience fee of $8 per DMV transaction and payment must be made separately to "The WorkPlace Inc."

West Haven City Hall (limited DMV services)

- Acceptable forms of payment are: cash, money orders, personal checks and bank checks. Mastercard, Visa, Discover and most debit cards with Mastercard/Visa logo. Please make all checks payable to DMV. This location charges a convenience fee of $8.00 per DMV transaction. If paying by check, the fee is payable to "West Haven Chamber of Commerce."

[153] Acceptable forms of payment can also be found at https://www.ct.gov/dmv/cwp/view.asp?a=805&q=285308.



- **Note: Checks drawn on foreign banks and third party checks are not accepted at any location.** Please also see Fees for Returned Checks or Rejected/Dishonored Credit and Debit Cards.

APPENDIX Q

DMV Drive-Only License Licensing Process

Drive Only License Licensing Process[154]

NEW PROCESS: You will not receive a permanent driver's license or ID card while at DMV. It will arrive through the mail. You will keep your expiring license/ID and receive a temporary paper card. For more on this, please see Central Issuance. After visiting an office, you can track the delivery of your new card.

Study driver's manual and then make appointment for the test

See frequently asked questions

Avoid unnecessary fees and save time by following these steps:

1. Collect your documents. Use the Drive Only License Document Checklist - English version | Spanish version -- If your documents are in a language other than English, they must be translated by a DMV-approved translator.
2. Study for the learner's permit knowledge test.
   - DOWNLOAD iPHONE, iPAD, ANDROID APP WITH PRACTICE TEST QUESTIONS. THESE WILL HELP YOU WITH THE LEARNER'S PERMIT TEST.
   - Download the State of Connecticut Driver's Manual
3. Make your appointment online for vision and knowledge tests. Fees will be collected when making an appointment. **There is no walk-in testing without a scheduled appointment.** NOTE: See refund policy.
4. When you make your appointment, you will be required to sign an affidavit stating that you have filed or will file, as soon as you are eligible, an application to legalize your immigration status.
5. Bring required documents to your test appointment.
6. You are not eligible if you have a felony in Connecticut or if you committed identity fraud at the CT DMV.
7. Once you pass your tests and are otherwise eligible (see item 6), DMV will mail you a learner's permit to practice driving.
8. Meet driver training requirements with learner's permit. The requirements vary depending on your age:

- Ages 16 and 17
- Ages 18 and older

9. Schedule your road test using DMV's new online appointment system. Learn more about the road test.
10. Pass your road test and DMV will mail you your Drive Only license.

[154] The Drive Only License Process can also be found at https://www.ct.gov/dmv/cwp/view.asp?a=805&q=547212.



11. Once you receive your Drive Only license you may apply for a Motorcycle Permit at the DMV office.

What it will cost:

- Testing fee: $40 (paid online when making appointment).
- Learner's permit fee: $19 (paid online when making appointment).
- Drive Only license fee: $72.
- Driving school fees. (Vary depending on school and training needed.)

APPENDIX R

DMV Application For A Non-Commercial Learner Permit and/or Driver License, Form R-229 REV.7-2013[155]

See next page.

[155] The Application for a Non-Commercial Learner Permit and/or Driver License (Form R-229) can also be found at https://www.ct.gov/dmv/lib/dmv/r-229.pdf.



DMV USE ONLY ☐ NEW ☐ OUT OF STATE TRANSFER ☐ RETEST ☐ CHANGE ENDORSEMENT/ RESTRICTION ☐ EXCHANGE

APPLICATION FOR A NON-COMMERCIAL LEARNER PERMIT AND/OR DRIVER LICENSE
R-229 REV. 7-2013

STATE OF CONNECTICUT
DEPARTMENT OF MOTOR VEHICLES
On The Web At ct.gov/dmv

INSTRUCTIONS: Complete 1-16, then present

1. Required Identification Documents & Proof of Connecticut Residency: see "Acceptable Forms of ID" at ct.gov/dmv
2. 16 and 17 year olds: Certificate of Parental Consent Form 2D (if not accompanied by authorized individual)
3. Applicable Fees

LEARNER PERMIT NUMBER	DATE OF ISSUE

1. APPLICANT'S NAME (Last, First, Middle, Suffix)	2. SEX ☐M ☐F	3. DATE OF BIRTH	4. HEIGHT ft. in.	5. COLOR OF EYES

6. MAILING ADDRESS (No., Street, City or Town, State, Zip Code)	7. RESIDENCE ADDRESS (If different)

8. US CITIZEN? ☐ Yes ☐ No	If "NO", list ALIEN REGISTRATION NO.	9. CONNECTICUT RESIDENT? ☐ Yes ☐ No	10. DO YOU WANT TO BE IN THE ORGAN/TISSUE DONOR REGISTRY? ☐ Yes ☐ No If yes, you are agreeing to be a donor and the designation will be on your license.	DAYTIME PHONE NO. ( )

11. SOCIAL SECURITY NUMBER	12. LIST ANY OTHER NAMES EVER USED (Alias, Maiden, etc)

QUESTIONS	YES (✓)	NO (✓)		
13. Have you previously failed a driver's license examination in Connecticut?			FAILED ☐ KNOWLEDGE ☐ VISION ☐ ROAD SKILLS	LOCATION/DATE
14. Do you now, or have you ever held a Connecticut Learner Permit, License or Non-Driver Identification card?			IF YES, IN WHAT YEAR(S)?	CONNECTICUT PERMIT, LICENSE OR ID NO. (9 digits)
15. Do you now hold or have you ever held an operator's license or identification card from another state?			STATE, DRIVER LICENSE OR ID. NO.	NO. OF YEARS
16. Is your privilege to operate a motor vehicle suspended or subject to suspension in Connecticut or in any other state?			IN WHAT STATE(S)?	

SELECTIVE SERVICE CONSENT
Section 14-36l of the Connecticut General Statutes requires the Commissioner to transmit my information to the Selective Service System. By signing and submitting this application, I consent to be registered with the Selective Service System, provided I am at least age 16 but under age 26 and meet the criteria for registration in accordance with the Military Selective Service Act. If I am under age 18, I understand that my information will be transmitted to Selective Service but I will not be registered until I reach age 18.

MEDICAL CERTIFICATION ☐ I hereby certify that I do not have any health or vision problems or conditions that prevent me from driving safely.

CERTIFICATION BY APPLICANT
The information provided to the Commissioner of Motor Vehicles herein is subscribed by me, under penalty of false statement, in accordance with the provisions of Section 14-110 and 53a-157b of the Connecticut General Statutes. I understand that if I make a statement which I do not believe to be true, with the intent to mislead the Commissioner, I will be subject to prosecution under the above-cited laws.

SIGNATURE OF APPLICANT: X

DATE SIGNED:

DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY

PROOF OF IDENTIFICATION	TYPE OF ACCEPTABLE I.D. SHOWN	☐ I.D. SCANNED FIRST VISIT	EXAMINER INITIAL	STAMP NO.

FULL LEGAL NAME — If different than entered in name section above (# 1)

PARENTAL CONSENT AGE 16 OR 17 ONLY	I hereby request that a learner's permit and/or license be issued to the minor filing this application.	RELATIONSHIP TO MINOR	SIGNED (Authorized Consenter) X	CONSENTER'S LIC. NO. OR OTHER I.D.

VISION SCREENING RESULTS	VISUAL AID USED ☐ NONE ☐ GLASSES/CONTACTS	RESULTS ☐ PASSED ☐ FAILED	AGENTS INITIALS	PUNCH NO. AND PUNCH

KNOWLEDGE TEST	☐ COMPUTER ☐ WRITTEN ☐ ORAL	TEST RESULTS ☐ WAIVED ☐ PASSED ☐ FAILED	IDENTIFICATION DOCUMENTS RETURNED	APPLICANT INITIALS

PERMIT ☐ ISSUE LEARNER PERMIT ☐ ISSUE MOTORCYCLE PERMIT ☐ ISSUE PERMIT WITH CORRECTIVE LENSES (B-RESTRICTION)

AGENT CERTIFICATION	I hereby certify that I have examined the applicant's identity documents and the test results stated herein are true and correct.	SIGNED (Agent) X	PUNCH NO. AND PUNCH	DATE SIGNED

DRIVER TRAINING		SCHOOL NAME	COMMERCIAL SCHOOL LICENSE NO.	DRIVER EDUCATION CERTIFICATE NO.
	CLASSROOM INSTRUCTION			
	PRACTICE DRIVING	SCHOOL NAME (If same as above print "same")	COMMERCIAL SCHOOL LICENSE NO.	DRIVER EDUCATION CERTIFICATE NO.

HOME TRAINING/ COMMERCIAL TRAINING CERTIFICATION

I hereby subscribe and certify under penalty of false statement, in accordance with the provisions of Section 14-110 and 53a-157b of the Connecticut General Statutes that I understand that if I make a statement, which I do not believe to be true, with the intent to mislead the Commissioner I will be subject to prosecution under the above-cited laws, that, I am qualified under Section 14-36, of the Connecticut General Statutes, over 20 years of age, have no suspensions within the previous 4 years and the Applicant has received the required training, including the equivalent of 22 hours classroom training; 40 hours on-the-road instruction; the 8 hours Safe Driver course, including a 2 hour Parent Training, as supported by a parent log and/or driving school certificate.

1 Home Training	2 Comm/Sec and Home	3 Comm/Sec Only	SIGNATURE OF INSTRUCTOR (Home Training/Commercial)	OPERATOR LICENSE NUMBER OR SCHOOL LICENSE NUMBER
22 hr class equiv 40 hr on-the-road 8 hr safe driving	30 hrs class/minimum 8 hr safe driving plus home training 40 hrs on-the-road	30 hrs class 40 hrs on-the-road	X	

ROAD TEST AND LICENSE INFORMATION	☐ WAIVED ☐ PASSED ☐ FAILED	NO FEE ☐ U.S. SERVICE	SPECIAL EQUIPMENT

NON-COMMERCIAL CLASS	ENDORSEMENT	RESTRICTIONS (Circle All Applicable)
D	M Q	B C D E F G R U

AGENT CERTIFICATION	I hereby certify that I have verified the applicant's identity and the test results stated herein are true and correct.	SIGNED (Agent)	PUNCH NO. AND PUNCH	DATE SIGNED

DISTRIBUTION: White - Branch Office Canary - Agent Pink - Examiner

DMV USE ONLY	☐ NEW	☐ OUT OF STATE TRANSFER	☐ RETEST	☐ CHANGE ENDORSEMENT/ RESTRICTION	☐ EXCHANGE

APPLICATION FOR A NON-COMMERCIAL LEARNER PERMIT AND/OR DRIVER LICENSE
R-229 REV. 7-2013

STATE OF CONNECTICUT
DEPARTMENT OF MOTOR VEHICLES
On The Web At ct.gov/dmv

INSTRUCTIONS: Complete 1-16, then present

1. Required Identification Documents & Proof of Connecticut Residency: see "Acceptable Forms of ID" at ct.gov/dmv
2. 16 and 17 year olds: Certificate of Parental Consent Form 2D (if not accompanied by authorized individual)
3. Applicable Fees

LEARNER PERMIT NUMBER	DATE OF ISSUE

1. APPLICANT'S NAME (*Last, First, Middle, Suffix*)	2. SEX ☐ M ☐ F	3. DATE OF BIRTH	4. HEIGHT ft. in.	5. COLOR OF EYES

6. MAILING ADDRESS (*No., Street, City or Town, State, Zip Code*)	7. RESIDENCE ADDRESS (*If different*)

8. US CITIZEN? ☐ Yes ☐ No	If "NO", list ALIEN REGISTRATION NO.	9. CONNECTICUT RESIDENT? ☐ Yes ☐ No	10. DO YOU WANT TO BE IN THE ORGAN/TISSUE DONOR REGISTRY? ☐ Yes ☐ No If yes, you are agreeing to be a donor and the designation will be on your license	DAYTIME PHONE NO. ( )

[redacted] 12. LIST ANY OTHER NAMES EVER USED (*Alias, Maiden, etc*)

QUESTIONS	YES (✓)	NO (✓)		
13. Have you previously failed a driver's license examination in Connecticut?			FAILED ☐ KNOWLEDGE ☐ VISION ☐ ROAD SKILLS	LOCATION/DATE
14. Do you now, or have you ever held a Connecticut Learner Permit, License or Non-Driver identification card?			IF YES, IN WHAT YEAR(S)?	CONNECTICUT PERMIT, LICENSE OR ID NO. (9 digits)
15. Do you now hold or have you ever held an operator's license or identification card from another state?			STATE, DRIVER LICENSE OR ID. NO.	NO. OF YEARS
16. Is your privilege to operate a motor vehicle suspended or subject to suspension in Connecticut or in any other state?			IN WHAT STATE(S)?	

SELECTIVE SERVICE CONSENT
Section 14-36l of the Connecticut General Statutes requires the Commissioner to transmit my information to the Selective Service System. By signing and submitting this application, I consent to be registered with the Selective Service System, provided I am at least age 16 but under age 26 and meet the criteria for registration in accordance with the Military Selective Service Act. If I am under age 18, I understand that my information will be transmitted to Selective Service but I will not be registered until I reach age 18.

MEDICAL CERTIFICATION ☐ I hereby certify that I do not have any health or vision problems or conditions that prevent me from driving safely.

CERTIFICATION BY APPLICANT
The information provided to the Commissioner of Motor Vehicles herein is subscribed by me, under penalty of false statement, in accordance with the provisions of Section 14-110 and 53a-157b of the Connecticut General Statutes. I understand that if I make a statement which I do not believe to be true, with the intent to mislead the Commissioner, I will be subject to prosecution under the above-cited laws.

SIGNATURE OF APPLICANT: X

DATE SIGNED:

DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY

PROOF OF IDENTIFICATION	TYPE OF ACCEPTABLE I.D. SHOWN	☐ I.D. SCANNED FIRST VISIT	EXAMINER INITIAL	STAMP NO.
FULL LEGAL NAME	If different than entered in name section above (# 1)			
PARENTAL CONSENT AGE 16 OR 17 ONLY	I hereby request that a learner's permit and/or license be issued to the minor filing this application.	RELATIONSHIP TO MINOR	SIGNED (*Authorized Consenter*) X	CONSENTER'S LIC. NO. OR OTHER I.D.
VISION SCREENING RESULTS	VISUAL AID USED ☐ NONE ☐ GLASSES/CONTACTS	RESULTS ☐ PASSED ☐ FAILED	AGENTS INITIALS	PUNCH NO. AND PUNCH
KNOWLEDGE TEST	☐ COMPUTER ☐ WRITTEN ☐ ORAL	TEST RESULTS ☐ WAIVED ☐ PASSED ☐ FAILED	IDENTIFICATION DOCUMENTS RETURNED	APPLICANT INITIALS
PERMIT	☐ ISSUE LEARNER PERMIT ☐ ISSUE MOTORCYCLE PERMIT	☐ ISSUE PERMIT WITH CORRECTIVE LENSES (B-RESTRICTION)		
AGENT CERTIFICATION	I hereby certify that I have examined the applicant's identity documents and the test results stated herein are true and correct.	SIGNED (*Agent*) X	PUNCH NO. AND PUNCH	DATE SIGNED
DRIVER TRAINING	*CLASSROOM INSTRUCTION*	SCHOOL NAME	COMMERCIAL SCHOOL LICENSE NO.	DRIVER EDUCATION CERTIFICATE NO.
	PRACTICE DRIVING	SCHOOL NAME (If same as above print "same")	COMMERCIAL SCHOOL LICENSE NO.	DRIVER EDUCATION CERTIFICATE NO.

HOME TRAINING/ COMMERCIAL TRAINING CERTIFICATION

I hereby subscribe and certify under penalty of false statement, in accordance with the provisions of Section 14-110 and 53a-157b of the Connecticut General Statutes that I understand that if I make a statement, which I do not believe to be true, with the intent to mislead the Commissioner I will be subject to prosecution under the above-cited laws, that, I am qualified under Section 14-36, of the Connecticut General Statutes, over 20 years of age, have no suspensions within the previous 4 years and the Applicant has received the required training, including the equivalent of 22 hours classroom training; 40 hours on-the-road instruction; the 8 hours Safe Driver course, including a 2 hour Parent Training, as supported by a parent log and/or driving school certificate.

1	2	3	SIGNATURE OF INSTRUCTOR (*Home Training/Commercial*)	OPERATOR LICENSE NUMBER OR SCHOOL LICENSE NUMBER
Home Training: 22 hr class equiv, 40 hr on-the-road, 8 hr safe driving	Comm/Sec and Home: 30 hrs class/minimum, 8 hr safe driving plus home training 40 hrs on-the-road	Comm/Sec Only: 30 hrs class, 40 hrs on-the-road	X	

ROAD TEST AND LICENSE INFORMATION	☐ WAIVED ☐ PASSED ☐ FAILED	NO FEE ☐ U.S. SERVICE	SPECIAL EQUIPMENT

NON-COMMERCIAL CLASS	ENDORSEMENT	RESTRICTIONS (*Circle All Applicable*)
D	M Q	B C D E F G R U

AGENT CERTIFICATION	I hereby certify that I have verified the applicant's identity and the test results stated herein are true and correct.	SIGNED (*Agent*)	PUNCH NO. AND PUNCH	DATE SIGNED

DISTRIBUTION: White - Branch Office Canary - Agent Pink - Examiner

APPENDIX S

DMV Requirements for Naturalized and Non-U.S. Citizens [156]

NEW PROCESS: You will not receive a permanent driver license or ID card while at a DMV office, AAA locations, Milford and North Haven Nutmeg State Financial Credit Union, Stamford (The WorkPlace, Inc.) or West Haven City Hall. It will arrive through the mail. You will keep your expiring license/ID and receive a temporary paper card. For more on this, please see Central Issuance.

Non-U.S. Citizens seeking a first-time Connecticut Learner's Permit or Driver's License must go to a DMV Hub Office.

1. **Commercial Driver License (CDL) and Commercial Learner Permit (CLP) applicants:** Additional identity requirements. Find more information here.
2. **Drive Only Applicants:** If you would like to apply for a Drive Only License (for undocumented individuals), please follow these instructions.
3. **IMPORTANT**: Documented individuals arriving in the U.S. with an I-94 stamp in your passport must visit the U.S. Customs and Border Protection website (www.cbp.gov/I94) to obtain a hard copy of your I-94 document. This document must be presented to the DMV along with all other required documents. See Acceptable Forms of Identification.

To be eligible, you are required to prove:

4. **Identity:** Please refer to The Document Checklist for Identity Verification for acceptable forms of identification;
5. **Legal presence** in the United States. If you were not born in The United States, and you do not provide the DMV with a valid U.S. Passport, then your immigration status will be verified through the Systematic Alien Verification for Entitlement Program (SAVE). This includes applicants with Certificates of Citizenship and Naturalization. Verification of legal status with USCIS may take ten days or more and applicants may be asked to return to the same DMV office when the immigration results have been approved; **and**
6. **Connecticut Residence:** Please refer to The Document Checklist for Identity Verification for required forms of proof of Connecticut residency.
7. Please see additional information for these specific circumstances:

- Federal Deferred Action for Childhood Arrivals (DACA or DREAM ACT)
- International Driver Permit holders
- Diplomats
- License Holders from U.S. Territories, Canada, Germany, France, or Puerto Rico

Federal Deferred Action for Childhood Arrivals (DACA or DREAM ACT):

Please review federal eligibility for this program. Applicants who present an I-94 or a valid Employee Authorization Card (EAC) with the category of C-33, but do not have

[156] DMV requirements for naturalized and non-U.S. citizens can also be found at https://www.ct.gov/dmv/cwp/view.asp?a=805&q=244774.

a valid passport or other "primary" document from The Document Checklist for Identity Verification, may be eligible to receive a regular (non-verified) driver's license or non-driver ID card. The I-94 or the EAC will serve as a "primary" form of identification. Applicants must provide a valid, signed Social Security card along with two different pieces of address verification dated within 90 days. Issuance is contingent on valid SAVE results.

Diplomats:

Diplomats must obtain a license from the U.S. Department of State, Office of Foreign Affairs, 866 United Nations Plaza, Suite 265, New York, N.Y. 10017. For more information, please call the Office of Foreign Affairs at 212-826-4500

Applicants with an A1, A2, G1 or G4 immigration classification must provide a letter from the Department of State indicating that he or she is not eligible to participate in the U.S. Department of State's driver licensing program.

License Holders from U.S. Territories, Canada, Germany, France or Puerto Rico:

A license from American Samoa, Guam or U.S. Virgin Islands is the same as an out-of-state license. However, you must obtain an abstract of your driver record from your home territory prior to transferring your license to Connecticut.

A valid license from Canada, Germany or France can also be transferred to Connecticut using the same procedures for an out-of-state license.

The Marshall Islands are no longer a territory of the U.S. Residents of the Marshall Islands must provide proper immigration documents to be eligible for a Connecticut DMV-issued credential.

The DMV will waive the requirement for an applicant to present an abstract when transferring a non CDL license from Guam for active duty military personnel and their family members. The applicant's military identification or the family member's dependent identification must be shown.

8. **Note:** A license from Puerto Rico is the same as an out-of-state license (same requirements as above), however the DMV office you visit will verify your Puerto Rico license with your home territory prior to transferring your Puerto Rico license to Connecticut. The DMV will notify you via mail of your Puerto Rico license status. The letter that you receive from the DMV will provide you with information on how to proceed with the licensing transaction.

APPENDIX T

U.S. Passport Renewal Application, Form DS-82-01-2017[157]

See next page.

[157] Information regarding renewing your U.S. passport can be found at https://www.usa.gov/passport#item-34907 and U.S. Passport Renewal Application Form DS-82 can be found at https://eforms.state.gov/Forms/ds82.pdf.

U.S. PASSPORT RENEWAL APPLICATION FOR ELIGIBLE INDIVIDUALS
PLEASE DETACH AND RETAIN THIS INSTRUCTION SHEET FOR YOUR RECORDS

Mailing Date of Application:_____

CAN I USE THIS FORM?

Complete the checklist to determine your eligibility to use this form

I can submit my most recent U.S. passport book and/or U.S. passport card with this application.	☐ Yes	☐ No
I was at least 16 years old when my most recent U.S. passport book and/or passport card was issued.	☐ Yes	☐ No
I was issued my most recent U.S. passport book and/or passport card less than 15 years ago.	☐ Yes	☐ No
The U.S. passport book and/or U.S. passport card that I am renewing has not been mutilated, damaged, lost, stolen or subsequently found.	☐ Yes	☐ No
My U.S. passport has not been limited from the normal ten year validity period due to passport damage/mutilation, multiple passport thefts/losses, or non-compliance with 22 C.F.R. 51.41. (Please refer to the back pages of your U.S. passport book for endorsement information).	☐ Yes	☐ No
I use the same name as on my most recent U.S. passport book and/or U.S. passport card. –OR– I have had my name changed by marriage or court order and can submit proper certified documentation to reflect my name change.	☐ Yes	☐ No

If you answered NO to any of the statements above,
STOP - You cannot use this form!

You must apply on application form DS-11 by making a personal appearance before an acceptance agent authorized to accept passport applications. Visit travel.state.gov to find your nearest acceptance facility.

U.S. passports, either in book or card format, are only issued to U.S. Citizens or non-citizen U.S. nationals. Each person must obtain his or her own U.S. passport book or passport card. The passport card is a U.S. passport issued in card format. Like the traditional U.S. passport book, it reflects the bearer's origin, identity, and nationality, and is subject to existing passport laws and regulations. Unlike the U.S. passport book, the U.S. passport card is valid only for entry at land border crossings and sea ports of entry when traveling from Canada, Mexico, the Caribbean, and Bermuda. The U.S. passport card is not valid for international air travel.

PLEASE NOTE: Your new passport will have a different passport number than your previous passport.

FOR INFORMATION AND QUESTIONS

Visit the Department of State website at travel.state.gov or contact the National Passport Information Center (NPIC) toll-free at 1-877-487-2778 (TDD: 1-888-874-7793) or by email at NPIC@state.gov. Customer Service Representatives are available Monday-Friday 8:00a.m.-10:00p.m. and Saturday 10:00a.m.-3:00p.m. Eastern Time (excluding federal holidays). Automated information is available 24 hours a day, 7 days a week.

FAILURE TO PROVIDE INFORMATION REQUESTED ON THIS FORM, INCLUDING YOUR SOCIAL SECURITY NUMBER, MAY RESULT IN SIGNIFICANT PROCESSING DELAYS AND/OR THE DENIAL OF YOUR APPLICATION

NOTICE TO APPLICANTS RESIDING ABROAD

United States citizens residing outside the U.S. or Canada **CANNOT** submit this form to domestic addresses listed on the Instruction Page 2. Such applicants should visit www.usembassy.gov to find the nearest U.S. Embassy or Consulate for procedures for applying outside the United States.

WARNING: False statements made knowingly and willfully in passport applications, including affidavits or other documents submitted to support this application, are punishable by fine and/or imprisonment under U.S. law, including the provisions of 18 U.S.C. 1001, 18 U.S.C. 1542, and/or 18 U.S.C. 1621. Alteration or mutilation of a passport issued pursuant to this application is punishable by fine and/or imprisonment under the provisions of 18 U.S.C. 1543. The use of a passport in violation of the restrictions contained therein or of the passport regulations is punishable by fine and/or imprisonment under 18 U.S.C. 1544. All statements and documents are subject to verification.

See page 2 of the instructions for detailed information on the completion and submission of this form.

WHAT DO I SEND WITH THIS APPLICATION FORM?

- Your most recent U.S. passport book and/or card;
- A certified copy of your marriage certificate or court order if your name has changed;
- Fees; and
- A recent, color photograph.

See below for more detailed information

1. YOUR MOST RECENTLY ISSUED U.S. PASSPORT (BOOK AND/OR CARD FORMAT).

- Submit your **most recently issued** U.S. passport book and/or card. When submitting a U.S. passport book and/or card with this form, please verify that the document was issued at age 16 or older in your current name (or see item #2 below) and issued within the past 15 years. You are also eligible to use this form if you currently have a U.S. passport book and/or card that complies with the previously listed criteria, and would like to obtain a alternative product (U.S. passport book and/or card) for the first time. However, you must submit the product you currently have (U.S. passport book and/or card) with this application. If your U.S. passport book and/or card has been lost, stolen, damaged, or mutilated, you must apply on the DS-11 application form as specified below.

2. A CERTIFIED MARRIAGE CERTIFICATE OR COURT ORDER (PHOTOCOPIES ARE NOT ACCEPTED).

- If the name you are currently using differs from the name on your most recent U.S. passport, you must submit a certified copy of your marriage certificate or court order showing the change of name. All documents will be returned to you by mail. If you are unable to document your name change in this manner, you must apply on the DS-11 application form by making a personal appearance at (1) a passport agency; (2) U.S. embassy or consulate, if abroad; (3) any federal or state court of record or any probate court accepting passport applications; (4) a designated municipal or county official; or (5) a post office, which has been selected to accept passport applications.

3. THE CURRENT PASSPORT FEE (DO NOT SEND ACCEPTANCE AGENT FEE WITH THIS FORM).

- Enclose the fee in the form of a personal check or money order. **MAKE CHECKS PAYABLE TO "U.S. DEPARTMENT OF STATE." THE FULL NAME AND DATE OF BIRTH OF THE APPLICANT MUST BE TYPED OR PRINTED ON THE FRONT OF THE CHECK. DO NOT SEND CASH** Passport Services cannot be responsible for cash sent through the mail. By law, the fees are non-refundable. Please visit our website at travel.state.gov for detailed information regarding current fees. Newly issued passport cards are delivered via first class mail only.

OVERNIGHT DELIVERY SERVICE is only available for passport book (and not passport card) mailings in the United States. Please include the appropriate fee with your application.

FOR FASTER PROCESSING, you may request expedited service. Please include the expedited fee with your application. **Please write "Expedite" on the outer envelope when mailing. Also, TO ENSURE MINIMAL PROCESSING TIME for expedited applications, Passport Services recommends using overnight delivery when submitting the application AND including the appropriate postage fee for return overnight delivery for the newly issued passport book.** Expedited service is only available for passports mailed in the United States and Canada. Please visit travel.state.gov for updated information regarding fees, processing times, or to check the status of your passport application online.

4. A RECENT, COLOR PHOTOGRAPH.

- Submit a color photograph of you alone, sufficiently recent to be a good likeness of you **(taken within the last six months)**, and 2x2 inches in size. The image size measured from the bottom of your chin to the top of your head (including hair) should not be less than 1 inch, and not more than 1 3/8 inches. The photograph must be in color, clear, with a full front view of your face. The photograph must be taken with a neutral facial expression (preferred) or a natural smile, and with both eyes open and be printed on photo quality paper with a plain light (white or off-white) background. The photograph must be taken in normal street attire, without a hat, or head covering unless a signed statement is submitted by the applicant verifying that the hat or head covering is part of recognized, traditional religious attire that is customarily or required to be worn continuously when in public or a signed doctor's statement is submitted verifying the item is used daily for medical purposes. Headphones, "bluetooth", or similar devices must not be worn in the passport photograph. Glasses or other eyewear are not acceptable unless you provide a signed statement from a doctor explaining why you cannot remove them due to medical reasons (e.g., during the recovery period from eye surgery). Any photograph retouched so that your appearance is changed is unacceptable. A snapshot, most vending machine prints, hand-held self portraits, and magazine or full-length photographs are unacceptable. A digital photo must meet the previously stated qualifications, and will be accepted for use at the discretion of Passport Services. Visit our website at travel.state.gov for details and information.

USE CAUTION WHEN STAPLING YOUR PHOTO: Use 4 staples vertically in the corners as close to the outer edge as possible. Do not bend photo.

WHERE DO I MAIL THIS APPLICATION?

FOR ROUTINE SERVICE (If you live in CA, FL, IL, MN, NY, or TX):
National Passport Processing Center
P.O. Box 640155
Irving, TX 75064-0155

FOR ROUTINE SERVICE (If you live in any other state or Canada):
National Passport Processing Center
P.O. Box 90155
Philadelphia, PA 19190-0155

FOR EXPEDITED SERVICE (Additional Fee, any state or Canada):
National Passport Processing Center
P.O. Box 90955
Philadelphia, PA 19190-0955

Because of the sensitivity of the enclosed documents, Passport Services recommends using trackable mailing service when submitting your application.

NOTE REGARDING MAILING ADDRESSES: Passport Services does not send mail to a private address outside the United States or Canada. If you do not live at the address listed in the "Mailing Address", then you must put the name of the person and mark it as "In Care Of." If your mailing address changes prior to receipt of your new passport, please contact the National Passport Information Center (NPIC) at 1-877-487-2778 or visit travel.state.gov.

You may receive your newly issued document and your returned citizenship evidence in separate mailings. If you are applying for both a passport book and/or card, you may receive **three** separate mailings: one with your returned citizenship evidence; one with your newly issued passport book, and one with your newly printed passport card.

If you choose to provide your email address in item #8 on this application, Passport Services may use that address to contact you in the event there is a problem with your application or if you need to provide additional information to us.

FEDERAL TAX LAW

Section 6039E of the Internal Revenue Code (26 USC 6039E) and 22 U.S.C. 2714a(f) require you to provide your Social Security number (SSN), if you have one, when you apply for or renew a U.S. passport. If you have never been issued a SSN, enter zeros in box #5 of this form. If you are residing abroad, you must also provide the name of the foreign country in which you are residing. The U.S. Department of State must provide your SSN and foreign residence information to the U.S. Department of Treasury. If you fail to provide the information, you are subject to a $500 penalty enforced by the IRS. All questions on this matter should be directed to the nearest IRS office.

NOTICE TO CUSTOMERS APPLYING OUTSIDE A DEPARTMENT OF STATE FACILITY

If you send us a check, it will be converted into an electronic funds transfer (EFT). This means we will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will usually occur within 24 hours and will be shown on your regular account statement.

You will not receive your original check back. We will destroy your original check, but we will keep the copy of it. If the EFT cannot be processed for technical reasons, you authorize us to process the copy in place of your original check. If the EFT cannot be completed because of insufficient funds, we may try to make the transfer up to two times, and we will charge you a one-time fee of $25, which we will also collect by EFT.

FEE REMITTANCE

Passport service fees are established by law and regulation (see 22 U.S.C. 214, 22 C.F.R. 22.1, and 22 C.F.R. 51.50-56), and are collected at the time you apply for the passport service. If the Department fails to receive full payment of the applicable fees because, for example, your check is returned for any reason or you dispute a passport fee charge to your credit card, the U.S. Department of State will take action to collect the delinquent fees from you under 22 C.F.R. Part 34, and the Federal Claims Collection Standards (see 31 C.F.R. Parts 900-904). In accordance with the Debt Collection Improvement Act (Pub.L. 104-134), if the fees remain unpaid after 180 days and no repayment arrangements have been made, the Department will refer the debt to the U.S. Department of Treasury for collection. Debt collection procedures used by the U.S. Department of Treasury may include referral of the debt to private collection agencies, reporting of the debt to credit bureaus, garnishment of private wages and administrative offset of the debt by reducing, or withholding eligible federal payments (e.g., tax refunds, social security payments, federal retirement, etc.) by the amount of your debt, including any interest penalties or other costs incurred. In addition, non-payment of passport fees may result in the invalidation of your U.S. passport book and/or card. An invalidated passport book or card cannot be used for travel.

USE OF SOCIAL SECURITY NUMBER

Your Social Security number will be provided to the U.S. Department of Treasury, used in connection with debt collection and checked against lists of persons ineligible or potentially ineligible to receive a U.S. passport book and/or card, among other authorized uses.

NOTICE TO APPLICANTS FOR OFFICIAL, DIPLOMATIC, OR NO-FEE PASSPORTS

You may use this application if you meet all of the provisions listed on Instruction Page 2; however, you must CONSULT YOUR SPONSORING AGENCY FOR INSTRUCTIONS ON PROPER ROUTING PROCEDURES BEFORE FORWARDING THIS APPLICATION. Your completed passport will be released to your sponsoring agency for forwarding to you.

IMPORTANT NOTICE TO APPLICANTS WHO HAVE LOST OR HAD A PREVIOUS U.S. PASSPORT BOOK AND/OR PASSPORT CARD STOLEN

A United States citizen may not normally bear more than one valid or potentially valid U.S. passport book or more than one valid or potentially valid U.S. passport card at a time. Therefore, when a valid or potentially valid U.S. passport book or U.S passport card cannot be presented with a new application, it is necessary to submit a Form DS-64, Statement Regarding a Lost or Stolen U.S. Passport. Your statement must detail why the previous U.S. passport book or U.S. passport card cannot be presented.

The information you provide regarding your lost or stolen U.S. passport book or passport card will be placed into our Consular Lost or Stolen Passport System. This system is designed to prevent the misuse of your lost or stolen U.S. passport book or passport card. Anyone using the passport book or passport card reported as lost or stolen may be detained upon entry into the United States. Should you locate the U.S. passport book or passport card reported lost or stolen at a later time, report it as found, and submit it for cancellation. It has been invalidated You may not use that passport book or passport card for travel.

PROTECT YOURSELF AGAINST IDENTITY THEFT!
REPORT YOUR LOST OR STOLEN U.S. PASSPORT BOOK OR PASSPORT CARD!

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1-877-487-2778 or visit our website at travel.state.gov

NOTICE TO U.S. PASSPORT CARD APPLICANTS ONLY

The maximum number of letters provided for your given name (first and middle) on the U.S. passport card is 24 characters. The 24 characters may be shortened due to printing restrictions. If both your given names are more than 24 characters, you must shorten one of your given names on item 1 of this form.

ACTS OR CONDITIONS

(If any of the below-mentioned acts or conditions have been performed by or apply to the applicant, the portion which applies should be lined out, and a supplementary explanatory statement under oath (or affirmation) by the applicant should be attached and made a part of this application.)

I have not, since acquiring United States citizenship/nationality, been naturalized as a citizen of a foreign state; taken an oath or made an affirmation or other formal declaration of allegiance to a foreign state; entered or served in the armed forces of a foreign state; accepted or performed the duties of any office, post, or employment under the government of a foreign state or political subdivision thereof; made a formal renunciation of nationality either in the United States, or before a diplomatic or consular officer of the United States in a foreign state; or been convicted by a court or court martial of competent jurisdiction of committing any act of treason against, or attempting by force to overthrow, or bearing arms against the United States, or conspiring to overthrow, put down, or to destroy by force, the government of the United States.

Furthermore, I have not been convicted of a federal or state drug offense or convicted of a "sex tourism" crime, and I am not the subject of an outstanding federal, state, or local warrant of arrest for a felony; a criminal court order forbidding my departure from the United States; or a subpoena received from the United States in a matter involving federal prosecution for, or grand jury investigation of, a felony.

PRIVACY ACT STATEMENT

AUTHORITIES: Collection of this information is authorized by 22 U.S.C. 211a et seq.; 8 U.S.C. 1104; 26 U.S.C. 6039E, 22 U.S.C. 2714a(f), Section 236 of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001; Executive Order 11295 (August 5, 1966); and 22 C.F.R. parts 50 and 51.

PURPOSE: We are requesting this information in order to determine your eligibility to be issued a U.S. passport. Your Social Security number is used to verify your identity.

ROUTINE USES: Your Social Security number will be provided to the Department of the Treasury and may be used in connection with debt collection, among other purposes authorized and generally described in this section. This information may be disclosed to another domestic government agency, a private contractor, a foreign government agency, or to a private person or private employer in accordance with certain approved routine uses. These routine uses include, but are not limited to, law enforcement activities, employment verification, fraud prevention, border security, counterterrorism, litigation activities, and activities that meet the Secretary of State's responsibility to protect U.S. citizens and non-citizen nationals abroad. More information on the Routine Uses for the system can be found in System of Records Notices State-05, Overseas Citizen Services Records and State-26, Passport Records.

DISCLOSURE: Providing information on this form is voluntary. Be advised, however, that failure to provide the information requested on this form may cause delays in processing your U.S. passport application and/or could also result in the refusal or denial of your application.

Failure to provide your Social Security number may result in the denial of your application (consistent with 22 U.S.C. 2714a(f)) and may subject you to penalty enforced by the Internal Revenue Service, as described in the Federal Tax Law section of the instructions to this form.

ELECTRONIC PASSPORT STATEMENT

The U.S. Department of State now issues a type of passport book containing an embedded electronic chip called an "Electronic Passport". The electronic passport book continues to be proof of the bearer's United States citizenship/nationality and identity, and looks and functions in the same way as a passport without a chip. The addition of an electronic chip in the back cover enables the passport book to carry a duplicate electronic copy of all information from the data page. The electronic passport book is usable at all ports-of-entry, including those that do not yet have electronic chip readers.

Use of the electronic format provides the traveler the additional security protections inherent in chip technology. Moreover, when used at ports-of-entry equipped with electronic chip readers, the electronic passport book provides for faster clearance through some of the port-of-entry processes.

The electronic passport book does not require special handling or treatment, but like previous versions should be protected from extreme heat, bending, and from immersion in water. The electronic chip must be read using specially formatted readers, which protects the data on the chip from unauthorized reading.

The cover of the electronic passport book is printed with a special symbol representing the embedded chip. The symbol  will appear in port-of-entry areas where the electronic passport book can be read.

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Public reporting burden for this collection of information is estimated to average 40 minutes per response, including the time required for searching existing data sources, gathering the necessary data, providing the information and/or documentation required, and reviewing the final collection. You do not have to supply this information unless this collection displays a currently valid OMB control number. If you have comments on the accuracy of this burden estimate and/or recommendations for reducing it, please send them to: Passport Forms Officer, U.S. Department of State, CA/PPT/S/L, 44132 Mercure Cir, P.O. Box 1227 Sterling, Virginia 20166-1227.

U.S. PASSPORT RENEWAL APPLICATION FOR ELIGIBLE INDIVIDUALS

OMB CONTROL NO. 1405-0020
OMB EXPIRATION DATE: 09-30-2019
ESTIMATED BURDEN: 40 MIN

Please Print Legibly Using Black Ink Only

Attention: Read WARNING on page 1 of instructions
Please select the document(s) for which you are applying:

☐ U.S. Passport Book ☐ U.S. Passport Card ☐ Both

The U.S. passport card is not valid for international air travel. For more information see page 1 of instructions.

☐ Regular Book (Standard) ☐ Large Book (Non-Standard)

Note: The large book option is for those who frequently travel abroad during the passport validity period, and is recommended for applicants who have previously required the addition of visa pages.

☐ D ☐ O ☐ DP DOTS Code_____
End. # _____ Exp._____

1. **Name** Last

First Middle

2. **Date of Birth** *(mm/dd/yyyy)* 3. **Sex** M F 4. **Place of Birth** *(City & State if in the U.S., or City & Country as it is presently known.)*

5. **Social Security Number** 6. **Email** *(Info alerts offered at travel.state.gov)* @ 7. **Primary Contact Phone Number**

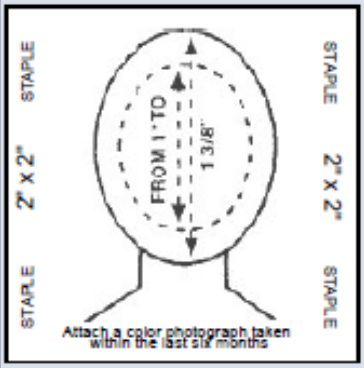
8. **Mailing Address:** Line 1: Street/RFD#, P.O. Box, or URB.

Address Line 2: **Clearly label** Apartment, Company, Suite, Unit, Building, Floor, In Care Of or Attention if applicable. (*e.g., In Care Of - Jane Doe, Apt # 100*)

City State Zip Code Country, if outside the United States

9. **List all other names you have used.** (*Examples: Birth Name, Maiden, Previous Marriage, Legal Name Change. Attach additional pages if needed*)

A. B.



Attach a color photograph taken within the last six months

10. **Passport Book and/or Passport Card Information**
Your name as printed on your most recent U.S. passport book and/or passport card

Most recent passport book number Issue date *(mm/dd/yyyy)*

Most recent passport card number Issue date *(mm/dd/yyyy)*

11. **Name Change Information** *Complete if name is different than last U.S. passport book or passport card*

☐ Changed by Marriage ☐ Changed by Court Order Place of Name Change *(City/State)* Date *(mm/dd/yyyy)*

Please submit a certified copy. **(Photocopies are not accepted!)**

CONTINUE TO PAGE 2

YOU MUST SIGN AND DATE THE APPLICATION IN THE DESIGNATED AREA BELOW

I declare under penalty of perjury all of the following: 1) I am a citizen or non-citizen national of the United States and have not, since acquiring U.S. citizenship or nationality, performed any of the acts listed under "Acts or Conditions" on page four of the instructions of this application (unless explanatory statement is attached); 2) the statements made on the application are true and correct; 3) I have not knowingly and willfully made false statements or included false documents in support of this application; 4) the photograph submitted with this application is a genuine, current photograph of me; and 5) I have read and understood the warning on page one of the instructions to the application form.

x_____ Applicant's Legal Signature _____ Date

FOR ISSUING OFFICE ONLY ☐ PPT BK C/R ☐ PPT BK S/R ☐ PPT CD C/R ☐ PPT CD S/R

☐ Marriage Certificate Date of Marriage/Place Issued:

☐ Court Order Date Filed/Court:

From _____

To: _____

☐ Other:

☐ Attached:

For Issuing Office Only → Bk Fee_____ Cd Fee_____ EF_____ Postage_____ Other_____

* DS 82 C 08 2013 1 *

Name of Applicant *(Last, First & Middle)* | **Date of Birth** *(mm/dd/yyyy)*

12. Height | **13. Hair Color** | **14. Eye Color** | **15. Occupation** | **16. Employer or School** *(if applicable)*

17. Additional Contact Phone Numbers

Home Cell
Work

Home Cell
Work

18. Permanent Address: *If P.O. Box is listed under Mailing Address or if residence is different from Mailing Address.*

Street/RFD # or URB (*No P.O. Box*) | Apartment/Unit

City | State | Zip Code

19. Emergency Contact - *Provide the information of a person not traveling with you to be contacted in the event of an emergency.*

Name | Address: Street/RFD # or P.O. Box | Apartment/Unit

City | State | Zip Code | Phone Number | Relationship

20. Travel Plans

Departure Date *(mm/dd/yyyy)* | Return Date *(mm/dd/yyyy)* | Countries to be visited

STOP! YOU HAVE COMPLETED YOUR APPLICATION
BE SURE TO SIGN AND DATE PAGE ONE

WHERE DO I MAIL THIS APPLICATION?

If applying in the United States or Canada:

FOR ROUTINE SERVICE (If you live in CA, FL, IL, MN, NY, or TX):
National Passport Processing Center
P.O. Box 640155
Irving, TX 75064-0155

FOR ROUTINE SERVICE (If you live in any other state or Canada):
National Passport Processing Center
P.O. Box 90155
Philadelphia, PA 19190-0155

FOR EXPEDITED SERVICE (Additional Fee, any state or Canada):
National Passport Processing Center
P.O. Box 90955
Philadelphia, PA 19190-0955

Because of the sensitivity of the enclosed documents, Passport Services recommends using trackable mailing service when submitting your application.

If applying outside the United States or Canada:

United States citizens residing outside the U.S. or Canada **CANNOT** submit this form to domestic addresses listed above. Such applicants should visit www.usembassy.gov to find the nearest U.S. Embassy or Consulate for procedures for applying outside the United States.

* DS 82 C 08 2013 2 *

HOUSING



Housing is one of the most immediate and important parts of a strong reentry. In the HOUSING CHAPTER, you will learn more about your housing options and legal rights; what kind of housing you can and cannot get into because of your criminal record; and things you can do if your legal rights are violated.

DISCLAIMER – YOUR RESPONSIBILITY WHEN USING THIS GUIDE: When putting together the *Roadmap to Reentry: A Connecticut Legal Guide*, we did our best to give you useful and accurate information because we know that people who are currently or formerly incarcerated often have difficulty getting legal information, and we cannot provide specific advice to every person who requests it. The laws change frequently and are subject to differing interpretations. We do not always have the resources to make changes to this material every time the law changes. If you use information from the *Roadmap to Reentry* legal guide, it is *your responsibility* to make sure whether the law has changed and applies to your situation. If you are incarcerated, most of the materials you need should be available in your institution's law library. The *Roadmap to Reentry* guide is not intending to give legal advice, but rather legal information. No attorney-client relationship is created by using any information in this guide. You should always consult your own attorney if you need legal advice specific to your situation.

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HOUSING APPENDIX 190

WHAT WILL I LEARN IN THE HOUSING CHAPTER?

- Your housing options in reentry—both in the short-term and long-term
- The differences between private and government-assisted housing, and how these differences affect your rights
- What kind of housing you can and cannot get because of your criminal record
- How to put your best foot forward in applying for housing
- Options for what you can do if you believe you were *illegally denied* housing

I. INTRODUCTION

This chapter explains common housing issues and questions for people with criminal records and the friends and family who live with them. This section will give you information about:

1. Your housing options in reentry;
2. What kind of housing you can and cannot live in based on your criminal record;
3. How to put your best foot forward in applying for housing; and
4. What you can do if you believe you were illegally denied housing.

KEY TERMS IN THE HOUSING CHAPTER

Public Housing Authority (PHA)—a government organization that assists with the development and/or operation of housing for low-income individuals and families.

Private Owner/Landlord—is the owner of a house or apartment that is rented or leased.

Owner of Government-Assisted Housing—is a private owner/landlord who receives some form of government assistance to make housing more affordable for certain categories of people.

Lease/Rental Agreement—is a legal document that explains the terms under which you are renting your housing.

Background Checks (or "Tenant Reports") — is the process of looking up and compiling criminal, commercial, and financial records of an individual.

Credit Report—is a detailed report of your credit history prepared by a credit bureau and used by a lender or homeowner to determine your creditworthiness; it includes your personal data (current and previous addresses, social security number, employment history), detailed account information (current balances, payment amounts, payment history), inquiries into your credit history, etc.

Eviction is action by a landlord that forces you to leave the premises through a legal process.

II. LOOKING FOR & IDENTIFYING GOOD HOUSING OPTIONS

WHAT WILL I LEARN?

- Some short-term options for housing
- Some long-term options for housing
- The differences between *private* & *government-assisted* housing
- Recommendations for finding government-assisted housing
- Recommendations for finding housing for people with special needs, such as women and children, domestic violence survivors, seniors, veterans, people recovering from addiction, and people on the sex offender registry
- Your rights—and how they are different—if you are applying to private vs. government-assisted housing
- Your rights if you want to move in with friends and family
- How conditions of parole, probation, or other forms of supervision can affect where you can live and who you can live with after release
- How to challenge denials from housing—whether it's private or government-assisted—based on your criminal record

WHAT ARE THE FIRST STEPS I SHOULD TAKE IN MY HOUSING SEARCH?

Here are the main types of housing you may consider after getting out of prison or jail:

1. Short-term housing (staying short-term with a family member or friend, staying in transitional housing, staying in a shelter or other emergency housing)
2. Long-term permanent housing (finding an apartment, moving in with family or friends permanently)
3. Special needs housing (which could be short- or long-term)
4. Government-assisted housing

Below we walk through some steps to help you figure out your housing plans.

SET UP SHORT-TERM HOUSING PLANS.

First, you should figure out what type of housing is right for you in the short term, and where you will be allowed to live by probation or parole (or whichever type of supervision you are on) when you first get out. There is more information about different types of short-term housing beginning on PG. 134.

GET YOUR ID.

Most housing programs will require proof of who you are, your age, and any income you receive. (Go to the BUILDING BLOCKS OF REENTRY: ID CHAPTER, beginning on PG. 9, to learn how to get various forms of identification documents.)

SET UP LONG-TERM HOUSING PLANS.

Later on, you can figure out what type of housing is right for you permanently—we call this "long-term housing." You need to find housing that you can *afford*, that you *are eligible for* (meaning you meet the requirements to be accepted), and that *meets your personal needs*.

Long-term, permanent housing might mean living with family or friends; living in an affordable apartment or housing unit run by a Public Housing Authority (PHA) or a private landlord; or living in an assisted-living facility for people with special needs (like seniors, veterans, women and children, people with disabilities, people escaping domestic violence, people on the sex offender registry). There is more information about different types of long-term housing beginning on PG.135. For more information on housing for special needs, see PG. 136.

HELPFUL TIPS AS YOU LOOK FOR HOUSING

KNOW YOUR RIGHTS as a person with a criminal record *before* you apply for housing! Depending on who owns and runs the housing (private vs. government-assisted—see PG. 142), you will have different rights in the process.

IT'S ALWAYS A GOOD IDEA TO FIND HELP, if you can. Find an attorney, advocate, case manager, friend or family member, or probation/parole officer who can help you find housing. It is very important to have support in this process and throughout reentry. There is a list of helpful community resources in Housing Appendix C on PG. 200 if you want ideas about where to look for help or call 211.

FINDING HOUSING IS TOUGH BUT NOT IMPOSSIBLE—be patient and keep looking!

SOME OF YOUR OPTIONS. Depending on whether you are currently incarcerated or already out, what you can afford, what housing you are eligible for, and whether you are looking for short-term or long-term housing, you will have different types of housing options available to you. As you move further into your reentry, these options are likely to change over time.

CAN I FIND HOUSING WHILE I AM STILL INCARCERATED?

Yes, it is possible. First, you may want to think about (1) what you need in the short-term vs. long-term; (2) how your parole or probation (or other type of supervision) affects where you can live; and (3) whether you want to look for private housing, government-assisted housing, or both. To help with this process, read about *your housing options*, starting on PG. 132.

There are additional considerations if you plan to move in with family or friends. You will want to ask them to find out everything possible about the guest policies where they live, and/or about adding someone to their apartment lease. If the housing your family or friend lives in receives *any form of government assistance*, they may also need to contact their local Public Housing Authority (PHA) to let them know they would like to add you to the household. Learn more about moving in with family and friends beginning on PG. 173.

If you want to find transitional or emergency housing, generally you or a family member, friend or advocate will have to directly write or call the housing facility to ask about what the requirements are. See Housing Appendix B on PG.195 for a list of transitional housing that may accept your application while you are incarcerated.

STAY POSITIVE!

Finding housing can be an exhausting process, but don't give up. Reach out for help. There are resources listed throughout this chapter.

WHAT ARE SOME STEPS I CAN TAKE IF I AM WORRIED ABOUT BECOMING HOMELESS?

An important step to avoid becoming homeless is to begin planning and identifying housing options *while you're still incarcerated* (see question above addressing this topic, PG. 133).

There are also agencies and nonprofits in the community working to help people find permanent housing and avoid homelessness. Here are some organizations that may be able to help:

- *The Public Housing Authority (PHA)* in your area: PHAs sometimes give preference to admitting homeless individuals into the Public Housing program or "Section 8" Housing Choice Vouchers. See Housing Appendix A on PG. 191 for a list of PHAs in Connecticut.
- *Emergency shelters and assistance:* Call 211 for a list of organizations throughout Connecticut that provide emergency shelter and assistance to homeless individuals.
- *The National Coalition for Homeless Veterans* has an online list of organizations throughout the country that will assist homeless veterans on a variety of issues including housing. Visit the following website for Connecticut: http://www.nchv.org/index.php/help/help/connecticut.
- *The National Coalition for the Homeless* has links to databases for local service organizations, education for homeless children, transitional housing, drug and alcohol rehabilitation centers, and day shelters. Visit the following national website: http://nationalhomeless.org/references/need-help/ or for Connecticut visit: http://www.cceh.org/looking-for-help/.

WILL MY PAROLE OR PROBATION OFFICER HELP ME FIND SOMEWHERE TO LIVE?

It depends, but usually not. But it's always worth asking your supervising officer if they know of any housing resources!

You can also ask your correctional counselor (if you're incarcerated) or your parole officer (if you are living in the community) about what types of funding exist for transitional housing while you are on parole. If your parole officer is unable to help you find short-term, transitional or emergency housing, you may try going to an emergency shelter (see PG. 133).

If you are on federal probation, supervised release, or federal parole:

Ask your federal Probation Officer for a list of affordable housing options in the area. Federal probation officers will not normally release you from a transitional ("halfway") house unless you have a plan for permanent housing. Also, read about some of your options for long-term housing on PG. 135 of this chapter.

WHAT ARE MY HOUSING OPTIONS AFTER RELEASE?

There are many different housing options out there—transitional housing programs, emergency shelters, special needs housing, assisted-living housing, living with family or friends, private apartments and houses, and apartments and houses that get government money to make them more affordable for their residents. To make it easier to plan and prepare, we suggest thinking about your housing options in two categories: (1) immediate, short-term housing and (2) long-term/permanent housing. Also, consider whether government-assisted housing makes sense in your situation.

WHY WOULD I APPLY TO GOVERNMENT-ASSISTED HOUSING?

See PG.143 to learn more about government assisted housing and the different rules that apply for it.

SHORT-TERM HOUSING OVERVIEW

When you are preparing for release or you've just been released from prison or jail, most of your housing options will be short-term and transitional housing. Examples of short-term housing include: staying with a family member; staying with a friend; staying in a shelter (shelters usually offer a bed and shower for one or more nights, and sometimes offer other free services); or living in a transitional housing program.

STAYING WITH FAMILY OR FRIENDS

Here are some pros and cons to consider if you want to move in with family or friends.

PROS	CONS
If you have friends or family in the area, staying short-term with them can be an option for immediate housing. Friends and family can be supportive and useful in helping you successfully reenter the community. A few days or weeks on someone's couch or in their spare bedroom can give you enough time to apply for social services, look for a job, and arrange for long-term housing. You will likely have greater independence in your life. It will be free or at a lower cost because you are splitting the rent.	If you are under supervision after your release, your housing will need to be approved by your probation/parole officer or supervising agency. Home visits by parole/probation officers, search conditions, and other restrictions don't just affect you; they also affect your host and other household members. If you are a guest in someone's home or apartment, your stay could cause the family living there to violate the property's guest policy if you stay beyond the time limit allowed for guests and/or you violate some other rule in the property's guest policy (see more on PG. 176).

SHELTERS

Most shelters are free, and usually offer a bed and shower for one night or multiple nights. They also sometimes offer services such as counseling and job-search assistance. While transitional and permanent housing options can take time to arrange, you can usually access a shelter immediately. Here are some of the main types of shelters that exist:

- **24-hour Shelters** let you to stay at night and during the day and participate in the services the shelter offers (for example: meals, counseling, and job training, just to name a few). Don't let the name mislead you—a 24-hour shelter doesn't necessarily mean you have to leave after 24 hours. The key is that 24-hour shelters are open day and night. Ask the specific shelter you're interested in about any other requirements or restrictions it has.
- **12-hour Shelters** let you stay for a 12-hour period overnight (usually 7:00 p.m. to 7:00 a.m.), but require you to leave in the morning.
- **Day Shelters** let you come and take advantage of their services during the day, but you can't stay overnight. Services at day shelters may include showers, meals, computer access, and optional programs like case management/support services and counseling sessions.
- **Family Shelters** have places to stay for you and the rest of your family. They tend to be 24-hour shelters.
- **Domestic Violence Shelters** take women (usually not men) who are trying to find safety from someone who is abusive. They usually have confidential addresses for the safety of the residents. Many domestic violence shelters also allow women to bring their children with them.

TRANSITIONAL HOUSING PROGRAMS

Transitional housing programs are temporary programs that offer housing and services. Keep in mind they usually have requirements you have to meet before you can move in, and there are usually waitlists.

Examples of transitional housing programs include: shared or private apartments, residential programs that allow for temporary stays (from 3 months to 2 years) at no cost or at a low cost, and sober living environments (SLE) (read more about SLEs on PG. 141). Some transitional housing programs also have services like job training, counseling, general education development (GED) programs, and computer classes. Some transitional housing programs are for people with specific needs such as mental health support, addiction treatment and recovery (see PG. 141), or safety from domestic violence (see PG. 138).

CAN I GET INTO A TRANSITIONAL HOUSING PROGRAM IF I AM STILL INCARCERATED?

It depends on the program. Unfortunately, most post-release transitional housing programs will not let you fill out an application or get on the waitlist before your release. A few let you apply from inside prison or jail, but may have other requirements or restrictions. See Housing Appendix B for a list of transitional housing that may allow you to apply while you are incarcerated on PG. 195.

WHAT MAY I NEED TO GET ACCEPTED INTO TRANSITIONAL HOUSING?

It depends—each program has different requirements. You might need: identification (learn how to get different types of identification in the BUILDING BLOCKS OF REENTRY: ID, beginning on PG. 9); proof of homelessness; proof of any income; proof of your sobriety; police clearance; to get to the top of the waitlist; to have an interview; etc. It's best to CALL (or if you're currently incarcerated, ask a family member or friend to call, or WRITE the program a letter with your request). Find out well in advance of when you want to move exactly what you need to do and what the requirements are.

HOW CAN I SHOW PROOF OF HOMELESSNESS

For proof of homelessness, most housing providers will just need a signed written statement from you. If the housing provider asks for further documentation, you may need to show eviction papers, a letter from a social worker, etc. Some organizations will also issue certificates of homelessness.

SPECIAL NEEDS HOUSING—SHORT- OR LONG-TERM

There are also housing programs for people with specific needs such as sober living environments that offer addiction treatment and recovery, safety from domestic violence, assisted living for people with disabilities, housing programs for women with children, veterans, and people on the sex offense registry. These are often transitional housing programs that are for a short term only; others are intended to be long-term/permanent housing for people with special needs. For more information on special needs housing, see PG. 136.

LONG-TERM HOUSING OVERVIEW

Later in your reentry, when your stay at a short-term or transitional housing program is ending, you will need to figure out what type of housing is right for you permanently. As you consider long-term and permanent housing options, you need to find housing that you can *afford*, that you *are eligible for*, and that *meets your needs*.



PERMANENT HOUSING

Permanent housing is a place that you can live in for multiple years. Examples of permanent housing include: apartments and homes that get money/assistance from the government—though these often have long waitlists and require you to have somewhere else to live first; single-room occupancy (SRO) units where you usually have a private bedroom and bathroom, but a shared kitchen and living space; affordable apartments; and living permanently with family, friends, or other people who support you.

SPECIAL NEEDS HOUSING—LONG-TERM

Again, as mentioned under short-term housing options, there are special housing programs and units for people with specific needs such as addiction treatment and recovery, safety from domestic violence, assisted living for people with disabilities or mental health needs, housing programs for women with children, veterans, and people on the sex offense registry. Transitional housing programs are usually for a short term only; but some programs are intended to be a long-term, permanent housing solution for people with special needs. See below for more details.

HOUSING FOR SPECIAL NEEDS & POPULATIONS

This section provides a brief overview of housing resources for people in reentry with special needs and who might qualify for special programs, including:

1. Women & Children (PG. 137)
2. Domestic Violence Survivors (PG. 138)
3. Seniors/ Elders (PG. 140)
4. Veterans (PG. 140)
5. People Recovering from Substance Abuse/ Addiction (PG. 141)
6. People on the Sex Offender Registry (PG. 142)

WOMEN & CHILDREN

There are some special housing programs available only for women and their children. These programs may have other requirements (for example, that you are currently on supervision, participating in a substance abuse recovery program, etc.), and they may require a referral from the Connecticut Department of Corrections (DOC) or another agency.

Since there are very few of these programs and they have limited space, you should contact the program and/or talk to your correctional counselor as soon as possible about contacting the housing program. Find out if you meet the eligibility requirements to participate, and how to get added to the waitlist if there is one.

Below are a few programs in Connecticut for reentering women and children. Please Note: This is not a complete list.

- My Sister's Place
  Website: www.sistersplacect.orgAddress: 221 Main St., Hartford, CT 06106
  Phone: (860) 895-6629

The transitional program at My Sister's Place provides 18 furnished apartments and focuses on providing women who have experienced chronic homelessness with supportive services, such as education, employment support, and life skills training, that will help them on their journey to housing stability. Residents can remain in the program for up to two years.

- Inspirica
  Website: www.inspiricact.org
  Address: 141 Franklin St., Stamford, CT 06901
  Phone: (203) 388-0100

The program's residential services cover the spectrum of housing: emergency shelters, transitional housing, permanent supportive housing, "deeply affordable housing," and rapid rehousing. In addition, their in-house support services include: The Jumpstart Career Program, children's services, early childhood and parenting support, housing placement, job and housing retention support, and healthcare.

- Amos House
  Website: www.amoshouse.org
  Address: 34 Rocky Glen Road, Danbury, CT 06810
  Phone: (203) 791-9277

Amos House is a transitional living facility serving the greater Danbury area, dedicated to ensuring that women and children experiencing homelessness have the support to pursue permanent independent housing. Applicants must be without a permanent home, be referred by an accredited agency and/or shelter, and complete a rigorous application process. Applicants must also be OK with living in a semi-communal setting, be substance-free, contribute 30% of their adjusted gross income (less allowances for children) to the program costs, and commit to completing their program within a specific time period (two year maximum).

- Columbus House
  Website: www.columbushouse.org
  Address: 586 Ella T. Grasso Blvd., New Haven, CT 06519
  Phone: (203) 401-4400

Columbus House housing programs include an emergency shelter and a continuum of housing and services designed to help people experiencing homelessness move toward housing stability. The agency's primary goal is to provide housing either through their own programs or through referrals throughout the State. Among the different types of housing, they have transitional housing for women and children, which includes on-site case management services. They participate in the Connecticut Collaborative on Re-Entry (CCR), formerly known as "Frequent Users System Engagement" (FUSE), which provides services for people recently released from prison and at risk of homelessness – as part of the state's "Second Chance Society" initiative.

- Mother's Retreat
  Website: www.theconnectioninc.org
  Address: 542 Long Hill Road, Groton, CT 06340

Phone: (860) 405-2107

Mother's Retreat is a long-term, residential treatment facility for pregnant and parenting women who want to live a clean and sober life. The program assists young women in their recovery from substance use by providing quality clinical services and individualized treatment in a warm, supportive environment. Mother's Retreat also assists women who are seeking to reunite with their children. All women participate in a personal recovery plan and individual and group therapy. They can request help directly from Mother's Retreat or be referred by a state agency such as DCF or DOC.

DOMESTIC VIOLENCE SURVIVORS

If your conviction was related to the domestic violence you experienced, this is *mitigating evidence* that helps explain your criminal record. IF YOU FEEL SAFE DOING SO, you may want to explain the violent situation you were in at the time of your criminal conduct to a housing provider who is considering your criminal record, so that you are not penalized in your application.[158]

Below are a few resources that may help you to find housing:

DOMESTIC VIOLENCE SHELTERS & TRANSITIONAL HOUSING

There are about 20 shelter-based domestic violence programs throughout Connecticut. Many of these programs offer both:

1. Emergency shelters (typical stay is 30–60 days), AND
2. Transitional housing programs (typical stay is 6–18 months)

In addition to providing shelter to survivors, both types of programs often provide services such as 24-hour hotlines, legal assistance with restraining orders and child-custody disputes, advocates who can go to court appearances to support you, counseling for you and your children, and referrals to other social services.

Most emergency and homeless shelters for survivors do not conduct criminal background checks (although they are permitted to do so, as long as they follow all of the background check rules on PG. 166). In addition, most shelters are aware that survivors often face criminal charges and/or arrest warrants in connection with the violence that they've experienced. Many shelters have relationships with local law enforcement and can accommodate survivors who are under supervision (like probation, parole, etc.).

STARTING IN A SHELTER

Starting off in an emergency shelter may help you to find transitional or permanent housing and/or access other services afterward. While some run background checks and have record-related restrictions, if you are living at a domestic violence shelter, the staff may be able to write a letter or provide a referral to a transitional housing program, which can help explain your situation and get around their restrictions.

[158] Nat'l Housing Law Project, Housing Access for Domestic Violence Survivors with Criminal Records, Sept. 7, 2011, http://nhlp.org/files/DV%20and%20Criminal%20Records%20Materials.pdf.

HELPFUL HINTS & RESOURCES

Keep in mind each shelter is different, so the rules and opportunities may also be different.

To find a domestic violence shelter or transitional housing program in your area, contact the **National Domestic Violence Hotline** at 1-800-799-SAFE (7233) or call 211. You will have to contact each shelter or program separately to find out if you meet its specific criteria.

A list of resources and providers by town is also available online at:

Connecticut Coalition Against Domestic Violence: http://www.ctcadv.org/find-help/find-a-ct-provider/

➢ GOVERNMENT-ASSISTED HOUSING FOR DOMESTIC VIOLENCE SURVIVORS

Read an overview of government-assisted housing and why it could be right for you on PG. 143; read details about bans on people with certain convictions and criminal histories on PG. 148.

WHO DOES THE GOVERNMENT CONSIDER TO BE "HOMELESS"?

The federal government's definition of "homeless" includes people who are escaping situations of domestic violence and have no other housing or resources available. If you are escaping domestic violence, you may be eligible for a government-assisted housing program for "homeless" people.

First, the following federal government-assisted housing programs *do not* have any *mandatory* criminal record restrictions, and may be available to survivors of domestic violence:

- Supportive Housing Program for the Homeless
- Shelter Plus Care (for homeless people with disabilities)
- Housing Opportunities for Persons with AIDS (HOPWA)
- Low-Income Housing Tax Credit (LIHTC)[159]

Second, for other government-assisted housing programs that *do* have restrictions based on criminal records, domestic violence survivors are entitled to certain additional protections. The Violence Against Women Act (VAWA) states that Public Housing Authorities (PHAs) *cannot deny or end your housing* because of the domestic violence that you experienced or because of a criminal conviction that is directly related to the domestic violence you experienced.[160] This means if a PHA denies your housing application based on conduct or a past conviction related to the domestic violence you've experienced, you should immediately challenge the denial and ask the PHA for an informal review hearing. At that hearing, you can explain how the conduct or conviction is related to your experience of domestic violence.[161] Go to PG. 153 to learn how to challenge denials to government-assisted housing.

[159] Helping Families Save Their Homes Act of 2009, Pub. L. No. 111-22, tit. VII, § 1003.
[160] Violence Against Women Act of 2013, 42 U.S.C. § 41411(b) (2013); 24 C.F.R §§ 982.553(e), 5.2005(c), 5.2001 et seq. Under VAWA, a public or subsidized housing provider can only evict you based on the domestic violence you've experienced if it proves that your tenancy creates an "actual and imminent threat" to other residents or staff. VAWA's protections apply to public housing, Section 8 vouchers and project-based assistance, Section 202, and Section 811 housing.
[161] NHLP, Housing Access for Domestic Violence Survivors with Criminal Records.

SENIORS/ELDERS

Although there are very few housing programs created just for senior citizens in reentry, you may be eligible for housing based on your disability (see Housing Appendix E, PG.207), your low income (see PG. 143), or qualify for different types of transitional housing (see PG. 135).

One program for seniors in reentry is the Whalley Terrace Supportive Housing through the Columbus House Program in New Haven, CT. It is supportive housing with on-site case management for men and women over 62 years old who are either formerly homeless or at-risk of becoming homeless. Other transitional housing programs for seniors—particularly low-income housing, homelessness prevention, and sober or residential treatment programs for seniors—may be more likely to admit seniors with criminal records because the conviction was long ago or seniors with physical or health needs that give them priority for the housing (it may help to mention these factors if the housing provider raises your record as an issue).

A NOTE ABOUT REQUESTING REASONABLE ACCOMMODATIONS IF YOU HAVE A DISABILITY:

If you have a *mental, physical, or developmental disability*, and you must follow *parole, probation, or community supervision conditions* that restrict where you can live, you have the right to receive reasonable accommodations for your disability at your residence. For help, you may also want to contact a legal aid provider for people with disabilities. See Guide Appendix, PG. 413.

VETERANS

The U.S. Department of Veteran Affairs (VA) offers various housing programs for veterans. **If you are currently incarcerated**—whether in a state or federal facility—a "VA Reentry Specialist" is supposed to arrange a meeting with you about your goals to determine the resources available to best meet your needs after release.

What is a VA Reentry Specialist and how can I contact one to help me find housing?

Every region of the U.S. has a VA Reentry Specialist who can help determine your eligibility for VA benefits, help you enroll in the VA, and connect you with local housing and services. VA Reentry Specialists have relationships with both state and federal correctional facilities to help incarcerated veterans plan and prepare for release.

If you already met with the VA Reentry Specialist and received instructions for housing, continue with those arrangements. If you are starting from scratch, the VA's Health Care for Homeless Veterans program can help you find housing in your area. Visit your local VA, if possible, or call the National Call Center for Homeless Veterans hotline available 24/7 at 1-877-4-AID-VET (424-3838) to find a VA counselor available to help you.

YOUR VA HOUSING OPTIONS INCLUDE THE FOLLOWING PROGRAMS:

HELPFUL RESOURCES

To learn more about preparing for release as a veteran, go to the VA website:
https://www.va.gov/homeless/for_homeless_veterans.asp.
AFTER YOU ARE RELEASED, you can visit this website to find your local VA:
https://www.va.gov/directory/guide/state.asp?STATE=CT&dnum=ALL.

HEALTH CARE FOR HOMELESS VETERANS CONTRACTS (HCHV) -

The HCHV program provides emergency housing, shelters, and treatment to veterans enrolled in VA Healthcare, through local community organizations and service providers. These local community organizations and service providers may offer outreach, exams, treatment, referrals, and case management to veterans who are homeless and/or dealing with mental health issues.[162]

- For information about the HCHV program, please visit: http://www.va.gov/homeless/hchv.asp.
- For list of HCHV coordinators in Connecticut, please visit: http://www.va.gov/HOMELESS/docs/HCHV_Sites_ByState.pdf.

SUPPORTIVE SERVICES FOR VETERAN FAMILIES GRANTS (SSVF) -

Local non-profit organizations receive funding from the VA to assist low-income veterans (and their families) who are experiencing homelessness or at risk of homelessness. SSVF programs can help you transition to permanent housing, along with case management and assistance with getting other benefits and services.[163]

For a list of current SSVF providers, please visit the following website: http://www.va.gov/homeless/ssvf.asp.

[162] See DEP'T OF VETERANS AFFAIRS, Health Care for Homeless Veterans (HCHV) Program, http://www.va.gov/vhapublications/ViewPublication.asp?pub_ID=3006.
[163] See Supportive Services for Veteran Families Program, U.S. DEP'T OF VETERANS AFFAIRS, http://www.va.gov/homeless/ssvf.asp.

HELPFUL HINT

Connecting with legal services providers through an SSVF program:

Participating SSVF programs may provide or may contract with local legal aid organizations to provide Veterans with legal services. *(Veterans ineligible for VA Enrollment may be eligible to receive SSVF assistance if available. Inquire at your VA to see if this is an option for you).*

VA SUPPORTIVE HOUSING (HUD-VASH) PROGRAM –

HUD-VASH is a joint effort between HUD (US Department of Housing and Urban Development) and the VA to move veterans and their families out of homelessness and into permanent housing. HUD provides Section 8 vouchers to eligible veterans, and the VA offers eligible homeless veterans clinical and supportive services through its health care system.

Veterans applying for Section 8 Housing Vouchers through the HUD-VASH program are subject to most Section 8 Housing eligibility rules (for example, your income).[164]

THERE IS AN IMPORTANT EXCEPTION TO CRIMINAL RECORD BANS IN GOVERNMENT-ASSISTED HOUSING FOR VETERANS:

HUD-VASH applicants *are not subject to most Section 8 regulations regarding criminal and/or drug-related history*. This means that Public Housing Authorities (PHAs) cannot deny Section 8 housing to HUD-VASH applicants based off the applicant's prior drug activity or criminal record (unless you or someone in your household is subject to lifetime sex offender registration—in which case the PHA can still deny you and your household from Section 8 housing programs).

MENTAL HEALTH RESIDENTIAL REHABILITATION AND TREATMENT PROGRAMS (MH RRTP) –

MH RRTP provide residential rehabilitation and treatment services for veterans with multiple and severe medical conditions, mental illness, addiction, or psychosocial deficits. MH RRTP promote rehabilitation, recovery, health maintenance, improved quality of life, and community integration, in addition to treatment of medical conditions, mental illnesses, addictive disorders, and homelessness. The residential program helps veterans to develop a lifestyle of self-care, personal responsibility, and medical health.

For more information about MH RRTP and other residential VA programs, please visit the following website: https://portal.ct.gov/DVA.

- Please note: VA Housing providers are required to verify you are free of Tuberculosis (Tb). If you have had a Tb test within the past year, you should request a copy of the results before your release from incarceration. If you do not have a recent Tb clearance, request the test so you can have this document available.

SUBSTANCE ABUSE TREATMENT & RECOVERY HOUSING (ALSO CALLED "SOBER LIVING ENVIRONMENTS")

If you suffer from past addiction or alcoholism, you may be eligible for special housing that provides residential treatment for substance abuse, sometimes called recovery homes or halfway homes.

- *SPECIAL HOUSING:* There are transitional housing programs that focus on substance abuse treatment and/or sober living conditions for people with former addictions. Be aware that many of these programs are only available for short-term stays.

My conviction was for past drug or alcohol use. Is past addiction considered a legally protected disability?

Yes. PAST (BUT NOT CURRENT) drug addiction and alcoholism are considered disabilities under state[165] and federal law. This means you may have the right to request *reasonable accommodations* for your disability.[166] Reasonable accommodations might include an extended curfew so that you can attend treatment or AA/NA programs, permission to take methadone if prescribed by your doctor, or access to special rehabilitative services. A landlord may not deny you housing or discriminate against you based on your past addiction or alcoholism.

For much more information on housing protections for people with addiction-based disabilities, including information on asking for a reasonable accommodation i.e., asking a landlord to make an exception to the

[164] For information about the HUD-VASH program, see Section 8 Housing Choice Vouchers: Implementation of the HUD–VA Supportive Housing Program, 73 Fed. Reg. 25026 (May 6, 2008).
[165] Conn. Gen. Stat. §§ 46a-51, 46a-64b and Conn. Gen. Stat. §1-1g.
[166] Americans with Disabilities Act, 42 U.S.C. §§ 126, 12112(b)(5)(A); 29 C.F.R. §§ 1630.9, 1630.10, 1630.15(b), (c). However, current illegal drug use is not considered a disability and does not provide any legal protection against discrimination. A landlord may deny or terminate your housing based on current drug use, even if you are also previously or currently addicted.



policy banning former addicts from housing because past addiction is a protected disability, go to Housing Appendix E, PG. 207.

RESIDENCY RESTRICTIONS FOR PEOPLE WHO ARE SEX OFFENDER REGISTRANTS

According to the State of Connecticut Judicial Branch, probation officers must investigate and pre-approve residences and proposed relocation for people on the sex offense registry. Court Support Services Division's policy defines a "residence" as a place where a person is living or staying, including a temporary residence or lodging, home, or place where he or she habitually lives, such as a homeless, emergency, or other shelter; or recreational or other vehicle. These locations are deemed "residences" no matter how long the person lives there.

Investigations must take into account:

1. The location's potential access to the offender's target population;
2. His or her prior sexual assault convictions;
3. Other people living in the residence;
4. The location's accessibility to family members, friends, or other supportive services;
5. Whether the residence or location is of a type the offender's treatment plan has assessed as being a potential trigger for reoffending; and
6. Whether a permanent or stable residence is available that might reduce the likelihood of the offender becoming transient.

PRIVATE VS. GOVERNMENT-ASSISTED HOUSING: AN OVERVIEW

There are differences between private and government-assisted housing, which affect your rights. There are legal requirements for what a government-assisted housing provider can look at and consider in your criminal record and different requirements for what a private landlord can look at and consider.

! **ABOUT THE TERMS USED IN THE HOUSING CHAPTER: We use the term "government-assisted" housing, rather than "public housing," to refer to housing programs and owners of housing that receive assistance from the federal or state government. When we use the term "Public Housing," we are referring to a specific Public Housing program, not any general housing that receives government support.**

HOW CAN I FIGURE OUT IF I AM APPLYING TO/LIVING IN PRIVATE OR GOVERNMENT-ASSISTED HOUSING?

- **If you applied for the housing through a Public Housing Authority (PHA,)** *the rules and criminal record exclusions that apply to public housing apply to you.*
- **If you have a "Section 8" Housing Choice Voucher,** *the rules and criminal record exclusions that apply to such housing apply to you.*

It may not be obvious whether a property is government-assisted housing because the owner gets a special benefit directly from the government. Look up the property online at: **https://resources.hud.gov/#main-menu.** *If you still don't know, ask the owner or manager of the property.*

PRIVATE HOUSING: THE BASICS

Most housing is owned and run by private landlords, not the government. Private housing could be a rooming house, an apartment, a house, or a mobile home. Private housing can be rented week-to-week, month-to-month, or for a year or more. It could be owned by a single owner, a limited liability organization, or by a large property management company.

WHY WOULD I BE INTERESTED IN LIVING IN PRIVATE HOUSING?

Most housing is privately-owned. Privately-owned housing tends to have fewer legal barriers for people with criminal records. The landlord (owner) has more discretion and decision-making power about background checks and screening policies (learn more about illegal discrimination in housing on the basis of criminal records on PG. 146).

HOW CAN I FIND PRIVATE HOUSING?

There are many different ways to find private housing, like an apartment owned by a private landlord. You may have a tough time especially when your housing needs to be approved by parole or probation because you have special rules to follow in reentry. There is a lack of affordable housing for everyone and you might face discrimination. It is important to find support in the housing search!

You might try this website, http://www.cthousingsearch.org, which Connecticut agencies organized. Another is www.craigslist.org—you can search for available housing by location, type of housing or apartment, and budget.

You can also ask for suggestions from family, friends, or other formerly incarcerated people and mentors who have figured out long-term housing options. Finally, there are some transitional housing programs and reentry programs that provide housing to people with records. You can also search on Google.com for "reentry housing in Connecticut" or check the following website: https://www.jobsforfelonshub.com/housing-for-felons/connecticut/.

WHO IS MY LANDLORD IF I LIVE IN PRIVATE HOUSING?

Your landlord is whoever *owns* or *is authorized to lease* the property. The owner could be a single person, a group of people, a limited liability company, or a property management company. If you are renting a private apartment, look at your **lease** to find the name and contact information for the property's owner and/or manager.

…VERSUS…

GOVERNMENT-ASSISTED HOUSING: THE BASICS

If you are a low-income person or household and you are looking for affordable rental housing in your area, you may want to apply for government-assisted housing. The federal government funds most government-assisted housing programs; the state of Connecticut funds others. There are laws and rules about eligibility, including about how a criminal record affects eligibility (read about those rules and exclusions on PG. 145). Government-assisted housing is generally for lower income people.

For some government-assisted housing programs, the government manages the building or complex and EVERYTHING about the housing application process. For other federally assisted housing programs, the government works with private companies or private owners/landlords who have their own application process.

Government-assisted housing could be a shelter, a transitional housing program with services, short-term, long-term, an apartment, or a house.

WHY WOULD I BE INTERESTED IN LIVING IN GOVERNMENT-ASSISTED HOUSING?

Government-assisted housing provides affordable rental housing for low-income households. See PG. 143 below for some resources that can help you find government-assisted housing in your area. Most government-assisted housing programs have very long wait-lists, so it is good to sign up early and check back often.

HOW CAN I FIND GOVERNMENT-ASSISTED HOUSING?

Try the following resources to find government-assisted housing:

1. YOUR LOCAL PUBLIC HOUSING AUTHORITY (PHA), which runs some of the biggest government-assisted housing programs, including Public Housing (federal and state) and the Housing Choice Voucher program (commonly known as "Section 8" or "the voucher program"). See Housing Appendix A, PG. 191 for a list of PHAs in Connecticut.
2. SEARCH ONLINE: To find your local PHA on the web, visit the U.S. Department of Housing and Urban Development's (HUD) website at: https://resources.hud.gov/# for a map with links to government-assisted housing.
3. SEARCH IN THE PHONE BOOK: If you don't have a regular access to a computer, look in your phone book in the government or business sections for your local Public Housing Authority (PHA). Some areas have a city/town PHA and also may have housing managed by CT Department of Housing; not all towns have a PHA. In the government section of the phone book, first look for the city, then look for "housing authority" or "housing department". A local PHA may be listed under the city's or town's general government.
4. OTHER GOVERNMENT-ASSISTED HOUSING (NOT THROUGH YOUR LOCAL PHA):
   a. PRIVATE AND NONPROFIT LANDLORDS operate other forms of government-assisted rental housing programs. You may use the HUD interactive map found at: https://resources.hud.gov/#.
   b. LOW INCOME TAX CREDIT HOUSING is an affordable rental housing program developed through the Internal Revenue Services' (IRS) Low Income Housing Tax Credit program (LIHTC). Typically, LIHTC



housing does not serve extremely low-income households, but it usually has some units which are less expensive than similar private housing in the community. The HUD Resource Locator at: https://resources.hud.gov/# links to LIHTC properties.

c. RURAL HOUSING: The U.S. Department of Agriculture (USDA) also funds government-assisted rental housing in rural areas including Connecticut and maintains a website that allows you to search for rural government-assisted rental housing here: http://rdmfhrentals.sc.egov.usda.gov/RDMFHRentals/select_state.jsp or https://resources.hud.gov/#.

WHO IS MY LANDLORD IF I LIVE IN GOVERNMENT-ASSISTED HOUSING?

If you live in PUBLIC HOUSING, the local Public Housing Authority (PHA) owns your entire building and is your landlord. In rare cases, a private company may manage the building for the PHA or may be part of the ownership, but the building is still controlled by the PHA.

If you live in OTHER TYPES OF FEDERAL GOVERNMENT-ASSISTED HOUSING, see previous discussion on PG. 142 above. Your landlord may be a private owner who receives financial assistance from the federal government in exchange for renting to low-income people, or a private owner that accepts vouchers from low-income people through a PHA. Owners of government-assisted housing could be individual landlords, for-profit companies, or nonprofit organizations. You can get this type of government-assisted housing through VOUCHERS, where you get the assistance from a PHA and then have to find rental housing on the private market that will accept your voucher, OR you can get this type of government-assisted housing through "multifamily" properties where the owner gets the assistance and the assistance stays with the property to keep it affordable for low-income tenants.

III. APPLYING FOR & GETTING INTO HOUSING

WHAT WILL I LEARN?

- What it means to be eligible or ineligible for housing
- How your record might ban you from private housing
- How your record might ban you from government-assisted housing
- What types of bans are illegal and when
- When a landlord is allowed to deny you housing but does not have to

UNDERSTANDING HOUSING ELIGIBILITY

WHAT DOES IT MEAN TO BE "ELIGIBLE" FOR HOUSING?

To be eligible for housing means you meet specific criteria so that it is *possible* for you to be accepted into that housing if you apply. Being *ineligible* for certain types of housing means there is something about you or your situation that disqualifies you and prevents you from being accepted into that housing.

WHY IS IT IMPORTANT TO UNDERSTAND THE ELIGIBILITY RULES OF DIFFERENT TYPES OF HOUSING?

Knowing the rules and policies different types of housing have for who can and cannot live there is important for you to understand whether or not you will want to apply, and what your chances are of being accepted. If you are *eligible*, that means you *could* be accepted into the housing; but if you are *ineligible*, something about you or your situation disqualifies you from being accepted. Keep in mind: it's possible for your situation to change in a way that could also change your eligibility. Continue reading to learn more.

WHAT ARE SOME OF THE REASONS I COULD BE ELIGIBLE OR INELIGIBLE FOR A HOUSING PROGRAM?

You could be *eligible* or *ineligible* because of (1) your income, (2) your criminal record, and/or (3) some other specific factor.

(1) INCOME: How much money you make will be an important factor for certain types of housing. If you are low-income, it will help you in certain contexts. For example, in order to qualify for housing that is subsidized (paid for partially or fully) by the government, you usually must have low income to be eligible. For most private housing it's the reverse. You must be earning more than a certain amount of money per month to be eligible. Private landlords want proof of your income so they know you are able to pay the rent.

(2) CRIMINAL RECORD: For almost all kinds of housing, specific kinds of criminal convictions may disqualify you from applying, or at least make it harder for you to get accepted as a tenant.

(3) OTHER SPECIFIC FACTORS: Some housing programs—especially those fully or partially funded by the government are designed for specific groups of people. Your age, income level, disability status, veteran status, homeless status, gender, and whether you have children are just some of the factors that could make you eligible or ineligible for certain specific housing programs.

I WAS RECEIVING SECTION 8 HOUSING WHEN I WAS INCARCERATED. DO I NEED TO REAPPLY?

Maybe, and in most cases yes, depending upon the length of absence from that housing. If you were the sole recipient of a Section 8 voucher and you were absent for a long time because of your incarceration, you probably violated your local Public Housing Authority's policies and/or the terms of your housing contract.[167] Federal law allows individuals to be absent from Section 8 housing for a maximum of 180 consecutive days, but the local maximum set by your city's Public Housing Authority may be shorter.[168]

HOW WILL MY CRIMINAL RECORD AFFECT MY ELIGIBILITY AND APPLICATION TO DIFFERENT TYPES OF HOUSING?

Whether you are looking at short-term/transitional or long-term housing, the impact of your criminal record on your application depends on whether that housing is *PRIVATE* or *GOVERNMENT-ASSISTED*. In this Chapter, when we are talking about government-assisted housing, we are talking about housing that gets money from the

[167] 24 C.F.R. 982.312. https://www.ecfr.gov/cgi-bin/text-idx?SID=482af8243dfb4fdf25c289ef610dd255&mc=true&node=pt24.4.982&rgn=div5#se24.4.982_1312.
[168] 24 C.F.R. 982.312(a).

federal government to make it more affordable for low-income people. The federal government has created many laws that control government-assisted housing, including who is allowed to live there.

In this Chapter, we will explain how your CRIMINAL RECORD affects your application to both private housing and government-assisted housing, whether or not a Public Housing Authority (PHA) or owner can refuse to rent to you, what you can do to strengthen your application, and how you can challenge a denial you believe is illegal.

HOW CAN I FIGURE OUT IF I AM APPLYING TO OR LIVING IN PRIVATE OR GOVERNMENT-ASSISTED HOUSING?

Did you apply for the housing through a PHA?

If yes, the rules and criminal record exclusions that apply to federal government-assisted housing apply to you.

Do you have a "Section 8" Housing Choice Voucher?

If yes, the rules and criminal record exclusions that apply to federal government-assisted housing apply to you.

Does the rent change when your income changes?

If yes, the rules and criminal record exclusions that apply to federal government-assisted housing probably apply to you.

If you still don't know, ask the OWNER of the property.

Sometimes it's clear that you live in government-assisted housing because you had to apply for the housing unit or program through a local Public Housing Authority (PHA) or your landlord *is the PHA itself*. Other times, it's unclear that you live in government-assisted housing because the owner gets a special benefit directly from the government, and you didn't know it. The hints above will help you figure out if you are living in government-assisted housing, but you can also ask the owner (the landlord) of the property.

CRIMINAL RECORD BANS TO BE AWARE OF BEFORE YOU APPLY FOR HOUSING

1. CRIMINAL RECORD BANS IN PRIVATE HOUSING

HOW CAN MY CRIMINAL RECORD AFFECT MY CHANCES OF GETTING PRIVATE HOUSING?

Most private landlords will run a background check on you, and have broad discretion to deny you based on your criminal record. However, the landlord cannot have a blanket ban on ALL people with criminal records and must treat your criminal record the same as other applicants' records. Keep reading this section to learn what landlords can and can't do when getting and considering your criminal history information.

CAN A PRIVATE LANDLORD REFUSE TO RENT TO ME JUST BECAUSE OF MY CRIMINAL RECORD?

Most of the time, yes. Unfortunately, the law does not protect you from housing discrimination based on your criminal record alone. Although federal and state laws make it illegal for private landlords to discriminate against you because of your *race, color, national origin, sex, gender, gender identity, gender expression, sexual orientation, religion, disability, marital status, family status, or legal source of income (like RAP or Section 8)*, the laws do not provide any specific or direct protection based on having a criminal record.[169] Landlords have the power to choose their tenants, and judges often side with landlords who claim that banning people with criminal records is necessary to protect other residents and property.[170]

However, there are some cases where you might be protected if a private landlord rejects you because of your criminal record.

[169] See Fair Housing Act, 42 U.S.C. § 3601 et seq.,Conn. Gen. Stats. §46a-64b & c.

[170] 42 U.S.C. § 3604(f)(9) (Fair Housing Act does not protect "individual whose tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others"); Evans v. UDR, Inc., 644 F. Supp. 2d 675 (E.D.N.C. 2009) (holding that the Fair Housing Act (FHA) does not prohibit landlords from denying a disabled tenant's rental application based on her criminal record; relaxation of landlord's "no criminal history" policy was not required as a reasonable accommodation for mentally disabled tenant, even where tenant's disability was an underlying cause of her conviction).

1. The Department of Housing and Urban Development's (HUD)'s official stance is that landlords cannot refuse to rent to any person with criminal convictions on that basis alone. Read more about this type of discrimination (called a "blanket ban") below.
2. Additionally, if your CONVICTION is for substance/drug abuse, your *past* substance abuse is considered a disability under state and federal law. People with disabilities enjoy greater protection against discrimination (read more about asking for a reasonable accommodation for a disability in Housing Appendix E, PG. 207).
3. Finally, you are protected by state and federal law that limits what a private landlord can learn about you from a BACKGROUND CHECK (often called a "tenant report" when it's for a landlord who is screening you for their housing). A landlord has to tell you about the background check and give you a chance to fix incorrect information in the background check. Certain information *isn't legally supposed to come up* in the background check (read more below at Section IV, Access to Your Criminal Records as you Apply for Housing, on PG. 166).

CAN A PRIVATE LANDLORD REFUSE TO RENT TO ME BECAUSE MY CRIMINAL RECORD WOULD INCREASE THEIR HOMEOWNER'S INSURANCE RATES?

Maybe. Insurance companies, including those that protect homeowners, generally have broad discretion in setting their rates and premiums. At the same time, under the Federal Housing Act, insurance companies cannot price their policies in a way that discriminates on the basis of race, gender, or other protected characteristics.[171]

Continue reading for more information.

WHEN AM I LEGALLY PROTECTED FROM A PRIVATE LANDLORD DISCRIMINATING AGAINST ME DUE TO MY CRIMINAL RECORD?

Below are some situations where you might be legally protected if a private landlord is discriminating on the basis of your criminal record:

1) Blanket Bans:

In 2016, HUD issued guidelines on how housing discrimination laws apply to people with criminal records.[172] In HUD's view, it is a violation of federal law to refuse to rent or sell to any person with any criminal conviction on that basis.[173] The specific arguments for why blanket bans violate the law are covered in #2-4 below.

If you think one of the following arguments applies to your situation, it may be a good idea to consult an attorney.[174] See the list of legal aid providers in Guide Appendix, on PG. 413.

WHAT IS A "BLANKET BAN" IN HOUSING?

Here, a "blanket ban" means there is a policy that COMPLETELY bans or disqualifies someone—with no exceptions for any reason—from housing.

2) Arbitrary Discrimination:

According to HUD, more focused policies, such as bans on people with specific types of criminal convictions, may violate federal law if they don't serve a legitimate purpose (or, in legal terms, "a substantial, legitimate, and nondiscriminatory interest"). Any policy that doesn't take into consideration how much time has passed since the conviction(s), or the nature or seriousness of the crime, is unlikely to meet this standard. On the other hand, policies aimed at preventing harm to residents' safety and/or property may be sufficient.[175]

If you come across a blanket ban, or discrimination that seems completely arbitrary, you should contact a lawyer. See the list of legal aid providers in Guide Appendix, PG. 413.

3) Unfair Treatment (also called "discriminatory treatment"):

Even though a private landlord is legally allowed to consider your criminal record, the landlord must apply the *same standards* for screening applicants equally. For example, a landlord can't reject an African-American applicant based on his/her criminal record, but then accept a white applicant with a similar criminal record.

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[171] *Ojo v. Farmers Group, Inc.* (2010) 600 F.3d 1205, 1208, holding that the FHA prohibits racial discrimination in both the denial and pricing of homeowner's insurance; see also 24 C.F.R. § 100.70; 42 U.S.C. § 12201(c)(1), prohibiting an insurer from administering a plan or classifying risks in a manner that is inconsistent with State law.
[172] U.S. Dept. of Housing and Urban Dev., Office of General Counsel Guidance on Application of Fair Housing Act Standards to the use of Criminal Records by Providers of Housing and Real Estate-Related Transactions (April 4, 2016), https://portal.hud.gov/hudportal/documents/huddoc?id=HUD_OGCGuidAppFHAStandCR.pdf.
[173] Id. at p. 6.
[174] See Fair Housing Act, 42 U.S.C. § 3601 et seq.
[175] Ibid.

Another example is that if a private landlord conducts a background check on you, the landlord must also conduct the same background check on all other applicants.

If you come across a private landlord who you believe is treating your criminal record differently from other similar applicants, you should contact a lawyer. See the list of legal aid providers in Guide Appendix PG. 413.

4) Unfair Impact (also called "disparate impact" or "discriminatory effect") & Blanket Bans:

As a group, people with criminal convictions are not directly protected by the Fair Housing Act – the federal law prohibiting housing discrimination based on things like race, gender, and sexual orientation. However, in 2015, the United States Supreme Court decided a housing policy that affects people of color more than others may violate the Fair Housing Act if it isn't supported by a legally sufficient justification.[176] African-Americans, Latinos, and other people of color are overrepresented in our criminal justice system so there is a strong argument that banning tenants with criminal records from private housing violates the law.

5) Past Drug or Alcohol Addiction (A Protected Disability)

It is illegal for a landlord to deny you housing based on a *past* drug or alcohol addiction. Past addiction, as well as current alcoholism,[177] are considered disabilities under both federal and state law. Landlords cannot deny you housing because of a disability. Landlords may not even ask about past drug or alcohol abuse. Landlords must also provide you with reasonable accommodations if necessary.[178]

However, a landlord may deny you housing if you are *currently using or selling* illegal drugs (this is the same rule that applies to current drug use in government-assisted housing properties).

If a landlord denies you housing due to *past* drug or alcohol abuse, you should request a reasonable accommodation and/or challenge the denial. *It is suggested that you try and contact an attorney to help, since every individual's circumstances and case is different. See the list of legal aid providers in Guide Appendix, PG.413 for places that may be able to assist you.*

2. CRIMINAL RECORD BANS IN GOVERNMENT-ASSISTED HOUSING

HOW CAN MY CRIMINAL RECORD AFFECT MY CHANCES OF GETTING ACCEPTED INTO GOVERNMENT-ASSISTED HOUSING?

When you apply to government-assisted housing through a Public Housing Authority (PHA) (see definition in Introduction, Section I. at PG. 131), the PHA runs a criminal background check on:

- You;
- Everyone currently living with you;
- Everyone 16 or older who might live with you;
- Any biological parent of any children who will be living in the household, even parents who do not plan to live with you and are not part of the application to the PHA.

The rules governing who may be denied are very broad. The PHA tries to exclude people it believes will "risk the health and safety of other tenants." On the other hand, the PHA may choose to overlook your criminal convictions and accept your application, especially if they see evidence that you have changed since the time of your conviction.[179]

IMPORTANT! ***There are a lot of rules about who can and cannot live in government-assisted housing*****. Every program has its own set of rules that you should be aware of** ***BEFORE you apply*****. You want to know what laws or program policies might prevent you from living there because of a criminal conviction or other criminal history information, even if your family already lives there. Some bans are required by law, while others are allowed, but not required. These types of bans are up to the discretion and policies of the PHA and/or the owner of the government-assisted housing. You should look at the policies BEFORE YOU APPLY.**

CAN A PUBLIC HOUSING AUTHORITY (PHA) REFUSE TO RENT TO ME JUST BECAUSE OF MY CRIMINAL RECORD?

Yes. Rules for government-assisted housing can be VERY STRICT.

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[176] See Tex. Dep't of Hous. & Cmty. Affairs v. Inclusive Cmtys. Project, Inc. (2015) 135 S. Ct. 2507.
[177] Americans with Disabiltities Act, Questions and Answers, U.S. DEP'T OF JUSTICE, https://adata.org/ada-publications.
[178] Fair Housing Act, 42 U.S.C. 3604; see also Mental Health Advocacy Svcs., Inc., Fair Housing for People with Disabilities at 18-20 (Feb. 2007).
[179] See Know Your Rights: Housing and Arrests or Criminal Convictions, THE BRONX DEFENDERS (Oct. 2, 2010), http://www.bronxdefenders.org/housing-and-arrests-or-criminal-convictions/.

There are two reasons that a PHA or owner of government-assisted housing might reject you. The first reason is when it's legally required (meaning the PHA and/or the owner of government-assisted housing don't have a choice and *must* deny you.) The second reason is when it's allowed but not required (meaning the PHA and/or the owner of government-assisted housing has a choice to deny you, but doesn't *have* to). It is important for you to understand both situations, and your options to challenge the bans that are allowed, but not required, or spot situations where a PHA or owner of government-assisted housing tells you that the ban is legally required, but there is a legal loophole. Keep reading to learn more.

OVERVIEW
REQUIRED VS. ALLOWED BANS IN GOVERNMENT-ASSISTED HOUSING

(1) BANS THAT ARE REQUIRED: Sometimes, a government-assisted housing provider MUST deny certain applicants because they have a specific type of conviction on their record. Because the law says that the rejection is required ("mandatory"), PHAs and owners of government-assisted housing do not have a choice. They must deny you if you have one of the convictions listed in the law. For all conviction-based bans that are legally required, see the chart below, PG. 149, and the questions on PG. 152.

(2) BANS THAT ARE ALLOWED, BUT NOT REQUIRED ("CATCH-ALL" BANS): More likely, you will fall into a "catch-all" ban on people with any criminal activity (which includes both arrests and convictions, even if they have been dismissed) that *threaten the health, safety, or right of peaceful enjoyment to the government-assisted property by the other residents, the property owner, or the PHA's staff or agents/contractors.* This includes *drug-related criminal activity* and *violent criminal activity* (again, both arrests and convictions, even if dismissed, can be considered). Here, the law doesn't require that you get denied from the housing program, but it allows PHAs and owners of government-assisted housing to deny you on this basis. Federal guidance has instructed housing providers that an arrest alone is not evidence of criminal activity.[180]

See the chart summarizing these bans on PG. 149, and the questions on PG. 152.
See Housing Appendix E, PG. 207, for an even more detailed chart explaining which specific criminal convictions make denial mandatory (required by law) and which make denial permissive (allowed, but not required by law), including citations to the specific laws.[181]

WHERE DO I FIND A PHA'S RULES & POLICIES ABOUT CRIMINAL RECORDS?

The rules for criminal records are different for every government-assisted housing program and are determined locally. Even an owner of government-assisted housing CAN HAVE DIFFERENT RULES than the Public Housing Authority (PHA) that oversees the government-assisted housing programs. You should be able to find these rules FOR YOUR PROGRAM. You can look in the following places:

- The PHA's Annual Plan
- The PHA's Admission and Occupancy Plan (ACOP)
- The lease for public housing
- The Administrative Plan for the Section 8 Voucher program
- The lease and/or house rules for all other government-assisted programs[182]
- The PHA's website for these plans
- By asking the PHA and/or owner for a copy of the rules.

CHART SUMMARIZING CRIMINAL RECORD BANS IN GOVERNMENT-ASSISTED HOUSING

BELOW IS A CHART THAT SUMMARIZES THE CRIMINAL RECORD-RELATED BANS IN GOVERNMENT-ASSISTED HOUSING.
(You can find detailed explanations beginning on PG. 152).

SUMMARY OF REQUIRED VS. ALLOWED CRIMINAL RECORD BANS IN GOVERNMENT-ASSISTED HOUSING					
TYPE OF BAN (Required vs. Allowed)	**CONVICTION OFFENSE**	**LENGTH OF BAN**	**WHICH GOVERNMENT-ASSISTED HOUSING PROGRAMS THIS BAN APPLIES TO**	**WHO IT WILL AFFECT**	**HOW TO CHALLENGE THE BAN *(if it's appropriate--consult a lawyer for legal advice!)***

[180] HUD PIH 2015-10 and HUD PIH 2015-10: Guidance for Public Housing Agencies (PHAs) and Owners of Federally-Assisted Housing on Excluding the Use of Arrest Records in Housing Decisions.
[181] An Affordable Home on Re-entry: Federally Assisted Housing and Previously Incarcerated Individuals, NHLP (2008).
[182] This includes HUD-assisted housing, Rural Development (RD) project-based programs, and Low Income Housing Tax Credit (LIHTC) properties.



REQUIRED ("mandatory")	Methamphetamine Production on Federally-Assisted Property	BANNED FOR LIFE	Federal government-assisted housing programs run by PHAs (public housing, voucher program, Section 8 moderate rehabilitation program)	Anyone living in the government-assisted household	If it's a mistake, bring it to the PHA/owner's attention and explain why the information is wrong. If it's not a mistake, ask for a review hearing and contact a housing attorney for help ASAP.* Show mitigating circumstances & rehabilitation.
REQUIRED ("mandatory")	Sex Offense Convictions requiring LIFETIME Registration	BANNED FOR LIFE	Most federal government-assisted housing programs (doesn't apply to Low Income Housing Tax Credit (LITC) and Rural housing)	Anyone living in the government-assisted household	If you're not required to register, tell the PHA/owner and explain that their information is wrong. If you are required to register, ask for a review hearing and contact a housing attorney for help ASAP.* Show: 1. You're not required to register for life, just a limited period of time, so ban does not apply. 2. Ban does not apply to LIHTC or Rural housing.
REQUIRED ("mandatory")	Past eviction from federally-assisted property due to drug-related criminal activity	BANNED FOR 3 OR MORE YEARS (from date of eviction) <u>*unless*</u> *person engaged in drug-related criminal activity successfully completes a supervised drug rehabilitation program OR circumstances leading to the eviction no longer exist.*	All federal government- assisted housing	Anyone living in the government-assisted household (unless person who was engaged in drug-related activity completes a supervised drug rehabilitation program)	If it's a mistake, bring it to the PHA/owner's attention and explain why the information is wrong. If it's not a mistake, ask for a review hearing and contact a housing attorney for help ASAP.* 1. If the ban is more than 3 years, show it is unreasonably long because of mitigating circumstances & rehabilitation. 2. Ban does not apply to LIHTC or Rural housing. Show mitigating circumstances & rehabilitation.

REQUIRED ("mandatory")	Current illegal drug use	While it's current * BUT if the person stops using drugs, the PHA/owner could still reject you for a reasonable time after the illegal drug use—see permissive bans below.	ALL federal government-assisted housing	Anyone living in the government-assisted household	If it's a mistake, bring it to the PHA/owner's attention and explain why the information is wrong. If it's not a mistake, ask for a review hearing and contact a housing attorney for help ASAP.* If person illegally using drugs is kicked out/incarcerated/ getting treatment, show mitigating circumstances & rehabilitation.
ALLOWED, BUT NOT REQUIRED *("permissive")*	Criminal activity that would harm the health, safety, or right of peaceful enjoyment to the government-assisted property by other residents, the property owner, or PHA staff or agents/contractors. *This applies to both convictions AND arrests that did not result in a conviction*	The criminal activity must be "reasonably recent"	ALL federal government-assisted housing	Check the PHA policy	If it's a mistake, bring it to the PHA/owner's attention and explain why the information is wrong. If it's not a mistake, ask for a review hearing and contact a housing attorney for help ASAP.* Show: 1. Significant time has passed (not reasonably recent). 2. Does not pose a risk to other residents; doesn't fall within the ban.
ALLOWED, BUT NOT REQUIRED *("permissive")*	Other drug-related criminal activity	The criminal activity must be "reasonably recent"	ALL federal government-assisted housing	Check the PHA policy	If it's a mistake, bring it to the PHA/owner's attention and explain why the information is wrong. If it's not a mistake, ask for a review hearing and contact a housing attorney for help ASAP.* Show: 1. Significant time has passed (not reasonably recent). If the past drug crime is related to a past addiction, it may qualify for a disability and you should ask for a reasonable accommodation (see Appendix E, PG. 207).



ALLOWED, BUT NOT REQUIRED *("permissive")*	Violent criminal activity	The criminal activity must be "reasonably recent"	ALL federal government-assisted housing	Check the PHA policy	If it's a mistake, bring it to the PHA/owner's attention and explain why the information is wrong. If it's not a mistake, ask for a review hearing and contact a housing attorney for help ASAP.* Show: 1. Significant time has passed (not reasonably recent). 2. Mitigating circumstances & rehabilitation.

WARNING: READ CAREFULLY

In the chart above, we summarize four situations where a Public Housing Authority (PHA) and the owners of federal government-assisted housing MUST reject you under law based on particular types of convictions. BUT PLEASE NOTE: These required ("mandatory") bans apply only to SOME types of federal government-assisted housing, but not ALL types. **There are SOME government-assisted housing programs where these "required" bans *do not apply***. Also, some of these required bans will last for the rest of your life, but **others are only temporary bans**. ***SO READ CAREFULLY!*** Don't assume the ban applies to you. Try to match your exact situation and conviction/criminal record with this chart to see how your criminal record will affect your ability to get into federal government-assisted housing. Refer back to PG. 149 for an overview of required vs. allowed bans.

DETAILED QUESTIONS & ANSWERS ABOUT CRIMINAL RECORD BANS IN GOVERNMENT-ASSISTED HOUSING

Here we explain the information from the chart above in a question & answer format in much more detail. You will learn about the specifics of each of these criminal record bans in government-assisted housing. Later we explain how to challenge denials due to your criminal record, beginning on PG. 179.

DO YOU NEED LEGAL HELP?

If you have legal questions, we suggest calling a housing legal aid provider from the list of legal aid providers in GUIDE APPENDIX, PG.413, or contact Statewide Legal Services (SLS) at(800)453-3320 for further guidance or a referral.

WHAT BANS ARE *REQUIRED* IN GOVERNMENT-ASSISTED HOUSING—FOR SPECIFIC TYPES OF CONVICTIONS AND SPECIFIC HOUSING PROGRAMS?

Here we explain the four bans that are required ("mandatory") for SOME types of federal government-assisted housing programs, but not ALL. There might be government-assisted programs where these bans DO NOT APPLY. *So please read carefully!*

BAN 1: METHAMPHETAMINE PRODUCTION ON FEDERAL GOVERNMENT-ASSISTED PROPERTY → LIFETIME BAN FROM 3 FEDERAL HOUSING PROGRAMS

Under federal law, PHAs and owners of government-assisted housing MUST PERMANENTLY DENY admission to an entire household to three of the federal government-assisted housing programs—*(1) Public Housing, (2) the "Section 8" Housing Choice Voucher program, and (3) the Section 8 Moderate Rehabilitation program*—if ANY MEMBER of the household has ever been convicted of the manufacture or production of methamphetamine ON THE PREMISES of any type of federal government-assisted housing.[183] Because this rule is so specific, the lifetime ban applies to only a *very small number of housing applicants.*

Let's break it down further. As you apply to a PHA for government-assisted housing, this lifetime ban only applies to you if you or someone in your household was:

1. Convicted (meaning found guilty in a court of law);
2. Of the manufacture or production of Methamphetamine; AND
3. The criminal activity took place on the premises (on the property) of any type of federal government-assisted housing.

[183] 42 U.S.C. § 1437n(f)(1); 24 C.F.R. §§ 882.518(a)(1)(ii) (Section 8 moderate rehabilitation), 960.204(a)(3) (public housing), 982.553(a)(1)(ii)(c) (Section 8 voucher).

4. If you are applying to a government-assisted housing program that is *not* one of the 3 programs that PHAs run (again, those are Public Housing, the "Section 8" Housing Choice Voucher program, and the Section 8 Moderate Rehabilitation program), then this mandatory lifetime ban does NOT apply to you or your household.[184] Instead, read about the catch-all ban on PG.157 that is allowed, but not required.

I was denied by the PHA or the owner of government-assisted housing, but based on the information in this legal guide, I think it was a mistake or the required ban doesn't apply to me. How do I challenge the denial?

If another assisted housing program—not one of the three listed above—tries to impose a lifetime ban on you due to your conviction for the manufacture or production of methamphetamine on the premises of federal government-assisted property, you can challenge the lifetime ban and present mitigating information (meaning facts that are specific to your case and circumstances showing you should not be denied the housing)—see PG. 160.

Go to PG 179 to learn how to challenge a denial by asking the PHA for an informal review hearing.

Go to PG. 160 to learn about what kinds of mitigating information you should include with your application, and as proof of mitigating circumstances & rehabilitation with any challenges you bring.

If there was a mistake in the information the PHA or owner of the government-assisted property relied upon, you should immediately bring it to their attention.

Mistakes could include:

Errors in your criminal records

Even though you were on the premises of the federal government-assisted housing, you did not actually manufacture the drugs there, but you were automatically denied housing anyway; OR

Even though you were involved in the manufacturing of the methamphetamines, you were a victim of domestic violence that led to your involvement, and you shouldn't be punished by the PHA.

BAN 2: SEX OFFENSE CONVICTIONS REQUIRING LIFETIME REGISTRATION → LIFETIME BAN FOR ALMOST ALL FEDERAL GOVERNMENT-ASSISTED HOUSING PROGRAMS

Under federal law, PHAs and owners of government-assisted housing MUST PERMANENTLY DENY admission to an entire household—to almost all federal government-assisted housing programs—if ANY MEMBER of the applicant household is required to be *lifetime registered* under any state's sex offender registration program.[185]

THIS REQUIRED BAN DOES NOT APPLY TO YOU if you are required to register as a sex offender for a temporary or limited amount of time. Again, the ban only applies if you are required to register as a sex offender in any state for the *rest of your life*. Unfortunately, PHAs and owners of government-assisted property will often mistakenly apply the ban to anyone registered as a sex offender.

EXCEPTION FOR CERTAIN TYPES OF GOVERNMENT-ASSISTED HOUSING PROGRAMS (NO REQUIRED BAN): Owners of two government-assisted housing programs—Low-Income Housing Tax Credit (LIHTC) properties and Rural Development (RD) housing—are NOT REQUIRED to deny admission to a person registered as a lifetime sex offender; they have discretion.[186]

I was denied by the PHA or the owner of government-assisted housing because I am a person registered as a sex offender, but based on the information in this legal guide, I think it was a mistake or the required ban doesn't apply to me. How do I challenge the denial?

Some PHAs or owners misinterpret the rules that apply to people on the sex offense registry, and some apply their own criteria—which in the real world means that the PHA or owner will end up automatically banning a person who *shouldn't be automatically banned* (an example of this would be if a PHA had a policy that permanently bans all people required to register on a state's Sex Offender Registry list, even people who don't have to register for their entire lifetime). If this is your situation, you can challenge the denial by asking the PHA for an informal review hearing (see PG.179).

[184] When applying for admission. If an owner, who is not required by statute to impose a lifetime ban, seeks to impose one, an applicant may object to the policy as contrary to congressional intent as it goes beyond the statutory limits. C.F.R. § 3560.154(j). If an owner rejects such an applicant, the applicant should challenge the lifetime ban and present information regarding mitigating circumstances or rehabilitation. Mitigating circumstances might include the fact that the applicant was on the premises but did not manufacture the drugs, or was involved in the manufacturing but was a victim of domestic violence. It may also include the fact that there has been a significant lapse of time between the offense and the application for admission with no other intervening criminal activity.

[185] 42 U.S.C. § 13663(a); 24 C.F.R. §§ 5.100 (definition of federally assisted housing), 5.856 (federally assisted housing in general), 882.518(a)(2) (Section 8 moderate rehabilitation), 960.204(a)(4) (public housing), 982.553(a)(2)(I) (voucher) (2007); Screening and Eviction for Drug Abuse and Other Criminal Activity-Final Rule, H 2002-22 (Oct. 29, 2002), ¶ VI.

[186] See 7 C.F.R. § 3560.154(j) (2007) (RD housing). There are no regulations for LIHTC properties requiring the denial of admission of a person registered as a sex offender.

Only if you meet the *legal definition* of a person registered as a lifetime sex offender can you be permanently denied federal government-assisted housing without any other consideration of your individual circumstances. If you do not have a lifetime sex offender registration requirement, the PHA should analyze the *time, nature and circumstances* of the offense, as appropriate for any other criminal activity (see PG.148).[187] As an applicant, you should also be allowed to show mitigating information and/or proof of your rehabilitation (see PG.160 for explanations of what counts as mitigating information and proof of rehabilitation). For example, if you do not have to register as a sex offender for the rest of your lifetime, you should be able to establish that the criminal conduct was not violent, did not involve children, happened a long time ago, and that there have been no problems since the conviction.[188]

- Go to PG. 182 to learn how to challenge a denial by asking the PHA for a review hearing.
- Go to PG. 160 to learn about what kinds of mitigating information and proof of rehabilitation you should include with your application, and/or with any challenges you bring.
- If there was a MISTAKE in the information the PHA or owner of the government-assisted housing relied upon, you should immediately bring it to their attention. Mistakes could include errors in your criminal records.

IMPORTANT: There are other restrictions on where people who must register as sex offenders can live under Connecticut state law. It is VERY IMPORTANT to check your state and local laws regarding these requirements to know if they apply to you, and how it will affect where you can live.

BAN 3: PAST EVICTION FOR DRUG-RELATED ACTIVITY ON FEDERAL GOVERNMENT-ASSISTED PROPERTY → MINIMUM 3-YEAR BAN FOR THREE FEDERAL GOVERNMENT-ASSISTED HOUSING PROGRAMS

Under federal law, PHAs and owners of government-assisted housing MUST DENY admission to an entire household to three of the government-assisted housing programs—*(1) Public Housing, (2) the "Section 8" Housing Choice Voucher program, and (3) the Section 8 Moderate Rehabilitation program*—if ANY MEMBER of the household has ever been EVICTED from *any federal government-assisted housing program or property* because of drug-related criminal activity.[189] This ban must last for a minimum of 3 years, starting from the date of eviction, but PHAs and owners can choose to extend the ban.[190]

PLEASE NOTE: This ban only applies to the three types of federal government-assisted housing mentioned above. It does NOT apply to the following types of government-assisted housing programs:

- Low-Income Housing Tax Credit (LIHTC) properties and Rural Development (RD) housing;[191]
- Housing applicants who were evicted for drug-related activity from any other type of housing or program that *does not receive federal government money*.[192]

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[187] One could argue that the federal statute barring lifetime registered sex offenders preempts an expansion of that bar to other sex offenders. There are three general types of situations in which preemption may be established. One of the situations is that preemption may be inferred where the scheme of the federal legislation is so comprehensive that it creates the inference that Congress "left no room" for local regulation in that area. Cal. Fed. Sav. & Loan Ass'n v. Guerra, 479 U.S. 272, 281 (1987). Applying that standard, the area in question is eligibility for federally assisted housing and Congress has fully defined eligibility for federally assisted housing. Imposing an absolute lifetime bar when none is required is determining eligibility in an area that Congress has not left any room for local regulation. Success on such a claim may be complicated as the party seeking preemption has the burden of proof and the presumption is against preemption. Cipollone v. Ligget Group, 505 U.S. 504, 518 (1992).

[188] Corinne A. Carey, No Second Chance: People with Criminal Records Denied Access to Public Housing, 36 U. TOL. REV. 545, 579 (2005) (article also lists reasons why an individual might be on a lifetime registration list, including consensual relationship with partners who are a few years younger, indecent exposure or lewd displays often related to substance abuse, mental health diagnosis, homelessness, and women who are convicted of conspiracy to commit sexual abuse for failing to protect a child from such abuse); see also Housing Rights Watch, No Easy Answers: Sex Offender Laws In The US (2007).

[189] 42 U.S.C. § 13661(a).

[190] 4 C.F.R. §§ 5.852(d) (federally assisted housing), 960.203(c)(3)(ii), 966.4(1)(5)(vii)(E) (public housing). HUD apparently believes that the statute sets a floor of three years, and that PHAs and owners are not violating the statute if they expand the time period. The HUD explanation in the regulations is that "[s]ince the intent of the statute was to strengthen protections against admitting persons whose presence in assisted housing might be deleterious, HUD does not interpret this new provision as a constraint on the screening authority that owners and PHAs already had." Screening and Eviction for Drug Abuse and Other Criminal Activity; Final Rule, 66 Fed. Reg. 28,776, 28,779 (May 24, 2001).

[191] 4 C.F.R. §§ 5.850(a) (excludes rural development housing), 5.854(a) (federally assisted housing in general), 882.518(a)(1)(l) (Section 8 moderate rehabilitation), 960.204(a)(1) (public housing), 982.553(a)(1)(l) (voucher); Screening and Eviction for Drug Abuse and Other Criminal Activity–Final Rule, H 2002-22 (Oct. 29, 2002) ¶ VI (HUD Notice applicable to HUD-assisted project-based housing, excluding Section 8 moderate rehabilitation housing and project-based vouchers or certificates). The rule is also not applicable to housing assisted with S+C, SHP or HOPWA funding.

[192] 4 C.F.R. §§ 5.850(a) (excludes rural development housing), 5.854(a) (federally assisted housing in general), 882.518(a)(1)(l) (Section 8 moderate rehabilitation), 960.204(a)(1) (public housing), 982.553(a)(1)(l) (voucher); Screening and Eviction for Drug Abuse and Other Criminal Activity–Final Rule, H 2002-22 (Oct. 29, 2002) ¶ VI (HUD Notice applicable to HUD-assisted project-based housing, excluding Section 8 moderate rehabilitation housing and project-based vouchers or certificates). The rule is also not applicable to housing assisted with S+C, SHP, or HOPWA funding.

IMPORTANT EXCEPTION: PHA or owner *may* admit your household if the person whose drug-related criminal activity led to the eviction *later goes on to complete an approved, supervised drug rehabilitation program*, OR if your circumstances have changed.[193] This is an important exception, because it gives you the power to change your situation!

By taking and completing an approved drug rehabilitation program, you could become eligible for housing again, or you could become eligible *if your circumstances have changed*. "Changed circumstances" could mean:

The household member with the drug-related conviction has died or is in prison, and won't return to the household.

The applicant household has had no contact for a period of time and does not know the whereabouts of the former household member who was evicted for the drug-related activity.

There could be other reasons the family should be allowed back into the housing if the person with the conviction is no longer in the picture or has been rehabilitated.[194]

My application was denied by the PHA or the owner of government-assisted housing because of a past eviction from federal government-assisted property for drug-related criminal activity, but I think it was a mistake or that the ban is unreasonably long (more than 3 years). How do I challenge the denial?

- You can challenge a denial because the ban is unreasonably long or because there was a mistake in the information the PHA or owner of the government-assisted property relied on. Go to PG.179 to learn how to challenge a denial by asking the PHA for an informal review hearing.
- Go to PG.160 to learn about what kinds of mitigating information you should include with your application, and as proof of mitigating circumstances & rehabilitation with any challenges you bring.
- If there was a mistake in the information the PHA or owner of the government-assisted property relied upon, you should immediately bring it to their attention. Mistakes could include errors in your criminal records.

HELPFUL HINT

Challenging Long Bans For Past Drug Activity on Government Housing Property:

If you were convicted of a less serious drug-related crime, such as mere possession, OR you have been rehabilitated (and can show you have changed, done classes, or improved yourself), these are all good reasons to challenge a ban that is significantly longer than 3 years. If you can, talk to a lawyer or advocate![195] See Guide Appendix, on PG.413 for a list of legal aid providers in Connecticut. A lawyer can explain how to gather proof that shows the housing ban shouldn't apply to you for more than 3 years. Again, go to PG.179 to learn about the procedure for challenging a denial, and asking the PHA for an informal review hearing.

BAN 4: CURRENT ILLEGAL DRUG USE → REQUIRED BAN WHILE ILLEGAL DRUG USE IS "CURRENT"

PHAs and owners of government-assisted housing **must deny** admission to an entire household if ANY MEMBER of the household is *currently* using illegal drugs.[196]

QUESTIONS RELATED TO CURRENT DRUG USE:

When does drug use or alcohol abuse disqualify me from getting into federal government-assisted housing?

Current drug use on or near the property by any tenant, household member, person under the tenant's control, or guest will disqualify you.[197] "Current" means you used illegal drugs "recently enough to justify a reasonable

[193] 2 U.S.C. § 13661(a); 24 C.F.R. § 5.854(a)(2). The rehabilitation should not be limited to supervised rehabilitation programs but also ought to recognize self-help programs such as Alcoholics Anonymous. See, e.g., Rules & Regulations, Dep't of Hous. & Urban Dev., 66 Fed. Reg. 28,776, 28,785 (May 24, 2001) (codified at 24 C.F.R. § 5.852(c)(1)).

[194] 1842 U.S.C. § 13661(a); 24 C.F.R. § 5.854(a)(2). The rehabilitation should not be limited to supervised rehabilitation programs but also ought to recognize self-help programs such as Alcoholics Anonymous. See, e.g., Rules & Regulations, Dep't of Hous. & Urban Dev., 66 Fed. Reg. 28,776, 28,785 (May 24, 2001) (codified at 24 C.F.R. § 5.852(c)(1)).

[195] Preemption may be inferred where the scheme of the federal legislation is so comprehensive that it creates the inference that Congress "left no room" for local regulation in that area. Cal. Fed. Sav. & Loan Ass'n v. Guerra, 479 U.S. 272, 281 (1987). Applying that standard, Congress has fully defined eligibility for federally assisted housing. Imposing an absolute lifetime bar when none is required is determining eligibility in an area that Congress has not left any room for local regulation. Cipollone v. Ligget Group, 505 U.S. 504, 518 (1992).

[196] 24 C.F.R. § 960.204.

[197] 24 C.F.R. § 960.204.



belief" that you're still using. In their written policies, PHAs and owners should spell out what they define as "recent," and must abide by that policy. Read more about "recentness" requirements on PG.159. To learn about how your past addiction could be a protected disability which allows you to ask the PHA or owner of government-assisted housing to lift or relax this ban (see Housing Appendix E, PG. 207). The legal term is called "reasonable accommodation."

How would PHA or owner find out about my alcohol or drug use?

A PHA or owner could learn about your drug or alcohol use directly from you (in your application) or from access to records about your criminal history or drug treatment. To learn more about how a PHA or owner accesses records related to your alcohol or drug use, go to PG.168.

Should I try to hide my current illegal drug use from the PHA or owner of the government-assisted housing?

No, you should be honest on the application. You can be denied the government-assisted housing—or later evicted (kicked out/terminated from the program)—for intentionally lying during the application process.

Do PHAs or owners of government-assisted housing consider whether I have participated in or completed a drug or alcohol rehabilitation program to let me into a housing program?

Generally, they don't have to, but PHAs and owners may consider that you have participated in or have completed a drug rehabilitation program, and may ask you for documentation that you are not currently using illegal drugs.[198] Specifically, you may have to provide documentation of your drug rehabilitation with your application if you want to avoid or reduce the 3+ year ban on admitting people who were previously evicted from federally-assisted housing due to a drug-related crime.[199]

Can PHAs or owners of government-assisted housing screen me by using or requiring a medical exam or drug test?

No. PHAs and owners may not require you to undergo any type of physical exam or medical testing in order to admit you to a housing program. This includes testing for HIV/AIDS, Tuberculosis (Tb), pregnancy, and, arguably, drug/alcohol screening.[200]

WARNING: If applying to government-assisted housing, it is very important for anyone with a criminal record to read the following section!

WHAT BANS ARE ALLOWED, BUT NOT LEGALLY REQUIRED IN GOVERNMENT-ASSISTED HOUSING—THE "CATCH-ALL" CATEGORY OF BANS THAT APPLY TO ALL PEOPLE WITH CRIMINAL RECORDS?

For the majority of people who do not fall into one of the required ("mandatory") bans discussed above, it's more likely you could get denied government-assisted housing because the Public Housing Authority (PHA) or the owner of the government-assisted housing has decided based on your criminal record that you *currently* "pose a risk to the health, safety, or right to peaceful enjoyment of the property by other residents, the owner, or the PHA staff or agents/contractors."[201]

This is a "catch-all" category and allows the PHA or owner of government-assisted property to deny applicants with criminal histories more generally. They are allowed to consider a lot of information, including past convictions (even convictions you had expunged); arrests (even those that never led to a conviction); and in some cases your drug treatment records. See PG.165 for detailed information about what criminal records a Public Housing Authority (PHA) or owner of government-assisted property can access about you.

HOW CAN I FIND OUT THE CRIMINAL RECORD POLICIES OF MY LOCAL PUBLIC HOUSING AUTHORITY (PHA) OR OF THE OWNER OF GOVERNMENT-ASSISTED HOUSING?

REMEMBER THAT THESE "CATCH-ALL" BANS ARE NOT REQUIRED: This "catch-all" category is NOT a required ban. The PHA or owner is allowed to exclude you only if they can show that your criminal history poses a current threat to the health, safety, or peace of other residents, the owner, or PHA staff or agents/contractors. It's recommended that they consider mitigating information and proof of your rehabilitation—and in the case of the Public Housing program, the PHA *must* consider this extra information!

Each local PHA and owner of government-assisted housing will have different rules about what criminal history information they will ignore and what they will consider. By law, the PHAs and owners of government-assisted housing MUST put their policies *in writing* and make them available to applicants.[202]

The rules and policies of each local PHA and owner of government-assisted housing MUST not violate the legal protections discussed on PG.143. Furthermore, the PHA must follow its own rules and policies.

You may want to consider talking to an advocate/lawyer about whether or not a particular PHA's policies to exclude people with certain criminal records could be violating the law. (See Guide Appendix, PG. 413 for a list of legal aid providers in Connecticut).

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[198] 24 C.F.R. § 982.553

[199] See PG.150 for information about federally-assisted housing programs that have a 3-year ban on someone who was evicted from housing for a drug-related offense. For certain federally-assisted housing programs, including (1) public housing, (2) the voucher program, and (3) project-based Section 8 housing, there is a mandatory 3-year ban on admission for families, if any member of the applicant's household has ever been evicted from "federally assisted housing" for drug-related criminal activity. 42 U.S.C. § 13661(a). The ban does not apply to LIHTC and RD housing. See PG.150. This rule also does not apply to applicants who were evicted for drug-related activity from non-federally assisted housing. See PG. 150.

[200] See HUD, Occupancy Requirements Of Subsidized Multifamily Housing Programs ¶ 4-8(B)(1) (rev. November 2013) (Prohibited Screening Criteria). Typically this provision is used to prohibit owners from inquiring into an applicant's medical/physical condition, such as pregnancy, AIDS or TB. But it also could be used to argue that an owner may not request drug testing.

[201] 24 C.F.R. § 982.553

[202] 24 C.F.R. § 960.202.

IMPORTANT: Want to learn how to challenge a denial from a PHA or owner of government-assisted housing? Go to PG. 179 to learn more!

UNDER THE "CATCH-ALL" BAN, CAN A PUBLIC HOUSING AUTHORITY (PHA) OR OWNER OF GOVERNMENT-ASSISTED HOUSING DENY ME FOR A CONVICTION THAT I HAD "ERASED"?

No. A PHA or owner of government-assisted housing may not consider erased convictions in deciding whether to admit you into a government-assisted housing program or unit.

Erased records result in a complete erasure of your official criminal record.[203] This means that, for this application, when you are asked about any past convictions, you should not list those that have been *erased*. When your record is erased, you can legally say that you do not have a criminal record.[204]

Remember, the PHA's or owner's right to reject you based on your criminal record (including erased convictions) is limited by federal[205] and state law.[206] Go to PG. 143 to learn more about these protections and limitations on the kinds of denials that PHAs and owners can make.

UNDER THE "CATCH-ALL" BAN, CAN A PUBLIC HOUSING AUTHORITY (PHA) OR OWNER OF GOVERNMENT-ASSISTED HOUSING DENY ME FOR ARRESTS THAT DID NOT RESULT IN A CONVICTION?

No.[207] A PHA or owner of government-assisted housing CANNOT deny, end assistance, or evict you based on *arrest records* alone.[208] Some PHAs or owners of government-assisted housing might ask about arrests, and some might not. But whatever the policy, the PHA or owner MUST be able to show that's it is more probable than not that the *conduct underlying the arrest* occurred and that such conduct could *threaten the health, safety, or right to peaceful enjoyment of the building by other residents, the owner, or PHA staff or its agents/contractors*. This means the PHA or owner of government-assisted housing will need other forms of proof (beyond just the arrest record) that the conduct underlying the arrest occurred, because of course, an arrest is NOT legal proof that you actually committed a crime (unlike a conviction, which shows guilt).[209]

If you were denied government-assisted housing based on arrest records alone (without more proof), you can challenge the denial, as this practice likely violates fair housing and anti-discrimination laws and/or your right to due process.[210] We suggest that you contact a housing attorney or legal aid organization that can help you (see the list of legal aid providers in Guide Appendix, PG. 413). Whether or not you can find a lawyer to help you, you should try to get familiar with the procedure for challenging a PHA's or government-assisted owner's decision to deny you. For details on this process, see PG. 179.

UNDER THE "CATCH-ALL" BAN, WILL MY PARTICIPATION IN A PRE-TRIAL INTERVENTION OR DIVERSION PROGRAM MATTER?

If the program shows up on your background check as a conviction, then the PHA or owner of the government-assisted housing can consider it, and possibly deny you.[211] *SO it depends on how it comes up on your background check.*

- If you are placed into a pre-trial intervention program and *you do NOT have to plead guilty in order to participate*, then a background check report will probably show the filing of a case, but no conviction while you are participating in the program. If you successfully complete the program, then your case will be dismissed without a conviction ever having been recorded. Therefore, it CANNOT show up as a conviction in a background check, because it never was one. If there are errors in your background check, the PHA or owner must give you an opportunity to correct them.
- If instead you are placed in a pre-trial intervention program that *requires you to plead guilty*, then this guilty plea will probably appear as a conviction on a background check report while you are still participating in the program. If you successfully complete the program, your guilty plea should be automatically withdrawn and those records sealed, after which a private background check company CANNOT report this as a conviction. If there are errors in your background check, the PHA or owner must give you an opportunity to correct them.[212]

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[203] Conn. Gen. Stat. § 54-142a(e)(3).
[204] Id.
[205] 42 U.S.C. §13661(a).
[206] Conn. Gen. Stat. § 54-142a(e)(3).
[207] 42 U.S.C. §13661(c).
[208] U.S. DEP'T HOUS. & URBAN DEV., PIH 2015-19, Guidance for Public Housing Agencies (PHAs) and Owners of Federally-Assisted Housing on Excluding the Use of Arrest Records in Housing Decisions (2015). See also Landers v. Chicago Hous. Auth., 404 Ill. App. 3d 568 (2010).
[209] Id.
[210] Id.
[211] 42 U.S.C. § 13661(c); 24 C.F.R. § 5.903.
[212] 24 C.F.R. §§ 5.903, 960.204.



To learn more about how private background checks work, see PG. 166.

UNDER THE "CATCH-ALL" BAN, CAN A PUBLIC HOUSING AUTHORITY (PHA) OR OWNER OF GOVERNMENT-ASSISTED HOUSING DENY MY APPLICATION BECAUSE OF THE CONVICTIONS OF FAMILY MEMBERS WHO LIVE WITH ME?

Yes. You can be excluded from federal government-assisted housing for the convictions of family members *who are part of the current household.*[213]

If the convicted family member no longer lives with you, you should NOT be denied because of their convictions, but you may have to prove that he or she is not part of the household anymore.[214]

WHAT DOES "CURRENTLY POSING A THREAT" MEAN?

If you are denied government-assisted housing by a PHA or owner because of criminal activity that DOES NOT threaten anyone's health, safety, peace, or property, then you have a strong argument to challenge the denial. Go to PG. 153 of this chapter to learn how. Many advocates argue that certain crimes—like prostitution, DUIs, & shoplifting—should not disqualify you because they do not pose any threat to others. The PHA or owner must base his/her decision to deny you on a "reasonable belief" that the criminal activity would *threaten the health, safety, or right to peaceful enjoyment* of others.

YOUR RIGHTS AGAINST DENIALS FROM GOVERNMENT-ASSISTED HOUSING BECAUSE OF YOUR CRIMINAL RECORD

HOW DOES THE LAW PROTECT ME FROM BEING DENIED GOVERNMENT-ASSISTED HOUSING BECAUSE OF MY CRIMINAL RECORD?

The Public Housing Authority (PHA) or owner of government-assisted housing must follow certain laws and rules when considering your past convictions and criminal history information. They may only reject you *if you or any household member is currently engaging in, or has engaged in criminal activity during a reasonable time before seeking the housing.*

PHAs and owners of government-assisted housing may only reject you for *certain kinds of criminal activity*—not everything.

A PHA or owner may only reject you for criminal activity that is:[215]

- ***A threat*** to the health, safety or peace of other residents;
  A threat to the health, safety or peace of the owner or local PHA staff or agents/contractors;
- Drug-related;[216] OR
- Violent.[217]

PHAs and owners of government-assisted housing may only reject you for criminal activity that is *reasonably recent*.

A PHA or owner of federal government-assisted housing can only reject you due to criminal activity that is CURRENT or is "**reasonably recent**." The length of any ban based on criminal records cannot be "unconscionable"—meaning unreasonable and excessive, drastic beyond what's really needed, or extremely unfair.[218]

What is considered a "reasonably recent period"?

The U.S. Department of Housing and Urban Development (HUD), which oversees most federally-funded housing programs (such as Public Housing, the "Section 8" Housing Choice Voucher program, and others), suggests that "5 years may be reasonable for serious offenses" (like making or dealing drugs)[219] and suggests that PHAs and

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[213] 24 C.F.R. § 960.203.
[214] 24 C.F.R. §§ 982.553, § 5.854.
[215] 42 U.S.C § 13661(c); 24 C.F.R. §§ 5.855(a), 882.518(b), 982.553(a)(2)(ii).
[216] See 42 U.S.C. § 1437a(b)(9) (definition of drug-related criminal activity); 24 C.F.R. § 5.100.
[217] The regulations define "violent criminal activity" as "any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage." 24 C.F.R. § 5.100.
[218] Thomas v. Hous. Auth. of Little Rock, 282 F. Supp. 575, 580 (E.D. Ark 1967) (unwed mother admission policy is drastic beyond reasonable necessity); see also United States v. Robinson, 721 F. Supp. 1541, 1544-45 (forfeiture of tenant's apartment and her federal housing assistance payments, which were the only means by which the defendant could provide shelter for her children, was disproportionately severe to the offense of knowingly and intentionally distributing a mixture containing cocaine base); In the Matter of Elaine Sicardo v. Peter Smith, etc. No. 2007-03609, Index No. 219067/06 (N.Y. App. Div. Second Jud. Dept., March 18, 2008) (penalty in termination case so disproportionate to the offense as to be shocking to one's sense of fairness).
[219] HUD, Public Housing Occupancy Guidebook, ¶ 4.6, (June 2003); see also 24 C.F.R. § 982.552(c)(1)(ii) (five-year ban on admission to voucher program for eviction from federally assisted housing).

owners should set reasonable time periods for different types of criminal activity in their WRITTEN POLICIES.[220] HUD has also suggested that a conviction for illegal drug use that happened 1 year ago could still be considered "recent."[221]

Most Connecticut PHAs have determined a reasonable time for a family to become eligible for admission following criminal activity to be between 5 and 10 years. Some PHAs treat felonies differently from misdemeanors, most do not. PHA's that distinguish between felonies and misdemeanors generally have a shorter look back period for misdemeanors such as 3 years.

If your criminal conviction was the result of a disability (like past substance abuse or mental illness), you can ask for an exception to the criminal record policy (called a "reasonable accommodation").

If you can prove that your conviction was the result of a disability (which includes past drug addiction and mental illness), then you can ask the PHA or owner of government-assisted housing for an exception from their ban as a "reasonable accommodation" to accommodate your disability and give you equal opportunity to access the housing.[222] Read more about how to do this in Housing Appendix E, PG. 207.

WARNING ABOUT WHAT INFORMATION YOU SHARE WITH LANDLORDS:

If you are applying to private housing, be careful not to share any more information than necessary—see PG. 166 to understand what criminal record information a private landlord can access, and see PG. 153 to learn ways you can identify illegal discrimination by private landlords (which has a different legal standard than discrimination by Public Housing Authorities (PHA) and government-assisted owners.

IMPROVING YOUR CHANCES OF GETTING INTO GOVERNMENT-ASSISTED HOUSING—OFFERING PROOF OF REHABILITATION & MITIGATING FACTORS

This section explains the types of information and evidence that you can show to strengthen your application to a PHA or government-assisted housing. You can also provide this type of information and evidence to challenge a denial from government-assisted housing. Learn more about challenging denials from government-assisted housing beginning on PG. 179.

WHAT IS "PROOF OF MITIGATING FACTORS?"

"Proof of mitigating factors" is extra information and evidence that explains that the PHA or landlord should not view the offense or conduct as negatively as it might otherwise. You can submit things like:

- A period of time has passed since your conviction or criminal activity (the crime was not very recent);
- You were convicted at a young age;
- The nature and extent of your conduct are less involved (like showing you were not as involved in the offense/ conduct as one might think);
- Physical or emotional abuse, coercion, or untreated abuse or mental illness that led to the conviction (and any of these factors might have led to the crime/offense);
- Disabilities that you or a family member has that might have led to the conviction; and
- Any additional context for the conviction (other factors that would help explain the circumstances you were in when the offense occurred and why it should be viewed with more leniency).

WHAT IS "PROOF OF REHABILITATION?"

Proof of rehabilitation is information and evidence that you have changed and improved since the time of your criminal offense or conduct. You can submit things like:

- Certificates or letters from supervising officers, or court documents showing completion of parole, probation, or other supervision;
- Letters of support/ recommendations from employers or others (see a list of suggestions for letters of support on PG. 162);
- Certificates or diplomas for education or training you've received;
- Letters or certificates for completing alcohol/drug treatment programs; and
- Letters or certificates for completion of rehabilitation programs.

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[220] Screening and Eviction for Drug Abuse and Other Criminal Activity; Final Rule, 66 Fed. Reg. 28,776, 28,779 (May 24, 2001).
[221] HUD, Voucher Program Guidebook, Housing Choice, 7420.10G, ¶ 5.7, p. 5–37 (Apr. 2001). But see Screening and Eviction for Drug Abuse and Other Criminal Activity; Final Rule, 60 Fed. Reg. 34,660, 34,688 (July 3, 1995) (codified at 24 C.F.R. § 982.553(b)) (HUD regulations formerly stated that to deny admission, drug use or possession should have occurred within prior year).
[222] 42 U.S.C. § 3604(f)(3)(B); Joint Statement of the Dep't of Hous. & Urban Dev. and the Department of Justice, Reasonable Accommodations Under the Fair Housing Act, 6 (May 17, 2004).

DO GOVERNMENT-ASSISTED HOUSING PROGRAMS HAVE TO CONSIDER MITIGATING CIRCUMSTANCES & EVIDENCE OF REHABILITATION?

Generally, programs are not required to consider mitigating circumstances and evidence of rehabilitation,[223] but they may consider evidence that a family member is not currently or has not recently been engaged in criminal activity.[224] Only the Public Housing program—run by your local Public Housing Authority (PHA)—MUST consider mitigating circumstances (that is in cases where the PHA has a criminal record ban in place that is not required by law—see PG. 149 for more information on such bans that are *allowed*, but not required).[225]

Good news! THIS GIVES YOU AN OPPORTUNITY TO EXPLAIN THE SITUATION AND PRESENT FACTS IN A WAY THAT WILL PUT YOUR RECORD IN THE BEST POSSIBLE LIGHT—WHICH WILL IMPROVE YOUR CHANCES OF GETTING ACCEPTED.

All PHAs and owners of government-assisted housing are ENCOURAGED to look at the following (and for the Public Housing program, PHAs *must* look at the following):[226]

1. Every application for housing on a case-by-case basis;
2. The seriousness of the offense;
3. The time that has passed since the offense;
4. The effect that denial of admission would have on the rest of your family;
5. The effect that denial of admission would have on the community;
6. The extent to which you have taken responsibility for your actions and taken steps to prevent or mitigate bad conduct in the future;
7. Evidence of rehabilitation;
8. Mitigating circumstances relating to your disability or the disability of any family member; *and*
9. Evidence of your family's participation or willingness to participate in social services, reentry support, or counseling programs.[227]

WHEN COULD I SHOW PROOF OF MITIGATING CIRCUMSTANCES AND REHABILITATION TO THE PHA OR OWNER OF GOVERNMENT-ASSISTED HOUSING?

IF YOU PROVIDE THIS INFORMATION UPFRONT, you will likely have a better chance of getting into the government-assisted housing program. Many government-assisted housing programs that are not legally required to ask you for mitigating or rehabilitative evidence won't… so be proactive!

Similarly, if you are TRYING TO REJOIN a government-assisted housing unit, be prepared to explain why you should be accepted, despite your record. Because the PHA or owner of the government-assisted housing is likely to run a background check on you, you should be prepared—*if asked*—to honestly disclose your criminal record *AND* to demonstrate mitigating circumstances and evidence of your rehabilitation (see PG. 160).

Consider giving the PHA or owner additional information about *all the benefits* of having you join your family and how your joining may *positively* affect the stability of the entire housing development. *These benefits depend on the facts of your specific situation.* For example, you might include information about your relationship with the family members currently living in the household, especially a positive relationship with any children or a supportive relationship between you and your spouse. Another example is your potential to increase the income of the family unit already living there, so that you will stabilize the rent paid to the PHA or owner of the government-assisted housing. To learn more about joining family and friends—in either private or government-assisted housing—see PG. 173.

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[223] 24 C.F.R. § 960.203(d); HUD, Public Housing Occupancy Guidebook, ¶¶ 4.6, 4.8, 4.10 (rev. November 2013); see also Lancaster v. Scranton Hous. Auth., 479 F. Supp. 134, 138 (M.D. Pa. 1979), aff'd mem., 620 F.2d 288 (3d Cir. 1980) (applicant has burden of putting forth such evidence). In court cases involving eviction or termination of benefits through the government-assisted housing program, courts have sent cases back for review because of the PHA or landlord's failure to consider mitigating circumstances. See Hicks v. Dakota Cnty. Comm. Dev. Agency, No. A06-1302, 2007 WL2416872 (Minn. App., Aug. 28, 2007) ("The permissive nature of the [voucher] regulation does not preclude a determination that mitigating circumstances are an important factor that must be considered in a particular case."); Oakwood Plaza Apartments v. Smith, 352 N.J. Super. 467 (2002) (remanding project-based Section 8 eviction case to trial court for a determination of whether landlord properly exercised discretion and considered relevant factors prior to deciding to evict).

[224] 24 C.F.R. § 982.553.

[225] 24 C.F.R. § 960.203(d); HUD, Public Housing Occupancy Guidebook, ¶¶ 4.6, 4.8, 4.10 (June 2003); see also Lancaster v. Scranton Hous. Auth., 479 F. Supp. 134, 138 (M.D. Pa. 1979), aff'd mem., 620 F.2d 288 (3d Cir. 1980) (applicant has burden of putting forth such evidence).

[226] 24 C.F.R. §§ 982.552(c)(2), 5.852; HUD, Occupancy Requirements Of Subsidized Multifamily Housing Programs ¶ 4-7(C)(4) (Rev. November 2013); HUD, Public Housing Occupancy Guidebook, ¶¶ 4.6, 4.8, 4.10 (June 2003); see also One Strike and You're Out" Screening and Eviction Guidelines for Public Housing Authorities (HAs), PIH 96-16 (HA) (Apr. 12, 1996) 5-6; see also Letter from Mel Martinez, Secretary of HUD, to Public Housing Directors (Apr. 16, 2002), and letter from Michael Liu, Assistant Secretary of HUD to Public Housing Directors (June 9, 2002), both letters are available at http://www.nhlp.org/html/ new/index.htm (in the eviction context HUD has urged PHAs to be guided by "compassion and common sense").

[227] 24 C.F.R. § 960.203(d)(ii). This last factor is listed in the context of public housing but could be considered with respect to applications for other federally assisted housing.

Continue reading to learn about specific types of evidence that show proof of mitigating circumstances and rehabilitation that strengthen your application to government-assisted housing!

SPECIFIC EXAMPLES OF EVIDENCE THAT CAN STRENGTHEN YOUR APPLICATION TO GOVERNMENT-ASSISTED HOUSING

IMPORTANT TIP AS YOU GATHER HELPFUL EVIDENCE OF YOUR REHABILITATION & MITIGATING CIRCUMSTANCES: Try to get *at least* one item from the following list, and as many of these forms of proof as you are able. If you cannot do so, you will have to work very hard—and creatively—at getting other evidence to overcome a criminal record ban or challenge a denial to government-assisted housing.

WHAT SPECIFIC TYPES OF EVIDENCE WILL STRENGTHEN MY HOUSING APPLICATION TO GOVERNMENT-ASSISTED HOUSING?

Provide proof of your rehabilitation and mitigating factors as explained above. Letters of support and certificates of successful completion of programs that improved your life are one of the key ways to help strengthen your application to government-assisted housing. Make sure that the letters you get are detailed and very positive about you. A weak, impersonal letter is almost as useless as no letter at all.

Below are some places you should consider getting letters of support or other documents proving your participation.

EVIDENCE FROM SCHOOL

Show that you stayed in school for at least 6 months and have a positive school record.

- Proof could be in a transcript with good grades, or a letter from a teacher or school administrator.
- Suggestion: If school administrators or teachers can say the following things truthfully, these letters should say that you:
  - Were in school for at least six months;
  - Had great attendance and punctuality;
  - Had excellent grades; and
  - Are motivated to learn and get ahead in life.

EVIDENCE FROM JOB TRAINING PROGRAMS

Show that you stayed in a job-training program for at least 6 months and have a positive record.

- Proof could be through a letter from a program supervisor or administrator.
- Suggestion: If true, ask your teacher or the program administrator to say that you:
  - Participated for at least six months;
  - Had great attendance and punctuality;
  - Are motivated to learn and get ahead in life;
  - Have learned useful skills to apply to a job; and
  - Get along well with others.

EVIDENCE OF EMPLOYMENT

Show that you kept a job for at least 6 months and had a positive work record:

- Proof could be a letter from a supervisor or other person at the job.
- Suggestion: These letters should not just state how long you have worked. If possible, they should also say:
  - How well you have performed your job;
  - Whether you have been promoted;
  - That you have an excellent attendance record and come to work on time; and
  - That you are motivated, responsible, and get along well with others.
- If you worked while you were incarcerated and can get a good letter from a supervisor, do it! This can be useful, especially if you went above and beyond what was required by the job.

EVIDENCE OF YOUR PARTICIPATION IN COUNSELING OR SOCIAL SERVICE PROGRAMS

Show that you spent at least 6 months in counseling or another social service program to deal with the problem that led you into criminal behavior. If you were in drug treatment or had a drug problem, you might be required to provide a clean drug test. You also have to show that you have done well in the program.

- Proof could be a letter from your counselor, therapist, or doctor.
- Suggestion: These letters should do a lot more than simply state the dates you were in treatment and the fact that you completed treatment. If your counselors in social service, mental health, and/or alcohol and drug programs can say the following things truthfully, then they should also say that you:
  - Had great attendance;
  - Had clear drug tests for at least 12 months (and provide the test results);
  - Showed excellent motivation and desire to change;
  - Participated fully in programs;
  - Got along well with others;
  - Understand the causes of your past behaviors and are committed to positive growth;
  - Are not a risk to the safety of others; and
  - No longer hang out with the same peers that got you into trouble.

PROOF OF A DISABILITY

If you have any type of disability that prevents you from going to school or working, then it can help to show any programs you have participated in to get support for your disability. If the disability is a past drug addiction (NOT a current one), alcoholism, or a mental health issue, it could be helpful to show at least six months of counseling, such as mental health treatment or drug or alcohol treatment.

Proof of this can be your counselor's letter explaining that you are unable to work (see above). You can also try to get any other proof of your disability, such as a letter from your doctor, saying that you cannot work or go to school because of your disability. If you are on SSI or SSDI public benefits, you can also provide proof that you receive those benefits (learn more about SSI on PG. 267, and more about SSDI on PG. 263 in the PUBLIC BENEFITS CHAPTER). If you cannot show at least six months of counseling, work, school, or job training, then you will have a much harder time convincing the PHA to find you eligible. However, if your disability is so severe that you cannot participate in ANY of these activities (for example, you are homebound), a letter explaining this can be helpful.

PROOF OF PARDON

If your criminal activity resulted in a conviction under Connecticut state law, you may be eligible for an absolute pardon from the Board of Pardons and Parole. If your criminal activity resulted in a conviction or guilty plea under federal law, you may be eligible for a presidential pardon. Applications for a presidential pardon are made to the U.S. Department of Justice and are not routinely granted.

OTHER HELPFUL EVIDENCE

While PHAs and owners of government-assisted housing are not as persuaded by the following types of evidence, they can still be helpful if the support letters are very detailed, very positive, and make you look like you are doing ALL YOU CAN to move your life in a positive direction and be a productive member of society. Consider the following other forms of helpful evidence to include in your application to government-assisted housing (OR at a hearing challenging a denial):

- **Certificates from programs in or after prison**, like anger management and drug or alcohol treatment. Remember that any programs in prison count!
- **Letter from your Parole or Probation Officer**: Our suggestion—If your Probation or Parole Officer can say the following things truthfully, ask him/her to comment on your:
  - Clean drug tests for at least 12 months;
  - Positive outlook;
  - Compliance with all the requirements of parole or probation; and
  - Exceptional motivation.
- **Letters from clergy**: Our suggestion—These letters are most helpful if they show that you volunteer and play a leadership role in your community.
- **Letters from landlords or building superintendents:** Our suggestion—Ask them to say that you:
  - Always paid your rent on time;
  - Respected your neighbors; and
  - Treated the property well.
- **Letters from neighbors**: Our suggestion—They should discuss what a good neighbor you are—for example, that you are quiet, respectful, and/or helpful to the building or community.
- **Letters from your volunteer work**: Our suggestion—Have you helped out at your children's school? At their daycare center? Have you been a mentor to a child? Helped a senior citizen? Volunteered in any other way? Get a letter saying that you:
  - Are responsible;



  - Have made a major contribution; and/or
  - Are dedicated to your volunteer work.
  - Also get a letter from anyone you have helped. Have them say what an important role you played for them. Ask the person to be specific.
- **Letters from people you have helped**: Our suggestion—It can be very moving to read a letter from someone whose life you have touched in a positive way. Have you helped someone through your church? In your neighborhood? Through work?
- **Proof about your children's successes**: Our suggestion—If your children have done impressive things, highlight that your parenting had something to do with it. Examples of what you might give are:
  - Letter from your child's teacher about his/her great work or good grades, emphasizing your role in encouraging your child to do his/her best, making sure your child does his/her homework, etc.
  - Letter from your child's coach in sports—similar to the letter from a teacher.

What about getting support letters from family?

While it is always nice to have support from your family, these letters are not as helpful because the PHA and/or owner of government-assisted housing assumes that your family members would write anything to help you get housing. You can certainly include such letters if you like, but letters from people outside your family will have a bigger impact.

IF I CAN SHOW THE PUBLIC HOUSING AUTHORITY (PHA) THAT I REALLY NEED THE HOUSING, WILL THAT HELP MY APPLICATION?

If you need the housing badly due to a *disability* or because you are *homeless*, you should let the PHA know, as those needs might help your application to be processed faster.

Beyond these situations, however, information about how you really need the housing or the fact that you can't afford other housing in the area won't hurt or help you because it's usually not enough of a reason to overcome your criminal record. If you're not sure, you can go ahead and mention the need in the application.

SPECIAL NOTE FOR PEOPLE WITH DISABILITIES & SPECIAL NEEDS:

If the housing unit has unique characteristics that you need, you should request that the unit be kept open while your application is being reviewed, especially if you are challenging a denial of your application. This means that the PHA or owner agrees not to rent the unit to someone else until your application is decided. You wouldn't want to win the right to live in the unit, just to have it lost to another renter while you challenge the unlawful denial. A PHA or owner will balance such a request with the need to rent vacant units. Go to Housing Appendix E, PG. 207 to learn more about getting into housing if the crime you committed was caused by a disability (like mental illness or past addiction).

IV. ACCESS TO YOUR CRIMINAL RECORDS AS YOU APPLY FOR HOUSING

AN OVERVIEW OF THE TYPES OF CRIMINAL RECORDS THAT COULD SHOW UP AS YOU APPLY FOR HOUSING

WHAT WILL I LEARN?

- What could show up on a background check (also called a "tenant report") for housing
- What private landlords can and cannot see and consider from a background check/ tenant report
- What Public Housing Authorities (PHAs) and owners of government-assisted housing can and cannot see and consider from a background check/ tenant report

WHAT CRIMINAL RECORDS COULD SHOW UP AS I APPLY FOR ANY TYPE OF HOUSING?

Here are three major categories of records that might tell a private landlord, Public Housing Authority (PHA), or owner of government-assisted housing something about your criminal history:

1) CRIMINAL HISTORY RECORDS:

These include: government-produced criminal records; publicly available court records of cases involving you; police and law enforcement records including arrest records; reports produced by private background check and tenant-screening companies (see #2: "BACKGROUND CHECKS/TENANT REPORTS" below); internet research; the newspaper; and/or information received directly from you—through an application form or by asking you.

LEARN ABOUT WHEN YOUR CRIMINAL RECORDS CAN BE ACCESSED

We go into the rules about when these records can be accessed, and what can be considered.

2) BACKGROUND CHECKS/"TENANT REPORTS":

A private landlord, PHA, or government-assisted owner will MOST LIKELY get a copy of your background check from a private company—and when it's for a housing provider, the background check report is often called a "tenant report." Tenant reports show *credit information, employment history, certain criminal history information, entries in sex offender registries or other public databases, driving records, interviews with people who know you, and more*. These reports are created and provided by private background check companies and/or credit bureaus. See PG.166 to better understand the rules about getting background checks, and what information can be considered for housing.

3) DRUG OR ALCOHOL TREATMENT RECORDS:

These are documents that show your enrollment in, participation in, and completion of any drug or alcohol treatment programs. In some cases, a PHA or owner of government-assisted housing, *may* be able to get records about your past drug or alcohol treatment, BUT A REGULAR PRIVATE LANDLORD CANNOT GET THESE RECORDS.[228]

DOES THIS CHAPTER COVER WHAT CAN AND CANNOT SHOW UP IN MY CREDIT REPORT?

No, not really. As a general note, whenever you apply to ANY type of housing—whether you're applying to private housing (run by a private landlord) OR to government-assisted housing (through a Public Housing Authority (PHA) or directly to an owner of government-assisted housing)—all of these people and agencies CAN access your *credit report*, which is *different* from your criminal records, but might be combined in a "tenant report" (which is just a background check for housing).

Credit reports include information about your past finances and credit history, such as whether you have a history of paying bills on time. Credit reports also show whether past credit problems have ended in a bankruptcy or a court proceeding for failing to pay your rent on time (called an "eviction" or an "unlawful detainer"). A credit report shows ONLY credit information, NOT criminal history information. *We included some very general rules about credit reports in* Housing Appendix F, *PG. 212 of this chapter, but these rules are only a summary. This Chapter focuses on how criminal records come up as you apply for housing, not past credit issues.*

[228] For more reading on this topic, see Sharon M Dietrich, When "Your Permanent Record" is a Permanent Barrier: Helping Legal Aid Clients Reduce the Stigma of Criminal Records, 41 CLEARINGHOUSE REV. 139, 141 (July-Aug. 2007), discussing what applicants can do to improve or challenge the criminal record.



CAN A PRIVATE LANDLORD, PUBLIC HOUSING AUTHORITY (PHA), OR OWNER OF GOVERNMENT-ASSISTED HOUSING CHARGE ME A FEE FOR RUNNING A BACKGROUND CHECK/ TENANT REPORT ON ME?

It depends on who is running the background check. Neither PHAs nor owners of federal government-assisted housing can charge you any fees for criminal background checks.[229] The rule is different if you are applying for private housing from a private landlord—private landlords *can* charge you a fee.

ACCESS TO YOUR CRIMINAL RECORDS AS YOU APPLY FOR PRIVATE HOUSING

HOW PRIVATE LANDLORDS LEARN ABOUT YOUR CRIMINAL RECORD

HOW DO PRIVATE LANDLORDS LEARN ABOUT MY CRIMINAL RECORD?

A private landlord can learn about your criminal record from any of the following sources:

- Private background checks (also called "tenant reports") (*see the next question for more information*);
- Publicly available court records of cases involving you;
- Internet research;
- The newspaper; and/or
- Information received directly from you—through an application form or by asking you.

YOUR RIGHTS WHEN A PRIVATE LANDLORD RUNS A CRIMINAL BACKGROUND CHECK

As an applicant to private housing, you have legal rights related to the information that comes up in a private background check, and how a private landlord may use it. The law protects you by making it illegal for certain types of information to be included in a criminal background check (also called a "tenant report") on you.

WHAT MUST A PRIVATE LANDLORD DO IF THEY WANT TO GET A BACKGROUND CHECK/TENANT REPORT ON ME?

Under federal law, you have the right to the following protections if a private landlord runs a background check on you:

The Landlord Must Give You "Notice" & Get Written Permission to Run a Background Check: This means that you must receive a written document ("notice") from the landlord saying that s/he wishes to conduct a background check on you. The landlord must get your written permission before getting the background check.[230]

DO PRIVATE BACKGROUND CHECK COMPANIES HAVE TO MAKE SURE THE INFORMATION THEY REPORT TO A LANDLORD IN A TENANT REPORT IS TRUE AND ACCURATE?

Yes. Private background check companies CANNOT include "public record" information unless it has been double-checked for accuracy in the past 30 days. Public record information includes arrests, convictions, civil actions, tax liens, and outstanding judgments.

DOES A PRIVATE LANDLORD HAVE TO TELL ME THAT THE CRIMINAL RECORD INFORMATION THAT SHOWED UP IN A PRIVATE BACKGROUND CHECK/TENANT REPORT IS THE REASON I AM NOT GETTING THE APARTMENT?

Yes! The landlord has to tell you if your criminal history is the reason you are not getting the apartment. If there is a negative action taken—like not renting you the apartment—because of a background report, the landlord must follow this 2-step procedure:

STEP 1: The landlord must provide you with a copy of the report and a copy of the *Federal Trade Commission Summary of Rights* before the negative action is taken—giving you an opportunity to clear up any inaccuracies in the report.

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[229] 24 C.F.R. §§ 5.903(d)(4); 5.905(b)(5); HUD Occupancy Requirements Of Subsidized Multifamily Housing Programs ¶ 4-7(E)(2) (rev. November 2013); Screening and Eviction for Drug Abuse and Other Criminal Activity—Final Rule, H 2002-22 (HUD) (Oct. 29, 2002) ¶ X, p. 9, ¶ XIII, p. 11; see also 24 C.F.R. § 5.100 (definition of federally assisted housing).
[230] 15 U.S.C. § 1681b(b)(2)(A).

STEP 2: If the landlord goes forward with the negative action, it must provide you notice about the adverse decision, the contact information of the reporting agency, a statement that the landlord (and not the screening company) made the adverse decision; and your right to dispute the accuracy or completeness of the report.[231]

YOUR RIGHTS WHEN A PRIVATE LANDLORD DIRECTLY ASKS YOU ABOUT YOUR CRIMINAL RECORD

CAN A PRIVATE LANDLORD ASK ME ABOUT CONVICTIONS OR ARRESTS OLDER THAN 7 YEARS?

Generally, yes. A private landlord can ask you—on the apartment application OR directly in conversation—about past criminal convictions, arrests, and other criminal activity, and you should answer honestly. BUT if the landlord is asking you about past convictions, criminal conduct or activity, he or she must be *asking everyone equally*.[232]

YOUR RIGHTS TO CONFIDENTIALITY WHEN A PRIVATE LANDLORD GATHERS CRIMINAL RECORD INFORMATION ON YOU

DOES THE LANDLORD HAVE TO PROTECT AND KEEP CONFIDENTIAL MY CRIMINAL RECORD AND OTHER PERSONAL INFORMATION?

Yes. When a landlord collects information in the background check process—like credit reports and criminal background checks/ tenant screening reports, the landlord CANNOT use those reports for any other purpose than the one they originally asked for. Also, when a landlord is done using the information, federal law requires that he/she get rid of it (whether in paper or electronic form).[233]

ACCESS TO YOUR CRIMINAL RECORDS AS YOU APPLY FOR GOVERNMENT- ASSISTED HOUSING

YOUR RIGHTS WHEN A GOVERNMENT-ASSISTED HOUSING PROVIDER RUNS A CRIMINAL BACKGROUND CHECK

(1) PUBLIC HOUSING AUTHORITIES' (PHAS) ACCESS TO YOUR CRIMINAL & DRUG TREATMENT RECORDS:

WHAT CRIMINAL RECORDS CAN A PUBLIC HOUSING AUTHORITY (PHA) ACCESS, AND WHO GIVES THE PHA MY CONVICTION RECORDS?

Most PHAs get criminal history information about you from **private background check companies** that gather lots of criminal history information from different public sources and put them in one report to the PHA (see more on PG. 166).

PHAs can also get your criminal history information directly from ALL OF THE PUBLIC SOURCES listed on PG. 166, such as Internet searches and adult criminal court records.

If you apply to a PHA for one of the three major federal government-assisted housing programs (Public Housing, "Section 8" Housing Choice Vouchers, and project-based Section 8 Housing), PHAs can ask for criminal records on you from the National Crime Information Center, state and local police departments, and other law enforcement agencies, and those agencies are required to give the records to the PHA.[234]

! **REMEMBER: There is a DIFFERENT RULE FOR OWNERS OF GOVERNMENT-ASSISTED HOUSING. Owners of federal government-assisted housing CANNOT get your conviction records directly from the National Crime Information Center or law enforcement agencies—but the PHA might share some of this information with them. See the next question below.**

[231] 15 U.S.C. §§ 1681b(b)(3), 1681m(a).
[232] See also Fair Housing Act, 42 U.S.C. § 3601 et seq.
[233] 15 U.S.C. § 1681w (a)(1).
[234] 42 U.S.C. § 1437d(q)(1)(A).



CAN A PUBLIC HOUSING AUTHORITY (PHA) REQUIRE ME TO SIGN A RELEASE TO GET MY CRIMINAL HISTORY INFORMATION?

Yes. PHAs can legally require you to SIGN A RELEASE FORM so that they can get this criminal history information for these housing programs.[235]

IF I AM MOVING INTO GOVERNMENT-ASSISTED HOUSING IN A DIFFERENT CITY OR TOWN, CAN MY CURRENT PUBLIC HOUSING AUTHORITY (PHA) SHARE MY CRIMINAL HISTORY RECORDS WITH THE NEW PHA WHERE I AM APPLYING?

Most likely, yes. Your current PHA is encouraged (but not required) to send criminal background check information about you to the new PHA.[236]

CAN A PUBLIC HOUSING AUTHORITY (PHA) ACCESS MY DRUG TREATMENT RECORDS, AND IF SO, UNDER WHAT CIRCUMSTANCES?

The law is still unclear for most government-assisted housing programs. The short answer is that a PHA can get limited access to your drug/alcohol treatment records if you are applying to or currently living as a tenant in the Public Housing program (which is a specific type of government-assisted housing program). There are no similar rules for the other government-assisted housing programs (like "Section 8" Housing Choice Vouchers or the Section 8 Moderate Rehabilitation Program).[237] Therefore, unless you are applying to the Public Housing program, it is still unclear if PHAs can legally request or obtain information about you from drug/alcohol treatment facilities. This rule is further explained below.

I am an applicant or tenant for the Public Housing program. *What information can a Public Housing Authority (PHA) get about me from a drug/alcohol treatment facility?*

If you are applying to the Public Housing program, the local PHA is allowed to request and get information about you from drug treatment facilities,[238] but the PHA is limited to asking only one question relating to your eligibility for the housing, which is:

"Does the drug abuse treatment facility have reasonable cause to believe that the household member is currently engaging in illegal drug use?"[239]

That is the only question that can be asked and the PHA cannot seek any additional information from the drug treatment facility!

What is the process that a Public Housing Authority (PHA) must follow when requesting information about me from a drug treatment facility?

When requesting information from a drug treatment facility about an applicant or tenant for the public housing program, The PHA *must:*

- Get your signature on a release form (also called a written consent form) before asking the drug treatment facility about you.[240] The release automatically expires right after the PHA makes a final decision to approve or deny your application to the government-assisted housing program.[241]
    - Have a system to protect your confidentiality (your privacy).[242] When a PHA or landlord collects information in credit and tenant screening reports, it cannot use the

[235] 42 U.S.C. § 1437d(s).
[236] HUD, Voucher Program Guidebook, Housing Choice, HUD Handbook 7420.10G, ¶ 13.4 (Apr. 2001).
[237] The argument against adoption of those rules (for other federally-assisted housing programs, not including public housing, which already has these rules in place) is that Congress intentionally limited the applicability of the statutory provision to public housing and did not extend it to the other programs. However, if a PHA, for the voucher program, or an owner, for other programs, adopts a policy that seeks to obtain records from drug treatment facilities, it should also be argued that the public housing statutory protections or their equivalent must be incorporated, as the statute is designed to avoid a violation of fair housing laws and claims of discrimination based upon disability.
[238] 42 U.S.C. § 1437d(t); 24 C.F.R. § 960.205.
[239] 42 U.S.C. § 1437d(t)(2)(a); 24 C.F.R. § 960.205(d)(1). Cf. Campbell v. Minneapolis Pub. Hous. Auth., 168 F.3d 1069 (8th Cir. 1999). Campbell involved an interpretation of 42 U.S.C. §§ 1437n(e)(1), (2), which have been repealed. The court allowed the PHA to seek information regarding drug use and rehabilitation efforts from drug treatment facility, but remanded the case to the PHA to determine eligibility because the administrative record was incomplete. The PHA conceded that it would have to change its policy based upon the repeal and amendments to the statute.
[240] 42 U.S.C. § 1437d(t)(2); 24 C.F.R. § 960.205(c)(1); cf. Campbell 168 F.3d 1069 (8th Cir. 1999).
[241] 42 U.S.C. § 1437d(t)(2)(C); 24 C.F.R. § 960.205(c).
[242] 42 U.S.C. § 1437d(t)(2)(B); 24 C.F.R. § 960.205(f).

information it collects for any purpose other than to decide whether or not to admit you into the housing unit. The PHA and owner must keep this information confidential, even when throwing it out.[243]

- Have and follow a nondiscriminatory policy (a document that outlines a policy in regard to discrimination and management practices) that applies equally to anyone applying to public housing.[244] This policy must be written down in the PHA's official plans and policies.

WHAT CAN I DO IF A PUBLIC HOUSING AUTHORITY (PHA) VIOLATES MY RIGHTS IN ACCESSING AND USING MY DRUG TREATMENT INFORMATION?

If you believe you were denied housing because of illegal access to your records, or because of incorrect or illegal information, you should IMMEDIATELY ask for a review hearing. A review hearing is an informal procedure in which you can present corrections to your record, evidence of rehabilitation, and other mitigating information (see PG. 160) to challenge a denial to government-assisted housing. Go to PG. 179 of this HOUSING CHAPTER to learn about the procedure for challenging denials and how to request an informal review hearing.

(2) GOVERNMENT-ASSISTED OWNERS' ACCESS TO RECORDS:

WHAT CAN OWNERS OF FEDERAL GOVERNMENT-ASSISTED HOUSING SEE? HOW DO THEY GET MY CRIMINAL RECORDS?

Most owners of government-assisted housing—just like most private landlords—get your criminal records from background check reports (a.k.a. "tenant reports") run by private background check companies (a.k.a. "tenant screening" companies), public records and internet searches, or by asking you directly in your application or interview.

- Unlike PHAs, owners of government-assisted housing CANNOT get records about you directly from the National Crime Information Center, state and local police departments, or other law enforcement agencies.
- Also, owners of government-assisted housing CANNOT get your criminal records directly from the PHA. In fact, PHAs are not allowed to disclose information about your criminal conviction history to owners of government-assisted housing. If an owner wants details about your record, he/she must do his/her own research to get them (with one exception, see below box).[245]

*** THERE IS ONE EXCEPTION TO THIS RULE:** Owners of Project-Based Section 8 housing (which is a government-assisted program where the financial subsidy for the housing *stays with the unit*, as opposed to the traditional Section 8 voucher that moves around with the person) can ask the PHA about your criminal history information BUT *cannot* get copies of the actual records from the PHA.[246] The PHA may disclose information to the owner only to the extent necessary to help him/her decide whether you can be denied or evicted from the assisted housing unit.[247] If the PHA is screening your criminal history information for an owner of Project-Based Section 8 housing, the PHA must apply the property owner's own policy, not the PHA's policy, in making that determination.[248] So if the owner doesn't or can't consider something, the PHA cannot either. *In practice,* most owners of project-based Section 8 housing units are *not* using PHAs to obtain criminal history information; instead, these owners are using private background check companies to get information on applicants.[249]

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[243] For more information on this, see the Fair Credit Reporting Act, 15 U.S.C. § 1681 *et seq*.
[244] 24 C.F.R. § 960.205(e).
[245] 24 C.F.R. § 5.903(d); 42 U.S.C. § 1437d(q).
[246] 42 U.S.C. § 1437d(q)(1)(B); 24 C.F.R. § 5.903(d); HUD Occupancy Requirements Of Subsidized Multifamily Housing Programs ¶ 4-27(E)(4)(a). See also 42 U.S.C. § 13663(b); 24 C.F.R. § 5.905 (2007) (sex offender registration information).
[247] 24 C.F.R. §§ 5.903(e), 5.905(b).
[248] 42 U.S.C. § 1437d(q)(1)(B); 24 C.F.R. §§ 5.903(d) and (e), 5.905(b)(2)(iii); see also Screening and Eviction for Drug Abuse and Other Criminal Activity—Final Rule, H 2002-22 (HUD) (Oct. 29, 2002).
[249] See HUD Occupancy Requirements Of Subsidized Multifamily Housing Programs ¶ 4- 27(E)(4)(b) (rev. Nov. 2013) (referencing other types of screening services or sources of information that an owner may use); Screening and Eviction for Drug Abuse and Other Criminal Activity—Final Rule, H 2002-22 (HUD) (Oct. 29, 2002) (same).

(3) LIMITS ON BOTH PUBLIC HOUSING AUTHORITIES (PHAS) AND OWNERS OF GOVERNMENT-ASSISTED HOUSING:

CAN A PUBLIC HOUSING AUTHORITY (PHA) OR OWNER OF GOVERNMENT-ASSISTED HOUSING GET RECORDS OF MY ARRESTS THAT DIDN'T LEAD TO CONVICTIONS?

No. Under Connecticut state law, police and law enforcement agencies, and private background check companies cannot share information about arrests that did not lead to a conviction—unless the charges are still pending. They CAN ONLY report arrests that are *pending* AND/OR *led to a conviction*.[250]

Unfortunately, private companies hired to do background checks *often* report arrests anyway—which is against the law.[251] Because this is such a big problem, there are lawyers working to sue reporting agencies that are illegally reporting arrest records.[252] When you get a copy of your report, check to make sure there are no arrests on it that did not lead to a conviction. If you see any, you can contact the company and demand that it remove that information immediately!

CAN A PUBLIC HOUSING AUTHORITY (PHA) OR OWNER OF GOVERNMENT-ASSISTED HOUSING GET MY JUVENILE RECORDS?

No.[253] It's against the law for police and law enforcement agencies and private background check companies to share your juvenile records with PHAs.

YOUR RIGHTS WHEN A GOVERNMENT-ASSISTED HOUSING PROVIDER RUNS A CRIMINAL BACKGROUND CHECK—THE RULES THEY MUST FOLLOW

IMPORTANT: The most common way that most PHAs AND owners of government-assisted housing (as well as private owners) access your criminal history information is by ordering private background check companies to run "tenant screening reports."

WHAT ARE TENANT SCREENING REPORTS?

As discussed on PG. 166, a tenant screening report is a background check done by a private company or credit bureau on a housing applicant. It reports credit information, employment history, certain criminal history information, entries on sex offender registries and/or other public databases, driving records, and more. A tenant report may also include information gathered from personal interviews with your neighbors, former landlords, or coworkers.

WHO CONDUCTS TENANT SCREENING CHECKS & PROVIDES TENANT REPORTS TO PUBLIC HOUSING AUTHORITIES (PHAS) & OWNERS OF GOVERNMENT-ASSISTED HOUSING?

Many private background check companies provide tenant screening reports, including the three national credit bureaus: Experian, TransUnion, and Equifax.

DO YOU HAVE TO PAY FOR A SCREENING REPORT? IF SO, HOW MUCH DOES A REPORT COST?

No, not if you are applying to government-assisted housing—neither a PHA nor an owner can charge you to run a criminal background check or "tenant report."

DO I HAVE ANY RIGHTS IF A PUBLIC HOUSING AUTHORITY (PHA) OR OWNER OF GOVERNMENT-ASSISTED HOUSING REJECTS MY RENTAL APPLICATION BECAUSE OF A BACKGROUND CHECK/ TENANT REPORT?

Yes. The PHA or landlord must give you an "adverse action" notice letting you know it plans to take an action that could harm you based on information that showed up in your tenant report/background check.[254] The notice must include the following information:

- The name and contact for the company that supplied the report;
- A statement that the landlord, not the screening company, made the adverse decision; *and*

[250] CONN. GEN. STAT. §§ 54-142e, 54-142k, 54-142m, and 54-142n.
[251] CONN. GEN. STAT. § 54-142e.
[252] *See Arroyo v. CoreLogic*, No. 18-CV-705 (VLB) (D. Conn., complaint filed April 24, 2018).
[253] 42 U.S.C. 1437d(q)(1)(c); CONN. GEN. STAT. §§ 54-142e, 54-76l.
[254] 15 U.S.C. § 1681m; 42 U.S.C. § 1437d(q)(2).



- Notice of your right to dispute the accuracy of the report and to receive a free copy of your report within 60 days.[255]

EXTRA PROTECTIONS FOR THE PUBLIC HOUSING PROGRAM AND THE "SECTION 8" HOUSING CHOICE VOUCHER PROGRAM *ONLY*:

ONLY for these two government-assisted programs, PHAs must follow certain extra rules (set forth below).

The PHA must make sure the criminal records are true and accurate. After the PHA has you sign a *release* of criminal records information and submits that release to the law enforcement agency that holds the criminal records, it may receive a response that there is a match based on your name, date of birth, and social security number. The PHA cannot deny admission based on this information alone; the PHA must verify the match with a positive fingerprint comparison.[256]

The PHA must give you notice of any proposed action that could harm you. A PHA must notify the household of any proposed action that could harm you (called an "adverse action" notice). The PHA must also provide a copy of the criminal record information to the person who was the subject of the record—as well as to the applicant, if that's a different person.[257]

The PHA must give you an opportunity to challenge the criminal record information. The person who was the subject of the record must be given an opportunity to dispute the proposed negative action.[258] NOTE: Even if you don't have an automatic legal right to a review hearing, you can always ask for one. To learn more about challenging a denial to government-assisted housing, please go to PG. 153.

The PHA Must Protect the Confidentiality of Your Records.[259] Under federal law, PHAs must have a system to: (1) protect the confidentiality of applicants' criminal records; (2) guard against improper sharing of those records; AND (3) destroy the records once their purpose has been achieved.[260]

YOUR RIGHTS AGAINST ILLEGAL ACCESS OF YOUR CRIMINAL RECORDS AS YOU APPLY FOR GOVERNMENT-ASSISTED HOUSING:

WHAT ARE MY LEGAL RIGHTS IF A PUBLIC HOUSING AUTHORITY (PHA) OR OWNER OF GOVERNMENT-ASSISTED HOUSING ILLEGALLY ACCESSES OR USES MY CRIMINAL RECORD INFORMATION?

The General Rule: In general, if you believe you were denied housing because of illegal access to your records, or because of incorrect or illegal information, you should IMMEDIATELY ask for a review hearing. A review hearing is an informal procedure in which you can present corrections to your record, evidence of rehabilitation, and other mitigating information (see PG. 160) to challenge a denial to government-assisted housing. Go to PG. 179 of this Chapter to learn about the procedure for challenging denials and how to request an informal review hearing.

Special Rule for the Public Housing & "Section 8" Housing Choice Voucher Programs: If you applied through a PHA for Public Housing or a Section 8 Housing Choice Voucher, there is a special rule that says PHAs cannot take any "negligent or knowing action that is inconsistent with" the laws and regulations governing access to your criminal records.[261] A negligent action is one where the PHA knew or should have known that their access to your records violated the law. A knowing action is one where the PHA *actually knew* that its access to your records violated the law.

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[255] 15 U.S.C. § 1681m.
[256] Instructions for Obtaining Federal Bureau of Investigation Criminal History Information, PIH 2003-11(HA), ¶ 7 (Apr. 11, 2003).
[257] 42 U.S.C. § 1437d(q)(2). There are conflicting interests involved in providing the criminal record to both the applicant and the member of the family subject to the criminal record. The FBI "commented that dissemination of criminal records is limited to those with authorization (such as the PHA) and the person who is the 'subject' of the record, not to other persons in the household." 66 Fed. Reg. 28,776, 28,789 (May 24, 2001). HUD disagreed, contending that under its statutory authority, it is required to provide the information to the applicant or tenant so that the applicant or tenant may dispute the determination. *Id.*
[258] 42 U.S.C. § 1437d(q)(2); 24 C.F.R. § 5.903(f). 960.204(c). The notice and opportunity to contest must also be provided in the case of an eviction or lease enforcement action. 24 C.F.R. §§ 966.4(l)(5)(iv) (public housing) and 982.553(d) (voucher).
[259] Special Note for Advocates: The statutory language shows a policy concern that PHAs maintain the confidentiality of criminal records obtained through the federally authorized process. However, the regulation states that it is not applicable to public information or to criminal records information obtained from law enforcement agencies if the information was not sought pursuant to the regulations. 24 C.F.R. §§ 5.901(c), 5.905(c)(2). This exemption may be too broad. The meaning and full effect of the exclusion and its consistency with the statute has not been tested. The concern is that this may mean that if a PHA obtains information from a private consumer reports agency, it may not have to abide by the confidentiality provisions of the Fair Credit Reporting Act. Additionally, the confidentiality provisions of the statute most likely do not cover information the PHA or owner obtains from other sources, such as police blotters and newspaper reports. Nevertheless, advocates should argue that any information obtained from law enforcement agencies that is not otherwise publicly available should be subject to the statutory protections. 24 C.F.R. § 5.901(c). With respect to the management of the records, the statute references "any criminal records received," whereas other provisions of the statute are limited to information received under the subsection. 42 U.S.C. § 1437d(q), § 13663(f); see also 24 C.F.R. § 982.307(b)(2) (PHA may provide voucher landlords information in PHA files).
[260] 42 U.S.C. § 1437d(q)(4)-(5); 24 C.F.R. § 5.903(g).
[261] 42 U.S.C. § 1437d(q)(7).



A PHA MAY BE LIABLE for negligence if they do any of the following:[262]

- Improperly disclose a criminal record;
- Improperly use a consent form (a.k.a. a "release" form);
- Fail to *notify you* of the criminal history information collected;
- Fail to *provide you* with a copy of the information collected (whether you are an applicant or a current tenant); *and/or*
- Fail to *allow you the right to dispute* the information.

In this situation, it's best to talk to a lawyer. You could recover attorney's fees and other litigation costs as part of the relief you get in court.[263] See the list of legal aid providers in the Guide Appendix, PG. 413 to contact an organization that may be able to provide you legal assistance.

ERRORS IN YOUR BACKGROUND CHECK REPORT & HOW TO CORRECT THEM—AN OVERVIEW

COULD THERE BE ERRORS IN THE BACKGROUND CHECK/ TENANT REPORT THAT A HOUSING PROVIDER RUNS ON ME?

Likely, yes. Errors in background check reports are an incredibly common problem.

HOW CAN I CORRECT ERRORS IN MY BACKGROUND CHECK/ TENANT REPORT?

The law that covers background checks and background check companies is very specific about how you can challenge mistaken, incomplete, or missing information in your background check report/tenant report. If you think there is something wrong, you can tell the landlord, call the background check company that ran the report, and try to get it fixed.

[262] The broad scope of the PHA's or owner's liability may provide leverage for an applicant harmed by the negligence. The threat of litigation costs and attorney's fees may encourage settlement and the admission of the applicant.
[263] 42 U.S.C. § 1437d(q)(7).

V. JOINING FAMILY & FRIENDS IN HOUSING

WHAT WILL I LEARN?

- Important tips if you are looking to move in with family or friends in their housing
- Suggestions and considerations if you want to move in with family or friends into their private housing
- Suggestions and considerations if you want to move in with family or friends into government-assisted housing
- Rules and policies if you are a guest in a family member or friend's government-assisted housing
- Rules and policies if you are a live-in aide to someone with special needs or disabilities in government-assisted housing

This section will discuss tips and important steps you should take if you want to join a family or friend's household after your release. In addition to these considerations, you always need to think about any restrictions based on your supervision status (probation, parole, etc.).

JOINING FAMILY OR FRIENDS IN PRIVATE HOUSING

Here are some general tips if you want to join someone in private housing (meaning neither the family or friends living there nor the landlord who owns the housing receives any government money for the housing):

1. You can look at the lease/rental agreement and see what it says about the maximum number of occupants/residents and any guest policies (these will usually be in the written lease);
2. You can ask the landlord about guest policies and for permission to add a new person to the lease if that is what you would like to do (sometimes a landlord will say it's allowed but may be able to increase the rent[264]);
3. If the person you are living with OWNS their housing, you don't have to worry about landlord policies, but you may still want to consider the pros & cons of living with family and friends on PG. 134 above.

JOINING FAMILY OR FRIENDS IN GOVERNMENT-ASSISTED HOUSING

I HAVE A CRIMINAL RECORD AND WANT TO JOIN A HOUSEHOLD LIVING IN FEDERAL GOVERNMENT-ASSISTED HOUSING. CAN I?

It depends on your conviction and the requirements of the government-assisted housing program.

There is a good chance you will want to join or rejoin a family living in a government-assisted housing unit.[265] Unfortunately, the laws and policies for adding an individual with a criminal record to an existing household can be complex, and sometimes the interests of other family members who are living in the government-assisted housing unit will conflict with your interests in joining them.

Here are some COMMON QUESTIONS that often come up, which we will address in this section.

1. May I join my family members in their government-assisted housing unit? (PG. 173)
2. Does my family have to tell the PHA or owner that I am joining their assisted household? How do they do that? (PG. 174)
3. Can we challenge a denial if the PHA or owner rejects my application to join the household? How do we do that? (PG. 153)
4. Do I have any rights if I am rejoining my household in government-assisted housing? (PG. 174)
5. What are the rules if I just want to be a guest of someone living in government-assisted housing and I have a record? (PG. 176)
6. What are the rules if I am a live-in aide for someone living in government-assisted housing and I have a record? (PG. 177)

[264] Security Deposits and Rent Increases, CT Law Help.Org https://ctlawhelp.org/en/security-deposit-laws-rent-increases.
[265] Studies have shown that a substantial number of public housing residents have family members or significant others with recent criminal history. See CATRINA GOUVIS ROMAN, TAKING STOCK: HOUSING, HOMELESSNESS, AND PRISON REENTRY 24 (2004). It's likely that members of other federally assisted housing programs are similar.

I WANT TO JOIN SOMEONE IN GOVERNMENT-ASSISTED HOUSING. CAN I?

It depends on your background and on the policies of the PHA or owner. The same eligibility and exclusion rules apply if you want to *join a family living in government-assisted housing* as those that would apply if you were applying on your own—see PG. 145. As with new applicants, there are a few limited situations in which a PHA or owner *must* reject the new family member[266] (see PG. 149 for bans based on your criminal record). But in the vast majority of situations, the PHA or owner has *BROAD DISCRETION* to accept or reject you as an additional household member, just like for new applicants.

The rules for adding family members to an assisted household are different for every assisted housing program and are determined locally. You should be able to find these rules FOR YOUR PROGRAM. You can look in the following places:

- The PHA's Annual Plan
- The PHA's Admission and Occupancy Plan (ACOP)
- The lease for public housing
- The Administrative Plan for the Section 8 Voucher program
- The lease and/or house rules for all other government-assisted programs[267]
- The PHA's website for these plans
- Ask the PHA and/or owner for a copy

FIRST, LEARN ABOUT THE CRIMINAL BANS IN GOVERNMENT-ASSISTED HOUSING.

Return to the section above about bans to understand when there are *required bans* vs. when the PHA or owner of government-assisted housing *has discretion* (meaning is allowed, but not required) to ban you from a government-assisted household. You can also learn how to challenge a denial on PG. 179 of this Chapter.

IMPORTANT: Depending on the type of criminal activity and whether or not it happened on the government-assisted property, it could disqualify not just you, but your entire family from meeting the eligibility requirements of the assisted housing program. (Again, read PG. 145 to better understand eligibility requirements.)

Does the family in that household have to report the addition to the home?

Yes. In general, if a family is adding an adult member to the household, they must (1) tell the PHA and landlord AND (2) in most cases, receive the PHA's and owner's approval to add someone new.[268] Ask the PHA and owner what the rules are for reporting a new household member, and ask when you have to report the change. Follow the rules so your family member doesn't risk losing their housing!

I WANT TO GO BACK TO MY GOVERNMENT-ASSISTED HOUSING UNIT AFTER A BRIEF PERIOD IN JAIL OR PRISON. CAN I?

It depends on the program. And it depends on the criminal activity.

As always, anyone joining or returning to government-assisted housing MUST meet ALL of the eligibility requirements for that housing program, for that PHA, and for the owner (if there is one).

For exclusions (bans) based on your criminal record, read PG. 149 of this chapter to understand when there are *required bans* vs. when the PHA or owner of government-assisted housing *has discretion* (meaning is allowed, but not required) to ban you from a government-assisted household. You can also learn how to challenge a denial on PG. 179 of this Chapter.

For most federal government-assisted housing programs, the local PHA and owner of the government-assisted housing may develop rules and policies regarding temporary absences, and many do have such policies. You need to check with the PHA and owner that oversee the housing unit you want to join about their policies.[269]

SPECIAL RULE FOR SECTION 8 VOUCHERS:

The PHA is required to have a written policy in its "Administrative Plan" about temporary absences for anyone in the "Section 8" Housing Choice Voucher program. If you are in that program, there will definitely be a local policy. 24 C.F.R. § 982.54(d)(10). The Voucher program's temporary absence policy must state whether or when the family may be absent—including for imprisonment; the amount of time you are allowed to be absent for; and how to resume your housing assistance. 24 C.F.R. § 982.312(e).

[266] See PG.141 for a discussion of the screening criteria relating to individuals with criminal histories.
[267] This includes HUD-assisted housing, Rural Development (RD) project-based programs, and Low Income Housing Tax Credit (LIHTC) properties.
[268] 24 C.F.R. §§ 966.4(a)(1)(v), 982.516(c), 982.551(h)(2).
[269] In the RD programs, the owner must include a number of policies in the lease with the tenant, which must be approved by the agency. RD regulations require that the lease include information regarding the tenant's duty to notify the owner of an extended absence. 7 C.F.R. § 3560.156(c)(18)(xiii).

IMPORTANT: Since your return could harm the entire family's ability to stay in government-assisted housing, it's a good idea for the family to discuss these issues with the PHA and/or owner of the government-assisted housing BEFORE you return from your brief absence. If that is not possible, there are legal defenses to an eviction action if it is brought against the entire family in court. This HOUSING CHAPTER does not cover eviction law and all of its defenses, so if this is your issue, you will need to contact a legal aid organization that specializes in eviction defense. Go to Guide Appendix, PG. 413 for a list of legal aid organizations that may be able to help.

IF I AM JOINING A HOUSEHOLD, WILL THE PHA OR OWNER OF THE GOVERNMENT-ASSISTED HOUSING RUN A CRIMINAL BACKGROUND CHECK ON ME?

Most likely, yes. Most government-assisted housing programs will check the members of a family every year, and some programs will require mid-year reporting as well. This process is called *recertification*. When the recertification process is happening, the PHA or owner will be checking all new household members to make sure they meet *all of the eligibility criteria for move-in!* Most PHAs and owners will check the criminal background of any NEW family members at this time. *They could* re-check the criminal background of current tenants at this time, but it's unlikely.[270] The criminal background check on any tenant could lead to the PHA or owner threatening to evict or end the assistance to an entire household.[271] Again, this HOUSING CHAPTER does not go into eviction defense, but see Guide Appendix, PG. 413 for a list of legal aid organizations that may be able to help you if you are facing an eviction.

WHY DO THESE RULES ABOUT JOINING HOUSEHOLDS EXIST?

These policies exist because PHAs and owners have an interest in knowing who is living in their units. They may want to review current information to assess how you may act as a tenant, whether you will obey the lease, and whether you pose a threat to other residents, the housing development, or their staff. The PHA or owner may also need to know who is residing in the unit to calculate the amount of rent owed and/or to determine the correct family size for the specific unit.

BE PREPARED TO EXPLAIN WHY YOU SHOULD BE ACCEPTED INTO HOUSING, DESPITE YOUR RECORD.

Because the PHA or owner is likely to run a criminal background check on you, you should be prepared—*if asked*—to honestly disclose your criminal record *and* to demonstrate mitigating circumstances and evidence of your rehabilitation (see PG. 160). Consider giving the PHA or owner additional information about *all the benefits* of having you join the family and how your joining may *positively* affect the stability of the entire housing development. *These benefits depend on the facts of your specific situation.* For example, you might include information about your relationship with the family members currently living in the household, especially a positive relationship with any children or a supportive relationship between you and your spouse. Another example is your potential for increasing the income of the family members that are already living in the assisted housing unit, and therefore stabilizing the rent paid to the PHA or owner.

IF I AM BEING INCARCERATED FOR A NEW OFFENSE, DOES MY FAMILY HAVE TO REPORT THAT I MOVED OUT?

Generally, yes. PHAs and owners of government-assisted housing usually have policies that require family members to report when a family member moves out.[272] The family's duty to report an absence generally depends on whether your absence is temporary, and whether you intend to continue to reside in the unit after your return. Whether or not you have to re-apply will depend on how long you are gone. Many PHAs consider you to have *permanently moved out* if you're absent from the rental unit for *30 or more consecutive days*. Keep in mind that depending on the terms of your lease/rental agreement, the PHA may be able to evict your family for failing to report any changes in the number of people living there (called "occupants").

Therefore, even if your absence is temporary (for example, less than 30 days), your family should *still report* that you've temporarily moved out to the PHA and owner of the government-assisted housing unit, to avoid breaking any rules in the lease. There is a chance that if it's just a short, temporary absence, it won't change your family's ability to stay in the government-assisted housing unit. BUT if you know you are going to be

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[270] HUD, Public Housing Occupancy Guidebook, ¶ 12.2 (June 2003) (PHA may conduct criminal background check of current residents at the annual review "although this is not a HUD requirement"); cf. HUD, Occupancy Requirements Of Subsidized Multifamily Housing Programs, ¶¶ 7-4 (A)(7) (rev. November 2013) (owners may conduct criminal background checks at annual recertification). If the owner does require a background check on current tenants at recertification, the HUD rules for project-based HUD-assisted housing state that the owner must conduct the background check on all tenants. See HUD, Occupancy Requirements Of Subsidized Multifamily Housing Programs ¶ 7-4(A)(7); cf. HUD, Public Housing Occupancy Guidebook, ¶ 12.2 (June 2003) (PHA may conduct criminal background check at the annual review "although this is not a HUD requirement").

[271] Defending a family from eviction is beyond the scope of this Guide. For more information regarding defending such evictions, see NHLP, HUD Housing Programs Tenants' Rights, Chapter 14 (3d ed., 2004 and 2006-2007 Supp.); Lawrence R. McDonough & Mac McCreight, Wait a Minute: Slowing Down Criminal-Activity Eviction Cases to Find the Truth, 41 CLEARINGHOUSE REV. 55 (May-June 2007).

[272] 24 C.F.R. §§ 966.4(c)(2), 982.516(c), 982.551(h)(3); see also HUD form 50075, PHA Plans (exp. 08/31/2009), ¶ 4A1f (PHA Annual Plan requires, for public housing, PHAs to state how frequently a tenant must report changes in family composition).

absent from the unit for 30 or more days, then your family should declare you permanently absent, meaning that you have permanently moved out. If, after your incarceration, you intend to return to the unit, you will have to re-apply and meet ALL of the eligibility requirements. See PG. 145 to understand how your criminal record could affect your being re-admitted to federal government-assisted housing.

GUEST POLICIES IN GOVERNMENT-ASSISTED HOUSING:

I HAVE A RECORD AND WANT TO TEMPORARILY VISIT OR STAY OVERNIGHT AS A GUEST WITH MY FAMILY OR FRIEND IN THEIR GOVERNMENT-ASSISTED HOUSING UNIT. WILL MY VISIT IN ANY WAY RISK MY FAMILY'S OR FRIEND'S HOUSING ASSISTANCE?

Unfortunately, it could—depending on the policies of the PHA or owner. Below we explain the general rules for staying with family or friends as a guest in their government-assisted housing, and suggested steps to avoid putting their housing assistance at risk.

I HAVE A RECORD AND WANT TO TEMPORARILY VISIT OR STAY OVERNIGHT AS A GUEST WITH MY FAMILY OR FRIEND IN THEIR GOVERNMENT-ASSISTED HOUSING UNIT. WHAT CAN I DO TO AVOID PUTTING MY FAMILY'S OR FRIEND'S HOUSING ASSISTANCE AT RISK?

(1) If you are planning to stay for only 1 night as a guest:

People living in government-assisted housing *are usually allowed* to have overnight guests. For federal government-assisted housing, federal regulations define the term "guest" as "a person temporarily staying in the unit with the consent of a tenant."[273] The person living in the government-assisted housing unit should not be required to register or seek prior approval for an overnight guest (unless that guest is otherwise banned from being there). The owner of the government-assisted housing should allow the tenant to host guests for a "reasonable" amount of time,[274] which is usually 14 to 30 days, depending on the PHA or owner's policy.[275]

WARNING: Sometimes an individual CANNOT stay as a guest or visit government-assisted property AT ALL. For example, if someone committed a criminal offense on the property, the PHA and owner of the housing may be legally allowed to ban that person from ever returning. Someone could also have a parole or probation condition that forbids them from being on the property. For this reason, you want to be careful to know the rules of that PHA or owner AND know your rules of probation or parole.

(2) If you are planning to stay for longer than 1 night as a guest:

You want to be careful to know the rules of that PHA or owner about "Unauthorized Occupants." There are situations where, instead of being seen as a "guest"— even if that's what you and your family or friend consider you to truly be — the PHA or owner might classify you as an "unauthorized occupant," a resident living in that housing unit without permission of the PHA or owner and against the rules. Being seen as an unauthorized occupant is a big problem for many reasons:

- Your income and/or assets (for example, any savings or major property you own) could affect the amount of rental assistance that your family or friend receives. The total income might be too high for the family or friend to qualify for any assistance at all. This could lead to your family or friend being evicted from the unit or losing its financial assistance for the housing unit.
- Just by being in the apartment, you might be violating the lease or the owner's or PHA's guest policies and exposing your family or friend to the risk of eviction.

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[273] 24 Hous. & Urban Dev. § 5.100.

[274] See, e.g., McKenna v. Peekskill Hous. Auth., 647 F.2d 332 (2d Cir. 1981) (a PHA's two-week visitation rule was reasonable); Lancor v. Lebanon Hous. Auth., 760 F.2d 361 (1st Cir. 1985); see also 42 U.S.C. § 1437d(l)(2) (PHAs "must utilize leases that do not contain unreasonable terms and conditions"); Ritter v. Cecil County Office of Hous. & Comm. Dev., 33 F.3d 323 (4th Cir. 1994) (upholding, against First Amendment association and privacy claims, PHA's two-week visitation rule for Section 8 tenant-based recipients as reasonable under HUD regulations prohibiting residency by nonfamily members); 42 U.S.C. § 1715z—1b(b)(3). Some state courts have also invalidated unreasonable guest policies imposed by subsidized owners. See Messiah Baptist Hous. Dev. Fund Co. v. Rosser, 92 Misc. 2d 383 (1977) (occasional overnight visitor does not violate subsidized housing lease provisions requiring reporting of changes in income and family composition and prohibiting accommodations for boarders); Ashley Ct. Enters. v. Whittaker, 249 N.J. Super. 552 (App. Div. 1991) (refusing eviction of tenant-based Section 8 recipient because lease provision barring recurring visits was unreasonable and so vague as to be unenforceable); cf. New Boston Kiwanis Hous. Dev. Corp. v. Sparks, No. 1957, 1992 WL 79561 (Ohio Ct. App. Apr. 14, 1992) (lease provision requiring tenant to report changes in family composition does not constitute unlawful attempt to legislate morality; if guest stays long enough to become household member, tenant can be evicted for failing to report).

[275] See, e.g., Ritter v. Cecil County Office of Hous. & Cmty. Dev., 33 F.3d 323 (4th Cir. 1994) (Section 8 tenant-based recipient violated two-week guest rule and had notice that violation could result in termination); Zajac v. Altoona Hous. Auth., 156 Pa. Commw. 209 (1993), appeal denied, 537 Pa. 627 (PHA policy provided that no one other than a resident could reside in the unit other than on a temporary basis not to exceed 30 days).

If you want to stay as a guest for a longer period, you need to know the PHA or owner's time limit on the number of back-to-back days OR number of total days in a year that a guest may stay in the government-assisted housing unit and still be considered a "guest."

IMPORTANT! Again, find out the PHA's and owner's rules and follow them. Check the lease and the written policies. There is usually a period of time stated in the lease and/or in the written policies that defines when a guest becomes an "unauthorized occupant."

Special Guest Policy Rules for Specific Government-Assisted Housing Programs: Section 8 Vouchers and Rural Development Housing

Section 8 Vouchers programs: Some PHAs have established guest policies for Section 8 voucher participants, limiting the time period that persons not listed as household members can stay with a tenant.[276] PHAs should inform participants of these policies and give them an opportunity to request that anyone living there for a longer period be added to the household.

Rural Development (RD) programs: Federal regulations require that all RD leases "include provisions that establish when a guest will be considered a member of the household and be required to be added to the tenant certification."[277] Also, the owner of the property must post this same information in its occupancy rules.[278] That means that although there is no standard amount of time required by law, the owner still *must include* its guest policies in the agency-approved lease used with tenants. As with the other programs, preapproval and registration of guests should not be required and the amount of time that a tenant may have a guest should be a reasonable period. However, if the guest was a former tenant who committed a drug violation and was evicted, then the owner may require that the tenant obtain approval before the guest may visit.[279]

IF I AM PLANNING TO STAY AS A GUEST WITH FAMILY UNTIL I AM ADDED TO THEIR HOUSING LEASE, WHAT CAN I DO TO MAKE SURE WE ARE FOLLOWING ALL THE GUEST POLICIES?

If your family is seeking to add you to the lease — but the screening process to add you to the lease *TAKES LONGER* than the amount of time the family is allowed to have you as a guest — your family, or an advocate working on your behalf, may be able to negotiate with the housing provider at the start to extend the period of time that you are allowed to stay as a guest in that government-assisted household. If your family can negotiate a policy that allows you to stay longer as their guest, this helps avoid problems later on if the PHA or owner of the government-assisted housing accuses your family of exceeding the time limits for guests, in violation of their lease agreement.

IF A PUBLIC HOUSING AUTHORITY (PHA) OR OWNER OF GOVERNMENT-ASSISTED HOUSING DENIES MY REQUEST TO BE ADDED TO MY FAMILY'S LEASE, WHO CAN CHALLENGE THE DENIAL AND HOW?

Your family member who is listed on the lease can request a REVIEW HEARING (sometimes called a grievance hearing, informal review, informal hearing, or conference). Go to PG. 179 to learn about how to challenge a denial to government-assisted housing and request a review hearing.

POLICIES FOR LIVE-IN AIDES IN GOVERNMENT-ASSISTED HOUSING

WHAT IS A "LIVE-IN AIDE?"

A live-in aide is a person who *resides with* one or more elderly, near elderly, or disabled persons, and who is *essential to the care* and well-being of that individual. The live-in aide is not obligated to financially support the person and would not be living in the unit except to provide the required services.[280]

A live-in aide is NOT a household member. If you are a live-in aide, your income will be *excluded* from calculating the rent for the assisted unit. However, the family that lives in the unit could request an extra bedroom for the live-in aide and then be required to pay the standard amount for the larger bedroom size.

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[276] See, e.g., Ritter v. Cecil County Office of Hous. & Cmty. Dev., 33 F.3d 323 (4th Cir. 1994) (Section 8 tenant-based recipient violated two-week guest rule and had notice that violation could result in termination); Zajac v. Altoona Hous. Auth., 156 Pa. Commw. 209 (1993), appeal denied, 537 Pa. 627 (PHA policy provided that no one other than a resident could reside in the unit other than on a temporary basis not to exceed 30 days).
[277] 7 C.F.R. § 3560.156(c)(8).
[278] 7 C.F.R. § 3560.157(b)(10).
[279] 7 C.F.R. § 3560.156(c)(15).
[280] 24 C.F.R. § 5.403.



CAN I BE SOMEONE'S LIVE-IN AIDE IN GOVERNMENT-ASSISTED HOUSING IF I HAVE CRIMINAL RECORD?

Maybe. If you have a criminal record, you may be able to reside in a government-assisted housing unit as a ***live-in aide***, but you will need to be screened (see next question).

Depending on the policies of the PHA or owner, the criminal background check conducted for a live-in aide may be less strict than the one used for admitting a new tenant because a live-in aide is *not* considered a true household member.

WILL THE PHA OR OWNER SCREEN ME FOR MY CRIMINAL BACKGROUND IF I AM SOMEONE'S LIVE-IN AIDE?

Yes. The PHA and owner can screen you for issues related to your being present in the unit. Most PHAs and owners will screen live-in aides for their criminal background *using the same or similar criteria* as they use for admissions (read PG. 149 for the criminal record-related bans in federal government-housing, including which ones are *required* versus which ones are *allowed*).[281]

WILL THE PHA OR OWNER SCREEN ME FOR MY CREDIT HISTORY IF I AM SOMEONE'S LIVE-IN AIDE?

No. The *PHA or owner should not screen you for your credit history if you are a live-in aide.* Your credit history has nothing to do with the family's ability to pay for the unit — so you should not be screened for credit.[282]

I WAS EXCLUDED FROM BEING SOMEONE'S LIVE-IN AIDE BASED ON MY CRIMINAL RECORD. WHAT CAN I DO?

*The **person requiring an aide*** should ask for a ***review hearing***. Go to PG. 153 to learn how (s) he can challenge the denial of you as his/her live-in aide. There may be situations in which the disabled or elderly resident needing the care has great difficulty finding a live-in aide, or that you meet some unique need of that individual requiring care. In such situations, the disabled/elderly individual needing the live-in aide may request a *reasonable accommodation* for a disability by asking the PHA or owner *to waive the strict screening criteria, and allow the person with the criminal record to reside in the unit as a live-in aide due to the special function he or she plays in the tenant's life*.

WHAT MAKES A REQUEST FOR A REASONABLE ACCOMMODATION SUCCESSFUL?

Whether the request for reasonable accommodation is successful will depend upon the facts and an interpretation of reasonable accommodation rules, discussed in Housing Appendix E, PG. 207.

I AM A LIVE-IN AIDE IN A GOVERNMENT-ASSISTED UNIT, BUT THE PERSON WHO I WAS CARING FOR HAS LEFT THE UNIT. DO I HAVE A RIGHT TO STAY?

No. If you are a live-in aide, you have NO RIGHT to continue living in the assisted unit if the tenant needing the assistance leaves.

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[281] HUD, Occupancy Requirements Of Subsidized Multifamily Housing Programs ¶¶ 4-7(B)(6); 7-10 (rev. November 2013) (stating that owner must apply screening criteria for criminal activity to persons added to the lease, including a live-in aide).
[282] 24 CFR §5.609(c)(5).

VI. CHALLENGING DENIALS FROM HOUSING

WHAT WILL I LEARN?

- Tips and guidance for challenging an illegal denial to private housing
- Tips and guidance for challenging an illegal or unfair denial to government-assisted housing (either through a Public Housing Authority (PHA) or an owner of government-assisted housing units)

CHALLENGING DENIALS TO PRIVATE HOUSING

Although there is currently no state or federal law which forbids private landlords from denying you housing on the basis of your criminal conviction record, a denial for this reason may still be discriminatory under certain specific circumstances. If your application for privately owned, unsubsidized housing has been denied in one of the situations described below, you may have been the victim of discrimination, and you can challenge the denial. Read about the reasons for challenging illegal denials and which government agencies you should contact for help below.

UNDER WHAT SPECIFIC CIRCUMSTANCES MIGHT A CONVICTION-BASED DENIAL FROM PRIVATE HOUSING BE DISCRIMINATORY?

- If the denial was the result of a blanket ban against all people with criminal records
- If the landlord treated you and your criminal record differently than others with similar records of conviction (arbitrary discrimination)
- If the landlord violated your right to notice of a background check, and your right to fix errors in the background check (go to PG. 166)

Go to Housing Appendix G, PG. 213 to learn about how to file a discrimination complaint with a government agency. Try to get a lawyer to help if you can. See Guide Appendix, PG. 413 of this guide for a list of legal aid providers across Connecticut.

As a summary, your main options for challenging an illegal denial from private housing are the following:

1. You could file an administrative complaint with Connecticut's Commission on Human Rights and Opportunities (CHRO)(the state's civil rights enforcement agency);
2. You could file an administrative complaint with HUD (the federal housing protection agency);
3. You could file a civil lawsuit in state or federal court; OR
4. You could allow HUD (the federal housing agency) or CHRO (the state housing agency) to file a lawsuit on your behalf.

HOW DO I FIGURE OUT WHICH OPTION TO CHOOSE IF I WANT TO CHALLENGE A DENIAL FROM PRIVATE HOUSING?

Talk to a lawyer or an advocate at a nonprofit legal services organization if possible. They can help advise you. Also, you can always file a complaint with *both* HUD & CHRO, but talking to a lawyer is important. Read more about each of these options below.

For general instructions on how to file a complaint against a private landlord, go to Housing Appendix G, PG. 213.

CHALLENGING DENIALS TO GOVERNMENT-ASSISTED HOUSING

This section will help you understand how to challenge a denial from a federal government-assisted housing program, and what to expect in the process.

If you are denied government-assisted housing, you have the right to receive notice of the denial with the SPECIFIC REASONS for the denial—including anything that came up in your criminal record (see PG.169 for what PHAs and government-assisted owners can access). You also have the right to a review of the denial — which could be a very informal meeting or hearing (see PG.182 about what those look like) and the right to receive information on how to prepare for that informal hearing/review. You also have rights during the review hearing process AND the right to challenge the decision if you still disagree. Continue reading to learn more.

WHEN WOULD I CHALLENGE A DENIAL FROM A PUBLIC HOUSING AUTHORITY (PHA) OR OWNER OF GOVERNMENT-ASSISTED HOUSING?

REMEMBER—Under the "CATCH-ALL" ban (described in detail on PG. 149), there are many situations in which a PHA and/or owner of government-assisted housing is allowed BUT NOT REQUIRED to deny you. In fact, the law limits the ways that PHAs and owners of government-assisted housing can exclude you based on your past criminal history.



If the PHA or owner of the government-assisted housing discriminated against you in a way that was illegal, or abused their discretion in denying you the housing — either for something in your criminal record, a disability, OR because they relied on mistaken information — then you will want to challenge that denial by asking for a review of the decision. YOU WILL ALSO WANT TO GATHER AS MUCH INFORMATION AS POSSIBLE. See PG. 160 about mitigating circumstances and proof of your rehabilitation to prove that you should not have been denied.

The PHA or owner of government-assisted housing must follow certain laws and rules when considering your past convictions and criminal history information. They may only reject you for criminal activity that *threatens the health, safety, or peace of other residents or staff AND the criminal activity must be "reasonably recent." For more information on these protections, go to PG. 145.*

HELPFUL HINT:

Language of Notice: If there are a lot of non-English speakers served by the PHA or owner, the notice may have to be written in the language used by the applicant. If you need the notice to be translated, ask the PHA or owner for a copy in your native language.

IF I WAS DENIED GOVERNMENT-ASSISTED HOUSING, HOW WILL I KNOW THE REASON WHY?

If you were denied housing due to *information that showed up in your criminal record*, then the PHA also MUST give you a copy of the criminal record it used. This will help you to understand why you were denied.[283] You may have to request a copy of the background check directly from the company that ran the check. The PHA or owner should tell you the name of that company in the denial notice.

Furthermore, if you are denied admission to federal government-assisted housing, you have the right to WRITTEN *detailed notice of the denial* — THIS SHOULD EXPLAIN THE SPECIFIC REASON(S) YOU WERE DENIED.[284] Sometimes, PHAs and owners will give you a general notice just telling you that you were denied, but not the specific conduct or offense that was the basis for the decision. If you get a general notice without specific details, you should ask for the detailed notice. It is your right. The law says a PHA or owner of government-assisted housing MUST provide you with a detailed notice.[285]

[283] Fair Credit Reporting Act, 15 U.S.C. § 1681 et seq.

[284] 42 U.S.C. § 1437d(c)(4) (public housing); 24 C.F.R. §§ 880.603(b)(2) (Section 8 new construction), 882.514(f) (Section 8 moderate rehabilitation), 960.208(a) (public housing), 982.201(f)(1) and 982.554(a) (voucher); HUD, Occupancy Requirements Of Subsidized Multifamily Housing Programs ¶ 4-9(C)(1) (rev. November 2013); HUD, Public Housing Occupancy Guidebook, ¶ 4.9 and App. III (June 2003) (sample ACOP) (the ACOP and Notices are models; nevertheless, they should be persuasive); HUD, Voucher Program Guidebook, Housing Choice, 7420.10G, ¶ 5.7 (Apr. 2001) (voucher); Holmes v. N.Y. City Hous. Auth., 398 F.2d 262 (2d Cir. 1968) (PHA's failure to inform applicants of denial or reasons violated due process); 7 C.F.R. §§ 3560.160(e), 3560.154(h) (RD Section 515 Rental Housing) (applied to Section 514 and 516 farmworker housing through §§ 3560.551, 3560.601), 3560.255(b) (comparable notice requirements in the USDA Rural Development housing program).

[285] See, e.g., 7 C.F.R. § 3560.154(h) (requiring that the credit report relied upon to deny admission to an applicant under the USDA Rural Development housing programs be attached to Notices of Ineligibility or Rejection in accordance with the Fair Reporting Credit Act); HUD, Public Housing Occupancy Guidebook, ¶ 4.9 (June 2003); see also Edgecomb v. Hous. Auth. of Vernon, 824 F. Supp. 312 (D. Conn. 1993) (termination of subsidy); Driver v. Hous. Auth. of Racine, 713 N.W.2d 670 (Wis. Ct. App. 2006) (sustaining tenants' § 1983 claim challenging adequacy of notice and hearing decision in a termination case as a matter of both due process, per Goldberg v. Kelly, 397 U.S. 254 (1970) and Edgecomb, and public policy.

WHAT IS THE TIMELINE FOR CHALLENGING A DENIAL TO GOVERNMENT-ASSISTED HOUSING?

In terms of timing, if you want to challenge a denial, you should request a "review hearing" *in writing* as soon as you receive notice of the denial. There are strict time deadlines for requesting a review hearing, and they are different for every housing program. You must stick to the deadline, so READ THE NOTICE of denial! If you miss the deadline, you will not only lose the housing unit, but will also be taken off the waitlist and have to reapply. If you request a review hearing on time, the housing unit will be held for you until there is a final decision. You should keep a copy of your written request for a review hearing for your own records. If possible, you should send the written request by certified mail, return receipt requested, or hand-deliver it to the PHA yourself and ask that they date stamp your copy for your records.

HELPFUL HINT:

Challenging the rejection may give you the necessary time to improve or gather information to clarify your criminal history. If you haven't already done so, you should request a copy of your criminal record (RAP sheet) and try to correct any mistakes. You should also gather evidence of rehabilitation and mitigating evidence.

WILL I DEFINITELY GET INTO GOVERNMENT-ASSISTED HOUSING IF I AM SUCCESSFUL IN CHALLENGING THE INITIAL DENIAL?

No, not necessarily. If you are successful, you could get admitted into housing, but you might just get another review of the facts or another hearing — which could help you get in, or could still result in denial.[286]

HOW CAN I FIGURE OUT THE SPECIFIC PROCEDURES FOR CHALLENGING A DENIAL TO GOVERNMENT-ASSISTED HOUSING?

The notice will tell you the specific procedure for challenging the denial for that particular housing program. The first step in challenging any denial, however, is always to submit a WRITTEN request for a review hearing, where you can fight the denial. By law, you *almost always* have the right to a review of denial from government-assisted housing.[287]

The notice of denial will tell you where to send the written request for a review hearing AND when you need to do it (the number of days within which you must challenge the denial).[288] The time frames must be "reasonable"—which usually means within 10-30 days but may be less.[289] Be sure to follow the deadlines that you are given!

Call CT legal aid offices for extra help! See GUIDE APPENDIX, PG. 413 for a list of legal aid offices in CT.

In sum, if you were denied housing because of your record and you want to fight it, your first step will be to request a review hearing in writing, and you always should. *ALWAYS ASK FOR A HEARING WITHIN THE DEADLINE LISTED ON YOUR DENIAL NOTICE — and follow all of the procedures the notice gives you!* Finally, make sure to keep a copy of the dated written request for your own records so you can prove you sent it in case there is a dispute about that later on.

IMPORTANT! ASK YOUR SUPPORTERS TO COME TO THE HEARING WITH YOU! If there are individuals in your life who support your housing application and are willing to accompany you to your hearing and testify about how your circumstances have improved, their attendance can help!

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[286] Special Note for Advocates: This section cites cases involving denial or termination from federally assisted housing. Note: There may be cases from other social welfare programs that also may be used to build an applicant's case. Such cases are not included in this discussion, as they are beyond the scope of this manual.

[287] See, e.g., 42 U.S.C. § 1437d(c)(4) (public housing); 24 C.F.R. §§ 882.514(f) (Section 8 moderate rehabilitation), 960.208(a) (public housing), 982.554 (voucher) 880.603(b)(2) (Section 8 new construction); 7 C.F.R. § 3560.160(f)-(g) (rural development program); HUD, Public Housing Occupancy Guidebook, ¶ 4-9) (June 2003) (informal hearing is distinct from a public housing grievance hearing); see also Ressler v. Pierce, 692 F.2d 1212, 1215 (9th Cir. 1982) (applicants for project-based Section 8 had a sufficient property interest to give rise to due process procedural safeguards); Holmes, 398 F.2d at 265 (due process requires ascertainable standards for admission); Eidson v. Pierce, 745 F.2d 453 (7th Cir. 1984) (applicants for Section 8 new construction projects lack sufficient property interest for due process protections).

[288] Holmes v. N.Y. City Hous. Auth., 398 F.2d 262, 264 (2nd Cir. 1968); Billington v. Underwood, 613 F.2d 91 (5th Cir. 1980), and subsequent opinion, Billington v. Underwood, No. 81-7978, 707 F.2d 522 (11th Cir. May 23, 1983); see also Vance v. Hous. Opportunities Comm'n, 332 F. Supp. 2d 832 (D. Md. 2004) (mentally disabled tenant challenged a termination from Supportive Housing program and denial of reinstatement based on various procedural deficiencies; court preliminarily ordered reconsideration of reinstatement request and new hearing on termination with other procedural protections).

[289] See, e.g., 24 C.F.R. § 5.514(e)(1) (applicants for federally assisted housing rejected because of rules regarding immigration statutes have 30 days from notice to request grievance hearing); 7 C.F.R. § 3560.154(e) (Rural Development housing notice must be delivered by certified mail return receipt requested or hand-delivered letter with signed receipt by applicant and inform denied applicant of the right to respond within 10 calendar days after date of notice and right to hearing available upon request), whereas, 7 C.F.R. 3560.160(h) states notice must be given of the right to respond within 10 days after receipt of notice (emphasis added); HUD, Occupancy Requirements Of Subsidized Multifamily Housing Programs ¶ 4-9(C)(2)(b) (rev. November 2013) (notice must inform applicant of right to respond in writing or to request a meeting within 14 days of rejection); HUD, Public Housing Occupancy Guidebook, App. VIII (Applicant Notice of Rejection) (June 2003) (request informal hearing within 10 days); see also Samuels v. District of Columbia, 669 F. Supp. 1133, 1140 (D.D.C. 1987) (10-day period for a tenant to seek grievance hearing is unreasonably short).

REVIEW HEARINGS: THE WAY TO CHALLENGE A DENIAL TO GOVERNMENT-ASSISTED HOUSING

Requesting a review hearing is one of the most important avenues for challenging a denial to most types of government-assisted housing (whether it was a denial by the Public Housing Authority (PHA) or an owner of government-assisted housing).

Of course, if you can, it is best to find a lawyer or advocate who can help you through this process. It may be tough to find a lawyer who will do this, but it is worth a try. See GUIDE APPENDIX, PG. 413 for a list of legal aid organizations that may be able to help advise you as you challenge your denial from government-assisted housing. If you cannot find a lawyer to help you, do not despair! It is definitely possible to do this on your own!

WHAT CAN I EXPECT AT THE REVIEW HEARING? AND HOW CAN I PREPARE?

THE HEARING:

After you have sent in a written request for a review hearing, it is important to prepare. At the informal hearing or review, it is important to show the PHA or owner of the government-assisted housing that they should not have denied you the housing because of mitigating circumstances and/ or proof of rehabilitation (see PG. 160), a disability that requires a reasonable accommodation (see Housing Appendix E, PG. 207), or a mistake in the criminal records that the PHA or owner used to deny you. Before the informal hearing/review, you should:

1. Ask the PHA or owner for *all* documents and information regarding the denial of your housing application, including a copy of the criminal records it relied upon to deny you.[290]
   - Get a copy of your criminal record for yourself and review it carefully to make sure it is correct. *Compare* your criminal record with the information the PHA or owner used to deny you.
   - Make an effort to fix any mistakes in the records used by the PHA or owner by documentation of the errors. Records often contain mistaken information and you should not be denied housing based on an error.[291] This can take time, so you should act fast, and ask the PHA and/or owner of the government-assisted housing in writing to hold the unit while you collect the documents you need.
2. Review your application and be prepared to talk about important differences.
   - Make sure you know what you wrote on your application about your criminal record, illegal drug use, or whatever it was that resulted in your denial. For example, what did you say in response to the question about your convictions? What did you say about your illegal drug use? Whom did you say would live in your household? If the answer you gave on your application is not exactly the same as the answer you would give today, you must be able to explain why. If you did not include certain information about your criminal record in your application to the PHA or owner, you will have to explain why it was left out. Or if you said that a certain relative would be living with you who is not, you need to explain what has changed.

IMPORTANT: If you were denied under a ban that is allowed but not required, you will want to prove to the PHA or owner that there are mitigating circumstances or evidence that you have changed and rehabilitated since the time of your offense.

[290] For the USDA RD housing programs, applicants who have been denied housing and choose to file grievances are entitled to examine the records that a borrower plans to rely upon to defend the admission decision. 7 C.F.R. § 3560.160(g)(4) (Rural Development housing); see also, HUD, Public Housing Occupancy Guidebook, App. VIII (sample Applicant Notice of Rejection) (June 2003) (offers applicant the opportunity to review applicant file); See Chapter 3 for a discussion of special federal rules regarding access to criminal records by PHAs and owners. In the event that the denial is based upon criminal record information obtained by a PHA (including lifetime sex offender registration) in accordance with the federal statute, the PHA has an obligation to provide the applicant a copy of that record.

[291] Sharon M. Dietrich, When "Your Permanent Record" Is a Permanent Barrier: Helping Legal Aid Clients Reduce the Stigma of Criminal Records, 41 CLEARINGHOUSE REV. 139 (July-Aug 2007).



If you were denied because of your criminal history, you should present evidence of rehabilitation to show the PHA you are *not* a threat to the health or safety of other residents, PHA staff or contractors. This includes all the letters and documents you can think of that will show how you have changed and grown since your negative conduct. If you cannot get someone to accompany you to the hearing and testify on your behalf, you should see if they are willing to write you letters of support.[292] Ask people who have supported you through reentry — such as your current employer, a teacher, probation officer, social worker, neighbors, current or prior landlords, and community leaders — to write letters of support on your behalf. These letters may be helpful even if you have a witness coming to your hearing to testify on your behalf. The letters should emphasize:

- How your circumstances have changed since the negative conduct/offense;
- That you are a good person who gets along well with others;
- That you are motivated to improve your life; AND
- That you have a record of performance or attendance if you are in school or working.

IMPORTANT!

You have the opportunity to tell the hearing officer why the decision he/she made is wrong.

TIPS:

- Try to explain clearly what they missed or why their decision was wrong.
- Be polite and calm when speaking.
- Bring a friend, witness, and/or lawyer or advocate if you can.

WHAT CAN I EXPECT FROM THE REVIEW HEARING?[293] WHAT IS IT LIKE?

Every hearing is different, *but generally*, the hearing is likely to be very informal (more details about these informal hearings below). It is *very different* from a court proceeding, and formal evidence rules do NOT apply. For example, the PHA or owner may introduce newspaper reports, police blotters, declarations or criminal records, with no one to authenticate or testify about the accuracy of the records.[294] You are also allowed to bring in any evidence showing why your criminal record should not bar you from getting into the housing program.

You are allowed, *and it is recommended*, that you bring a friend or family member who can be supportive and can also be a witness to what is happening and what is said at the hearing.

WHAT RIGHTS DO I HAVE IN A REVIEW HEARING?

1. **You have the right to a hearing before an impartial, unbiased hearing officer.**[295] That means that hearing officer should be independent, with no stake in the outcome of the hearing, and ready to hear both sides. He/she *should not* be the same person who made the original decision to deny you, or anyone *who works for* the person who made the original decision to deny you.[296]
2. **You have the right to an opportunity to make an argument (called a "rebuttal") to challenge the information the PHA or owner relied upon in denying you**.[297]
3. **You should be allowed to explain why you pled guilty to a past conviction**.[298] The hearing's decision maker may find your explanation important and relevant.

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[292] See Legal Action Center, How to Get Section 8 or Public Housing Even with a Criminal Record: A Guide for New York City Housing Authority Applicants and their Advocates, App. H (no date), http://lac.org/index.php/lac/130 (provides examples of letters of recommendation); New York City Housing Authority, Division of Applicant Appeals, Public Housing Hearing, Report of Informal Hearing, August 7, 2007, No. 113-52-7732.

[293] See Jaimes v. Toledo Metro. Hous. Auth., 758 F.2d 1086 (6th Cir. 1985); Billington v. Underwood, 613 F.2d 91, 93 (5th Cir. 1980); Neddo v. Hous. Auth. of Milwaukee, 335 F. Supp. 1397 (E.D. Wis. 1971); cf. Spady v. Mount Vernon Hous. Auth., 341 N.Y.S.2d 552 (N.Y. App. Div. 1973), aff'd mem., 310 N.E.2d 542 (N.Y. 1974), cert. denied, 419 U.S. 983 (1974) (Douglas, J., dissenting); Sumpter v. White Plains Hous. Auth., 278 N.E.2d 892 (N.Y. 1972), cert. denied, 406 U.S. 928 (1972) (distinguishing evidentiary hearing required before termination of benefits from procedures required before denials of eligibility). See also S. K. Morris, Note, The New Leased Housing Program: How Tenantable a Proposition? 26 HASTINGS L.J. 1145, 1201 (1975).

[294] See Billington v. Underwood, No. 81-7978, 1983 WL 855694 (11th Cir. May 23, 1983) (discussion of the burden of proof and use of hearsay in hearing for denial of admission). The following cases set aside hearing decisions based solely on hearsay in the context of subsidy terminations or proposed evictions: Basco v. Machin, 2008 WL 182249 (11th Cir.); Edgecomb v. Hous. Auth. of Vernon, 824 F. Supp. 312 (D. Conn. 1993) (in decision involving termination of tenant- based assistance, court held that conclusory statement was insufficient); Kurdi v. Du Page County Hous. Auth., 161 Ill. App. 3d 988 (1987); Carter v. Olmsted County Hous. & Redev. Auth., 574 N.W.2d 725 (Minn. Ct. App. 1998); Chase v. Binghamton Hous. Auth., 91 A.D.2d 1147, 1147-48 (N.Y. App. Div. 1983). Hearsay rules, if used, will likely apply to all parties. Therefore, an applicant should be prepared to have whatever hearsay rules are adopted apply to the evidence that he or she presents. Broughton v. Hous. Auth. of Pittsburgh, 755 A.2d 105 (Pa. Commw. Ct. 2000) (tenant's hearsay evidence excluded in judicial setting).

[295] Billington v. Underwood, 613 F.2d 91, 95 (5th Cir. 1980); see also Piretti v. Hyman, No. 79-622-K, slip op. (D. Mass. July 23, 1979), vacated as moot without opinion, 618 F.2d 94 (1st Cir. 1980) (in a case regarding termination of tenant-based assistance, decision-maker not impartial when the attorney presenting the PHA's case also advised the hearing officer).

[296] See 24 C.F.R. § 982.554(b)(1); HUD, Public Housing Occupancy Guidebook, § 4.9 and App. VIII (Applicant Notice of Rejection) (June 2003); HUD, Voucher Program Guidebook, Housing Choice, 7420.10G, ¶ 16.5 (Apr. 2001) (voucher program); HUD, Occupancy Requirements Of Subsidized Multifamily Housing Programs ¶ 4-9(D)(1) (requiring that any meeting with the applicant to discuss the applicant's rejection must be conducted by a member of the owner's staff who was not involved in the initial decision to deny admission or assistance); see also Davis v. Mansfield Metro. Hous. Auth., 751 F.2d 180, 185 (6th Cir. 1984); Billington v. Underwood, 613 F.2d 91, 95 (5th Cir. 1980).

[297] Billington v. Underwood, 613 F.2d 91, 95 (5th Cir. 1980); see also Edgecomb v. Hous. Auth. of Town of Vernon, 824 F. Supp. 312, 314-16 (D. Conn. 1993) (in a termination of benefits case, the hearing decision could not be based wholly on hearsay; hearing decision inadequate because no reasons given; participant was entitled to cross-examine witness); Kurdi v. Du Page County Hous. Auth., 514 N.E.2d 802, 806 (Ill. App. Ct. 1987) (setting aside a termination decision based wholly on hearsay); see also 7 C.F.R. § 3560.160(h) (2007) (rural development housing).

[298] Gibson v. Gibson, 15 Cal. App. 3d 945 (1971); see also Costa v. Fall River Hous. Auth., 71 Mass. App. Ct. 269, 283 (2008).



4. **You should ask for a written transcript and an audio recording of the review hearing (the "record")**. If the hearing officer won't provide you this, you can ask to bring in your own recording device (many cell phones have this function). But note that it is illegal in Connecticut to record people without their consent, so be sure you have permission before recording the proceedings.
5. **You have the right to present and question witnesses, and to ask that they testify under oath**.[299]
6. **You have the right to a written decision after the review hearing (for most government-assisted housing programs).**[300] The written decision must be given to you within a *reasonable period of time*, state the specific *reasons* for the decision, and state the *evidence* the hearing officer relied upon in making the decision.[301]
7. **You may have extra rights in Public Housing & Voucher housing programs**: In addition to the requirements above, for public housing and the voucher program ONLY, there is the additional protection that the housing provider can *only go into the issues that were presented in the rejection notice*.[302] At the hearing, no information should be presented if it was not the basis for the rejection, because otherwise you have not gotten a fair opportunity to investigate the new allegations ahead of time and challenge those reasons at the hearing.
8. **The rules for Rural Development (USDA-RD) hearings are different**. Read more in Housing APPENDIX H, PG. 217.

WHAT CAN I DO IF I AM UNHAPPY WITH THE WRITTEN DECISION BY THE REVIEW HEARING?

If you are unhappy with the decision made at the review hearing, and want to challenge it, ask your lawyer and/or the hearing officer how to challenge. Usually, if you lose your informal hearing, you cannot continue to challenge the denial of government housing at the Public Housing Authority (PHA) level. Most likely, the only way for you to continue to challenge the denial after losing your informal review hearing is to sue the Public Housing Authority in court.[303] This is a complex decision — contact a lawyer for help. See a list of legal aid offices that may be able to assist in Guide Appendix, on PG. 413.

[299] Neddo v. Hous. Auth. of City of Milwaukee, 335 F. Supp. 1397, 1400 (E.D. Wisc. 1971); see also 7 C.F.R. § 3560.160(h) (2007) (RD housing).
[300] See, e.g., New York City Housing Authority, Division of Applicant Appeals, Public Housing Hearings, Report of Informal Hearing, August 6, 2007, No. 113-52-7732 copy available as Exhibit 3 of this Chapter (applicant with felony convictions found to have made significant positive changes and improved since the offenses).
[301] 4 C.F.R. §§ 882.514(f) (Section 8 Moderate Rehabilitation) and 982.552(b)(3) (voucher program) (2007); HUD, Public Housing Occupancy Guidebook, ¶ 4.9 (public housing); HUD Handbook 4350.3, REV-1, CHG-2, ch. 4-9D (June 2007) (final decision must be given to applicant within five business days of meeting); Neddo v. Hous. Auth. of City of Milwaukee, 335 F. Supp. 1397 (E.D. Wisc. 1971); see also Edgecomb v. Hous. Auth. of Town of Vernon, 824 F. Supp. 312 (D. Conn. 1993) (in a termination of benefits case, hearing decision could not be based wholly on hearsay; hearing officer decision inadequate because no reasons given; participant entitled to cross-examine witness); Powell v. D.C. Hous. Auth., 818 A.2d 188 (D.C. 2003) (reversing PHA's termination decision for alleged fraudulent underreporting of income because hearing officer failed to make findings with respect to each contested material allegation of fact as required by due process and applicable local Administrative Procedure Act (APA); see also Hicks v. Dakota County Cmty Dev. Agency, No. A06-1302, 2007 WL2416872 (Minn. App., Aug. 28, 2007) (the record must be sufficient to facilitate meaningful review and where there are no findings or credibility determinations, the court could not conduct a meaningful review); see, e.g., New York City Housing Authority, Division of Applicant Appeals, Public Housing Hearing, Report of Informal Hearing, August 6, 2007, No. 113-52-7732 (copy available as Exhibit 3 to this Chapter). For Rural Development housing, the notice must be served within ten days of the hearing. 7 C.F.R. § 3560.160(i)((2) (2007). As noted above, the decision also should not be based wholly upon uncorroborated hearsay.
[302] See Wolff v. McDonnell, 418 U.S. 539, 564 (1974); Billington v. Underwood, 613 F.2d 91, 93-95 (5th Cir. 1980); Singleton v. Drew, 485 F. Supp. 1020, 1024 (E.D. Wisc. 1980); McNair v. N.Y. City Hous. Auth., 613 F. Supp. 910, 914-15 (1985).
[303] You could bring an action for federal civil rights violations under 42 U.S.C. § 1983, which has a three-year statute of limitations, to challenge a decision on fair housing or due process grounds, and also sometimes on the grounds that the decision is contrary to applicable federal law. This is a field of law that is very complicated. It is unclear whether you can use § 1983 to make a challenge that a decision lacks substantial evidence, or that the officer did not exercise discretion properly. The state certiorari statute is necessary, especially if your challenge focuses on the failure of the housing program to comply with agency procedures and policies.

VII. MAINTAINING MY HOUSING

EVICTIONS: *JUST THE BASICS*

The HOUSING CHAPTER does NOT go into the specifics of eviction law — but we realize it is an issue you may come across and need help with. Below we include some very basic know-your-rights information if you are facing an eviction or have received eviction papers. It is also important to know that if you engage in any "new criminal activity," like committing a new crime, you and your entire household could face eviction.[304]

GET HELP!

If you need a lawyer to help with defending against an eviction, please call Statewide Legal Services (SLS) at 1-800-453-3320 for help getting in touch with an attorney. If you are facing eviction, it's important to ACT FAST to respond to eviction papers, so get in touch with a housing lawyer as soon as possible.

WHAT IS AN EVICTION?

Eviction is a process that a landlord can use to remove a tenant from a rental unit. In Connecticut, the eviction process is called "summary process." To "be evicted" means (1) you were the defendant (the tenant or occupant) in an eviction lawsuit, (2) you lost the lawsuit, and (3) the court then ordered you to move out of the apartment or rental unit. If you leave a rental unit because the landlord asks you to do so, but you are never served with eviction papers, then you have not been evicted in the legal sense of the word.

I AM FACING AN EVICTION. WHAT ARE MY OPTIONS?

Since responding to an eviction notice can be VERY time-sensitive, it's important to respond and act fast! Keep reading this section to learn more. It can also be VERY HELPFUL to have a lawyer assist you. *If you need a lawyer to help with defending against an eviction, call Statewide Legal Services (SLS) at 1-800-453-3320 for help getting in touch with an attorney.*

HOW WOULD I KNOW IF MY LANDLORD WANTS TO EVICT ME?[305]

If your landlord wants to evict you, you may get a *Kapa Notice* or a *Notice to Quit*.

A ***Kapa Notice*** is an informal warning letter that

explains what you did wrong, and
tells you to stop or to pay for damages you caused within **15 days**.

If you fixed the problem within 15 days, make sure to get as much proof as you can. For example, if you hired someone to fix damage or you bought the parts to fix damage yourself, keep the receipts. If the landlord says you allowed someone to live with you who was not allowed to live there, get proof that the person lived somewhere else. If the problem is not solved within 15 days, your landlord may send you a *Notice to Quit*.

A ***Notice to Quit*** is a court form that asks you to leave by a certain date because

you did not pay your rent;
your landlord did not agree that you could live there;
you broke your lease or the law (for example, you sold drugs there or damaged the apartment); or
your landlord wants to end your month-to-month lease or your lease has ended. (Your landlord must not make you leave if your lease has not ended.)

IMPORTANT: You do not have to leave on the date listed on the *Notice to Quit*.

WHAT SHOULD I DO IF I GET A KAPA NOTICE OR A NOTICE TO QUIT?

Talk to your landlord and try to solve the problem.
Talk to a lawyer. Call Statewide Legal Services at 1-800-453-3320, www.slsct.org.
NOTE: If a housing authority wants to evict you, send a letter to the manager or director asking for a hearing. Keep a copy of the letter.

[304] 24 C.F.R. § 982.310.
[305] See, https://ctlawhelp.org/en/evictions-process-laws-connecticut.



WHAT HAPPENS IF I GET A SUMMONS AND COMPLAINT?

If the problem is not solved and you don't leave, your landlord may ask the court to evict you. If this happens, a marshal will give you a ***Summons* and a *Complaint***.

Try to get a lawyer. If you get a *Summons* and a *Complaint*, call Statewide Legal Services at 1-800-453-3320.

If you cannot get a lawyer to help you, follow these steps:

STEP 1: **Fill out two court forms: *Appearance* (http://www.jud.ct.gov/webforms/forms/cl012.pdf) (#JD-CL-12) and *Answer* (http://www.jud.ct.gov/webforms/forms/hm005.pdf) (#JD-HM-5).**

STEP 2: **Make 2 copies of the completed forms.**

STEP 3: **Take the original forms to the court clerk within 2 business days of the *Return Date* on the *Summons*.**

STEP 4: **Give (or mail) a copy to your landlord or the landlord's lawyer.**

If you have questions or need help, call Statewide Legal Services at 1-800-453-3320. If you don't fill your forms out completely, correctly, and on time, you could lose your case.

Where can I get the court forms I need?

The forms are free, and you do not have to pay to file your completed forms at court. You can get the forms at:

http://www.jud.ct.gov/webforms, or
the court clerk's office or Court Service Center (the address is listed on the Summons).

WHAT COULD HAPPEN IF I IGNORE THE SUMMONS AND COMPLAINT AND DO NOTHING?

If you receive a Summons and Complaint and you do not file an Appearance and an Answer, the landlord can ask the court clerk for a "default judgment." If this happens, you will NOT go before a judge. This means that the landlord automatically wins the case and gets the property back from you.

Sometimes the court will allow you to "re-open" the case after entering a "default judgment" if you have a good reason for not filing the Answer on time. You should **not** assume that the court will allow you to "re-open" your case. In many cases, the tenant's request is denied. Therefore, you must try to file your Appearance and Answer on time so that you do not lose your case by missing a legal deadline.

WHAT HAPPENS AFTER I GIVE MY APPEARANCE AND ANSWER FORMS TO THE COURT?

The court will mail you a letter with the time and date of your trial. If you don't go to court for your trial, your landlord will probably win and you will be evicted. If this happens, a marshal can make you move out with as few as 24 hours' notice.

CAN I ASK THE COURT FOR ANOTHER TRIAL DATE?

If you have a very good reason for needing a different court date, you must ask for a *Continuance* **at least 3 days** before your court date. To do that, fill out and file a *Motion for Continuance* (https://www.jud.ct.gov/webforms/forms/cv021.pdf) (#JD-CV-21).

If you missed your court date but have a very good reason for missing it (like being in the hospital), you have **5 days** to ask the court to open your case again. You will need to fill out and file a *Motion to Open* Judgment (https://www.jud.ct.gov/webforms/forms/cv051.pdf) (#JD-CV-51). It will help your case if you have proof of the reason why you had to miss court. Ask someone at the Court Service Center for help with the forms.

YOU WILL HAVE A BETTER CHANCE OF WINNING YOUR CASE IF YOU DO THESE THINGS:

- Get a lawyer to speak for you in court. Call Statewide Legal Services (www.slsct.org) at 1-800-453-3320.
- Organize and make copies of all the papers you need to prove your story (rent receipts, letters, lease, etc.).
- If you have witnesses, ask them to go to court to say what they know about your case.
- Try to take the day off from work and get a babysitter if you have children. You may be in court for between 2 and 5 hours.
- Visit https://ctlawhelp.org/en/represent to play a legal game that will help you prepare for court, understand what happens in court on the day of your hearing, and how to present evidence and cross-examine the other person in your case.

HOW CAN I GET READY FOR COURT?

- Get to court early.
- Turn off your cell phone.
- Have your papers and witnesses ready.
- Be polite to everyone and follow all instructions.
- Stand up when you speak to the judge, and call the judge "Your Honor."
- Do not chew gum, use earphones, or read in the courtroom.
- Wear your best clothes.

WILL MY TRIAL START RIGHT AWAY?

You and your landlord will speak to a mediator known as a housing specialist first. The housing specialist will try to help you and the landlord make an agreement (also called a *stipulation*) instead of having a trial. If you can come to an agreement, it will be put in writing and will be signed by you, the landlord, and the judge. You will each get a signed copy of the agreement. You can also make an agreement on your own with the landlord, but talk to the housing specialist before you sign it.

WARNING: Do not sign an agreement if you cannot do what it says. If you disobey the agreement, you can be evicted very quickly.

WHAT IF THE LANDLORD AND I CAN'T MAKE AN AGREEMENT?

You will have a trial and a judge will decide your case. Your trial will probably take about an hour.

1. The judge will call your case. The landlord will speak first. He or she will explain why you should be evicted. He may show the judge papers or other evidence.
2. The judge will ask you to tell your side of the case. You must explain why you should not be evicted. You can also show the judge papers, photos, and other evidence.
3. The judge may ask you, the landlord, or any witness questions. You can ask questions when it is your turn to speak.
4. The judge will decide, and the court will mail its decision (called an *Order* or a *Judgment*) to you and the landlord.

WHAT HAPPENS IF I WIN IN COURT? WHAT HAPPENS IF I LOSE?

If you win, you get *possession*, which means you can stay in your apartment.

If you lose your case, you will have to move out in as few as five days. Your landlord will get permission from the court to hire a marshal. A marshal must tell you at least 24 hours before he or she comes to remove you and your things from the apartment.



The marshal will tell you he/she is coming by serving you with something called an "execution." An execution is a piece of paper that will be served on you the same way that the Summons and Complaint were served. The marshal will write the date and time he/she is coming back on the execution paper.

If you don't move out before the marshal comes back, the marshal will take your belongings from the apartment (even if you are not there), and the landlord can lock you out.

You can be evicted even if you have small children, a subsidy, or it is the middle of the winter. Pack your things as fast as you can before the marshal comes back. Start with your medications and important legal documents, like birth certificates and ID cards.

CAN I ASK FOR MORE TIME TO MOVE?

You can ask your landlord for more time, but he or she does not have to give it to you.

The court will automatically give you 5 extra days to move out if you are evicted because

- You broke the law or the rules in your lease; OR
- Your landlord did not agree that you could live there.

You must file something with the court within **five days** of the judgment if you want

- More time to move;
- To appeal the judgment; OR
- The judge to reopen the case.

You can get 3 extra months to move out if you are evicted because you did not pay the rent, but you must fill out a *Stay of Execution* (https://www.jud.ct.gov/webforms/forms/hm021.pdf)(# (#JD-HM-21) form and pay the court all of the rent you owe within 5 days of the judgment. You must also be prepared to pay for each month that you stay.

If you are evicted for a reason *not* listed above, you may ask the court if you can stay up to 6 months by filling out a *Stay of Execution Application*. The court does not have to let you stay at your apartment, so think about your other options in case the court says no.

WHAT IF I GET EVICTED AND LOSE MY BELONGINGS?

- Call **2-1-1**. Ask about programs that can help you find a place to live.
- If the marshal removed your belongings from your apartment, they were placed in storage at a place picked by the town where you were evicted. You can get your belongings back from the town by asking them within 15 days. If you don't know who to call, you can call the general number for the town and ask for the person who supervises evictions for the town.
- You will be charged for moving and storage costs, but you can ask for a reduction of the costs. After 15 days, the town can sell your things at a public auction. You can try to buy them back at auction if you want to. This may cost less than paying for moving and storage.
- If you get benefits from the state, contact your DSS worker right away. DSS sometimes helps with housing and moving costs, replacing lost belongings, or they may pay for the security deposit for your next apartment.

SPECIAL PROTECTIONS FOR SENIOR AND DISABLED TENANTS

A special law called *good cause* can protect you from eviction in some cases. Get legal help right away so you can tell the court that you are protected by *good cause*.

To qualify for good cause, you must

- live in a building or complex that has at least **5 rental units**, and
- one of the adults has a physical or mental disability or
- is a senior (62 or over).

Not all disabilities qualify for good cause. The disability must be physical or mental and it must be expected to last at least 12 months. When you go to court, you may have to prove disability or age. You can use a medical report or proof of Social Security Disability or Supplemental Security Income (SSI) income for disability. For age, have the senior bring an ID showing date of birth.

IF I QUALIFY FOR GOOD CAUSE, DOES THAT MEAN MY LANDLORD CAN NEVER EVICT ME?

No. Your landlord can still evict you if

- You don't pay the rent;
- You don't agree to a *fair and equitable* rent increase;
- You don't keep your unit clean and safe;
- You don't follow your lease, your landlord's rules for the building, and state law;
- The landlord wants to stop renting the apartment altogether; OR
- The landlord wants to move into the unit.

DOES THE LAW PROTECT ANYONE ELSE FROM EVICTION?

Yes. There are additional requirements that a landlord must comply with before starting an eviction case against

- Owners of mobile homes;
- Tenants in apartments that the landlord wants to convert to condominiums; AND
- Tenants living in units where the landlord lost ownership due to foreclosure.[306]

I LIVE IN TRANSITIONAL HOUSING. AM I PROTECTED BY EVICTION LAW?

Under Connecticut law, the following arrangements are not protected by summary process: "residence at an institution, public or private, if incidental to detention or the provision of medical, geriatric, educational, counseling or religious service, or any similar service;" and "transient occupancy in a hotel or motel or similar lodging." If your living arrangement falls into one of those categories, your landlord does not have to take you to court if he or she wants to evict you.[307]

VIII. CONCLUSION

Where you live is critical to your well-being. Unfortunately, it can also be one of the most challenging aspects of reentry. Hopefully, this Chapter has helped you understand your housing options, and given you the tools to help you to find appropriate housing and recognize illegal discrimination when it occurs.

[306] https://ctlawhelp.org/en/evictions.process.laws.connecticut.
[307] Conn. Gen. Stat. § 47a-2(a)(1) and (4).



HOUSING APPENDIX

APPENDIX A. A List of PHAs in Connecticut and their Contact Information – PG. 191

APPENDIX B. A list of transitional housing that may accept your application while you are still incarcerated – PG. 195

APPENDIX C. Connecticut ReEntry Programs - PG. 200

APPENDIX D. NHLP Chart—Federally Assisted Housing Programs: Admissions For Applicants With Certain Criminal Backgrounds – PG. 204

APPENDIX E. Disabilities & Requesting Reasonable Accommodations on Any Housing Application – PG. 207

APPENDIX F. Housing Owners'/Landlords' Access to Credit Reports – PG. 212

APPENDIX G. Filing a Complaint for Illegal Discrimination in Private Housing – PG. 213

APPENDIX H. Rural Development Grievance Procedures – PG. 217

APPENDIX A

A List of PHAs in Connecticut and their Contact Information

PHA NAME, PHONE & FAX NUMBER	ADDRESS	TYPE *(Section 8, low-rent, or both)*
Housing Authority of the City of Ansonia **Phone:** (203)736-8888 x321 **Fax:** (203)736-8833	36 Main Street **Ansonia** CT 06401	Combined
Housing Authority of the City of Bridgeport **Phone:** (203)337-8900 **Fax:** (203)337-8830	150 Highland Avenue **Bridgeport** CT 06604	Combined
Bristol Housing Authority **Phone:** (860)582-6313 **Fax:** (860)585-6033	164 Jerome Avenue **Bristol** CT 06010	Combined
Canton Housing Authority **Phone:** (860)693-6464	21 Dowd Avenue **Canton** CT 06019	Section 8
Housing Authority of the City of Danbury **Phone:** (203)743-8822 **Fax:** (203)790-2334	2 Mill Ridge Road **Danbury** CT 06811	Combined
Killingly Housing Authority **Phone:** (860)774-3905 **Fax:** (860)774-6808	41 Birchwood Terrace **Danielson** CT 06239	Section 8
Derby Housing Authority **Phone:** (203)735-6652 x11 **Fax:** (203)734-0204	101 West Fourth Street **Derby** CT 06418	Section 8
East Hartford Housing Authority **Phone:** (860)290-8301 **Fax:** (860)290-8308	546 Burnside Avenue **East Hartford** CT 06108	Combined
East Haven Housing Authority **Phone:** (203)468-3287 **Fax:** (203)468-3916	Town Hall **East Haven** CT 06811	Section 8
Housing Authority of the Town of Enfield **Phone:** (860)745-7493 **Fax:** (860)741-8439	1 Pearson Way **Enfield** CT 06082	Section 8
Fairfield Housing Authority **Phone:** (203)366-6578 **Fax:** (203)333-5330	15 Pine Tree Lane **Fairfield** CT 06825	Section 8
Farmington Housing Authority **Phone:** (860)675-2390 **Fax:** (860)675-2397	Town Hall **Farmington** CT 06032	Section 8
Housing Authority of the Town of Glastonbury **Phone:** (860)652-7568 **Fax:** (860)652-7568	25 Risley Road **Glastonbury** CT 06032	Combined
Greenwich Housing Authority **Phone:** (203)869-1138 **Fax:** (203)869-2307	249 Milbank Avenue **Greenwich** CT 06830	Combined



Hamden Housing Authority **Phone:** (203)248-9036 **Fax:** (203)248-5505	51 Worth Street **Hamden** CT 06518	Section 8
City of Hartford Housing Authority **Phone:** (860)757-9021 **Fax:** (860)722-6630	250 Constitution Plaza **Hartford** CT 06103	Section 8
Connecticut Department of Housing **Phone:** (860)270-8171 **Fax:** (860)706-5741	505 Hudson Street **Hartford** CT 06106	Section 8
Housing Authority of the City of Hartford **Phone:** (860)723-8400 **Fax:** (860)723-8551	180 John D. Wardlaw Way **Hartford** CT 06106	Combined
Manchester Housing Authority **Phone:** (860)643-2163 x101 **Fax:** (860)643-2999	24 Bluefield Drive **Manchester** CT 06040	Combined
Housing Authority of the City of Meriden **Phone:** (203)235-0157 x247 **Fax:** (203)634-1971	22 Church Street **Meriden** CT 06457	Combined
Middletown Housing Authority **Phone:** (860)346-8671 **Fax:** (860)347-0534	40 Broad Street **Middletown** CT 95503	Combined
Milford Redevelopment and Housing Authority **Phone:** (203)877-3223 **Fax:** (203)874-6003	**75 Demaio Drive** **Milford** **CT 06460**	Combined
Naugatuck Housing Authority **Phone:** (203)729-8214 x17 **Fax:** (203)729-5181	16 Ida Street **Naugatuck** CT 06770	Combined
Housing Authority of the City of New Britain **Phone:** (860)225-3534 x201 **Fax:** (860)832-6079	16 Armistice Street **New Britain** CT 06053	Section 8
Housing Authority of the Town of New Canaan **Phone:** (203)247-2067	57 Millport Avenue **New Canaan** CT 06840	Low-Rent
Housing Authority of the City of New Haven **Phone:** (203)498-8800 **Fax:** (203)497-8728	360 Orange Street **New Haven** CT 06511	Combined
New London Housing Authority **Phone:** (860)443-2851	78 Walden Avenue **New London** CT 06320	Low-Rent
Newington Housing Authority **Phone:** (860)521-8396 **Fax:** (860)231-2615	Town Hall **Newington** CT 06111	Section 8
Housing Authority of the City of Norwalk **Phone:** (203)838-8471 x141 **Fax:** (203)838-6535	24 ½ Monroe Street **Norwalk** CT 06856	Combined
Norwich Housing Authority **Phone:** (860)887-1605 **Fax:** (860)889-3139	10 Westwood Park **Norwich** CT 06360	Combined

Plainfield Housing Authority **Phone:** (860)230-3022 **Fax:** (860)564-0158	Town Hall **Plainfield** CT 06374	Section 8
Portland Housing Authority **Phone:** (860)342-1688 x10 **Fax:** (860)342-3961	11 Riverside Street **Portland** CT 06480	Combined
Housing Authority of the Town of Brooklyn **Phone:** (860)963-6829 x262 **Fax:** (860)963-6832	C/o Putnam Housing Authority 123 Laconia Ave. **Putnam** CT 06260	Low-Rent
Putnam Housing Authority **Phone:** (860)963-6829 **Fax:** (860)963-6892	123 Laconia Avenue **Putnam** CT 06260	Combined
Housing Authority of the Town of Seymour **Phone:** (203)888-4579 **Fax:** (203)888-2096	32 Smith Street **Seymour** CT 06483	Low-Rent
South Windsor Housing Authority **Phone:** (860)644-3082 **Fax:** (860)648-9486	50 Elm Street **South Windsor** CT 06074	Section 8
Housing Authority of the City of Stamford **Phone:** (203)977-1400 **Fax:** (203)977-1471	22 Clinton Avenue **Stamford** CT 06901	Combined
Mansfield Housing Authority **Phone:** (860)487-0693 **Fax:** (860)955-0009	309 Maple Road **Storrs** CT 06268	Section 8
Housing Authority of the Town of Stratford **Phone:** (203)375-4483 **Fax:** (203)375-9449	295 Everett Street **Stratford** CT 06615	Combined
Torrington Housing Authority **Phone:** (860)482-3581 **Fax:** (860)482-5841	110 Prospect Street **Torrington** CT 06790	Combined
Vernon Housing Authority **Phone:** (860)871-0886 **Fax:** (860)875-9811	21 Court Street **Vernon** CT 06066	Combined
Wallingford Housing Authority **Phone:** (203)269-5173 **Fax:** (203)248-5505	45 Tremper Drive **Wallingford** CT 06492	Section 8
Waterbury Housing Authority **Phone:** (203)596-2640 x112 **Fax:** (203)757-7850	2 Lakewood Road **Waterbury** CT 06704	Combined
Housing Authority of the Town of West Hartford **Phone:** (860)953-0002 x26 **Fax:** (860)953-5773	80 Shield Street **West Hartford** CT 06110	Combined
West Haven Housing Authority **Phone:** (203)934-8671 x116 **Fax:** (203)937-5788	15 Glade Street West Haven CT 06516	Combined
Wethersfield Housing Authority **Phone:** (860)529-2267	60 Lancaster Road Wethersfield CT 06109	Section 8



Willimantic Housing Authority **Phone:** (860)456-1413 **Fax:** (860)456-3356 Email: hacowkim@yahoo.com	49 West Avenue **Willimantic** CT 06226	Section 8
Housing Authority of the Town of Windsor **Phone:** (860)285-8090 x204 **Fax:** (860)688-7131	156 Bloomfield Avenue **Windsor** CT 06095	Section 8
Bloomfield Housing Authority **Phone:** (860)285-8090 x202 **Fax:** (860)688-7131	c/o Windsor Housing Authority **Windsor** CT 06096	Low-Rent
Windsor Locks Housing Authority **Phone:** (860)627-1455 x202 **Fax:** (860)292-5994	WLHA **Windsor Locks** CT 06096	Combined
Winchester Housing Authority **Phone:** (860)379-4573 x5 **Fax:** (860)379-0430	80 Chestnut Street **Winsted** CT 06098	Low-Rent

HTTPS://WWW.HUD.GOV/SITES/DFILES/PIH/DOCUMENTS/PHA_CONTACT_REPORT_CT.PDF

APPENDIX B

A list of transitional housing that may accept your application while you are still incarcerated

The following chart is a list of transitional housing options for individuals who are currently incarcerated and are being proactive about lining up housing for post release, or are looking to provide documentation to the parole board that they have transitional housing that will accept them if they receive a parole date.**

For more information on the different programs, you can write to the address listed or call the phone number.

Please note that many of the programs on this chart accept applications though the 211 InfoLine only. Please dial 211 for further information.

Please note that this chart is not comprehensive – there may be places that accept applications from people currently incarcerated that are not on this list.

**Adapted from information shared by *http://www.transitionalhousing.org/state/connecticut*

Name	Address	City	Phone	Other/Notes
Berman Treatment Center- Halfway House	1095 Blue Hills Avenue	Bloomfield, CT 06602	(860)243-1642	https://www.csi-online.org/ Men only
Bridgeport Rescue Mission	1088 Fairfield Avenue	Bridgeport, CT 06601	(203)333-4087	Men and Women https://bridgeportrescuemission.org/
Homes For The Brave	655 Park Avenue	Bridgeport, CT 06604	(203)338-0669	Serves Veterans https://www.homesforthebrave.org/
Urban Model Initiative Supportive	410 Poplar Street	Bridgeport, CT 06604	(203)333-3445	Offers both transitional and supporting housing opportunities who are homeless and living with both psychiatric and substance use disorder. https://recovery-programs.org/
Huntington House Transitional Home	74 Huntington Road	Bridgeport, CT 06608	(203)366-7012	Men and woman who suffer from severe and persistent psychiatric disabilities https://recovery-programs.org/
Nexus House	175 Brooklawn Avenue	Bridgeport, CT	(203)362-8884	Men & Women http://www.nexussoberhouse.com/
Iranistan House Transitional Housing	964 Iranistan Avenue	Bridgeport, CT 06605	(203)367-0025	Men and woman who suffer from severe and persistent psychiatric disabilities https://recovery-programs.org/
The Gorham Fellowship, INC.	1108 Fairfield Avenue	Bridgeport, CT 06605	(203)908-4487	Men only http://www.gorhamfellowship.org/
New Cambridge Retreat	47 Milford Street	Burlington, CT 06013	(860)940-7001	Men and Women Mike.uchalid@gmail.com



Eden Hill recovery Retreat For Women	P.O Box 26	Cannon, CT 06018	(860)307-7512	Women only http://edenhillrecoveryretreat.com/
Amos House INC	34 Rocky Glen Road	Danbury, CT 06813	(203)791-9277	Adaptable for up to six families of various sizes, ages and needs http://amoshouse.org/
Danbury Housing Authority Transitional Housing Program	98A Elm Street	Danbury, CT 06810	(203)743-6092	Transitional housing for those 18 years and older. http://www.hacdct.org/transitional.html
Renewal House Danbury CT	18 Aaron Samuels Boulevard	Danbury, CT – 06810	(203)-791-1050	58 or older http://www.shelter-cross.org/
McDonough Halfway House	38 Old Ridgebury Road	Danbury, CT – 06810	(203) 792-4515	22-bed substance abuse treatment facility https://mccaonline.com/
United Services CT	1007 North Main Street	Dayville, CT – 06241	(860) 774-2020	Woman and her children recovering from domestic violence http://www.unitedservicesct.org/
Oxford House East White	80 Main Street	East Hartford, CT – 06118	(860) 904-2584	Men only http://www.oxfordhouse.org/userfiles/file/
Shoreline Living Solutions, LLC	222 Hemingway Ave.	East Haven, CT – 06512	(203) 493-4353	Men only https://www.shorelinelivingsolutions.com/
Sober House	55 Silver Hill Rd	Easton, CT – 06612	(203)362-8884	Men and Women http://www.nexussoberhouse.com/
Clayton House	203 Williams Street East	Glastonbury, CT – 06033	(860) 659-0309	Men and Women https://www.intercommunityct.org/recovery-centers/residential/clayton-house/
South Park Inn, Inc.	75 Main Street	Hartford, CT – 06106	(860) 724-0071	Homeless https://www.southparkinn.org/
Mercy Housing and Shelter Corporation	211 Wethersfield Avenue	Hartford, CT – 06114	(860) 808-2040	Age 18+ must be HIV+ and income low as or at 300% FPL http://www.mercyhousingct.org/index.htm
Community Renewal Team Supporting Housing Services	8 Stonington Street	Hartford, CT – 06114	(860) 560-5790	Transitional housing and support services for homeless families with at least one dependent child. http://www.crtct.org/en/
Alcohol and Drug Recovery	56 Coventry Street	Hartford, CT – 06112	(860) 569-5900	Men and Women http://www.adrc-ct.org/

Youth Challenge of Connecticut Mission for Women	15-17 May Street	Hartford, CT – 06105	(860) 728-5199	http://www.youthchallenge.org/
Hartford Halfway House For Women	10 Irving Street	Hartford, CT – 06112	(860) 547-1313	https://www.csi-online.org/programs/locations/ House for adult women, Mothers and Infants
Agatha Sober Living	108 Babcock Street	Hartford, CT – 06106	(860) 604-6093	Women who are transitioning from incarceration and detox to stable living. drnur@aol.com
Meriden -Wallingford Chrysalis	14 West Main Street	Meriden, CT – 06451	(203) 630-1638	https://mwchrysalis.org/ Housing for women and their children left homeless as a result of domestic violence. Minimum stay 6 months.; maximum stay 2 yrs.
Mercy Housing and Shelter Corporation Shepherd Home	112 Bow Lane	Middletown, CT – 06457	(860) 808-2040	http://www.mercyhousingct.org/index.htm Single adults ages 18+; Homeless
Independence Northwest Center for Independent Living	1183 New Haven Road	Naugatuck, CT – 06770	(203) 729-3299	Persons with AIDS/HIV who are at risk of becoming homeless or are presently homeless in Waterbury and the upper Naugatuck Valley; Income cannot exceed 80% of the family median income for Waterbury; http://www.independencenorthwest.org/
Friendship Service Center of New Britain	241 Arch Street	New Britain, CT – 06051	(860) 225-0211	Ages 18+; Must be alcohol/drug free, and mental health issues must be addressed http://www.fsc-ct.org/
Silver Hill Hospital	208 Valley Road	New Canaan, CT – 06840	(866) 542-4455	Age 18+ with a primary psychiatric diagnosis https://www.silverhillhospital.org/
Liberty Community Services, Inc.	129 Church Street	New Haven, CT – 06510	(203) 495-7600	Addresses housing needs of people who do not have rental subsidies, are not eligible for homeless services rental subsidies and who have income. http://www.libertycs.org/
Christian Community Action, INC	168 Davenport Avenue	New Haven, CT – 06519	(203) 777-7848	Provide emergency housing, food, and a variety of support services, including case management, job search assistance programs, family counseling, and workshops, to families that are homeless or at risk of homelessness. https://ccahelping.org/



Columbus House	586 Ella T. Grasso Boulevard	New Haven, CT – 06519	(203) 401-4400	Services: Emergency shelter - Overflow shelter - Transitional Housing - Permanent Support Housing - Street Outreach - Case Management http://www.columbushouse.org/
The Mansion Sober Living For Women	89 Sherland Avenue	New Haven, CT – 06513	(855) 922-2202	Women only https://www.themansion.life/home.html
Oxford House Yale	531 Whitney Avenue	New Haven, CT – 06511	(203) 562-2713	Men only http://www.oxfordhouse.org/userfiles/file/
Oxford House New Haven	126 Spring Street	New Haven, CT – 06519	(203) 495-9293	Men only http://www.oxfordhouse.org/userfiles/file/
Oxford House Rock Park	279 Blake Avenue	New Haven, CT – 06515	(203) 387-1564	Women only http://www.oxfordhouse.org/userfiles/file/
Oxford House Moon Park	262 Crescent Street	New Haven, CT – 06511	(203) 776-0577	Women only http://www.oxfordhouse.org/userfiles/file/
The 180 House	793 Grand Ave	New Haven, CT – 06511	203-909-9194	Men and Women http://the180center.com/sober-house/
Riverview Sober House	280 Front Street	New Haven, CT – 06513	(828) 772-0417	Men and Women https://www.transitionalhousing.org/
New London Homeless Hospitality Center Project Home	51-53 Mountain Avenue	New London, CT – 06320	(860) 439-1573	Veterans who are struggling with mental health or substance abuse issues or who have been unemployed for a long time. https://www.nlhhc.org/
SCADD Halfway House For Women New London	1000 Bank Street	New London, CT – 06320	(860) 447-8021	Men and Women http://www.scadd.org/halfwayWomen.html
SCADD Halfway House For Women	62 Coit Street	New London, CT – 06320	(860) 442-1017	Women only http://www.scadd.org/halfwayWomen.html
The Open Door Shelter	4 Merritt Street	Norwalk, CT – 06854	(203) 866-1057	Previously homeless single adult males; Agency referral http://www.opendoorshelter.org/
Bethsaida Community, Inc.	Po Box 913	Norwich, CT – 06360	(860) 886-7511	Homeless or at risk women. https://www.bethsaidact.org/
SCADD Halfway House For Men	313 Main Street	Norwich, CT – 06360	(860) 889-3414	Men only http://www.scadd.org/

Veterans Residential Programs and Fellowship House	287 West Street	Rocky Hill, CT – 06067	(860) 616-3600	Veteran with honorable discharge or under honorable conditions and is a resident of Connecticut https://portal.ct.gov/dva
St. Luke's Community Services, Inc.	141 Franklin Street	Stamford, CT – 06901	(203) 388-0100	Men, women and children https://www.inspiricact.org/
Laurel House Transitional Housing	1616 Washington Blvd	Stamford, CT – 06902	203.324.1816	Adults with chronic mental illness https://www.laurelhouse.net/
Susan B. Anthony Project	179 Water Street	Torrington, CT – 06790	(860) 489-3798	Women who are victims of domestic violence, dating violence, sexual assault, or stalking and their children https://sbaproject.org/
McCall Foundation-McCall Halfway House	127 Migeon Avenue	Torrington, CT – 06790	(860) 496-2105	Recovery program that provides structure, research-based support and counseling in a nurturing environment https://www.mccallcenterct.org/intermediate-residential/mccall-house
Morris Foundation Therapeutic Shelter	26 North Elm Street	Waterbury, CT – 06702	(203) 574-3986	Men and women. http://wellmore.org/adult-services/residential-facilities/
Home Of Hope, INC	140 Willow Street	Waterbury, CT – 06710	203-528-3664	Home of Hope offers Counseling Services to individuals in the Greater Waterbury area http://www.homeofhopect.org/
Your House Of Hope	52 Granger Street	Waterbury , CT – 06705	(860) 919-6469	Individuals who are recovering from alcohol or substance abuse. jfy012@aol.com
Oxford House Sherwood	4 Sherwood Road	West Hartford, CT – 06117	(860) 233-8459	Men only http://www.oxfordhouse.org/userfiles/file/
VA Healthcare System Of Connecticut Substance Abuse Treatment Program	950 Campbell Avenue	West Haven, CT – 06516	(203) 932-5711	Men and Women https://www.connecticut.va.gov/
Oxford House Jones Hill	421 Platt Avenue	West Haven, CT – 06516	203) 933-5522	House for recovering alcoholics and drug addicts
Step Up Inn	541 Washington Ave	West Haven, CT – 06516	(866) 933-7045	https://stepupinn.com/ Women only
Oxford House Prindle Hill	46 Prindle Road	West Haven, CT – 06516	203-745-4521	Recovering alcoholics and drug addicts http://www.oxfordhouse.org/userfiles/file/
Westport House	162 King's Highway North	Westport, CT – 06880	(203) 557-8631	Men only http://www.westporthouse.com/

APPENDIX C

CONNECTICUT RE-ENTRY PROGRAMS

For more information on the different programs, you can write the address listed or call the phone number.

Please note that this chart is not comprehensive. Programs and services change frequently. Call 211 for up to date information. Other sources of information about Reentry programs in Connecticut can be found at: the Department of Correction's Offender Reentry Assistance webpage, https://portal.ct.gov/DOC/Miscellaneous/Offender-Re-Entry-Assistance; ctreentry.org; or exoffenders.net.

The list below is adapted from the websites listed above.

Career Resources Reentry Works (https://careerresources.org/)

The Mission of Career Resources is to significantly improve the family unit through employment to ensure economic opportunity in the communities they serve.

Locations: Bridgeport, Derby, Stamford, Hartford, Waterbury

Bridgeport 350 Fairfield Avenue Bridgeport, CT 06604
Derby 141 Franklin, 2nd Floor Street Stamford, CT 06905 (203) 353-1702
Stamford 101 Elizabeth Street Derby, CT 06418 (203) 734-3443

Columbus House (http://www.columbushouse.org/programs/)

Columbus House's mission is to serve people who are homeless or at risk of becoming homeless by providing shelter and housing and by fostering their personal growth and independence.
Service areas include: Outreach & Engagement, Shelter Services, Housing Services, Veterans Services, Income and Employment Services, and Housing Security. All of their programs serve those experiencing homelessness or those at risk of homelessness. Many of their programs also include services for special populations such as families with children, people living with or at risk of HIV/AIDS, and Veterans. All of their programs support best practices of Housing First, Harm Reduction, Trauma Informed Care and Person Centered Services.

Columbus House
PO Box 7093
New Haven, CT 06519
(203) 401-4400

Community Solutions Inc. (CSI) (https://www.csi-online.org/about-us/welcome-letter/)

CSI offers services to people who are referred to them from federal and state justice systems.

The mission of CSI is to promote the independence, responsible citizenship, and well-being of individuals and families involved, or at risk of involvement, in the child welfare, juvenile justice, or criminal justice systems.

Main Office
340 West Newberry Road, Suite B
Bloomfield, CT 06002
860-683-7100

Emerge (info@emergect.net)

Nonprofit corporation that operates as a social enterprise committed to helping formerly incarcerated persons make a successful return to their families as responsible members, and to their communities as law-abiding, contributing citizens.

Their "Earn and Learn" model provides each member with the experience of learning marketable work skills and appropriate employment behaviors, and improving their basic education skills within a workplace environment, while earning an income within the framework of a transitional work component that can last as long as six (6) months.

830 Grand Avenue New Haven, CT 06511, (203) 562-0171 (203) 535-0940

Family ReEntry (https://familyreentry.org/)

Family ReEntry's mission is to break cycles of violence, crime and incarceration by providing client-centered interventions and support services to empower and strengthen individuals, families and communities.

Family ReEntry's programs operate in strategic locations that encompass eight municipal regions and judicial geographic areas, two parole districts and five prisons. Approximately sixty-percent of those they serve are from greater Bridgeport – Connecticut's largest city. Offices are located in Bridgeport, Norwalk and New Haven. Programs are also located in Waterbury, and Norwich.

Main Office: 75 Washington Avenue, Bridgeport, CT 06604, (203) 576-6924
Norwalk Office: 9 Mott Avenue, Suite 104, Norwalk CT 06850, (203) 838-0496
New Haven Office: 50 Fitch Street, Suite 202, New Haven, CT 06515, (203) 361-9166

New Haven's Project Fresh Start
(https://www.newhavenct.gov/gov/depts/fresh_start/default.htm)

The City of New Haven's Project Fresh Start Reentry Program facilitates the coordination of community partners, state agencies and other reentry stakeholders for the purpose of creating a citywide, strategic, and systematic delivery of resources that leads to reduced recidivism, increased employment and housing opportunities, access to continued education and the long term self-sufficiency of returning citizens.
The City of New Haven's Project Fresh Start Reentry Program will seek to fulfill its objectives through the following:



- Information sharing among organizations and groups implementing reentry initiatives.
- Supporting local efforts in advancing public safety.
- Utilization of proven best practices in serving the formally incarcerated.
- Community capacity building through grant making, technical assistance, and training.
- Advocating and informing policymaking and systemic reform that promotes the successful reintegration of this population.
- Inclusion and engagement of formerly incarcerated individuals to inform the planning, implementation and delivery of transitional services.

165 Church Street, First Floor
New Haven, CT 06510
(203) 946-7821

Monday – Friday, 9:00am - 5:00pm

New Opportunities (http://www.newoppinc.org/)

New Opportunities mission is to improve the quality of life for economically disadvantaged individuals by providing the necessary resources to increase their standard of living, foster self-improvement, and maximize self-empowerment.

New Opportunities is the community action agency that serves Waterbury, Meriden, Torrington and 27 surrounding Connecticut towns. They offer a variety of social service programs designed to eliminate poverty and assist people in need.

Headquartered in Waterbury and the city's fourth largest employer, New Opportunities has additional offices in Meriden, Torrington, Danbury and Thomaston for the convenience of those they serve.

Full Services Offices / Family Development Center Locations

Main Headquarters
232 North Elm Street
Waterbury, CT 06702
T: (203) 575-9799
Hours: M-F, 8:00am-5:00pm

74 Cambridge St
Meriden, CT 06450
T: (203) 639-5060
Hours: M – F, 9am-5pm,

59 Field Street
Torrington, CT 06790
T: (860) 482-9749
Hours: M-F, 8:30am-4:30pm

Stride (https://qvcc.edu/discover-qvcc/locations-and-directions/campus-offices/stride/)

Statewide workforce development program that provides transitional support to non-custodial parents both pre- and post- release in the Connecticut correctional facilities in which they operate. STRIDE offers a holistic approach to employment and reunification with families in their perspective communities.

To participate in the STRIDE program, participants must meet the following criteria:

- Must be currently incarcerated at the participating STRIDE correctional facilities
- Must be committed to becoming employed and plan to remain in the state of Connecticut
- Must be able to make and keep scheduled appointments with STRIDE staff, both on a pre- and post-release basis

Contact: Julie Scrapchansky, Program Director, 860-932-4146, jscrapchansky@qvcc.edu or Jennifer Eddy, Program Associate, 860-932-4080, jeddy@qvcc.edu.

APPENDIX D

NHLP Chart—Federally Assisted Housing Programs: Admissions For Applicants With Certain Criminal Backgrounds

See next page.

Federally Assisted Housing Programs: Admissions for Applicants with Certain Criminal Backgrounds*

*** There are no federal requirements regarding admission of individuals with criminal background to Low-Income Housing Tax Credit (LIHTC) housing, Shelter Plus Care (S+C) (see generally 24 C.F.R. §§ 582.325 and 582.330), Supportive Housing Program (SHP) (see generally 24 C.F.R. § 583.325) or Housing Opportunities for Persons with AIDS (HOPWA) (see generally 24 C.F.R. § 574.603). Federally-assisted housing is defined, in this context, to include, public housing, Section 8, Section 202, Section 811, Section 221(d)(3), Section 236, Section 515 and Section 514.**

	Convicted of producing meth at federally-assisted housing^	**Lifetime registered sex offender**	**Prior eviction from federally-assisted housing^ for drug-related activity**	**History of drug-related criminal activity**	**History of violent criminal activity**	**History of crimes that threaten health, safety, or peaceful enjoyment**	**Current user of illegal substances**
Public Housing	Permanent ban on admission. 42 U.S.C. § 1437n(f); 24 C.F.R. § 960.204(a)(3).	Permanent ban on admission. 42 U.S.C. §§ 13663 and 13664; 24 C.F.R. § 960.204(a)(4).	3-year ban on admission unless applicant is rehabilitated. 42 U.S.C. §§ 13661(a) and 13664; 24 C.F.R. § 960.204(a)(1).	PHA has discretion to admit applicant. 42 U.S.C. § 13661(c); 24 C.F.R. § 960.203(d).	PHA has discretion to admit applicant. 42 U.S.C. § 13661(c); 24 C.F.R. § 960.203(d).	PHA has discretion to admit applicant. 42 U.S.C. § 13661(c); 24 C.F.R. § 960.203(d).	PHA must deny admission. 42 U.S.C. § 13661(b); 24 C.F.R. § 960.204(a)(2) .
Voucher Program	Permanent ban on admission. 42 U.S.C. § 1437n(f); 24 C.F.R. § 982.553.	Permanent ban on admission. 42 U.S.C. §§ 13663 and 13664; 24 C.F.R. § 982.553.	3-year ban on admission unless applicant is rehabilitated. 42 U.S.C. §§ 13661 and 13664; 24 C.F.R. § 982.553.	PHA has discretion to admit applicant. 42 U.S.C. § 13661(c); 24 C.F.R. § 982.553.	PHA has discretion to admit applicant. 42 U.S.C. § 13661(c); 24 C.F.R. § 982.553.	PHA has discretion to admit applicant. 42 U.S.C.A. § 13661(c); 24 C.F.R. § 982.553.	PHA must deny admission. 42 U.S.C. § 13661(b); 24 C.F.R. § 982.553.
Section 8 Mod Rehab	Permanent ban on admission. 42 U.S.C. § 1437n(f); 24 C.F.R. § 882.518.	Permanent ban on admission. 42 U.S.C. §§ 13663 and 13664; 24 C.F.R. § 882.518.	3-year ban on admission unless applicant is rehabilitated. 42 U.S.C. §§ 13661 and 13664; 24 C.F.R. § 882.518.	PHA has discretion to admit applicant. 42 U.S.C. § 13661(c); 24 C.F.R. § 882.518.	PHA has discretion to admit applicant. 42 U.S.C. § 13661(c); 24 C.F.R. § 882.518.	PHA has discretion to admit applicant. 42 U.S.C. § 13661(c); 24 C.F.R. § 882.518.	PHA must deny admission. 42 U.S.C. § 13661(b); 24 C.F.R. § 882.518.
Section 8 SRO Mod. Rehab. for homeless	Current funds are appropriated for homeless individuals. 42 U.S.C. § 11401. Regulations may require a ban. 24 C.F.R. §§ 882.805(c) and 882.808(b)(2); *see also* provisions cited above under Section 8 Mod. Rehab.	Current funds are appropriated for homeless individuals. 42 U.S.C. § 11401. Regulations may require a ban. 24 C.F.R. §§ 882.805 (c) and 882.808(b)(2); *see also* provisions cited above under Section 8 Mod. Rehab.	Current funds are appropriated for homeless individuals. 42 U.S.C. § 11401. Regulations may require a ban. 24 C.F.R. §§ 882.805 (c); *see also* provisions cited above under Section 8 Mod. Rehab.	PHA or owner has discretion to admit applicant. 24 C.F.R. §§ 882.805 (c) and 882.808(b)(2), *see also* provisions cited above under Section 8 Mod. Rehab.	PHA or owner has discretion to admit applicant. 24 C.F.R. §§ 882.805 (c) and 882.808(b)(2), *see also* provisions cited above under Section 8 Mod. Rehab.	PHA or owner has discretion to admit applicant. 24 C.F.R. §§ 882.805 (c) and 882.808(b)(2), *see also* provisions cited above under Section 8 Mod. Rehab.	Current funds are appropriated for homeless individuals. 42 U.S.C. § 11401. Regulations may deny admission. 24 C.F.R. §§ 882.805 (c) and 882.808(b)(2); *see also* provisions cited above under Section 8 Mod. Rehab.
Project-based Section 8	No requirement imposed by federal law. Owner has discretion to admit applicant. 42 U.S.C. § 1437n(f); 24 C.F.R. § 5.855.	Permanent ban on admission. 42 U.S.C. §§ 13663 and 13664; 24 C.F.R § 5.856.	3-year ban on admission unless applicant is rehabilitated. 42 U.S.C. §§ 13661 and 13664; 24 C.F.R. § 5.854.	Owner has discretion to admit applicant. 42 U.S.C. § 13661(c); 24 C.F.R. § 5.855.	Owner has discretion to admit applicant. 42 U.S.C. § 13661(c); 24 C.F.R. § 5.855.	Owner has discretion to admit applicant. 42 U.S.C. § 13661(c); 24 C.F.R. § 5.855.	Owner must deny admission. 42 U.S.C. § 13661(b); 24 C.F.R § 5.854

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Federally Assisted Housing Programs: Admissions for Applicants with Certain Criminal Backgrounds*

	Convicted of producing meth at federally-assisted housing^	Lifetime registered sex offender	Prior eviction from federally-assisted housing^ for drug-related activity	History of drug-related criminal activity	History of violent criminal activity	History of crimes that threaten health, safety, or peaceful enjoyment	Current user of illegal substances
Sections 202, 811, 221(d)(3), 236	No requirement imposed by federal law. Owner has discretion to admit applicant. 42 U.S.C. § 1437n(f); 24 C.F.R. § 5.855.	Permanent ban on admission. 42 U.S.C. §§ 13663 and 13664; 24 C.F.R § 5.856.	3-year ban on admission unless applicant is rehabilitated. 42 U.S.C. §§ 13661 and 13664; 24 C.F.R. § 5.854.	Owner has discretion to admit applicant. 42 U.S.C. § 13661(c); 24 C.F.R. § 5.855.	Owner has discretion to admit applicant. 42 U.S.C. § 13661(c); 24 C.F.R. § 5.855.	Owner has discretion to admit applicant. 42 U.S.C. § 13661(c); 24 C.F.R. § 5.855.	Owner must deny admission. 42 U.S.C. § 13661(b); 24 C.F.R § 5.854.
USDA Housing	Owner has discretion to admit applicant. 7 C.F.R. § 3560.154.	Owner has discretion to admit applicant. 7 C.F.R. § 3560.154; *but see* 42 U.S.C. §§ 13663 and 13664, which extend to Section 515 and 514 housing.	Owner has discretion to admit applicant. 7 C.F.R. § 3560.154; *but see* 42 U.S.C. §§ 13661 and 13664, which extend to Section 515 and 514 housing.	Owner has discretion to admit applicant. 7 C.F.R. § 3560.154.	Owner has discretion to admit applicant. 7 C.F.R. § 3560.154.	Owner has discretion to admit applicant. 7 C.F.R. § 3560.154.	Owner has discretion to admit applicant. 7 C.F.R. § 3560.154; *see also* 42 U.S.C. § 13661(b) and 24 C.F.R. § 5.850(c).
HOME	No requirements imposed by federal law; Owner has discretion to admit applicant. 24 C.F.R. § 92.253(d).	No requirements imposed by federal law; Owner has discretion to admit applicant. 24 C.F.R. § 92.253(d).	No requirements imposed by federal law; Owner has discretion to admit applicant. 24 C.F.R. § 92.253(d).	No requirements imposed by federal law; Owner has discretion to admit applicant. 24 C.F.R. § 92.253(d).	No requirements imposed by federal law; Owner has discretion to admit applicant. 24 C.F.R. § 92.253(d).	No requirements imposed by federal law; Owner has discretion to admit applicant. 24 C.F.R. § 92.253(d).	No requirements imposed by federal law; Owner has discretion to admit applicant. 24 C.F.R. § 92.253(d).

*** There are no federal requirements regarding admission of individuals with criminal background to Low-Income Housing Tax Credit (LIHTC) housing, Shelter Plus Care (S+C) (see generally 24 C.F.R. §§ 582.325 and 582.330), Supportive Housing Program (SHP) (see generally 24 C.F.R. § 583.325) or Housing Opportunities for Persons with AIDS (HOPWA) (see generally 24 C.F.R. § 574.603). Federally-assisted housing is defined, in this context, to include, public housing, Section 8, Section 202, Section 811, Section 221(d)(3), Section 236, Section 515 and Section 514.**

APPENDIX E

Disabilities & Requesting Reasonable Accommodations on Any Housing Application

AS SOMEONE APPLYING FOR HOUSING (PRIVATE OR GOVERNMENT-ASSISTED), WHAT DO MY DISABILITIES HAVE TO DO WITH MY CRIMINAL RECORD?

If you can prove that your criminal conviction was *the result of a disability*—for example, due to mental illness and/or past drug addiction you may be able to get a "reasonable accommodation" when applying for ANY type of housing. However, a Public Housing Authority (PHA), owner, or other housing provider is not required to grant a reasonable accommodation to an individual with a disability *if that person would be a "direct threat" to the health, safety or property of others,* unless the requested reasonable accommodations can actually *eliminate or significantly reduce such a threat*.

Under the law, housing providers cannot treat persons with disabilities exactly the same as other housing applicants or residents if doing so denies people with disabilities an equal opportunity to use and enjoy a dwelling.[308] Therefore, by law, a PHA or owner *must* make reasonable accommodations to its *rules, policies, practices, or services* when it may be necessary to provide applicants with disabilities an equal opportunity to use and enjoy a living space[309]— *even if* that accommodation results in a preference for disabled individuals over similar, non-disabled individuals.[310] This rule applies to ALL types of housing—public and private.

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WARNING: You do not automatically have the right to a reasonable accommodation for your housing just because the criminal offense you committed was a result of your disability. It can be very difficult to prove that your disability CAUSED your criminal offense, AND that the disability is the type that qualifies you for a reasonable accommodation.

IF MY CRIMINAL CONVICTION WAS THE RESULT OF A DISABILITY, WHAT IS A REASONABLE ACCOMMODATION THAT I CAN ASK FOR?

A "reasonable accommodation" is a *change, exception, or adjustment* to a rule, policy, practice, or service that may be necessary to give an applicant with a disability an *equal opportunity to use and enjoy a living space*.[311] There is no limit or restriction to the type of accommodation that you can request, as long as the accommodation is *reasonable*. As a general rule, an accommodation will be considered *reasonable* so long as it does NOT:

1. Pose an undue financial burden on the PHA or owner, and/or
2. Require the PHA or owner to fundamentally change its housing program[312]

It is recommended that you ask a PHA, owner, or housing provider to look at your criminal record using a different standard, or to make an exception to its criminal history policy altogether as a reasonable accommodation. Keep reading to learn about approaches for asking your PHA or landlord for a reasonable accommodation.

WHAT IS CONSIDERED A DISABILITY IN CONNECTICUT?

Connecticut law defines a disability as follows: "Physical or mental disability" includes, but is not limited to, intellectual disability, as defined in section 1-1g, and physical disability, as defined in subdivision (15) of section 46a-51, and also includes, but is not limited to, persons who have a handicap as that term is defined in the Fair Housing Act..[313]

> What is a ***physical disability*** under Connecticut state law?

- "Physically disabled" refers to any individual who has any chronic physical handicap, infirmity or impairment, whether congenital or resulting from bodily injury, organic processes or changes or from illness, including, but not limited to, epilepsy, deafness or being hard of hearing or reliance on a wheelchair or other remedial appliance or device;.[314]

> What is considered an ***intellectual disability*** under Connecticut state law?

Intellectual Disability is defined as:

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[308] 42 U.S.C. § 3604(f)(3)(B); see also Joint Statement of HUD and U.S. DOJ, Reasonable Accommodations Under the Fair Housing Act, 6 (May 17, 2004).
[309] 42 U.S.C. § 3604(f)(3)(B).
[310] See U.S. Airways v. Barnett, 535 U.S. 391, 397 (2002).
[311] 42 U.S.C. § 3604(f)(3)(B).
[312] Joint Statement of the Dep't of Hous. & Urban Dev. and the Department of Justice, Reasonable Accommodations Under the Fair Housing Act, question 7 (May 17, 2004); 24 C.F.R. § 8.33 (2007); See Southeastern Cmty. Coll. v. Davis, 442 U.S. 397, 410, 412 (1979).
[313] CONN. GEN. STAT. § 46a-64b .
[314] CONN. GEN. STAT. § 46a-51.



a) Except as otherwise provided by statute, "intellectual disability" means a significant limitation in intellectual functioning existing concurrently with deficits in adaptive behavior that originated during the developmental period before eighteen years of age.

(b) As used in subsection (a) of this section, "significant limitation in intellectual functioning" means an intelligence quotient more than two standard deviations below the mean as measured by tests of general intellectual functioning that are individualized, standardized and clinically and culturally appropriate to the individual; and "adaptive behavior" means the effectiveness or degree with which an individual meets the standards of personal independence and social responsibility expected for the individual's age and cultural group as measured by tests that are individualized, standardized and clinically and culturally appropriate to the individual.[315]

DOES DRUG ADDICTION QUALIFY AS A DISABILITY?

Technically, yes, if it is *PAST* drug use and you have permanently stopped using illegal drugs, it does qualify as a disability under both state and federal law. BUT if you are *currently using illegal drugs, then you are not considered disabled.*[316]

HOW CAN I PROVE MY PAST DRUG USE QUALIFIES AS A DISABILITY?

Under this rule, it can be tricky to prove that you are not a current illegal drug user, especially if there was drug use or convictions for drug use in your recent past. The law doesn't clearly define what counts as "current" illegal drug use.[317] Some federal courts have said a person is NOT a current illegal drug user if that person has *permanently stopped using illegal drugs* for periods of time ranging from a few months to a year.[318] Some federal courts have said that someone is still a "current" user if they have stopped using for only a few weeks.[319]

REMEMBER:

It may be difficult to prove that your criminal conviction was the result of your mental illness and/or drug addiction. It is important that you submit as much evidence as possible!

Based on the different ways courts are treating this issue, we recommend that you *provide evidence* that you are *not a current user* by showing any proof that:

- You have successfully completed a supervised substance abuse/drug rehabilitation program;
- You are not currently using illegal drugs (meaning any proof that you have permanently stopped using illegal drugs); and/or
- You are currently participating in a supervised substance abuse/drug rehabilitation, treatment, or self-help program.[320]

315 CONN. GEN. STATS. § 1-1g.
316 42 U.S.C. § 3602(h); 24 C.F.R. § 9.103. Federal HUD regulations define "handicap" to include drug addiction. Similarly, the ADA states that a person with a disability includes "someone who has successfully completed a drug rehabilitation program, is currently in such a program, or is mistakenly regarded as engaging in illegal drug use."
317 42 U.S.C. § 3602(h).
318 United States v. S. Mgmt. Corp., 955 F.2d 914 (4th Cir. 1992) (holding that one-year period of abstinence could not constitute current use); Herman v. City of Allentown, 985 F. Supp. 569, 578-79 (E.D. Pa. 1997) (holding that nine-month period of abstinence could not constitute current use); Baustian v. Louisiana, 910 F. Supp. 274, 276; McDaniel v. Miss. Baptist Med. Ctr., 877 F. Supp. 321, 327-28 (finding that "seven weeks simply does not satisfy the [ADA's] requirement of long term abstinence from illegal drug use").
319 See Zenor v. El Paso Healthcare Sys., 176 F.3d 847, 857 (5th Cir. 1999) (finding five-week period of abstinence insufficient); Shafer v. Preston Memorial Hosp. Corp., 107 F.3d 274, 278 (4th Cir.1997) (finding periodic use of drugs during weeks and months prior to termination from employment as current use); Collings v. Longview Fibre Co., 63 F.3d 828, 833 (9th Cir. 1995) (same); Baustian v. Louisiana, 910 F. Supp. 274, 277 (E.D. La. 1996) (finding seven-week period of abstinence insufficient); McDaniel v. Mississippi Baptist Med. Ctr, 877 F. Supp. 321, 328 (S.D. Miss. 1995) (finding six-week period of abstinence insufficient).
320 29 U.S.C § 705.

IF I CAN SHOW THAT I'M DISABLED, HOW CAN I REQUEST A REASONABLE ACCOMMODATION AS I APPLY FOR HOUSING?

Send a *written letter* requesting a reasonable accommodation to the PHA, housing provider, or owner (the one making the decision) that clearly explains *ALL* of the following:

- **That you have a disability,**
- **What that disability is, and**
- **That the disability caused the offense.**

Attach as much documentation as you can. For example:

Letters from service providers showing that you experienced a mental illness and/or a drug addiction at the time of the offense; or even better, a letter from a doctor confirming the existence of your disability.[321]

If it is addiction, explain that you no longer suffer from addiction. Attach any documentation you have, such as letters from service providers showing successful completion of a rehabilitation program or effective or ongoing treatment for your addiction; and/or letters from service providers that show you are no longer using substances.

Ask for what you want directly! You could ask a PHA, owner, or housing provider to look at your criminal record using a different standard, or to make an exception to its criminal history policy altogether.

Why the accommodation you are requesting is NECESSARY and REASONABLE:

Here, you should say that *an exception* to the criminal history policy is NECESSARY to give you an *equal opportunity to access the housing*.

- Explain how your criminal conduct *was the result* of the disability — showing the *relationship* (also called a "nexus") between your disability and your requested accommodation.[322]
- It is more persuasive if you have a doctor or service provider submit a letter explaining why your disability requires a reasonable accommodation.

You must also show that the requested accommodation is REASONABLE. A requested accommodation may be found reasonable if:

- It's necessary for you to have an equal opportunity to enjoy the living space.
- It's not too expensive for the landlord.
- The administrative burden is not too great.
- It doesn't fundamentally change the PHA's, housing provider's, or owner/landlord's operations.
- A landlord or PHA accommodation that gives you "preference" over similar non-disabled people *may be reasonable under the circumstances*.[323]

EXAMPLES OF REASONABLE ACCOMMODATIONS INCLUDE:

- An exception ("a waiver") to a PHA, owner, or housing provider's policy that bars housing to applicants with criminal records, if your criminal conviction was caused by your disability;
- An owner or housing provider agreeing to admit a tenant with a mental illness that causes the tenant to sometimes become loud or confrontational, so long as the tenant agrees to seek treatment for his or her mental illness;
- An owner or housing provider allowing a tenant suffering from mental illness to have a live-in aide; or
- A PHA, owner, or housing provider accepting a reference from an applicant's social worker or service provider if an applicant has no recent rental history.

"THE DIRECT THREAT EXCEPTION": Remember that the law *does not require* that reasonable accommodations be granted to an individual with a disability if that person would be a "direct threat" to the health or safety of other individuals or if that person's residency would result in substantial physical damage to the property of others *UNLESS* the reasonable accommodations requested can actually *eliminate or significantly reduce such a threat*.[324] This is known as the "direct threat" exception. **You have some protections if the PHA, housing provider, or landlord is arguing you are a "direct threat":**

First, a PHA or owner MUST PERFORM an *individualized assessment* of you.

Second, if a reasonable accommodation can significantly reduce the "direct threat" posed by a recognized disability, then the PHA, housing provider, or owner *must* make it.

Third, if the PHA, housing provider, or owner finds that you pose a direct threat to other tenants or property, this should be based o*nly* on actual examples of you causing harm or other factual, objective evidence—not their own fears or assumptions about what *could* happen.

Fourth, a finding of a direct threat cannot be based on assumptions, stereotypes, or fears about mental illness, drug addiction, or other disabilities.[325]

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[321] The Housing Center, Obtaining and Maintaining House: Fair Housing for People with Mental Health Disabilities. For more information about obtaining a reasonable accommodation, visit: http://www.fhrc.org/HRAC_Brochure.pdf.

[322] Joint Statement of the Dep't of Hous. & Urban Dev. and the Department of Justice, Reasonable Accommodations Under the Fair Housing Act, 6 (May 17, 2004).

[323] See U.S. Airways v. Barnett, 535 U.S. 391, 397.

[324] Joint Statement of the Dep't of Hous. & Urban Dev. and the Dep''t of Justice, Reasonable Accommodations Under the Fair Housing Act (May 17, 2004).

[325] See National Housing Law Project, Reasonable Accommodation in Federally Assisted Housing, http://nhlp.org/files/Reasonable%20Accommodation%20Outline%20Current%2010-2012.pdf; see also Jennifer L. Dolak, Note, The FHAA's Reasonable Accommodation & Direct Threat Provisions as Applied to Disabled Individuals Who Become Disruptive, Abusive, or Destructive in Their Housing Environment, 36 Ind. L. Rev. 759, 762–67 (2003).

ONCE I HAVE SENT MY REQUEST FOR A REASONABLE ACCOMMODATION, WHAT HAPPENS?

There are several phases of a reasonable accommodation request:[326]

1. **Initial request.** (See PG. 207). This is when you first send your letter informing the PHA, owner, or housing provider that you have a disability and are requesting a reasonable accommodation.[327]
2. **Verification.** Once you make your initial request for a reasonable accommodation, the PHA, owner, or housing provider will want to verify that you are indeed disabled.
   - If your disability is obvious or known, and the need for a reasonable accommodation is known, then the housing provider should not ask you for any more information.
   - If your disability is known and obvious, but your need for the accommodation is not well-known or obvious, then the housing provider should ask only for information necessary to verify the need for a reasonable accommodation—for example, notes explaining your need from a doctor or clinician.
   - If your disability or need for an accommodation is unknown or not obvious, the housing provider may ask for verification of both your disability and your need for a reasonable accommodation.[328]
3. **The Decision**. After reviewing your request, the PHA, owner, or housing provider will decide whether or not to grant your reasonable accommodation request.
4. **The "Interactive" process**.
   - If the PHA, owner, or housing provider refuses to grant you a reasonable accommodation, you should try to engage them in an informal "interactive process" in which you discuss alternative solutions that might meet both of your needs. HUD guidelines encourage you to try this informal route first, before starting the formal grievance procedure, because it is more flexible and often leads to quicker resolutions.[329]
   - If after the "interactive process," the PHA, owner, or housing provider still refuses to grant you a reasonable accommodation, you may have to file a formal complaint with HUD or CHRO.[330]

HOW CAN I CHALLENGE MY DENIAL FOR A REASONABLE ACCOMMODATION?

OPTION 1: YOU CAN FILE A COMPLAINT. If you believe that a PHA, owner, or housing provider denied your request for a reasonable accommodation due to your disability and/or your past drug use, you may file a complaint with HUD (federal housing protection agency) or with Connecticut's CHRO (the state housing protection agency).[331] Go to Appendix G on PG. 213 to learn how to file a complaint with HUD or CHRO.

OPTION 2: YOU CAN TRY TO SUE IN COURT. To sue a housing provider under the federal Fair Housing Act (FHA), you must show that your status as an individual with a disability or drug history was a *motivating factor* in the owner's or PHA's decision to deny your reasonable accommodation request.[332] You must also provide sufficient evidence that the requested accommodation is reasonable, and that you are a former/recovering substance user (and not a current substance user), or that you are receiving treatment for your mental illness.[333]

WHAT IS THE PHA, OWNER, OR LANDLORD LIKELY TO ARGUE TO DEFEND ITS DECISION TO DENY MY REASONABLE ACCOMMODATION?

The PHA or owner will likely argue that you do not have a protected disability.

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[326] See National Housing Law Project, Reasonable Accommodation in Federally Assisted Housing, http://nhlp.org/files/Reasonable%20Accommodation%20Outline%20Current%2010-2012.pdf.
[327] DEP'T OF HOUS. & URBAN DEV., Handbook 4350.3: Occupancy Requirements Of Subsidized Multifamily Housing Programs, REV-1, CHG-3, 2-39; see also National Housing Law Project, Reasonable Accommodation in Federally Assisted Housing, http://nhlp.org/files/Reasonable%20Accommodation%20Outline%20Current%2010-2012.pdf.
[328] DEP'T OF HOUS. & URBAN DEV., Handbook 4350.3: Occupancy Requirements Of Subsidized Multifamily Housing Programs, REV-1, CHG-3, 2-39; see also National Housing Law Project, Reasonable Accommodation in Federally Assisted Housing, http://nhlp.org/files/Reasonable%20Accommodation%20Outline%20Current%2010-2012.pdf.
[329] DEP'T OF HOUS. & URBAN DEV., Handbook 4350.3: Occupancy Requirements Of Subsidized Multifamily Housing Programs, REV-1, CHG-3, 2-39; see also National Housing Law Project, Reasonable Accommodation in Federally Assisted Housing, http://nhlp.org/files/Reasonable%20Accommodation%20Outline%20Current%2010-2012.pdf.
[330] Reasonable Accommodations under the Fair Housing Act, U.S. Dep't of Just., http://www.justice.gov/crt/about/hce/jointstatement_ra.php.
[331] CONN. GEN. STATS. CHAPTER 814C. In general, complaints must be filed within 180 days from the date of the alleged act of discrimination or from the time that you reasonably became aware of the discrimination.
[332] See Head v. Glacier Northwest Inc., 413 F.3d 1053 (2005) (holding that the ADA outlaws adverse employment decisions motivated, even in part, by animus based on a plaintiff's disability or request for an accommodation); Village of Arlington Heights v. Metro. Hous. Dev. Corp., 429 U.S. 252, 265 (1977); see also United States v. S. Mgmt. Corp., 955 F.2d 914, 916 (4th Cir. 1992) (finding a private apartment complex to have violated the FHA by refusing to rent units to a community drug and alcohol rehabilitation board for its participants who had remained drug-free for one year); Campbell v. Minneapolis Pub. Hous. Auth., 168 F.3d 1069 (8th Cir. 1999) (remanding a matter in which the local PHA had rejected a former substance abuser's application to public housing because of insufficient evidence). Campbell demonstrates the importance of housing applicants providing documentation that he or she is a recovering substance user, not a current substance user.
[333] 42 U.S.C. § 3602(h)(3).

They might argue that you are a "current user" of illegal drugs or substances and, therefore, you are not disabled under the law OR that you have not sought adequate treatment for your mental illness, and therefore are not disabled under the law.[334]

If you go to court, you can attempt to disprove these arguments by providing treatment records establishing that you have not used illegal substances for the relevant period of time, or that you receive treatment for your mental illness.[335] Your argument will be even stronger if you can provide *e*vidence of your participation in or completion of a drug/substance abuse treatment program, or proof that you receive treatment for your mental illness. Go to PG. 153 to learn more about challenging a denial from federal government-assisted housing and to learn more about challenging a denial from private housing.

[334] See Campbell v. Minneapolis Pub. Hous. Auth., 168 F.3d 1069 (8th Cir. 1999) ("The MPHA indicated it was denying [Campbell's] application for the following reasons: . . . you have recently used illicit drugs and have a problem with alcohol.").
[335] See United States v. S. Mgmt. Corp., 955 F.2d 914, 916 (4th Cir. 1992) (finding a private apartment complex to have violated the FHA by refusing to rent units to a community drug and alcohol rehabilitation board for its participants who had remained drug-free for one year).

APPENDIX F

Housing Owners'/Landlords' Access to Credit Reports

WHAT IS A CREDIT REPORT?

Your *credit report* includes information about creditworthiness, such as your record of paying bills on time. A credit report will show information dating back 7 years (or 10 years in the case of a bankruptcy), including the following

- history of paying bills and loans on time or record of late payments;
- open accounts and level of indebtedness;
- collection actions;
- bankruptcies or tax liens; and
- civil court judgments, including housing-related court actions filed by a previous landlord that may or may not have led to a past eviction.

HOWEVER, a credit report does NOT include criminal history information like a tenant report would.

WHO CAN ACCESS MY CREDIT REPORT?

Anyone who is evaluating your ability to pay for housing can order your credit report. That means that private owners, PHAs, AND owners of government-assisted housing can order a credit report to see if you have good credit and will be a reliable tenant.

DOES MY CONSISTENTLY PAYING RENT ON TIME IN THE PAST HELP MY CREDIT STANDING?

Maybe, but most likely not. The companies that collect information about your credit standing are only just beginning to collect this information in a systematized way.

A credit report will show whether or not you've ever been evicted, your ability to pay credit card bills, utility bills, and other bills on time, and any success you've had paying back loans.[336]

CAN SOMEONE FIND OUT ABOUT PAST LATE PAYMENTS ON RENT FROM A CREDIT REPORT?

Maybe. Generally, late rent payments are not a part of your credit history unless the landlord or management company is reporting them. If the matter was referred to a collection agency or a civil court (like eviction case started against you), it is possible it would show up on your credit report

HELPFUL HINT:

If you are looking for a rental, it is best to check your credit reports before the PHA or owner does—so you know what they will find. You can go online and order FREE credit reports from the three national credit bureaus: Experian, TransUnion, and Equifax. If there's an error, it's a good idea to file a dispute with the bureau rather than try to explain it at the last minute.

[336] Consumer Financial Protection Bureau, What is a Credit Report?, http://www.consumerfinance.gov/askcfpb/309/what-is-a-credit-report.html.

APPENDIX G

Filing a Complaint for Illegal Discrimination in Private Housing

If you believe you have been illegally discriminated against in applying for *private housing* from a *private landlord* (meaning neither the owner, you nor the property receive federal government money to assist in making the housing more affordable), you can challenge that discriminatory denial. Read about how to challenge an illegal discriminatory denial below, and which government agencies you should contact.

WHAT GOVERNMENT AGENCIES ARE IN CHARGE OF INVESTIGATING HOUSING DISCRIMINATION COMPLAINTS?

FEDERAL HOUSING AGENCY:

The U.S. Department of Housing and Urban Development (HUD) is a *federal agency* that enforces the federal Fair Housing Act (FHA).[337] HUD has to refer the complaints of housing discrimination it receives to the fair housing enforcement agency in the state where the discrimination occurred *if* that state's fair housing agency is certified by HUD as having mostly the same laws, procedures, remedies, and judicial review.[338]

AND

STATE HOUSING AGENCY:

In Connecticut, the state fair housing enforcement agency is the Connecticut Commission on Human Rights and Opportunities (CHRO). CHRO works with HUD to address housing discrimination in Connecticut. If you file a complaint with the CHRO or with HUD regarding alleged discrimination in Connecticut, the case will usually be investigated by the CHRO.[339]

I BELIEVE A PRIVATE LANDLORD ILLEGALLY DISCRIMINATED AGAINST ME DUE TO MY CRIMINAL RECORD. WHAT ARE MY OPTIONS?

Your main options are:

STEP 1: You could file an administrative complaint with Connecticut's CHRO (the state housing protection agency);

STEP 2: You could file an administrative complaint with HUD (the federal housing protection agency);

STEP 3: You could file a civil lawsuit in federal court; OR

STEP 4: You could allow HUD (the federal housing agency) or the CHRO (the state housing agency) to file a lawsuit on your behalf.

>***HOW CAN I FIGURE OUT WHICH OPTION TO CHOOSE?***

Talk to a lawyer or an advocate at a nonprofit legal services organization if possible—they can help advise you. Also, you can always file a complaint with *both* HUD & CHRO. More on each of these options below.

OPTION 1: FILING A STATE ADMINISTRATIVE COMPLAINT WITH CONNECTICUT'S CHRO.[340]

You can file an administrative complaint with the CHRO within 180 days from the date of the alleged act of discrimination or from the time that you reasonably became aware of the discrimination. To begin the process, you must contact the CHRO in writing, online, or by phone, with basic information about the discrimination (what happened to you, when, where, etc.). You can contact the CHRO's Housing Discrimination Unit by calling (860) 541-3403. The CHRO will contact you to set up an intake interview to learn more about your situation, and to determine whether you can file a formal complaint.

Under what circumstances will the CHRO accept my complaint?

In some cases, the CHRO may decide that you cannot file a complaint—for example, if the landlord's conduct is legal, happened more than 180 days ago, or is outside of CHRO's legal control, or if you already filed a complaint with CHRO or HUD regarding the same discrimination.

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[337] 42 U.S.C. § 3601-3619.
[338] 42 U.S.C. § 3610(f).
[339] "CHRO and HUD, Working Together" https://www.ct.gov/chro/cwp/view.asp?a=2524&Q=316280
[340] The information outlined in this section was pulled from the CHRO's website at https://www.ct.gov/chro/cwp/view.asp?a=2524&Q=316258.

What happens after the CHRO accepts my complaint?[341]

Once the CHRO accepts your complaint, the complaint is served on the "respondent." The respondent is the person or company you feel has discriminated against you. They must respond within 10 days, or they may be defaulted. If they're defaulted, your case will be sent directly to a hearing to determine damages.

Once the CHRO receives a response from the respondent, your case will be assigned to a CHRO investigator. The investigator's job is to act as a neutral person who will gather information on both sides of your complaint. The investigator collects documents and testimony from witnesses and will review these with you.

The investigator will look at the laws that apply to your case and at the facts uncovered by the investigation. Based on all of this information, the investigator will determine if there is "reasonable cause" or "no reasonable cause" to believe that your rights have been violated under the law. A "no reasonable cause" determination means that your case will be closed. This does not necessarily mean that the discrimination did not occur, but that the investigator could not find sufficient evidence to support your complaint.

Your case may be closed before the investigation is complete. This happens if the case settles, if you withdraw your complaint, if you cannot be located, or if your complaint is one the CHRO does not have the authority to handle. You may also request a release of jurisdiction to proceed in state court, which, when granted, will close your case with the CHRO.

What happens if the investigator determines that there is reasonable cause?

If the investigator determines that there is reasonable cause, he or she will try to negotiate a settlement agreement among you, the other party, and CHRO. The goal of a settlement agreement is to eliminate the illegal discrimination and to make you "whole." A settlement could include getting the property you were denied or a financial award. Settlements are enforceable in the Connecticut state courts.

If your case cannot be resolved through a negotiated agreement, a hearing referee will decide the case. The process is similar to taking a case to a judge in a courtroom. You do not have to hire a lawyer and you do not have to pay anything to have a hearing.[342]

What happens during and after the hearing?

During the hearing, a CHRO attorney will present the evidence of discrimination the agency has found in your case. You may hire an attorney to represent you at this hearing. The hearing referee will examine the evidence and witnesses presented at the hearing. Within 90 days, the hearing referee will issue a written decision.

If the hearing referee rules that discrimination did occur, the referee can order the responding to (1) compensate you for damages; (2) cease and desist the discriminatory practice; (3) pay reasonable attorneys' fees and costs; and/or (4) provide other affirmative relief. You can appeal the hearing referee's decision in state court.[343]

Can I bring a lawsuit in state court without involving the CHRO?

You can choose to have your case decided in State Superior Court, and the CHRO's attorney will file a suit and litigate on your behalf. The Superior Court can order relief and award actual damages, attorneys' fees and costs. The court can also award punitive damages and impose fines.[344] You cannot bring your own case in state court, but you can intervene in a case brought on your behalf by the CHRO.[345]

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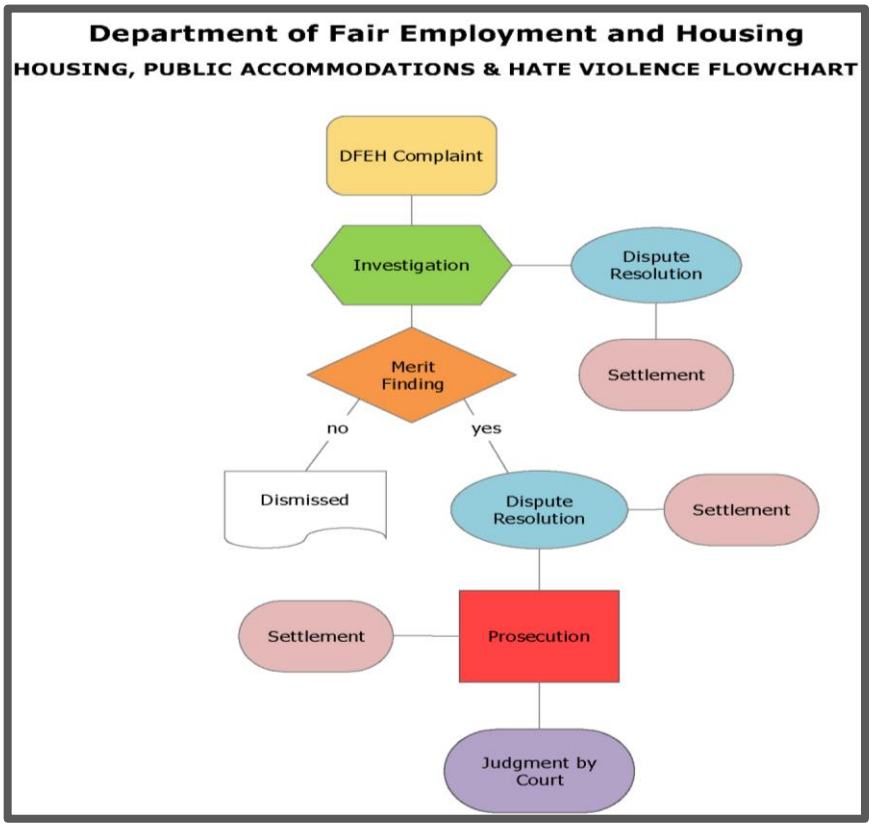
[341] The information in this section is from https://www.ct.gov/chro/cwp/view.asp?a=2524&Q=316258.
[342] https://www.ct.gov/chro/cwp/view.asp?a=2524&Q=316258
[343] https://www.ct.gov/chro/cwp/view.asp?a=2524&Q=316258
[344]https://www.ct.gov/chro/cwp/view.asp?a=2524&Q=316258
[345]*Comm'n on Human Rights & Opportunities v. Hous. Auth. of Town of Litchfield*, 302 Conn. 158 (2011).



OPTION 2: FILING A FEDERAL ADMINISTRATIVE COMPLAINT WITH HUD.

The procedures and potential relief of filing an administrative complaint with HUD are basically the same as filing an administrative complaint with the CHRO.

How much time do I have to file a complaint after the discriminatory act occurs?

You have *1 year* after the discriminatory practice occurs to file your complaint with HUD.[346]

How long does HUD have to respond and investigate?

HUD has *100 days* to determine if there is "reasonable cause" to believe the discrimination occurred.[347] Within these 100 days, HUD *must try to facilitate a conciliation agreement* (meaning an agreement that solves the problem) between you and the landlord who discriminated.[348]

Will HUD ever give special treatment to my housing discrimination complaint over other ones?

HUD gives special treatment in two types of cases:

- ***Special Case #1:*** If HUD decides that a court must act quickly, it can refer your case to the U.S. Department of Justice (U.S. DOJ), which must then file a civil enforcement action for temporary or permanent injunctive relief pending a final disposition on the case.[349] This civil action doesn't stop the administrative proceedings; it just tries to create a solution more quickly when it's deemed necessary.
- ***Special Case #2:*** If your complaint has to do with the legality or illegality of any *zoning or other land use law*, then HUD must refer it to the U.S. DOJ for civil prosecution.[350] HUD must then file either a charge against the respondent, or dismiss the complaint.[351]

[346] 42 U.S.C. § 3610(a)(1)(A)(i).
[347] 42 U.S.C. § 3610(a)(1)(B)(iv), (g)(1).
[348] 42 U.S.C. § 3610(b).
[349] 42 U.S.C. § 3610(e).
[350] 42 U.S.C. § 3610(g)(2)(C).
[351] 42 U.S.C. § 3610(g)(3).

OPTION 3: YOU CAN FILE A CIVIL LAWSUIT DIRECTLY IN FEDERAL COURT—DEPENDING ON WHAT KINDS OF LEGAL VIOLATIONS YOU ARE ALLEGING.

You may file a civil lawsuit under federal law within 2 years of the discriminatory act itself OR within 2 years of the landlord violating a mediation/conciliation agreement that HUD had facilitated for you.[352]

What remedies are available to me in a federal lawsuit?

If the lawsuit is successful (meaning the judge finds that the landlord discriminated against you), you may be awarded some or all of the following remedies:

- ***actual money damages*** **(to compensate you for your losses);**
- ***punitive damages*** **(to punish the landlord for committing illegal discrimination);**
- ***injunctive relief*** **(ordering the landlord to stop discriminating or take some other action, such as changing its screening procedures or providing you with housing); AND/OR**
- ***attorney's fees and costs*** **(to reimburse a private attorney for the costs of the lawsuit).[353]**

OPTION 4: The U.S. Department of Justice (U.S. DOJ) may file a complaint—on the behalf of its government agency OR on your behalf.

The U.S. DOJ may file a civil lawsuit in federal court if there is reasonable cause to believe that:
1. any person or group is engaged in a pattern or practice of unlawful acts; or
2. The denial of federal or state housing rights is an issue of "general public importance."[354]

This type of lawsuit is called a "state enforcement action," and the U.S. DOJ must file the lawsuit *within 18 months* after the discriminatory act.

ARE THERE ANY ADDITIONAL LOCAL PROTECTIONS?

Maybe! If your city or town has *special protections* against housing discrimination of people with records, *or has local agencies* in charge of enforcing fair housing laws, then you may also want to bring your housing discrimination complaint to the city agency responsible for fair housing where you live. If you aren't sure, you can always ask someone at the CHRO, or ask a local nonprofit housing attorney. See Guide Appendix, PG. 413 for a list of legal aid offices.

[352] 42 U.S.C § 3613(a).
[353] 42 U.S.C. § 3613(c).
[354] 42 U.S.C. § 3614(a).

APPENDIX H

Rural Development Grievance Procedures

7 C.F.R. 3560.160. https://www.rd.usda.gov/files/MO-MFH-Tenant-Grievances.pdf

The grievance procedures for Rural Development (RD) housing are different from most other government-assisted housing programs. Here is an overview of how it works if you live in RD housing:

- When a grievance is filed, regulations require the owner of the multifamily property (or owner's representative) to offer to meet informally with the denied applicant within 10 calendar days to resolve the grievance.
- If the informal meeting fails to resolve the issue, the owner must file a report summarizing the problem to the United States Department of Agriculture (USDA) and the applicant.
- The applicant (you) may submit a summary of the problem to USDA.
- After you get a summary of the problem, you must file a written request for an informal review hearing within 10 calendar days.
- After you request the informal review hearing, a hearing panel will be selected.
- You and the owner of the multifamily property may agree on a hearing officer, *or* you may each appoint one member of a 3-person panel, and those two hearing officers choose the third officer. If you and the owner *cannot agree within 30 days* on the two hearing officers, USDA will give you notice and appoint a person to act as the sole hearing officer.
- A USDA-approved 'Standing Hearing Panel' can also hear all grievances related to a particular development, where at least one member of the standing hearing panel must be selected by the residents at a formal resident meeting called to select hearing panel members.
- After the hearing panel is selected, the hearing will be scheduled within 15 days.

PUBLIC BENEFITS



This PUBLIC BENEFITS CHAPTER will give you an overview of the public benefits (government assistance) available to you in reentry, including how a criminal record affects your application. This chapter explains the most common public benefits programs that can help provide things like: cash assistance, health care, and food in your transition.

DISCLAIMER – YOUR RESPONSIBILITY WHEN USING THIS GUIDE: When putting together the *Roadmap to Reentry: A Connecticut Legal Guide*, we did our best to give you useful and accurate information. However, the laws change frequently and are subject to differing interpretations. We do not always have the resources to make changes to this informational material every time the law changes. If you use information from the *Roadmap to Reentry* legal guide, it is *your responsibility* to make sure that the law has not changed and applies to your particular situation. If you are incarcerated, most of the materials you need should be available in your institution's law library. The *Roadmap to Reentry* guide is not intending to give legal advice, but rather legal information. No attorney-client relationship is created by using any information in this guide. You should always consult your own attorney if you need legal advice specific to your situation.



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WHAT WILL I LEARN IN THE PUBLIC BENEFITS CHAPTER?

- Who is eligible for each type of public benefits



- What you get if you are eligible for public benefits
- How your criminal record could affect your ability to get public benefits
- Which public benefits you can apply for while incarcerated
- How and where to apply for public benefits
- What happens once you're enrolled in public benefits
- What to do if your public benefits are denied or ended



I. INTRODUCTION

WHAT ARE PUBLIC BENEFITS?

"Public benefits" are government-funded programs that help people get basic life necessities. Public benefits are sometimes referred to as "welfare." There are public benefits programs to help people get food, shelter, healthcare, childcare, cash for daily expenses, and support in emergencies. Each program has different procedures, rules, and requirements that you have to meet to qualify. Depending on your situation, you may qualify for several of the public benefits programs, just one, or none. This section explains what the major public benefits programs offer, which ones you may qualify for, and how to get them.

WHAT SHOULD I KNOW ABOUT FEDERAL AND STATE BENEFITS?

The federal (national) government is in charge of certain public benefits programs that operate across the country; and the state governments are in charge of others that are specific to their own residents:

- For some benefits programs, such as Supplemental Security Income (SSI) and Social Security Disability Insurance (SSDI), the federal government sets all the rules about who can receive benefits and how they get issued, requiring agencies in every state to follow those rules when distributing those benefits. For example: If you are a person with a disability and no income, and you want to apply for SSI benefits, you have to follow the same rules and meet the same requirements no matter what state you live in.
- For other benefits programs, such as cash assistance, the federal government sets only very general rules, allowing state governments to set up their own systems for distributing those benefits to their residents. For example, if you're a Connecticut resident struggling to cover your living costs and want to apply for cash aid through the Temporary Family Assistance (TFA) or State Administered General Assistance (SAGA) program, the rules are set by Connecticut.
- For other benefits programs, such as healthcare, the federal government sets up a general system for low-income people (Medicaid) and requires agencies in every state to follow those national rules—but also allows states to set more specific rules for their residents and run their own benefits programs for residents who don't qualify under the federal rules.

It is important to know what government agency runs your public benefits — who sets the program rules, as well as which agency you apply and report to.

THIS CHART DESCRIBES THE MOST COMMON TYPES OF PUBLIC BENEFITS PROGRAMS, AND WHAT THEY CAN PROVIDE TO PEOPLE WHO QUALIFY. WHETHER YOU QUALIFY DEPENDS ON MANY INDIVIDUAL FACTORS.

SUMMARY OF THE MAJOR PUBLIC BENEFITS PROGRAMS IN CONNECTICUT

TYPE OF PUBLIC BENEFIT	DESCRIPTION
Basic Needs Cash Benefits	Basic Needs Cash Benefits programs called State Administered General Assistance (SAGA) and Temporary Family Assistance (TFA) provide temporary and/or long-term financial (cash) aid to low income people and families
Food Benefits	Connecticut provides food benefits through a program called Supplemental Nutritional Assistance Program (SNAP or food stamps). SNAP provides money to low-income people and families to purchase food. Pregnant women, infants and children may potentially be eligible for WIC, a program that provides food for pregnant women or mothers of young children. There are also hundreds of free food banks throughout Connecticut.
Health Care Benefits	Connecticut provides free health insurance and coverage to low income people and families through a program called Husky Health. People who do not qualify for Husky Health may sign up for health care through the State's healthcare marketplace/exchange called Access Health CT.
Work Services Benefits	People enrolled in TFA are eligible for Jobs First, a program that helps people to train for and find employment.
Social Security Benefits	Social Security Benefits are for retired people, disabled people, and their families. Through Retirement Benefits, Disability Benefits (SSDI), and Supplemental Security Income (SSI/SSP), qualifying people may receive monthly cash assistance.
Veterans Benefits	The federal Department of Veterans Affairs (VA) provides benefits to former U.S. military service members, such as health care, cash benefits, transitional assistance, and employment-related services.

CAN MY CRIMINAL HISTORY LIMIT MY ABILITY TO GET PUBLIC BENEFITS?

It depends. With some benefits programs, there are no rules or requirements related to criminal histories, so you can and should apply to these programs. You can even apply for certain benefits while you are still in prison or jail. But with other benefits programs, there are rules that may disqualify you based on your criminal



history. Some programs may limit or deny your access to benefits if you have a certain kind of criminal conviction (a criminal offense you were found guilty of); a parole/probation violation; certain kinds of unpaid fines, fees or debts; or an outstanding warrant. Different programs will have different rules and requirements about these issues. Some programs also impose different restrictions based on what your conviction or violation was, how long ago it was, and how many other convictions or violations you have had.

CAN I APPLY FOR PUBLIC BENEFITS WHILE I'M INCARCERATED?

It depends. For some benefits, *yes*, you can and should! Depending on where you're incarcerated, there may be special staff or programs in your facility to help you apply for health care, disability support, and other benefits. Often, you can't start receiving the benefits while you're still incarcerated—but by signing up before your release, you can ensure you'll have access to those benefits soon after you get out. This manual will provide information about the programs where this is possible.



II. BASIC NEEDS CASH BENEFITS

WHAT WILL I LEARN?

- What types of cash assistance are available to certain individuals and families
- How your criminal record could affect your ability to apply for cash benefits
- How to apply for cash benefits
- How cash benefits are paid and how to maintain the benefit/s after you begin receiving it/them
- What to do if you think your application for cash was wrongly denied

CASH ASSISTANCE: STATE ADMINISTERED GENERAL ASSISTANCE (SAGA)

State Administered General Assistance (SAGA) provides limited cash assistance to adults who have little money, no sources of support, who have barriers to getting a job (generally due to a medical condition) and who are not currently receiving any other cash benefits.

HELPFUL HINT

What's the difference between SAGA and Social Security Disability cash benefits?

SAGA is a state benefit.[355] Social security disability payments are paid by the Federal government and are obtained through Social Security Administration offices located in Connecticut. SAGA is intended to help vulnerable adults without families, often while they are awaiting approval for social security disability or other benefits. The typical SAGA recipient is a low-income single person who has limited resources, cannot work and does not receive any other public cash benefits.

AM I ELIGIBLE FOR SAGA?

In general[356], to be able to get SAGA, you must:

Be at least age 18 (there is limited eligibility for minors living on their own);
Be a resident of the state of Connecticut;
Be a U.S. citizen, a legal permanent resident, or an immigrant with satisfactory status;
Have a Social Security Number;
Be "unemployable" meaning medically unable to work for at least six months; or
Be 55 or older and not have worked for the last five years;
Inability to work is not based solely on addiction;
If you have a drug related felony conviction, you will not be eligible for SAGA until you have completed your sentence, including parole or probation and you must also comply with any mandatory treatment.

HOW DO I APPLY FOR SAGA?

You can apply for SAGA online at www.connect.ct.gov or by mail using a general benefits application (form W-1E) which you can get online here: www.ct/dss or from any local CT Department of Social Services office in the state. For a list of local CT Department of Social Services offices, see Public Benefits Appendix B on PG. 307 and See Public Benefits Appendix A on PG. 284 for an application. You can also apply for SAGA in person at a CT Department of Social Services office. You should bring whatever form of identification you have. If you do not have any ID, the eligibility worker may be able to help you in proving your identity. If you have more questions about applying for SAGA, you can call the Department of Social Services at 1-855-626-6632.

Note that you can apply for SAGA at the same time and with the same application you apply for Supplemental Nutrition Assistance Payments (SNAP) ("food stamps") and/or HUSKY C medical insurance (insurance for certain low-income, disabled Connecticut residents), and it is usually a good idea to do so. If you have a disability that stops you from going to a local Department of Social Services office, you can request help.

CAN MY CRIMINAL HISTORY LIMIT MY ABILITY TO GET SAGA?

Maybe. As noted above, if you have a drug addiction, you must participate in a related program.[357] In addition, if you are subject to a felony warrant, or are in violation of parole or probation, or fleeing to avoid prosecution for a crime, your SAGA eligibility may be affected.[358]

IMPORTANT INFORMATION FOR SAGA APPLICANTS: The difference between a *grant* and a *loan*:

[355] Conn. Gen. Stat. § 17b-111.
[356] State of Connecticut Department of Social Services Uniform Policy Manual §8080.25.B1.
[357] State of Connecticut Department of Social Services Uniform Policy Manual §8080.35.
[358] §13 of P.A. 98-239.

SAGA may come with some strings attached. If you have applied for some form of social security disability and are receiving SAGA while you are awaiting a disability determination, and eventually get your social security, you may have to pay the state back for some or all of your SAGA benefit.[359] This money is usually taken by the state from back payments of the social security disability award. For more information on Social Security Benefits, see **PG. 258****.**

CAN I APPLY FOR SAGA WHILE INCARCERATED?

No. You are not eligible to apply for SAGA while in jail or prison. But, remember that you may be eligible to apply once you are released.

ONCE I AM ENROLLED IN SAGA, WHAT RULES MUST I FOLLOW TO STAY ON THE PROGRAM?

Here are some of the rules to know about[360]:

- Generally, you must remain under the income and property limits to be eligible.
- You must report *any* changes to your address, income, or property. Failure to report such changes can result in your losing the SAGA, even if the change would not otherwise disqualify you.
- You may be required to apply for Social Security and/ or Supplemental Security Income (SSI) if you are *not* able to work.
- You may have to pay back the SAGA money you received if you are approved for SSDI or other social security disability benefits.
- You are no longer eligible for the program if you begin working.

I BELIEVE MY APPLICATION FOR SAGA WAS WRONGLY DENIED OR, MY SAGA BENEFIT WAS WRONGLY TERMINATED. HOW CAN I APPEAL?

If you are denied SAGA or lose your SAGA benefit, you can appeal that decision by requesting a hearing.[361] The Department of Social Services should send you a written notice if it denies or terminates your SAGA and the notice should have a form that explains how to request a hearing. You may also request a hearing by calling the CT Department of Social Service's Office of Legal Counsel, Regulations and Hearing (OLCRAH) at (860) 424-5760. We recommend requesting a hearing in writing, so that there is a record of your request.

- SAGA assistance is a state program, so hearings are held at the local Department of Social Services office or by telephone.
- For help filing an appeal, you may want to speak with a legal aid office. You can find help by calling 2-1-1 or by contacting Statewide Legal Services at (850) 344-0380 or 1-800 453-3320.

Ways you can request a hearing:

- ***By phone.*** Call the CT Department of Social Services Office of Legal Counsel, Regulations and Administrative Hearings (OLCRAH) at (860) 424-5760.
- ***By mail.*** Request your hearing on the form provided by the CT Department of Social Services attached to the notice, or simply write a letter. Then mail your request to: CT Department of Social Services, OLCRAH, 55 Farmington Avenue 11th floor, Hartford, CT 06105.
- ***By fax.*** Fax your hearing request to the OLCRAH at (860) 424-5729.

Tips to remember when requesting a Hearing:

- It is recommended that you request a hearing *in writing*, so that there is a record of it. Keep a copy of your written request.
- In your request, clearly state that you want a hearing, and briefly state your reason.
- If you have a disability, note this in your request and specify any accommodations you will need. For example, if you need a large print version of any official documents or a wheelchair-accessible room, write this in your request.

Rights you have when requesting a State Hearing[362]:

- You have a right to a free interpreter who will explain all procedures and will also interpret for you at the hearing in your preferred language. If you want an interpreter, state this in your request, and specify your language.
- You have a right to choose a representative (such as a friend, family member, lawyer, or advocate) who can also ask for a hearing on your behalf.

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[359] 42 USC §1382(g) and 20 CFR §§416.525, 416.1901-416.1922.
[360] State of Connecticut Department of Social Services Uniform Policy Manual §8080.35.
[361] State of Connecticut Department of Social Services Uniform Policy Manual §1570.10.
[362] State of Connecticut Department of Social Services Uniform Policy Manual §P-1570.10.



- At least five days prior to your scheduled hearing you should receive from the CT Department of Social Services, a Prehearing Summary" outlining the Department's reason for denying you the benefit, along with any documents which support its position

AID TO THE AGED BLIND AND DISABLED (AABD) OR STATE SUPPLEMENTAL CASH

AABD or State Supp. as it is called, is a cash benefit for the aged, blind and disabled who are usually already receiving some form of disability income.[363] Disabled people ages 18-64, people over the age of 65 and people who are blind may be eligible for this cash assistance. You will need to apply for AABD through the CT Department of Social Services.

HELPFUL HINT

What's the difference between AABD and Social Security benefits?

AABD is a cash assistance benefit which comes from state funds. It usually provides extra income for individuals who are already receiving a social security benefit called Supplemental Security Income (SSI). AABD applications are processed and paid by the CT Department of Social Services and not by the Social Security Administration.

AM I ELIGIBLE FOR AABD?

In general, to qualify for AABD, you must:
Be a resident of the state of Connecticut;
Be a U.S. citizen, a legal permanent resident, or an immigrant with satisfactory status;
Have a Social Security Number (a card is not necessary);
Have low income and limited assets ($1,600), and be aged 65 or over, blind or disabled;
Not have an outstanding arrest warrant;
If you had AABD in the past, you can re-apply upon release.

HOW DO I APPLY FOR AABD?

You can apply for AABD using a general benefits application (form W-1E) which you can get online at http://www.connect.ct.gov or from any local CT Department of Social Services office in the state. See Public Benefits Appendix A, PG. 284 for an application. For a list of local state Department of Social Services offices, see Public Benefits Appendix B, PG. 307. You can also apply online at www.connect.ct.gov.

BEHAVIORAL HEALTH RECOVERY PROGRAM-BASIC (BHRP) – TREATMENT FOR DRUGS, ALCOHOL OR MENTAL HEALTH ISSUES

HELPFUL HINT

What is the Behavioral Health Recovery Program?

The Department of Mental Health and Addiction Services (DMHAS) funds the BHRP, which was created to help support you in your journey to recovery, help you get quick access to the recovery support services you need and work with you to increase your self-sufficiency in the community where you choose to live. It does not pay out cash to you, however.

WHAT KIND OF SERVICES CAN I GET?

- Supported Recovery Housing Services
- Independent housing
- Recovery (case) management services
- Recovery oriented vocational services
- Faith based services
- Wellness
- Basic Needs gift cards
- Child care
- Transportation assistance

[363] But not SAGA or TFA. State of Connecticut Department of Social Services UPM §3030.05.

AM I ELIGIBLE FOR THE BHRP?

In general, to be able to for BHRP, you must:

- Have active HUSKY D (Medicaid) medical insurance;
- Participate in Medicaid covered clinical behavioral health services; and
- Not be receiving any other state or federal cash assistance.

HOW DO I GET INTO A BHRP?

Usually your behavioral health care provider applies on your behalf. If you are already receiving recovery services, speak with that provider. For more information you can also contact DMHAS at 1-800-658-4472 or go to http://www.abhct.com/Programs_Services/BHRP.

WHAT IF MY REQUEST FOR SERVICES IS DENIED?

You may appeal a denial of services as long as you do it within seven (7) days of the denial decision. To appeal a recovery support services denial decision, you or your provider must complete the appeal form available at http://www.abhct.com and fax it to DMHAS at FAX 1-866-249-876.

TEMPORARY FAMILY ASSISTANCE (TFA)

Temporary Family Assistance (TFA) provides cash assistance to families with children[364] who have little or no income.[365] You will need to apply for TFA through the CT Department of Social Services.

Helpful Hint

What's the difference between TFA and Social Security benefits?

TFA is a cash assistance program for families with children. Sometimes children (and adults) may be entitled to receive certain Social Security payments either because of their own disabilities, or the death or disability of a parent or spouse. These benefits are different from TFA, are paid directly by the Federal government and are obtained through local Social Security Administration offices located in Connecticut.

IS MY FAMILY ELIGIBLE FOR TFA?

In general, to be able to get TFA, you must:

- Be a resident of the state of Connecticut;
- Be a U.S. citizen, a legal permanent resident, or an immigrant with satisfactory status;
- Have a Social Security Number (a card is not necessary);
- Be a household with children;
- Be employable or employed; and
- Be able to participate in a job training program if not employed.
- **If you have a drug related felony conviction, you will not be eligible for TFA until you have completed your sentence, including parole or probation, and you must also comply with any mandatory treatment.**[366]

[364] Conn. Gen. Stat. § 17b-112.
[365] TFA regulations are codified in State of Connecticut Department of Social Services Uniform Policy Manual §8500, *et seq.*
[366] State of Connecticut Department of Social Services Uniform Policy Manual §8540.20, Conn. Gen. Stat. § 17b-112d.



You can apply for TFA using a general benefits application (form W-1E) which you can get online http://www.connect.ct.gov or from any local CT Department of Social Services office in the state or in Public Benefits Appendix A, PG. 284. For a list of local state Department of Social Services offices, see Public Benefits Appendix B, PG. 307. You can also apply online at www.connect.ct.gov.

If you apply for TFA in person, you should bring whatever form of identification you have for you and the members of your family. If you do not have any ID, the social worker may be able to help you in proving your identity. If you have more questions about applying for TFA, you can call the Department of Social Services at 1-855-626-6632.

SPECIAL RULES & RESTRICTIONS

There are other rules that may limit your ability to get TFA. There are special rules and restrictions for people with drug-related convictions or other violations, or people who are suspected of having a warrant, being in violation of parole or probation, or fleeing to avoid prosecution.

CAN MY CRIMINAL RECORD LIMIT MY FAMILY'S ABILITY TO GET TFA?

Generally, no. If your family was receiving TFA before you were incarcerated, it may still continue receiving the assistance, but the amount of cash it gets each month will be lower than if you were living in the home. After your release from incarceration, your family may be able to receive a higher amount of TFA. There may be restrictions for people with drug-related criminal convictions or other violations[367], or for people who are suspected of having a felony warrant, being in violation of parole or probation, or fleeing to avoid prosecution for a crime. Contact the CT Department of Social Services regarding its policies or if you think you have wrongfully been denied TFA based on incorrect information. For a directory of local Department of Social Services offices, see Public Benefits Appendix A, PG. 284. If you believe that the Department of Social Services is wrongly or unlawfully denying TFA benefits to you, you may request a fair hearing through the Department of Social Service's Office of Legal Counsel, Regulations and Administrative Hearings (OLCRAH) at (860) 424-5760. You may also want to call 2-1-1 for possible legal help and advice.

IMPORTANT INFORMATION FOR TFA: In order to receive TFA, all employable members of the household must participate in employment and training or educational requirements unless they are exempted.[368] The CT Department of Social Services guarantees payment for childcare necessary for participation in the required employment and training.

HOW DO I APPLY FOR TFA?

You can apply for TFA online, in person or by mail. If you have a disability that stops you from going into the local CT Department of Social Services office, or completing forms, you can request help. For a directory of your nearest CT Department of Social Services area offices, see Public Benefits Appendix A, PG. 284.

CAN I APPLY FOR TFA WHILE INCARCERATED?

No. You, yourself are not eligible to apply for TFA while in jail or prison. But remember that your family may be eligible to either apply while you are incarcerated if not already receiving TFA, or may be able to continue receiving TFA while you are incarcerated.

TYPES OF CHANGES TO REPORT WITHIN 10 DAYS:

- moving to a new address;
- having someone join or leave your household;
- adding to your household a new member who has a drug-related felony, is in violation of a probation or parole condition, or has a warrant out for their arrest.

ONCE MY FAMILY IS RECEIVING TFA, WHAT RULES MUST BE FOLLOWED TO STAY ON THE PROGRAM?

Here are some of the rules to know about:

- Generally, you must fall under the income and asset limits to be eligible.
- You must report *any* changes to your address, income, or assets. Failure to report such changes can result in your losing the TFA, even if the change would not otherwise disqualify you.
- You may be required to apply for Social Security and/ or Supplemental Security Income (SSI) if you are *not* able to work.

[367] A person convicted of a felony, or a crime with the element of possession, use or distribution of a controlled substance, shall be eligible for TFA or SNAP provided he/she has completed a sentence imposed by a court, and/or if such person is satisfactorily serving a sentence of a period of probation or is in the process of completing or has completed a sentence imposed by a court, or mandatory participation in a substance abuse program or mandatory participation in a substance abuse testing program. Conn. Gen. Stat. § 17b-112d.

[368] State of Connecticut Department of Social Services Uniform Policy Manual §8530.10, UPM §8530.15.

- All adults in your household who are able to work must work or must participate in a job training program called *Jobs First Employment Services Program* (JFES)(see below). If you do NOT participate in JFES and do not cooperate with the program they develop for you, your family may lose its cash assistance.[369]

HOW MUCH MONEY WILL I GET EVERY MONTH?

For a family of three, the typical monthly cash TFA amount is $570.

FOR HOW LONG CAN MY FAMILY RECEIVE TFA?

In Connecticut you can receive TFA cash assistance for 21 months plus possibly (two) extensions of six months each unless you are eligible for an exemption from the time limits.[370] After 33 months, a family may get additional six-month extensions under certain circumstances where it can be shown that there are barriers to employment.

ABOUT THE TIME LIMIT

There is a 60-month Federal lifetime limit for TFA. In special situations, you can keep getting cash aid for longer. Most families with a working adult only get TFA for about 33 months. Contact the CT Department of Social Services for more information.

I BELIEVE MY APPLICATION FOR TFA WAS WRONGLY DENIED, OR MY BENEFITS WERE TERMINATED. HOW CAN I APPEAL?

If your application for TFA is denied or you lose your TFA, you can request a hearing at any time. The CT Department of Social Services should send you a notice, in writing, of your denial or termination of TFA and the notice should explain how to request a hearing. You may also request a hearing by calling the Department of Social Service's Office of Legal Counsel, Regulations and Administrative Hearings (OLCRAH) at (860) 424-5760. We recommend requesting a hearing in writing, so that there is a record of your request.

- The TFA program is administered by the CT Department of Social Services, so hearings are held at the local Department of Social Services office or by telephone.
- For help requesting an appeal, you may want to contact a local legal aid office. You can search for one by calling Infoline 2-1-1 or contacting Statewide Legal Services at (860) 344-0380 or 1-800-453-3320.

HELPFUL HINT

What if I begin receiving other cash benefits or become employed while my family is receiving TFA?

If you or a family member begins receiving SSI disability benefits or child support, or if you begin working, your family TFA benefit may be affected. You should report any changes in income or employment to the CT Department of Social Services within 10 days of the change.

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IMPORTANT INFORMATION ABOUT HOUSEHOLD SIZE: In calculating your benefits, the CT Department of Social Services may not count some people in your home as part of your family. Ask the Department for details on who will be included in the "household assistance unit." Examples of people who may not count, even if they live with you, include anyone who: is receiving SSI benefits; is a Non-U.S. citizen or does not have permanent legal presence in the U.S.; foster children receiving foster care payments; sponsored Non-U.S. citizens who receive support from sponsors; and anyone who was sanctioned by the CT Department of Social Services.[371]

CAN MY CRIMINAL HISTORY LIMIT MY ABILITY TO GET TFA?

Maybe.[372] If any of the following statements apply to you, you might not be eligible for TFA:

- You are in violation of a condition of probation or parole, as found by a court or administrative judge.
- You have been found guilty of a program violation such as fraud or larceny involving fraud or misuse of public benefits. If you have been found guilty of a violation of the TFA rules, your benefit could be reduced or lost, for life.
- You are a **"fleeing felon."** In other words, if you are hiding or running away to avoid felony charges, and/or to avoid being incarcerated for a felony conviction, you will not be eligible for TFA, but other

[369] If you disagree with the job plan requirements of JFES, you can appeal that through the CT Department. JFES Manual §1630.
[370] State of Connecticut Department of Social Services Uniform Policy Manual §8540.10.B.
[371] State of Connecticut Department of Social Services Uniform Policy Manual §8540.25.
[372] State of Connecticut Department of Social Services Uniform Policy Manual §§3050.05, 3050.10.



people in your household may be eligible, and you will be required to be listed on the application and/or report forms and your income will be counted when anyone in your family applies for or gets TFA.

WHAT DO I DO IF MY TFA RUNS OUT?

A **Safety Net**[373] program may be available to families who have exhausted their 21 months of assistance, who are not eligible for an extension and who still have low income.[374] The **Safety Net** program may help with employment assessments, job search assistance, rent payments and other social services. It is not a cash program, but vouchers can be obtained to pay vendors. Contact 2-1-1 for information on available Safety Net services if you have met the TFA time limits or been sanctioned or terminated from TFA. (For additional information regarding exemptions to TFA time limits and further extensions of TFA due to employment barriers, see JFES section below.) Generally, to be eligible for Safety Net services, you will need a referral from the CT Department of Social Services.

CARE 4 KIDS – SUBSIDIZED CHILD CARE ASSISTANCE

HELPFUL HINT
What is Care 4 Kids?

Care 4 Kids is the State of Connecticut childcare subsidy program that helps low-to-moderate income families pay their child care expenses. The program is administered by the CT Office of Early Childhood.

HOW DO I KNOW IF I AM ELIGIBLE?

To be eligible, you must be a Connecticut resident and meet income guidelines. You must also live in Connecticut and either be employed or participate in the JFES program.

WHO CAN PROVIDE CHILD CARE FOR MY CHILDREN?

Eligible childcare providers include (but are not limited to):

- Licensed child care centers;
- Before and after school programs (sponsored by schools);
- Town sponsored programs;
- Care provided in the child's home; and
- Care provided in a relative's home.

HOW DO I APPLY FOR CARE 4 KIDS?

You can get information, or request an application by calling the CT Office of Early Childhood at 1-888-214-KIDS (1-888-214-5437) or see Public Benefits Appendix C, PG. 308. You can also request an application online or download an application at http://www.ctcare4kids/care-4-kids-program/forms/. The location and contact information for the CT Office of Early Childhood is: 1344 Silas Dean Highway, 3rd floor, Rocky Hill, CT 06067; FAX: 1-877-868-0871.

ENERGY ASSISTANCE

You may be able to get help paying your utilities.

Connecticut Energy Assistance Program (CEAP)[375]: Connecticut has an energy assistance program to help low-income households pay their utility bills, usually heating and cooling bills. While it does not pay a cash benefit directly to the household, it pays the energy supplier such as the electric company, oil or gas company or other deliverable fuels provider. The energy assistance you get is based on income and other factors:

1. *Your income:* Generally, if you earn 60% or less of the state median income (Example: if your monthly income is $4,727 or less for a family of three) and you have less than $15,000 in assets, not counting your home, you may qualify for energy assistance.
2. The applicant must have an energy account in his or her name.
3. *The amount of assistance you get may depend on whether your household is considered "vulnerable" (disabled, 60+ years or under 6 years).* In 2018-2019, a vulnerable household got a basic heat benefit

[373] State of Connecticut Department of Social Services Uniform Policy Manual Conn. Gen. Stat. § 17b-112e.
[374] State of Connecticut Department of Social Services Uniform Policy Manual UPM §8545, Conn. Gen. Stat. § 17b-112e and 17b-112f.
[375] 2018-2019 Allocation Plan for the Low Income Home Energy Assistance Program (LIHEAP) Block Grant, CT Dept. of Social Services.



of $725. Additional benefits were available to vulnerable and non-vulnerable households in 2018-2019, including crisis and safety net benefits worth hundreds of dollars. A non-vulnerable household may have received up to $670 as a basic benefit in 2018-2019.

HOW DO I APPLY FOR ENERGY ASSISTANCE?

Call 2-1-1 for your closest energy assistance application intake office. Community Action Agencies and many town human services offices accept and process energy assistance applications beginning on August 1 each year.

CAN I APPLY FOR ENERGY ASSISTANCE FOR MY FAMILY WHILE INCARCERATED?

No, but if you have a family, another adult family member can and should apply.

WHAT ENERGY ASSISTANCE BENEFITS CAN I RECEIVE?

If you or your family are eligible for energy assistance, you will not receive a cash benefit, but your energy bill (oil, natural gas, deliverable fuel, or electricity if used to heat) supplier will be paid directly. You may also be eligible for free cleaning of your furnace, weatherization assistance, and help with furnace repair or replacement. The weatherization program helps your home/apartment stay warmer in the winter and cooler in the summer.

ONCE I AM APPROVED FOR ENERGY ASSISTANCE, WHAT RULES MUST I FOLLOW?

To get your energy assistance, you and your family must stay within income and resource limits.

I BELIEVE MY APPLICATION FOR ENERGY ASSISTANCE WAS WRONGLY DENIED. HOW DO I APPEAL?[376]

Because the CT Department of Social Services administers the CEAP, if your application is denied you can appeal the denial by requesting a fair hearing. You should receive a notice of denial of the benefit with an explanation of what rights you have to appeal the denial.

Ways you can request a hearing:

- ***By phone.*** Call the CT Department of Social Services Office of Legal Counsel, Regulations and Administrative Hearings (OLCRAH) at (860) 424-5760.
- ***By mail.*** Request your hearing on the form provided by the CT Department of Social Services attached to the notice, or write a letter. Then mail your request to: CT Department of Social Services, OLCRAH, 55 Farmington Avenue, 11th floor, Hartford, CT 06105.
- ***By fax.*** Fax your hearing request to the OLCRAH at (860) 424-5729.

Tips to remember when requesting a Hearing:

- It is recommended that you request a hearing *in writing*, so that there is a record of it. Keep a copy of your written request.
- In your request, clearly state that you want a hearing, and briefly state your reason.
- If you have a disability, note this in your request and specify any accommodations you will need. For example, if you need a large print version of any official documents or a wheelchair-accessible room, write this in your request.

Rights you have when requesting a State Hearing[377]:

- You have a right to a free interpreter who will explain all procedures and also interpret for you at the hearing in your preferred language. If you want an interpreter, state this in your request, and specify your language.
- You have a right to choose a representative (such as a friend, family member, lawyer, or advocate) who will ask for a hearing on your behalf. You also have a right to bring anyone to your hearing if you do not want to go alone.
- At least five days prior to your scheduled hearing you should receive from the CT Department of Social Services, a Prehearing Summary" outlining the Department's reason for denying you the benefit, along with any documents which support its position.

III. FOOD BENEFITS

WHAT WILL I LEARN?

- The different types of food benefits that you may qualify for—SNAP (food stamps) and WIC
- Who is eligible to receive food benefits
- How to receive food benefits
- How your criminal record could affect your ability to get food benefits
- If you can apply for food benefits while incarcerated
- How and where to apply for food benefits
- What to do if you were wrongly denied food benefits
- Where to find food (contact information for local food banks)

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP OR FOOD STAMPS)

SNAP is the name of the federal "food stamps" program available in Connecticut. It provides money for low-income adults and their families to buy food.[378] DSS runs the SNAP program and issues this food benefit on the grey DSS benefits card, which is also an Electronic Benefit Transfer (EBT) card, which works like a debit card.

AM I ELIGIBLE FOR SNAP?

There are many factors that are considered to determine whether you are eligible for SNAP. Most are related to residency, citizenship/immigration status, and income. In some cases, certain people in a household may qualify for SNAP while others do not, even though they live in the same house.

HELPFUL HINT: DEFINING *"HOUSEHOLDS"*

Under SNAP rules, a "household" can be one person, or it can be any group of people who live together, buy food, and make meals together. This means if you live with other people, but you buy and prepare food separately from them, you can apply for food benefits as part of a separate household.[379] Spouses and parents and their children under age 22 who live together must apply as a single "household."[380]

To be eligible for SNAP (food stamps), you must:

- Be a resident of Connecticut.[381]
- Be a U.S. citizen or a "qualifying noncitizen." You're a "qualifying noncitizen" if you: (1) Are a lawful permanent resident ("LPR" or "Green Card Holder") and have resided in the United States for five years or (2) meet other specific immigration criteria under the CT SNAP program.[382]
- Have a monthly total income that is no greater than the income limit under the SNAP program.[383] The maximum total income you can have will depend on your household size, and the maximum limits change every year. [384] DSS can provide you with current income limits in person, by phone or online:
  - Call toll-free 1-855-6-CONNECT
  - Visit online at http://www.ct.gov/dss/apply
  - Go to your local DSS office. For a list of local offices: Call 2-1-1 or go to https://portal.ct.gov/DSS/About-the-Department-of-Social-Services/Contact
  - You can also use this online tool to calculate how much SNAP money you can get per month: https://endhungerct.org/prescreener/.
  - Keep in mind that the maximum gross income limits do not always apply to people who are seniors or disabled.
- You can still qualify for SNAP if you own the home you live in, own a car, have a job, and/or do not have children.

[378] See Supplemental Nutrition Assistance Program (SNAP), U.S. DEP'T OF AGRIC. FOOD & NUTRITION SERV., http://www.fns.usda.gov/snap/supplemental-nutrition-assistance-program-snap.
[379] 7 C.F.R. § 273.1, Conn. DSS Uniform Policy Manual 2020.05, 2020.10, 2020.15.
[380] 7 C.F.R. § 273.1(a)(3), Conn. DSS Uniform Policy Manual 2020.10.
[381] Conn. DSS Uniform Policy Manual 3010.30.
[382] Conn. DSS Uniform Policy Manual 3005.06.
[383] See Supplemental Nutrition Assistance Program (SNAP), U.S. DEP'T OF AGRIC. FOOD & NUTRITION SERV., http://www.fns.usda.gov/snap/fact-sheet-resources-income-and-benefits.
[384] https://portal.ct.gov/DSS/SNAP/Supplemental-Nutrition-Assistance-Program---SNAP/Eligibility.



IMPORTANT: If you have less than $150 in liquid resources, your shelter costs exceed your income, or you are homeless, you may have the right to expedited benefits (where the processing time is sped up), and receive your benefits within seven working days. A full application must still be completed within 30 days.

CAN MY CRIMINAL HISTORY LIMIT MY ABILITY TO GET SNAP?

Maybe. But even if you are not eligible, others in your household may be. You might be disqualified if:

1. You are a "fleeing felon"—meaning you are hiding or running away to avoid felony charges or to avoid being incarcerated for a felony conviction.[385]
2. You are in violation of a condition of your probation or parole, as found by a court or administrative judge.[386]
3. You have been found guilty of an Intentional Program Violation (IPV) involving fraud or misuse of public benefits.[387] Depending on how many IPVs you have, and what they were for, you may be disqualified from SNAP for varying periods of time—anywhere between 12 months to life.[388]

What does it mean to be "found guilty of an Intentional Program Violation (IPV)"?

If DSS thinks you violated its rules when applying for or getting benefits, it may investigate and hold an administrative hearing to determine if you are guilty. It may also ask you to admit guilt by signing an agreement). When you apply for SNAP, any prior IPV counts against you if you were found guilty at a hearing, or you admitted guilt by signing an agreement (even if you did not have a hearing).

HOW DO I APPLY FOR SNAP?

Generally, it involves filling out a form, providing documents, and having an interview.

You can begin this process online at http://www.ct.gov/dss/apply, by phone, by calling 1-855-6-CONNECT, or in person by going to your local DSS office. To find your local office, call 2-1-1 or go to https://portal.ct.gov/DSS/About-the-Department-of-Social-Services/Contact. See Public Benefits Appendix A, PG. 284 for an application. Once DSS has all of your information, they will make a decision within 60 days.

HOW DO I RECEIVE MY SNAP BENEFITS?

If you are approved for SNAP benefits, they will be issued on an Electronic Benefits Transfer Card (EBT). You will need to set up a PIN number for the card to use it. You can then use the EBT at businesses that accept SNAP benefits. This includes most grocery stores and some smaller stores, as well as some farmers' markets.

HELPFUL HINT

If you reside in a half-way house, or other facility after your release, and they do not provide more than half of your meals, then you are eligible for SNAP as a "household" of one.

[385] Conn. DSS Uniform Policy Manual 3050.10. "Fleeing felon" is a legal term for someone "fleeing to avoid prosecution, or custody or confinement after conviction" for a felony offense. See 42 U.S.C. §§ 1382(e)(4), 402(x)(I)(A); see also Bronx Defenders, The Consequences of Criminal Proceedings, http://www.reentry.net/ny/library/attachment.256160.
[386] 42 U.S.C. § 608(a)(9)(A); Conn. DSS Uniform Policy Manual 3050.10.
[387] 7 C.F.R. § 273.16(b).[387]
[388] Conn. DSS Uniform Policy Manual 7045.40.



ONCE I'M ENROLLED IN SNAP, WHAT RULES MUST I FOLLOW TO STAY ELIGIBLE?

Purchase requirements: You can only use SNAP benefits to buy food. You can't use SNAP benefits to buy any non-food items such as alcoholic beverages, tobacco, household cleaning supplies, toiletries, or cosmetics, and you can't exchange SNAP benefits for money. If you sell your SNAP benefits or use them for non-food items, you can be charged with fraud and you could be banned from receiving SNAP and other food benefits for life.

Time Limits: In some towns, an able-bodied adult (ages 18-49) without dependents in their household is limited to 3 months of aid in a 36-month period unless he/she is working at least 20 hours per week; or participating in an approved work activity.

Work Requirements: Contact DSS to find out if you live in a town that is exempt from work requirements.[389] Also, if you are employed and quit without good reason, you may be denied SNAP.

Report Requirements: Most SNAP households must complete a recertification or periodic review every six months to a year. Additionally, they must immediately report a change in address, any changes in employment, changes in people who live with the family, and anytime their income goes over 130% of the Federal Poverty Level[390]. Failure to report income changes by the 10th day of the month following the change could result in an Intentional Program Violation (IPV) (IPVs explained on PG. 235).

EXCEPTIONS TO WORK REQUIREMENT

Certain people are exempt (excused) from these work requirements.

You may be exempt if you are:

- physically or mentally unfit to be working
- already engaged with another work program
- receiving unemployment insurance benefits
- participating in a drug or alcohol addiction treatment program
- enrolled in school on at least a half-time basis
- an honorably discharged veteran of the U.S. military.

Contact DSS for details.

I BELIEVE MY SNAP BENEFITS WERE WRONGLY DENIED OR STOPPED. HOW DO I APPEAL?

If DSS denies your SNAP application, it must mail you a Notice of Action explaining why. If you disagree, you have a right to ask for a hearing to appeal (challenge) the denial. You must request a hearing within 90 days of DSS's decision.[391] In order to continue receiving benefits during your appeal, with assistance being paid while your appeal is pending, you must request a hearing within 10 days.

Ways you can request a State Hearing:

By phone. Call Department of Social Services (DSS) at 1-800-462-0134 (TDD 800-842-4524)

- ***By mail.*** Use the Fair Hearing request page included with your notice, or write a letter. Then mail your request to:

  Department of Social Services, Fair Hearings Unit,
  55 Farmington Avenue, 11th Floor

- Hartford, CT 06105***By fax.*** Fax your request to: DSS Fair Hearings Unit at 860-424-4923.

Tips to remember when requesting a Hearing:

- It is best to request a hearing in writing, so that there is a record of it. Keep a copy of your request.
- In your request, clearly state that you want a hearing, and briefly state your reason for wanting one.
- If you have a disability, note this in your request and specify any accommodations you will need—such as a need for documents in large print, or in a room with wheelchair accessibility.

Rights you have when requesting a State Hearing:

- You have a right to a free interpreter who will explain all procedures and also interpret for you at the hearing in your preferred language. If you want an interpreter, state this in your request, and specify your language.
- You have a right to choose a representative (such as a friend, family member, or advocate) who will ask for a hearing on your behalf. You also have a right to bring someone to your hearing (such as a friend, family member, or advocate) if you do not want to go alone.[392]
- At least five days prior to your scheduled hearing you should receive from the CT Department of Social Services, a "Prehearing Summary" outlining the Department's reason for denying you the benefit, along with any documents which support its position.

[389] To view a list of non-exempt towns, visit: https://portal.ct.gov/-/media/Departments-and-Agencies/DSS/SNAP/NonExemptTownList.pdf?la=en.
[390] Income reporting requirements, CT DSS: https://portal.ct.gov/-/media/Departments-and-Agencies/DSS/SNAP/SNAP130.pdf?la=en.
[391] 7 C.F.R. § 273.15(h).
[392] 7 C.F.R. § 273.15(i)(1).

FOOD BANK OR PANTRY

WHAT IS A FOOD BANK OR PANTRY?

Organizations such as nonprofits, soup kitchens, churches, community centers, libraries and towns/cities run programs called food pantries that collect and store food to provide to people in need.

WHERE CAN I FIND FOOD?

To find an organization in your area that provides food assistance, call 2-1-1 or visit their website at www.211ct.org.

WOMEN, INFANTS & CHILDREN PROGRAM (WIC)

WIC is a program for low-income women, women who are pregnant, postpartum, or breastfeeding, infants, and children under age 5. WIC provides nutritious food, nutrition education, breastfeeding support, and health service referrals. With WIC benefits you get coupons for things like milk, cheese and eggs, bread, cereal, juice, peanut butter, fruits and vegetables, infant food, and much more.[393]

AM I ELIGIBLE FOR WIC?

To receive WIC benefits, you must: (1) be a resident of Connecticut; (2) be a woman who is pregnant, postpartum, breastfeeding and/or the parent/guardian of a child up to age 5; and (3) have less than the maximum income allowed for your household size[394]. Please note: If you or your children receive SNAP, Temporary Family Assistance, or HUSKY, you automatically meet the income requirement for WIC. If you have Internet access, you can use this online tool to see if you're likely to qualify for WIC:

- USDA's Prescreening Tool: http://wic.fns.usda.gov/wps/pages/start.jsf

CAN MY CRIMINAL HISTORY LIMIT MY ABILITY TO GET WIC?

No! Your criminal history does not affect your ability to get WIC benefits.

HOW DO I APPLY FOR WIC?

Contact your local WIC office and make an appointment. To find a WIC office near you, call 1-800-741-2142. If you have Internet access, you can also find your local office here: https://portal.ct.gov/-/media/Departments-and-Agencies/DPH/dph/WIC-2018/Local-Agency-Sites-rev-72018.pdf?la=en.

[393] Women, Infants, and Children, CT. DEP'T OF PUBLIC HEALTH, https://portal.ct.gov/en/DPH/WIC/WIC.
[394] Income limits in the WIC program: https://portal.ct.gov/-/media/Departments-and-Agencies/DPH/dph/WIC-2018/Income-Eligibility-Guidelines-2018-2019.pdf?la=en.



IV. HEALTH CARE BENEFITS

WHAT WILL I LEARN ABOUT HEALTH CARE BENEFITS?

- An overview of different types of health care coverage in Connecticut (including Access Health CT, HUSKY Health, & Medicare)
- How to figure out which health care plan is best for you
- What benefits you get from the different health care plans
- How to apply for health care
- Whether you can receive or apply for health care while incarcerated
- How your criminal history could affect your ability to get health care coverage
- What to do if you are wrongly denied health care

WHY SHOULD I GET HEALTH CARE COVERAGE (HEALTH INSURANCE)?

Everyone needs health care at some point in life. If you have health care coverage, you can access hospitals and medical services when you need them. Most health insurance will cover mental health and substance abuse treatment too.[395]

While you're incarcerated, the jail or prison is responsible for providing you with essential health care, including mental health services. You have a constitutional right to treatment while in jail or prison.[396] Once you have a release date, you should ensure that you have health care coverage in place for when you get out.

SUMMARY OF THE MAJOR GOVERNMENT-RUN HEALTH CARE PROGRAMS IN CONNECTICUT

Health Care Plan:	Brief Breakdown of Plan:	Who Qualifies:
Access Health CT	Access Health CT is the state's marketplace to sign up for affordable health care	CT residents or LPRs who are 18 or older, and are not currently incarcerated. (see more below)
HUSKY Health	HUSKY Health offers free or low-cost health care for people who have limited income	CT residents or LPRs who have limited income (at or below 138% of the Federal Poverty Level (FPL) if you are a single adult without dependents, 155% FPL if you have a dependent, 201% FPL for minor children, and 263% FPL for pregnant women, 143% FPL for individuals between the ages of 18-64 who are disabled or over the age of 65. (see more on PG. 243)
Medicare	Medicare provides health care for elderly or disabled people. Medicare has 4 parts (A-D).	U.S. citizens or Legal Permanent Residents (LPRs) who are 65 or older, or have a disability, or have permanent kidney failure. (see more on PG. 252)

ACCESS HEALTH CT

WHAT IS ACCESS HEALTH CT?

Access Health CT is an online health care marketplace where you can sign up for health care coverage online, by phone, by mail, or in person. Access Health CT also enrolls qualifying individuals and families in Husky Health, the CT Medicaid program. This online marketplace is a website where you can "shop" by choosing a health care plan and compare various plans' prices and benefits. Each health care plan must cover essential health benefits, such as doctor visits, hospitalization, emergency care, maternity leave, pediatric care for children, and prescriptions. Through the Access Health CT application process, you can find out if you're eligible for Medicaid or to get federal tax credits to reduce your health care costs, or if you're eligible for free

[395] Mental Health & Substance Abuse Coverage, HEALTHCARE.GOV, https://www.healthcare.gov/coverage/mental-health-substance-abuse-coverage/.
[396] Estelle v. Gamble, 429 U.S. 97, 103 (1976); Brown v. Plata, 131 S. Ct. 1910, 1928 (2011) ("Prisoners retain the essence of human dignity inherent in all persons. Respect for that dignity animates the Eighth Amendment prohibition against cruel and unusual punishment . . . A prison that deprives prisoners basic sustenance, including adequate medical care, is incompatible with the concept of human dignity and has no place in civilized society."); see also Know Your Rights: Medical, Dental, and Mental Healthcare, ACLU NATIONAL PRISON PROJECT, https://www.aclu.org/files/assets/know_your_rights_--_medical_mental_health_and_dental_july_2012.pdf.

or low-cost health care coverage through HUSKY Health (see PG. 243 for more information on HUSKY Health).[397]

AM I ELIGIBLE TO ENROLL IN HEALTH CARE COVERAGE THROUGH ACCESS HEALTH CT?

To get health care through Access Health CT, you must be:

1. A Connecticut resident;
2. Lawfully present in the United States;[398]
3. Age 18 or older; and
4. Not currently incarcerated.

Based on your household size and income, your family may qualify for financial assistance to help you afford health care. By submitting an Access Health CT application, you'll find out exactly what kinds of assistance you can get, and how much.

IMPORTANT NOTE ABOUT IMMIGRATION STATUS: If you have one of these statuses, you may qualify for health coverage through Access Health CT: lawful permanent resident ("Green Card holder"); lawful temporary resident ("LTR"); asylee or applicant for asylum; refugee; Cuban/Haitian entrant; paroled into the U.S.; conditional entrant granted before 1980; battered spouse, child or parent; victim of trafficking or that person's spouse, child, sibling, or parent; individual with non-immigrant status (including worker or student visa holders); Temporary Protected Status ("TPS") or applicant for TPS; Deferred Enforced Departure ("DED"); deferred action status; individual granted withholding of deportation/removal; applicant for withholding of deportation/removal; applicant for special immigrant juvenile status; applicant for adjustment to LPR status, with approved visa petition; registry applicant with Employment Authorization Document (EAD); applicant for cancellation of removal or suspension of deportation. Even if your immigration status is not listed above, you may still qualify for health insurance and should still apply!

WHAT BENEFITS AND SERVICES CAN I GET THROUGH ACCESS HEALTH CT?

As required by law, all Access Health CT plans must cover a set of essential health benefits, including:

- Hospital care and emergency services;
- Medical services;
- Prescription drugs;
- Mental health and substance abuse treatment (potentially including treatment that is a condition of probation or parole);
- Maternity and pediatric care;
- Rehabilitation services;
- Preventative care and chronic disease management; and
- Some dental care.[399]

CAN MY CRIMINAL HISTORY LIMIT MY ABILITY TO GET HEALTH CARE USING ACCESS HEALTH CT?

No. There is no law or policy that limits your access to Access Health CT based on your criminal history. You have the right to apply for health care coverage, and you should.

AM I LEGALLY REQUIRED TO ENROLL IN HEALTH CARE COVERAGE?

If you live in the U.S., and you're *not currently incarcerated*, the answer is **technically** *yes*, unless you are exempt. Certain people in special situations (explained below) are excused from this requirement. **However**, there is no longer a penalty fee when you file taxes if you do not enroll in a health care plan.[400] This legal requirement is called the "individual mandate." The tax penalty called the "shared responsibility fee" was **repealed**, effective January 1, 2019. Some states, however, have enacted laws that require health coverage.[401]

Exemptions to the Individual Mandate:

[397] Frequently Asked Questions, ACCESS HEALTH CT, https://learn.accesshealthct.com/faqs/.
[398] How to Apply, ACCESS HEALTH CT, https://www.accesshealthct.com/AHCT/FamilyInformation.action; see also How the Affordable Care Act Impacts Immigrant and Migrant Populations in Connecticut, AMERICAN CIVIL LIBERTIES UNION, https://www.aclusandiego.org/wp-content/uploads/2014/05/ACAs-Impact-on-Immigrants-CA-final-5-12-14.pdf.
[399] Check Medical Eligibility, HTTPS://WWW.ACCESSHEALTHCT.COM/AHCT/FAMILYINFORMATION.ACTION, HTTPS://WWW.CT.GOV/HH/CWP/VIEW.ASP?A=3573&Q=421554, https://www.connect.ct.gov/access/jsp/access/Home.jsp.
[400] https://www.healthcare.gov/fees/fee-for-not-being-covered/.
[401] https://www.healthcare.gov/fees/fee-for-not-being-covered/ .



- **Currently incarcerated:** You're currently in jail or prison serving a sentence for a conviction. This doesn't include being held for a case that's still pending. For example, you've been charged but not yet convicted.
- **Short coverage gap:** Your uninsured period is shorter than 3 months (back-to-back) during the year.
- **Not lawfully present:** You don't have citizenship or lawful immigrant status in the U.S.[402]
- **Not required to file taxes:** You're not legally required to file a tax return because your income is too low.[403]
- **Unable to afford coverage:** You can't afford the cheapest coverage available to you, because it would cost more than 8% of your household income.
- **Indian tribe:** You belong to a federally recognized Indian tribe, or you're eligible for services through an Indian Health Services provider.[404]
- **Sharing ministry:** You're a member of a recognized health care sharing ministry.
- **Religious conscience:** You're a member of a recognized religious sect with religious objections to insurance, including Social Security and Medicare.
- **Hardship:** You've had financial or domestic difficulties that kept you from enrolling in health care, such as homelessness, a death in the family, bankruptcy, a medical emergency, or a natural disaster. Filing for a hardship requires you to fill out special forms.

For most of these situations, you must apply to get an exemption. The process varies by situation.

If you have questions about the forms you need, or if you aren't sure how to get an exemption for your situation, call Access Health CT at 1-855-805-4325 TTY: 1-855-789-2428 or the federal government's Health Insurance Marketplace at 1-800-318-2596 (TTY 1-855-889-4325).

WHEN CAN I APPLY FOR HEALTH CARE THROUGH ACCESS HEALTH CT?

It depends. If you're planning to buy a *private health care plan* from the Access Health CT marketplace, you must enroll during the "Open Enrollment period" to get coverage for the following year (unless you qualify for a Special Enrollment period, see PG. 240). The Open Enrollment period typically runs from fall to spring. If you don't enroll during this period, you may not be able to find a private plan that can cover you. To get the specific start and end dates for the next Open Enrollment period, call Access Health CT at 1-855-805-4325 TTY: 1-855-789-2428 or the federal government's Health Insurance Marketplace at 1-800-318-2596 (TTY 1-855-889-4325). You can also check online at www.accesshealthct.com and www.healthcare.gov.

But, if you're eligible for HUSKY Health based on your income (your income must be at or below 138% of the federal poverty level (FPL) for a single adult without dependents, 155% FPL for a parent with dependents, 201% FPL for minor children, 263% FPL for pregnant women, and 143% FPL for individuals between the ages of 18-64 who are disabled or over the age of 65)[405] you can apply to HUSKY Health at any time, even if it's not currently Open Enrollment period. If you qualify for HUSKY Health, you can enroll right away. To learn more, go to PG. 243.

IMPORTANT: Remember, if you qualify, for HUSKY Health, then you are NOT eligible for private health care plans through Access Health CT.

Exceptions to the Open Enrollment requirement: Certain people with special situations may enroll in private health care through Access Health CT during a Special Enrollment Period ("SEP").[406] This is a 60-day period outside of the Open Enrollment period, typically starting from the day that the special situation started for a person.

Two types of situations may allow you to enroll in private health insurance through Access Health CT during a Special Enrollment Period:

[402] https://www.healthcare.gov/fees/fee-for-not-being-covered/ .
[403] https://www.healthcare.gov/fees/fee-for-not-being-covered/ .
[404] https://www.healthcare.gov/fees/fee-for-not-being-covered/ .
[405] For more information and a chart detailing HUSKY Health income guidelines, please visit: https://www.ct.gov/hh/cwp/view.asp?a=3573&q=421548.
[406] About Us, ACCESS HEALTH CT, https://support.accesshealthct.com/app/answers/detail/a_id/105/kw/special%20enrollment/session/L3RpbWUvMTU1NTEwMTk1Ni9zaWQvZlVXOE01QmFzMFFicDdwZEVBTTVWQmtGX2lSdzk5NHlaV1plUWhnTk1GUmFWR1QlN0VaYmVaT0gzY2tMd1dxWlNPZzRQdlNqJTdFZ0NldDlJTk1BV3ozT2NXc1o0aGVfOVVhSWJnTm53Z2l5b0Q1VHRuZmJSYlB0aGtPUSUyMSUyMQ%3D%3D.,https://www.healthcare.gov/coverage-outside-open-enrollment/your-options/.



1. A "qualifying" life event suddenly creates a greater need for health coverage. For example: getting married or divorced, having a baby, losing a job, moving, losing your health coverage,[407] or getting released from incarceration.[408] Go to PG. 240 to learn more about Special Enrollment Periods.
2. A complex problem that prevented you from enrolling successfully. For example: a major accident, a natural disaster, misconduct by someone who helped with your health care application, or an error by Access Health CT or an insurance company in processing your application.[409]

If one of these situations comes up for you, you have 60 days to notify Access Health CT, get approved for a SEP, submit (or re-submit) an application, and enroll in a health care plan. If you don't complete this process in 60 days, you may have to pay the Shared Responsibility Fee (a tax penalty, discussed above on PG. 241) for not having health care coverage.

IMPORTANT: You will not qualify for a Special Enrollment Period (SEP) if you voluntarily ended health care or lost health care coverage that didn't provide the minimum essential benefits now required to avoid paying the Shared Responsibility Fee. For more information on SEPs and how to appeal if you were denied a SEP, please visit: https://www.healthcare.gov/coverage-outside-open-enrollment/special-enrollment-period/, or call Access Health CT at 1-855-805-4325 TTY: 1-855-789-2428 or the federal government's Health Insurance Marketplace at 1-800-318-2596 (TTY 1-855-889-4325).

HOW DO I ENROLL IN HEALTH CARE THROUGH ACCESS HEALTH CT?

You can apply for Access Health CT online, by phone, or in person. *Online:* Go to www.accesshealthct.com. Set up an account with a username and password. Once you log in, you can browse different health plans and start the application process.

- *By phone:* Call Access Health CT at 1-855-805-4325 TTY: 1-855-789-2428. A staff person will walk you through the application process.
  In person: Call or visit the Access Health CT website to find the closest person to help you or location at which you can apply.[410]

If you want free help with your Access Health CT application:

- Call Access Health CT at 1-855-805-4325 TTY: 1-855-789-2428.[411]
- Get in-person help by contacting Access Health CT at 1-855-805-4325 TTY: 1-855-789-2428 or visiting their website.[412]

Local community-based organizations and community clinics provide free assistance. You can identify which organizations help with enrollment by calling Access Health CT or using the "Assistance Search" tool on the Access Health CT website at https://www.accesshealthct.com/AHCT/DisplayAssistanceSearch?activetab=help.

- If you use the online application at www. accesshealthct.com, you can get help through the "online chat" feature.[413]
- If you have difficulty working with Access Health CT or your health insurance company, call the Office of the Healthcare Advocate (OHA) at 1-866-466-4446. The OHA provides free assistance.[414]

HELPFUL HINT

Tax Credits to Reduce Cost of Private Health Care

If you're planning to buy a private health care plan, and you want tax credits to help reduce your costs, have the following information ready when you apply:[415]

Birthdates and Social Security Numbers (SSNs) of all household members. For Access Health CT, a "family" is defined as the person who files taxes as head of household, plus all dependents claimed on those taxes.

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[407] ACCESS HEALTH CT HTTPS://4155L2GG5GA3D1M572Z1UO2QOV-WPENGINE.NETDNA-SSL.COM/WP-CONTENT/UPLOADS/2018/12/SPECIAL-ENROLLMENT-VERIFICATION_ENGLISH.PDF .
[408] For more information on qualifying life events for special enrollment available at, Special Enrollment Period, HEALTHCARE.GOV, https://www.healthcare.gov/coverage-outside-open-enrollment/special-enrollment-period/.
[409] Special Enrollment Period, HEALTHCARE.GOV, https://www.healthcare.gov/sep-list/.
[410] https://www.accesshealthct.com/AHCT/DisplayAssistanceSearch?activetab=help.
[411] Frequently Asked Questions, ACCESS HEALTH CT, https://www.accesshealthct.com.
[412] Frequently Asked Questions, ACCESS HEALTH CT https://www.accesshealthct.com.
[413] Applying for Coverage, AFFORDABLE HEALTH CARE, http://www.accesshealthct.com.
[414] Frequently Asked Questions, ACCESS HEALTH CT, https://www.ct.gov/oha/site/default.asp.
[415] How to Apply, ACCESS HEALTH CT. If you want to buy a health plan without trying to get tax credits, you just need to provide SSNs for all family member. Enrollment and Eligibility, ACCESS HEALTH CT,https://learn.accesshealthct.com/FAQs, https://learn.accesshealthct.com/eligibility-for-financial-help/.



Current income and latest tax return information for your household. You may be asked to follow up with documents proving your income. If you earn wages, acceptable proof may include: your most recent W-2, a recent pay stub, a letter from your employer on official office letterhead, or a copy of a check paid to you as wages.[416]

Information about any health insurance that you or any household member receives through a job.[417]

[416] For a full list of documents you can use to verify your income, See Accepted Income Documents, ACCESS HEALTH CT https://learn.accesshealthct.com/income/Note: Even if you don't file taxes, you can still qualify for free or low-cost health insurance through HUSKY Health. To learn about signing up for HUSKY Health, go to PG. 243.
https://www.connect.ct.gov/access/jsp/access/Home.jsp.

[417] How to Apply, ACCESS HEALTH CT. http://www.accesshealthct.com.

CAN I GET HEALTH CARE THROUGH ACCESS HEALTH CT WHILE I'M INCARCERATED?

No. You cannot get health care through Access Health CT while you are incarcerated, but you may apply for HUSKY Health once you are nearing your release date (more information on HUSKY Health starting on PG. 243). Or if you prefer to have private health care through Access Health CT, you may apply once you are released (see below for more details).

HELPFUL HINT

If you're <u>currently</u> serving a sentence in jail or prison, special rules apply to you for applying for health insurance:[418]

While you're incarcerated:

You *are eligible* to enroll in HUSKY Health while incarcerated. You may apply on your own, or through any enrollment program available at your facility.[419] You can't start using a HUSKY Health care plan while you're incarcerated; but if you enroll before your release, you may be able to get health care more quickly once you're out.[420] To learn more about HUSKY Health and how to enroll while incarcerated, go to PG. 243.

You *are not eligible* to buy a private health care plan through Access Health CT, and the Individual Mandate (see PG. 240) doesn't apply to you as long as you're incarcerated following a criminal conviction. This means you don't have to worry about paying a penalty, or applying for an exemption from the penalty, during your incarceration.[421]

Once you're released:

You may be eligible to enroll in health care through Access Health CT; and the Individual Mandate (see PG. 239) may now apply to you. This means you may now be legally required to have health care, or pay a tax penalty—unless you get an exemption (read more about exemptions on PG. 239).

If you want to enroll in HUSKY Health, and you didn't already enroll while incarcerated, you can apply at any time after your release. For details about HUSKY Health, go to PG. 243.

If you want to buy a private health care plan (and also get tax credits to help pay for it), you have 60 days after your release to notify Access Health CT, get approved for a Special Enrollment Period (see PG. 240), submit a Access Health CT application, and enroll in a health care plan. If you don't complete this process in 60 days, you must wait for the next Open Enrollment period (see PG. 240), and you may have to pay a penalty.[422]

HUSKY HEALTH

WHAT IS HUSKY HEALTH?

HUSKY Health is Connecticut's Medicaid program, offering free or low-cost health care coverage for low-income Connecticut residents.[423] You can apply as an individual or as a family. Due to recent changes in the law, Connecticut has expanded the HUSKY Health program. If you applied for HUSKY Health prior to April 1, 2010 and were denied, you may still be eligible under the new rules.

HELPFUL HINT

How does HUSKY Health define "limited income"?

The limit is defined as 138% of the Federal Poverty Level (FPL) if you are a single adult without dependents in your household; 155% FPL if you are an individual with dependents; 201% FPL for minor children; 263% FPL for pregnant women; and 143% FPL for individuals between the ages of 18-64 who are disabled or over the age of 65. There are also two cost sharing plans for minor children with slightly higher income limits. The FPL varies based on family size, and it changes from year to year.

To determine whether you qualify for HUSKY Health benefits, based on your income, visit: https://www.ct.gov/hh/cwp/view.asp?a=3573&q=421548To download and print the income limit, visit: https://www.ct.gov/hh/lib/hh/pdf/HUSKYAnnualIncomeChart.pdf

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[418] Note: These special rules do not apply to you if you are on probation, parole, or home confinement; or if you are being "detained pre-trial"—in other words, being held in jail or prison but have not yet been convicted of a crime. Incarcerated People, HEALTHCARE.GOV, https://www.healthcare.gov/incarcerated-people/, http://www.safeandjust.org/resources/HealthEnrollmentToolkit. Also, please note that at the time of production of the "Roadmap to Reentry: A Connecticut Legal Guide," the Connecticut Centers for Medicare & Medicaid Services (CMS) was drafting new rules that would allow for applications prior to some "qualifying life events," including release from incarceration. But this proposed rule is not currently in effect.

[419] Incarcerated People, HEALTHCARE.GOV, https://www.healthcare.gov/incarcerated-people/.

[420] https://www.huskyhealthct.org/providers/provider_postings/benefits_grids/limited_eligibility_grid.pdf.

[421] Note: You are not considered "incarcerated," if you are on probation, parole, on home confinement; or if you are being detained while you await trial. See Incarcerated People, HEALTHCARE.GOV, https://www.healthcare.gov/incarcerated-people/.

[422] Incarcerated People, HEALTHCARE.GOV, https://www.healthcare.gov/incarcerated-people/.

[423] Conn. Gen. Stat. § 17b-261.



AM I ELIGIBLE FOR HUSKY HEALTH?

If you live in Connecticut, you can qualify for full HUSKY Health coverage in a few different ways:

First: **You may be eligible for HUSKY Health if:**

1. You're a Connecticut resident or you're lawfully present in the U.S.,[424] and
2. You have limited income.[425]

Second: **You may be automatically eligible for HUSKY Health if you (1) meet the income requirements, and (2) fall into one of these special categories:**

- Adults age 65 and older
- Blind or disabled individuals
- Children under age 21
- Pregnant women
- Women diagnosed with breast and/or cervical cancer
- Parents or caretakers of disadvantaged children under 21
- Residents in skilled nursing or intermediate care homes
- Individuals enrolled in certain other public benefits programs, including SSI, Refugee Assistance Program, In-Home Supportive Services (IHSS), Foster Care or Adoption Assistance Program.[426]

To find out if you're eligible for full or partial health care coverage through HUSKY Health, contact the CT Department of Social Services. You may also seek to apply using a paper application.[427]

HELPFUL HINT
Qualifying for Husky Health Because of a Disability:

If you think you qualify for Husky Health based on a disability, and you would like to apply using a paper application, you must use form W1-E, which is different from the Husky Health programs. It is the same form you use when applying for other benefits administered by DSS, like SNAP and Cash Assistance[428].

WHAT BENEFITS AND SERVICES CAN I GET THROUGH HUSKY HEALTH?

As required by law, HUSKY Health covers a set of "essential health benefits," including: hospital care and emergency services; medical services; prescription drugs; mental health and substance abuse treatment (potentially including treatment that is a condition of probation or parole); maternity and pediatric care; rehabilitation services; preventive care and chronic disease management; and some dental care.[429]

HELPFUL HINT
Retroactive HUSKY Health Coverage

When applying for HUSKY Health benefits, you may request retroactive HUSKY Health coverage for medical services you received during any of the three calendar months immediately before the month that you applied to HUSKY Health, so long as the services would have qualified for coverage had you been enrolled in HUSKY Health at the time. If you do apply for retroactive benefits, you must complete a supplemental request form. You may request retroactive coverage when you apply for HUSKY Health.

CAN MY CRIMINAL HISTORY LIMIT MY ABILITY TO GET HUSKY HEALTH BENEFITS?

No! There are no restrictions on HUSKY Health eligibility based on past convictions or violations. You are eligible to receive HUSKY Health benefits while on probation or parole. You have the right to apply for health care using HUSKY Health, and you should!

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[424] If you're a legally present noncitizen ("lawful permanent resident," "green card holder") with limited income, you may qualify for partial or full HUSKY Health coverage—depending on the details of your status and your exact income. If you're not lawfully present (i.e. undocumented), you may be able to get HUSKY Health coverage for emergencies or pregnancies, but not full HUSKY Health coverage. HUSKY Health: https://www.connect.ct.gov/access/unauth/accessController?id=0.519632066367684&languageCode=en.

[425] Do You Qualify for HUSKY Health, https://www.connect.ct.gov/access/unauth/accessController?id=0.519632066367684&languageCode=en.

[426] Check HUSKY Health Eligibility, https://www.connect.ct.gov/access/unauth/accessController?id=0.519632066367684&languageCode=en.

[427] https://www.connect.ct.gov/access/unauth/accessController?id=0.053440042949871036&languageCode=en#01bean05.

[428] The form can be found at https://portal.ct.gov/-/media/Departments-and-Agencies/DSS/Common-Applications/W-1E.pdf.

[429] Check https://www.ct.gov/hh/cwp/view.asp?a=3573&q=421554.HUSKY Health.

HOW DO I APPLY FOR HUSKY HEALTH?

You can apply for HUSKY Health by submitting an Access Health CT application through several methods: online, by phone, in person, or by mail.[430] You can get the paper application at any DSS office, or online or by requesting it by phone. It is also in Public Benefits Appendix A, PG. 284. If you are applying for Husky Health C based on disability, the paper application can be found at https://portal.ct.gov/-/media/Departments-and-Agencies/DSS/Common-Applications/W-1E.pdf.

- *Online:* Go to www.accesshealthct.com. Set up an account with a username and password. Once you log in, you can apply for HUSKY Health.
- *By phone:* You can contact Access Health CT by calling 1-855-805-4325 TTY: 1-855-789-2428.
- In person: Visit a DSS office[431] See Public Benefits Appendix B, PG. 307 for a statewide directory. At the office, you can pick up the application form, get help filling it out, and submit it.
- *By mail:* Send your completed application form to: Access Health CT; For Husky C (Form W-1E): DSS Scanning Center P.O. Box 1320, Manchester, CT 06045; For All other Husky Health Programs (Form AH3): You must request from Access Health CT at 1-855-805-4325 TTY: 1-855-789-2428.

If you want free help with your application:

- Call Access Health CT at 1-855-805-4325 TTY: 1-855-789-2428) to speak with a Certified Enrollment Counselor. The line is open Monday to Friday, 8 AM to 4 PM.[432]
- Get in-person help at any DSS office. See Public Benefits Appendix B, PG. 307 for a statewide directory, or visit https://portal.ct.gov/DSS/About-the-Department-of-Social-Services/Contact.
- If you use the online application at www.accesshealthct.com, you can get help through the "online chat" feature.

CAN I APPLY FOR HUSKY HEALTH WHILE INCARCERATED?

Yes! If you were on HUSKY Health before you were incarcerated, there's a good chance you're eligible to reapply as your release date approaches. If you were also on SSI disability benefits before your incarceration, you may need to contact the Social Security Administration to restart your SSI checks before HUSKY Health accepts you (see PG. 269 for details on what happens to your SSI while incarcerated).

If you are incarcerated in a state prison: If you're approaching your release date and likely to qualify for HUSKY Health, pre-release staff at your correctional facility should offer to help you apply about two months before your release.[433] If you agree to authorize correctional staff as your "Authorized Representative" using form W-298 that staff person will help to ensure that your application is complete 60-90 days before your release, submit it to Access Health CT to establish your eligibility before your release and get you an Identification Card so that you can access health care when you get out. In some cases, there may be a delay if the eligibility worker needs more information from you. Speak to the prison's pre-release staff to find out about HUSKY Health enrollment pre-release.

I HAD HUSKY HEALTH WHEN I ENTERED PRISON OR JAIL. WHAT HAPPENS TO IT WHILE I'M INCARCERATED?

It depends on how long your incarceration lasts. In Connecticut, your HUSKY Health gets suspended if you are detained for more than 60 days.

- ***If you're incarcerated for less than 3 years***: you can reactivate your enrollment by working with staff at your correctional facility before you get out, or by notifying the HUSKY Health office as soon as you're out.
- ***If you're incarcerated for 3 years or more***: your HUSKY Health gets ended, and you need to file a new application. See the next question for more details.[434]

[430] You can get the paper application at your local DSS office, or online at How to Apply, ACCESS HEALTH CT, https://portal.ct.gov/-/media/Departments-and-Agencies/DSS/Common-Applications/W-1E.pdfor by calling Access Health CT.
[431] A list of DSS offices is available here: https://portal.ct.gov/DSS/About-the-Department-of-Social-Services/Contact.
[432] Frequently Asked Questions, ACCESS HEALTH CT www. Accesshealthct.com.
[433] HUSKY Health https://www.cga.ct.gov/2016/rpt/2016-R-0261.htm.
[434]https://www.cga.ct.gov/2016/rpt/2016-R-0261.htm.



HELPFUL HINT
The HUSKY Health Inmate Eligibility Program

If you are pregnant, disabled, blind, or aged, HUSKY Health covers expenses for inpatient (over 24 hours) medical care in non-correctional healthcare facilities (such as hospitals) to individuals who are otherwise eligible for HUSKY Health. Individuals can obtain the limited benefit as long as they are remain eligible for HUSKY Health due to pregnancy, disability, blindness, or old age.[435] If you were receiving the limited benefit while incarcerated, upon your release from jail or prison, you will be able to switch back to receiving regular HUSKY Health.

MY HUSKY HEALTH STOPPED WHILE I WAS INCARCERATED. HOW DO I RESTART IT?

The old rule: **If you were incarcerated before April 1, 2015:** If you were on HUSKY Health prior to your incarceration, then your HUSKY Health was ended on the day that you entered jail or prison. This means if you wanted to get HUSKY Health again, you had to reapply, get approved, and wait until your release before you could receive health care coverage through HUSKY Health.

The new rule: **If you were incarcerated anytime after April 1, 2015:** If you were on HUSKY Health prior to your incarceration, then your HUSKY Health got automatically suspended (paused) on the day that you entered jail or prison. The suspension period is set to last 3 years. This means that:

- If you're released before 3 years pass, AND you continue to meet all other eligibility requirements, your HUSKY Health should automatically restart on the day of your release (and you don't need to reapply).[436]
- If you're still incarcerated after 3 years pass, then your HUSKY Health coverage will end—and if you want to get HUSKY Health again, you'll need to reapply to restart your coverage after your release.[437]

If you qualified for HUSKY Health through SSI, you may need to restart your SSI benefits (see PG. 269) before you can get your HUSKY Health coverage back.[438]

I BELIEVE MY HUSKY HEALTH WAS WRONGLY DENIED OR STOPPED. HOW DO I APPEAL?

If and when your HUSKY Health is terminated, the State must send you a "Notice of Action" explaining this decision. If you disagree with the decision and want to appeal (challenge) it, read the back of the Notice for instructions about how to request a hearing.

In general, you'll need to contact the DSS Office of Administrative Hearings:

- *By phone:* **1-800-462-0134 or 860-424-5760, TDD number is 800-842-4524 (860) 424-4975 from out of state)**
- *By fax:* **860-424-5729**
- *By email:* **olcrah.DSS@ct.gov**
- *By mail:* Director, Department of Social Services, Office of Legal Counsel, Regulations and Administrative Hearings, 55 Farmington Avenue, 11th floor, Hartford CT 061050.

Or you may try calling the Office of the Health Care Advocate (OHA). For assistance with a denial, you can contact legal services. See a listing of legal aid offices in the Guide Appendix, PG. 413.

ARE THERE SPECIAL PROGRAMS FOR PEOPLE 65 OR OLDER OR WHO ARE DISABLED, AFTER RELEASE FROM PRISON?

Yes. There are several programs for seniors 65 or older, or for people who are disabled.

Medicare Savings Program (MSP)

The MSP program helps Medicare beneficiaries with some of their out of pocket Medicare expenses.[439] If you are eligible, MSP can cover your Medicare Part B premium, which in 2019 is $135.50 a month for most individuals. If you qualify for MSP, then you are also automatically eligible for the Medicare Part D Low Income Prescription Subsidy program.

There are three Medicare Savings Programs. As of March 2019, if gross monthly income for an individual is under $2,560.86, he/she is financially eligible for one of the three Medicare Savings Programs.

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[435] https://www.cga.ct.gov/2016/rpt/2016-R-0261.htm.
[436] But if you become ineligible for some reason before 3 years pass (for example: your income increases beyond the limit allowed for HUSKY Health), your HUSKY Health may be terminated (ended) while you're incarcerated.
[437] https://www.cga.ct.gov/2016/rpt/2016-R-0261.htm.
[438] A Manual on SSI/SSDI for Prisoners & Their Advocates (2004), LEGAL SERVS. FOR PRISONERS WITH CHILDREN, www.prisonlegalnews.org/media/publications/manual_on_social_security_beneits_for_prisoners.pdf.
[439] 42 U.S.C. §§ 1396a(a)(10)(E), 1396d(p); Conn. Gen. Stat. §17b-256f.

The Qualified Medicare Beneficiary (QMB) program is the Medicare Savings Program for the lowest income Medicare beneficiaries. QMB will cover the Part B premium, Medicare deductibles and co-payments and automatically qualify you for the Medicare Part D Low Income Prescription Subsidy program. In March 2019, your gross monthly income has to be lower than 2,196.51.

To apply, contact the CT Department of Social Services office. See Public Benefits Appendix D, PG. 314 for the Medicare Savings Program application.

Long Term Care under Medicaid

WHAT IS MEDICAID?

Medicaid is a federal health insurance program. It pays medical bills for people and families who have low income and few resources. In Connecticut, the state Department of Social Services (DSS) runs Medicaid.

The rules are very complicated. And there are special rules for people who are:

65 or older;
Disabled;
Under 21; or
In a nursing home.

IS MEDICAID DIFFERENT FROM MEDICARE?

Yes. Medicaid and Medicare are both federal health insurance programs that may help pay for nursing home care. But they do not provide the same coverage.

Medicaid will pay for your nursing home care and most of your costs at the nursing home.

Medicare only pays for a nursing home in some situations, and then for only up to 100 days.

To learn more about Medicare, call:

Center for Medicare Advocacy: 1-800-262-4414
Statewide Legal Services: 1-800-453-3320.

You should apply for Medicaid if:

Medicare does not cover your situation, or
You do not have enough money to pay for nursing home care.

WHO CAN GET MEDICAID?

Medicaid covers people and families who have low income and few resources. To decide if you qualify, DSS will look at your situation, including how much income, money, and property you have.

WHAT DOES MEDICAID PAY FOR?

Medicaid pays for medical care for people who don't have enough money to pay their medical bills.

Nursing home care is only one type of care paid by Medicaid.[440]

If you qualify, Medicaid will pay for your nursing home care and most of your costs while you are in a nursing home, including:

Doctor visits;
Medicine;
Hospital care;
Your room (shared, not private);
Meals;
Tests and treatments; and
Equipment that your doctor says you need.

WILL MEDICAID COVER OTHER TYPES OF HEALTH CARE?

Yes. If you qualify, Medicaid will pay for other medical bills, too.

[440] 42 U.S.C.A. § 1396d(f).



IF I HAVE PROPERTY OR MONEY, CAN I STILL GET MEDICAID TO PAY FOR A NURSING HOME?

Maybe. When you apply, Medicaid looks at your assets (money and property). If your assets are too high, you may not qualify.

Remember! Medicaid is a very complicated law. It is always best to talk with an attorney.

You can qualify for Medicaid if you have:

Up to $1,600 in countable assets (cash, bank accounts, stocks, and bonds);
A burial plot (including goods and services such as a grave site, urn, casket, headstone);
A pre-paid funeral contract with a Connecticut funeral home that costs:
Up to $8,000 (non-refundable);
Up to $1,800 for a single person (refundable); or
Up to $1,500 for a married person (refundable).
Term life insurance with no cash surrender value;
Cash value life insurance (total value must be $1,500 or less).

YOU CAN ONLY KEEP A LIMITED AMOUNT OF YOUR INCOME TO HAVE MEDICAID PAY FOR YOUR NURSING HOME CARE.

You can keep a small amount of income to spend on personal needs. This amount changes every year. See http://www.ctlawhelp.org for the current amount.

Married people may be able to give their spouse some of their income to pay for their living expenses. Talk to a lawyer about whether this applies to you.

The rest of your income is paid to the nursing home each month. There are some exceptions. You can use your income to pay for

Unpaid medical bills;

Private health insurance;

Some medical services that are not covered by Medicaid; and

Some home expenses if you are expected to return home within 6 months.

WHAT IF I HAVE LONG-TERM CARE INSURANCE THROUGH THE CONNECTICUT PARTNERSHIP FOR LONG-TERM CARE?

Tell your DSS caseworker when you apply. This may help you protect more assets. To learn more about the Connecticut Partnership:

Call DSS at 1-800-547-3443; or

Visit www.ctpartnership.org.

SHOULD I GIVE AWAY MY HOME OR MONEY?

No. Talk to a lawyer before giving away any money or property. Medicaid will look at your bank statements, property, and other assets over the last 5 years. If you have given away your home or money, DSS can impose a penalty period. During the penalty period, you will not be able to get Medicaid.

IS MY HOUSE AN ASSET?

Maybe. When you need Medicaid for nursing home care, your house is not counted as an asset if:

You will probably return home; or
You may not return home, but one or more of these people live in your house:
Your spouse;
Your child under 21;
Your blind or disabled adult child; or
Your brother or sister co-owns the house and lived there for at least 1 year before you went into the nursing home.

! **IMPORTANT: *There is an exception to this general rule* if the equity in your house is more than $878,000, it will count as an asset.**

CAN THE STATE PUT A LIEN ON MY HOUSE OR FORCE ME TO SELL IT?

If any of the people listed above live in your house, the state cannot put a lien on your house or force you to sell it.

But if none of these people live in your house and you are probably going to stay in the nursing home, you must sell your house for fair market value. The state will put a lien on it while you try to sell it.

WHAT IF MY HOUSE DOESN'T SELL?

As long as you are doing your best to sell the house, Medicaid will not count it as an asset.

WHO GETS THE MONEY IF I SELL MY HOUSE?

DSS will take what you owe them for your nursing home care. You will not get Medicaid until you spend the rest of the money from your house. Once you have $1,600 or less in total assets, you can go back on Medicaid.

DO I HAVE TO USE MY MONTHLY INCOME TO PAY FOR THE NURSING HOME?

If you are on Medicaid, you will probably have to spend your monthly pension, Social Security, or other income to pay for your nursing home. If you do not have enough money to pay the whole bill, DSS will pay the rest.

You are allowed to keep some money each month, including:

- $60 for personal needs.
- Support for your spouse or other dependent living at home.

Health costs that Medicaid does not cover:

- $90 each month for a single war veteran or the spouse of a deceased war veteran.
- Some expenses for your home if you will go back within 6 months, including rent or the mortgage.

DOES MY SPOUSE HAVE TO PAY FOR MY NURSING HOME CARE?

No. If you are in a nursing home, DSS only looks at your income to decide if you qualify for Medicaid, and how much you will have to pay each month. Your spouse's income will not be counted.

If your spouse has high income, DSS may ask your spouse to help with your nursing home bills. If DSS asks your spouse to help, your spouse should talk to a lawyer before agreeing to pay.

IF I GO INTO A NURSING HOME, CAN MY SPOUSE KEEP OUR SAVINGS OR ASSETS?

Yes. Your spouse, called the community spouse, can keep half of your joint assets up to a maximum of $126,420.

Your spouse can also keep:

- A car;
- Burial arrangements; and
- The home (it does not matter how much equity you have in the house).

! **IMPORTANT*!* This amount changes every January. Ask DSS for the most current amount. Also ask DSS to do a *spousal assessment*.**

CAN I EVER KEEP MORE THAN THE MAXIMUM AMOUNT OF ASSETS?

Yes, in some cases. You and your spouse may be able to keep extra assets if:

- Your monthly income is not enough to give your spouse the minimum the law requires; or
- You have a Connecticut Partnership-approved insurance policy with paid benefits. Tell Medicaid about your policy when you apply.

HOW MUCH INCOME IS MY SPOUSE ALLOWED EACH MONTH?

The law says the community spouse may have at least $2,057.50 in total income each month. This amount includes:

The community spouse's own income, and

Income from the spouse in the nursing home.

If there are financial difficulties, or if monthly housing costs are more than $617.25, your spouse may be allowed a higher amount.

Your spouse probably will not be allowed more than $3,160.50 a month.

Remember: These amounts change every year. Please check amounts at www.ctlawhelp.org/en/government-health-care-benefit-programs.

If your spouse's income is less than the minimum, your spouse can get a community spouse allowance from you to fill the gap.

This allowance comes from your monthly income, and income from assets (like interest) only if needed.



If you think your spouse will need more income or assets than DSS allows, you or your spouse can ask for a fair hearing to challenge their decision. It may be good to bring a lawyer to the hearing.

Deadline: You must file a request for a fair hearing within 60 days of getting the notice from DSS that explains how much you are allowed.

HOW DO I APPLY FOR MEDICAID?

Call Access Health CT5-805-4325 for help or to apply.

Visit http://www.ct.gov/dss/lib/dss/pdfs/applications/dss_ltc_app_ctrs.pdf for a listing of DSS Long-Term Care Application Centers by region.

Or, get the Medicaid application at http://www.ct.gov/dss/lib/dss/pdfs/applications/w-1ltc.pdf.

CAN SOMEONE HELP ME FILL OUT THE APPLICATION?

Yes. It's a good idea to have someone help you fill out the application. Medicaid rules are confusing.

Ask someone who knows Medicaid law, such as a DSS worker, if you have a disability;

A friend you trust; or

A lawyer who knows Medicaid law.

! **IMPORTANT: If someone helps you fill out your application, that person must also sign your application.**

WHEN SHOULD I APPLY FOR MEDICAID?

Apply as soon as you can. Fill out the application and give it to the DSS worker. DSS will also ask you for other papers. If you are eligible, your coverage can go back three months from the day you apply.

WHAT PAPERS DO I NEED TO APPLY FOR MEDICAID?

DSS will ask you for copies of your:

- Birth certificate;
- Social security card;
- Marriage certificate;
- Medicare card (if you have one);
- Deed to your house; and
- Bank statements for the last 5 years.

! **IMPORTANT: Make copies of everything you give DSS. Keep them in a safe place. You may need them later.**

WHAT IF DSS TURNS ME DOWN FOR MEDICAID?

If DSS says you can't get Medicaid, you have the right to appeal and ask for a hearing about the DSS decision, called a "fair hearing." At the hearing, a fair hearing officer, can look at your application to see if DSS made any mistakes. You can also explain any mistakes you think DSS made.

Fill out the appeal form that is included with the denial letter. Send it to:

Department of Social Services
Office of Legal Counsel,
Regulations and Administrative Hearings
55 Farmington Avenue
Hartford, CT 06105

Deadline: You must send your request for an appeal within 60 days of the denial.

SHOULD I ASK A LAWYER TO HELP ME APPEAL?

Yes. A lawyer from Legal Services can look at your case, and may be able to speak for you at the hearing. See GUIDE APPENDIX, PG. 413 for a list of legal services offices.

CT Home Care Program for Elders (CHCPE)

CT has several home care programs for individuals 65 or older. These programs support seniors living in the community. The goal is to help someone remain safely in the community and prevent someone from being unnecessarily institutionalized. The home care program covers services such as adult day care, homemaker, companion, chore services, home delivered meals, emergency response systems, case management, and home health aides. It also covers some minor home renovations.

WHERE CAN I FIND MORE INFORMATION ON THE CHCPE?

Contact the Department of Social Services' Community Options Unit at 1-800-445-5394 or 860-424-4904.

Additional information can be found on the Department of Social Services' web site: Connecticut Home Care Program for Elders.

MEDICARE

WHAT IS MEDICARE?

Medicare is a federal health care program for people who are elderly and people who have disabilities. Medicare benefits are grouped into four parts: Part A covers hospital care; Part B covers outpatient services; Part C covers services offered by private insurance plans; and Part D covers prescription drugs. There are two main ways to get your Medicare coverage: (1) Original Medicare (Part A and Part B) OR (2) a Part C Medicare Advantage Plan. Some people get extra coverage, such as optional prescription drug coverage through Part D.

CAN MY CRIMINAL HISTORY LIMIT MY ABILITY TO GET MEDICARE?

No! There are no eligibility restrictions based on past convictions or violations.

AM I ELIGIBLE FOR MEDICARE?

When you apply for Medicare, you have to consider whether you will be eligible to enroll in each of part Parts A and B (and possibly D) or Part C (and possibly D). This is because each Part has different requirements and rules, and your incarceration affects each Part differently.[441] If you're a citizen of the U.S., or you've been a legal resident for 5+ years, you may qualify for Medicare if:

- You're age 65 or older, and you or your spouse has worked and paid into Medicare for 10+ years; or
- You have a disability that qualifies you for Social Security Disability benefits (no matter how old you are); or
- You have permanent kidney failure requiring dialysis or a kidney transplant, or Amyotrophic Lateral Sclerosis (ALS or Lou Gehrig's disease).[442]

APPLY TO MEDICARE BEFORE YOU TURN 65!

You can start getting Medicare when you turn 65. However, you can enroll up to 3 months before you turn 65. To confirm whether you qualify and to learn which Parts/Plans are right for you, call the SSA at 1-800-772-1213.

WHAT BENEFITS AND SERVICES CAN I GET THROUGH MEDICARE?

Medicare covers services and supplies that are medically necessary to treat a disease or condition.[443]

ORIGINAL MEDICARE (Part A and Part B): Part A covers hospital insurance,[444] and Part B covers medical insurance.[445] Part A Hospital Insurance covers: Hospital care; Nursing care; Nursing home care; Hospice; and Home health services.[446] Part B Medical Insurance covers: Medically necessary services (services that are needed to diagnose or treat a medical condition); and Preventative services (heath care to detect or prevent illness).[447]

You have your choice of doctors, hospitals, and other providers that accept Medicare. You pay a monthly premium for Part B, and you may pay no or very low premiums for Part A (depending on your employment history).[448] Note: Part B is optional. When you enroll in Part A, you can choose whether to get Part B. If you're on Social Security benefits, Part B premiums will get deducted from your Social Security checks; otherwise, you'll get billed for Part B premiums.[449]

MEDICARE ADVANTAGE PLAN (Part C): Part C plans include hospital and medical insurance (Parts A and B). Private insurance companies, approved by Medicare, provide this coverage. You choose a Part C plan, and then you must use doctors, hospitals or other providers listed in that plan (or else pay higher costs). You pay an

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[441] https://www.medicareinteractive.org/get-answers/medicare-health-coverage-options/medicare-and-incarceration/medicare-coverage-during-incarceration.
[442] https://www.medicare.gov/sign-up-change-plans/how-do-i-get-parts-a-b.
[443] Some services may only be covered in certain places, or for patients with certain conditions. What Medicare Covers, MEDICARE.GOV, http://www.medicare.gov/what-medicare-covers/.
[444] This includes hospital care, skilled nursing facility care, nursing home care, hospice care, and home health services. What Part A Covers, MEDICARE.GOV, http://www.medicare.gov/what-medicare-covers/part-a/what-part-a-covers.html, http://www.cahealthadvocates.org/basics/partA.html.
[445] Part B covers 2 types of services: medically necessary services that are needed to diagnose or treat a medical condition, and preventive services that help detect and prevent illnesses. This includes doctors' visits, lab tests, ambulance services, mental health care, and certain medical supplies. Medicare Part B http://www.medicare.gov/what-medicare-covers/part-b/what-medicare-part-b-covers.html.
[446] Medicare Part A, MEDICARE.GOV, http://www.medicare.gov/what-medicare-covers/part-a/what-part-a-covers.html.
[447] Medicare Part B, MEDICARE.GOV,http://www.medicare.gov/what-medicare-covers/part-b/what-medicare-part-b-covers.html.
[448] Part A costs vary based on how many years you (or your spouse) have paid into the Social Security system. If you have 10+ years of Social Security credit, you can get Part A without paying premiums. https://www.medicare.gov/your-medicare-costs/part-a-costs.
[449] https://www.medicare.gov/your-medicare-costs/part-b-costs.



extra premium for getting Part C, in addition to whatever it would cost you to be enrolled in Parts A and B (through Original Medicare).[450]

MEDICARE PRESCRIPTION DRUG PLAN (Part D): Part D provides prescription drug insurance for anyone enrolled in Medicare. You choose a Part D plan, and it works as an addition to your Original Medicare (Parts A and B)—or your Medicare Advantage Plan (Part C). PLEASE NOTE: Part D is optional. When you enroll in Medicare, you can choose whether to get Part D. If you have low income, you can get extra help paying for Part D.[451]

BELOW IS A SUMMARY OF ELIGIBILITY FOR SPECIFIC TYPES OF MEDICARE COVERAGE.[452]

MEDICARE PART (DESCRIPTION):	YOU'RE ELIGIBLE TO ENROLL IF:
Medicare Part A (hospital insurance): covers inpatient hospital stays, care in a skilled nursing facility, hospice care, and some home health care.	• You're at least 64 years and 9 months old*; or • You have a qualifying disability; or • You have permanent kidney failure. *Note:* If you're already getting Social Security benefits (see PG. 258), then when you turn 65 you'll automatically get enrolled in Medicare Part A.
Medicare Part B (medical insurance): covers certain doctors' services, outpatient care, medical supplies, and preventive services	• You're at least 64 years and 9 months old*; or • You have a qualifying disability; or • You have permanent kidney failure. *Note:* Part B is optional. When you first enroll in Part A, you can choose whether to enroll in Part B.
Medicare Part C (Medicare Advantage plans): are health plan offered by private companies that contract with Medicare to provide Part A and B benefits to you	• You're enrolled in both Part A and Part B; and • You don't have permanent kidney failure.
Medicare Part D (prescription drug plan): adds prescription drug coverage to Part A, Part B, and some Part C plans. Part D plans are offered by private companies approved by Medicare.	• You're enrolled in Medicare. • You're not enrolled in a Part C plan that already includes prescription drug coverage. *Note:* Part D is optional. When you first enroll in Medicare, you can choose whether to enroll in Part D.

HOW DO I APPLY FOR MEDICARE?

If you're currently incarcerated: Skip to the next question.

If you are <u>not</u> incarcerated and have never been enrolled in Medicare: Read on for details. How to apply depends on your individual situation.

- **If you're approaching age 65:**

…AND already getting Social Security benefits: you'll automatically get Parts A and B when you turn 65. About 3 months before you turn 65, you'll get your Medicare card by mail. If you want Part D as well, you must sign up for that separately by calling 1-800-MEDICARE.[453]

…And NOT getting Social Security benefits (see PG. 258): you should apply for Medicare by contacting the Social Security Administration at 1-800-772-1213 (TTY 1-800-325-0778).[454]

- **If you're under 65 and have a disability:**

…And you're <u>already</u> getting disability benefits from Social Security; you'll automatically get Parts A and B after 24 months of disability benefits.[455] In the 25th month, you'll get your Medicare card by mail. If you want Part D as well, you must sign up separately by calling 1-800-MEDICARE.[456]

…And you're <u>not</u> getting disability benefits from Social Security, you should apply for SSDI (see PG. 263).

CAN I APPLY FOR MEDICARE WHILE INCARCERATED?

Yes! If you turn 65 and become eligible for Medicare while incarcerated, you should contact the Social Security Administration (SSA) to enroll in Parts A and B. Unlike people who are not in custody, you will NOT be

[450] The details of MA plans available to you through Part C depend on where you live. Most cover prescription drugs; some don't. https://www.medicare.gov/sign-up-change-plans/types-of-medicare-health-plans/medicare-advantage-plans.
[451] https://www.medicare.gov/your-medicare-costs/get-help-paying-costs/save-on-drug-costs.
[452] Tell me about Medicare; KAISER PERMANENTE, https://medicare.kaiserpermanente.org/wps/portal/medicare/plans/learn/what-is-medicare.
[453] You can also enroll online using the Medicare Plan Finder: https://www.medicare.gov/find-a-plan/questions/home.aspx.
[454] You can also enroll online using the official Social Security website: http://www.socialsecurity.gov/medicare/apply.html.
[455] If you have permanent kidney failure, you can get Medicare earlier during your first 3 months of dialysis treatment; and other special rules apply to you. If you have Amyotrophic Lateral Sclerosis ("ALS," or Lou Gehrig's disease), you'll be automatically enrolled in Medicare when you start getting SSDI. Contact the SOCIAL SECURITY ADMINISTRATION at 1-800-722-1213 or visit www.ssa.gov for details about these special kinds of cases.
[456] You can also enroll online using the Medicare Plan Finder: https://www.medicare.gov/find-a-plan/questions/home.aspx.

automatically enrolled—so you need to take action. Although Medicare won't start paying for your health care until you're released, it's important to get enrolled as soon as you can. This way, you avoid getting charged penalties for late enrollment, and you also ensure that your Medicare is ready as soon as you're out.

- **When:** Contact the SSA to get enrolled during the 7-month period surrounding your 65th birthday—the month of your birthday, plus 3 months before, and 3 months following. This is called your Initial Enrollment Period ("IEP"). Supposing that you turn 65 on April 10, 2015, your Initial Enrollment Period would run from January 1, 2015 through July 31, 2015. If you don't enroll during your Initial Enrollment Period, you may not have access to health care for months after you're released; and you may get charged penalties if you try to enroll in Medicare later.
- **How:** Send a signed and dated letter to the Social Security Administration. The letter should include your full name, Social Security Number, a clear statement that you want to enroll in Medicare Parts A and B, and the date that your coverage should be effective. Make sure you sign the letter. Keep a copy of your letter and a copy of the envelope—and, if possible, send the letter by certified mail with return receipt.[457]

I HAD MEDICARE WHEN I ENTERED PRISON OR JAIL. WHAT HAPPENS TO IT WHILE I'M INCARCERATED?

All your Medicare benefits get suspended (paused) while you're incarcerated. The rules for staying enrolled and restarting your benefits upon release are different for each Part of Medicare.[458]

> Your Part A (hospital insurance) enrollment stays in place. Although you won't get Part A benefits while incarcerated, you don't have to do anything to stay enrolled. When you're released, your access to Part A benefits should be automatically restored.

> Your Part B (medical insurance) is more complicated, since you can only stay enrolled by paying premiums.

- If you keep paying premiums, you'll stay enrolled, although you won't get Medicare benefits while incarcerated.
- If you stop paying premiums, your coverage will be ended; and for every 12 months that pass before you re-enroll, your premium amount will be higher by 10%.[459] Also, you can re-enroll in Part B only during the General Enrollment Period ("GEP"), which runs January through March, and coverage starts July 1 of the year that you enroll. Depending on your release date, this may cause a gap in your medical coverage.

These rules create a dilemma if you are someone who can't afford to keep paying Part B premiums while incarcerated, and will not be able to afford higher premiums upon release. You should consider voluntarily stopping your Medicare Part B benefits to avoid owing these premiums when you are released. You can do this by contacting the Social Security Administration at 1-800-772-1213. You may also be eligible to receive help with payment of your Part B premiums upon release through a Medicare Savings Program.[460] See PG. 246 for information about Medicare Savings Programs.

ENROLL FOR PART B PREMIUMS AFTER INCARCERATION!

If you've been getting Social Security or SSDI, these benefits have been paying for your Part B premiums. Once you've been incarcerated for 30 days, these benefits get suspended; so you must call 1-800-MEDICARE within that 30-day window and set up direct payment if you want to keep Part B.

> Your Part C (Medicare Advantage plan) and Part D (prescription drug plan) will end when you're incarcerated. You're no longer eligible to be enrolled in these plans while the prison or jail is providing your health care. If you want Part C and/or Part D after release, you'll have to re-enroll.

MY MEDICARE STOPPED WHILE I WAS INCARCERATED. HOW DO I RESTART IT?

If you had Part A (hospital insurance) before you were incarcerated, you don't have to do anything to restart it. Your enrollment should still be in place, and you should have access to Part A coverage as soon as you're released.

If you had Part B (medical insurance) before you were incarcerated, your next steps depend on your situation:

- **If you kept paying premiums and stayed enrolled in Part B while incarcerated:** you don't have to do anything to restart it. Your enrollment is in place, and you should have access to Part B coverage once you're released.

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[457] Becoming Medicare-eligible during incarceration, MEDICAREINTERACTIVE.ORG, https://www.medicareinteractive.org/get-answers/medicare-health-coverage-options/medicare-and-incarceration/becoming-medicare-eligible-during-incarceration.

[458] https://www.medicareinteractive.org/get-answers/medicare-health-coverage-options/medicare-and-incarceration/medicare-coverage-during-incarceration.

[459] Medicare Part B Late Enrollment Penalty, MEDICAREINTERACTIVE.ORG, http://www.medicareinteractive.org/page2.php?topic=counselor&page=script&script_id=316.

[460] https://www.medicareinteractive.org/get-answers/medicare-health-coverage-options/medicare-and-incarceration/medicare-coverage-during-incarceration.



- **If you stopped paying premiums and your Medicare enrollment was ended while incarcerated:** you can re-enroll during the General Enrollment Period ("GEP"), which runs January to March.
  - Your Part B coverage will start on July 1 of that year.
  - You'll have a higher premium based on how many months passed since your Medicare enrollment ended.
  - If you're under 65 and previously qualified for Medicare due to a disability, you must restart your SSDI before you can get Part B again. Once you know your release date, contact Social Security to do this.
- **If you had Part C (Medicare Advantage) and Part D (prescription drug plan) before you were incarcerated,** these forms of coverage ended during your incarceration. If you want Part C and/or D after release, you must enroll again during your Special Enrollment Period ("SEP"). Your SEP starts the month before your release date and ends two months after that date. If you miss your SEP, you'll be charged a penalty when you try to enroll later.[461]



IMPORTANT: If you qualified for Medicare through SSDI, you must restart your SSDI before you can get Medicare coverage back. Even if you contact Social Security before your release, you won't start getting SSDI again until a month after release.

I BELIEVE MY MEDICARE WAS WRONGLY DENIED OR STOPPED. HOW DO I APPEAL?

The steps to take depend on what Medicare coverage you have, what decision you want to challenge, and what your situation is. Call 1-800-MEDICARE to learn what you can do in your situation.[462] If you need help filing an appeal, contact the Center for Medicare Advocacy at 860-456-7790.[463]

You can also appoint a representative to act on your behalf. This can be a family member, friend, advocate, attorney, doctor, or anyone else you choose. To appoint a representative:[464]

Fill out and submit an "Appointment of Representative" form (see Public Benefits Appendix F, PG. 325).[465]

- Along with your appeal, submit a written request that includes:
- Your name, address, phone number, and Medicare number;
- Your representative's name, address, phone number, professional status, and relationship to you;
- A statement that clearly (1) appoints your representative, (2) authorizes release of your personal and health information to your representative, and (3) explains why you're being represented; and
- Your signature and the date you signed; your representative's signature and the date they signed.

HELPFUL HINT

If you are eligible for both Medicare and Medicaid ("Dual Eligibility")

People who qualify for both Medicare and Medicaid are known as "dual eligibles"." People typically become "dual eligible" by first being enrolled in one program and later becoming eligible for the other program. For example, someone may already meet Medicaid's income and asset requirements, and then age into Medicare when he or she turns 65. Dual eligibles do not necessarily receive the same benefits from Medicare and Medicaid. The majority of dual eligibles receive full Medicaid benefits and assistance with Medicare premiums and cost-sharing.[466]

[461] https://www.medicareadvocacy.org/eligibility-enrollment/.
[462] How Do I File An Appeal?, MEDICARE.GOV, https://www.medicare.gov/claims-appeals/how-do-i-file-an-appeal.
[463] https://www.medicareadvocacy.org/about/.
[464] https://www.medicare.gov/claims-appeals/file-an-appeal/can-someone-file-an-appeal-for-me.
[465] Available online: http://www.cms.gov/Medicare/CMS-Forms/CMS-Forms/downloads/cms1696.pdf.
[466] https://www.myplacect.org/learn/medicaid-and-medicare/.



V. WELFARE TO WORK: JOBS FIRST EMPLOYMENT SERVICES (JFES)

WHAT WILL I LEARN?

- Participation in JFES is a condition of receiving TFA cash assistance
- Both the Department of Social Services and the Department of Labor partner to provide JFES
- How to enroll in JFES

JFES

JFES is a mandatory program if you receive TFA (unless you have an exemption from participation). JFES is designed to help you find work or get ready for employment. JFES provides employment services such as job search assistance and skills training to recipients of TFA.

CAN MY CRIMINAL HISTORY LIMIT MY ABILITY TO PARTICIPATE IN JFES?

Maybe. See the section on TFA for more details.

WHAT BENEFITS AND SERVICES CAN I GET THROUGH JFES?

It depends. JFES is tailored to each client. Services and benefits may include:

- TFA cash assistance
- Job search skills training – finding job leads, completing applications, interviewing techniques
- Individual structured job search – employment assessment and career planning, resume development
- Job readiness training – classroom instruction on job search techniques, interviewing, job placement
- Life skills training – orientation to the world of work, family budgeting
- English as a second language (ESL) – literacy instruction plus problem solving on the job or in the family
- Vocational education – preparation for up-and-coming occupations
- GED preparation
- Individual case management
- Subsidized employment – employment in the public or private sector. Employer receives subsidy to pay wages and costs of employing the individual
- Transportation
- Child care assistance

HOW DO I ENROLL IN JFES?

When you apply for TFA, the CT Department of Social Services refers you to the JFES program. Attendance at a JFES intake session and continued participation in JFES are required in order to receive TFA.

ONCE I AM ENROLLED IN JFES, WHAT RULES MUST I FOLLOW TO STAY ELIGIBLE?

Unless you have an exemption, all adult TFA recipients are required to participate in JFES. The JFES requirements include the following:

- Attend meetings
- Participate in trainings, job searches and/or classes
- Complete the number of hours required in your plan (up to 35 hours per week)
- Be available for suitable work

CAN MY CRIMINAL HISTORY LIMIT MY ABILITY TO PARTICIPATE IN JFES?

Maybe. Refer back to the explanation of how a felony drug conviction can affect your eligibility for TFA.

WHAT BENEFITS AND SERVICES CAN I GET THROUGH JFES?

You can get help with childcare, transportation, and work or training-related expenses. Even when you are no longer eligible for TFA cash aid, you may continue to receive help with childcare expenses. All JFES participants may be required to:

- Attend a group orientation that explains the cash benefit and JFES rules.
- Meet with a case manager who will look at your work history and skills, and connect you to other services you may need in order to work.
- Participate in a job search program.
- You may be assigned to an unpaid work experience/preparation; vocational training placements; or an adult education



AFTER 21 MONTHS OF TFA AND TWO EXTENSIONS, IS THERE A WAY TO GET MORE HELP?

Maybe. If, at the end of your two extensions, your family is still experiencing barriers to employment, you may be eligible for additional extensions of TFA benefits. Those barriers include, but are not limited to:

- Domestic violence
- Lack of child care
- Substance abuse or addiction
- Mental or physical health problems
- Lack of transportation
- Severe learning disability/ies
- DCF plan would preclude compliance

If you think you may have barriers to employment, contact your case manager or DSS at: 1-855-626-6632.

HELPFUL HINT

Exemptions from JFES Requirement

All adults who get TFA must participate in the JFES, unless they have an exemption from the JFES requirement. Examples of adults that are exempt from JFES include (but are not limited to), people who are:

- Age 60 or older;
- Disabled;
- Caring for an ill or incapacitated member of your household;
- The parent of a child under the age of 1 year;
- Having a pregnancy that impairs your ability to be regularly employed.

If you believe that any of these exemptions apply to you, contact your local CT Department of Social Services office or call: 1-855-626-6632. You may request an exemption verbally or in writing.

VI. SOCIAL SECURITY BENEFITS

WHAT WILL I LEARN?

- What Social Security is and how it works
- Who is eligible to receive Social Security benefits
- About the different types of Social Security benefits (retirement benefits, SSDI, SSI)
- How to apply for Social Security benefits
- How your criminal record affects your ability to get Social Security benefits
- What happens to Social Security benefits when you are incarcerated
- How to restart your Social Security benefits if they've been suspended (paused)
- What to do if your Social Security benefits have been wrongly ended or suspended

Social Security is a federal benefits program that provides cash benefits to retired people, disabled people, and their dependents. Social security is a "pay-as-you-go" program, meaning that workers pay Social Security taxes, and these taxes are used to provide benefits to Social Security beneficiaries (retired people, disabled people, and their dependents).

For starters, there are four ways to qualify for federal Social Security benefits:

1. As a retired individual;
2. As a disabled individual;
3. As the spouse or dependent of an eligible individual; or
4. As the survivor of an eligible individual.

SOCIAL SECURITY RETIREMENT BENEFITS

WHAT ARE SOCIAL SECURITY RETIREMENT BENEFITS?

Social Security retirement benefits are paid out of money collected from Social Security taxes on individual paychecks to working taxpayers.[467] For each year you work and pay Social Security taxes to the government, you earn "credits"—up to 4 per year. Generally, you need 40 credits (10 years of working and paying Social Security taxes) to qualify for retirement benefits.[468]

AM I ELIGIBLE FOR SOCIAL SECURITY RETIREMENT BENEFITS?

To get Social Security retirement benefits, you must

1. Be at least 62 years old; and
2. Have earned 40 Social Security credits (by working and paying Social Security taxes to the U.S. government for 10 full years).

You can start getting retirement benefits as early as age 62. But depending on your situation, you may want to wait so you can get a higher monthly benefit.[469] This age may be 65, 66, or 67, depending on what year you were born.[470]

CAN MY CRIMINAL HISTORY LIMIT MY ABILITY TO GET RETIREMENT BENEFITS?

Possibly—but it might be just temporary.

HOW TO CHECK FOR SOCIAL SECURITY CREDITS

If you're not sure how many Social Security credits you have, you can call the SSA (1-800-772-1213), have a Form SSA-7004, "Request for Social Security Statement" sent to you, and submit the form. If you have Internet access, you can also use the Online Retirement Estimator on the SSA's website by visiting www.ssa.gov.

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[467] Also called "FICA" taxes. http://faq.ssa.gov./en-us/Topic/article/KA-02375.
[468] Your Right to Representation (2011) PRISON LAW OFFICE, http://www.prisonlaw.com/wp-content/uploads/2015/09/BenefitsLetterAug2011.pdf (while for use in California the advice is generally applicable for use in Connecticut); What Prisoners Need to Know, SOC. SEC. ADMIN., https://www.ssa.gov/pubs/EN-05-10133.pdf; Social Security, Benefits Planner: Retirement, http:// www.ssa.gov/planners/retire/agereduction.html; SSA, How You Earn Credits (2019), http://www.ssa.gov/pubs/EN-05-10072.pdf.
[469] When to Start Receiving Retirement Benefits, SOC. SEC. ADMIN., http://www.socialsecurity.gov/pubs/EN-05-10147.pdf.
[470] To find out the full retirement age for your birth year, call the SSA at 1-800-772-1213 or visit the SSA website to See a chart: http://www.socialsecurity.gov/retire2/retirechart.htm. If you decide to start getting retirement benefits earlier, Social Security will reduce the benefit amount you get per month. If you delay getting retirement benefits until age 70 or later, you get a special credit for each month after age 70 that you're not getting retirement benefits; SSA, How You Earn Credits (2019), http://www.ssa.gov/pubs/EN-05-10072.pdf;
Your Right to Representation (2011), PRISON LAW OFFICE, http://www.prisonlaw.com/wp-content/uploads/2015/09/BenefitsLetterAug2011.pdf.



You can't receive Social Security benefits for any month that you:

1. Are confined in a correctional facility for a period of 30+ days in a row due to a conviction;[471]
2. Are confined to an institution by court order because you've been found "guilty" but insane, "not guilty" due to insanity or mental illness, or "incompetent to stand trial";[472]
3. Have an outstanding arrest warrant because you're avoiding prosecution or confinement for a felony;[473] or
4. Have been determined by a judge to be violating a condition of probation or parole.[474]
    - *Here is an example of how this works:* If you were convicted and confined on March 29, 2014 and you stayed in jail until May 2, 2014, you weren't entitled to any benefits for the months of March, April, or May since you were being confined for 35 days in a row.[475] This means you cannot collect back payments for any benefits you otherwise would have received if you never had a conviction, warrant, or violation as described in the four situations above.[476] Additionally, if you were in prison or jail over 30 days, you may have accrued an overpayment, which may be withheld from future Social Security benefits once you are released and your benefits are reinstated.[477]

Once you qualify for Social Security retirement benefits, you stay enrolled in the program as long as you're eligible. Although your benefits get suspended (paused) during incarceration, they don't get terminated (permanently ended) due to your incarceration, no matter how long your incarceration lasts.[478]

If you're currently being incarcerated for 30 or more days, and you were already getting retirement benefits when you were arrested, those benefits were paused on your 31st day of incarceration.[479] But you can apply to restart them once you have documents showing your release date (see PG. 261). However, if your confinement lasts 12 months or longer, your eligibility terminates and you must re-apply. If you weren't already getting retirement benefits when you were arrested, and being incarcerated is the only factor disqualifying you now, you can start a new Social Security application before your release (see PG. 260).[480]

HOW DO I APPLY FOR RETIREMENT BENEFITS?

You can apply online, by phone, or in person:[481]

- ***Online:*** Visit SSA's website (www.ssa.gov) and start a new application at https://secure.ssa.gov/iClaim/rib[482] or see Public Benefits Appendix E, PG. 320.
- ***By phone:*** Call the SSA at 1-800-772-1213 (TTY: 1-800-325-0778). A representative will set an appointment for you to do your application by phone. This toll-free line is open Monday through Friday, 7 AM to 7 PM. For each time you call, record the date of your call and the name of the person who assists you.[483]
- ***In person:*** First, call the SSA to find a local office near you; or, if you have Internet access, use the office locator at https://secure.ssa.gov/ICON/main.jsp. Then call the local office to make an appointment.

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[471] 42 U.S.C. § 402(x)(1)(A)(i), as amended by Public Law 106-170; ,Benefits After Incarceration, SOC. SEC. ADMIN. http://www.ssa.gov/reentry/; SSA, What Prisoners Need to Know, www.ssa.gov/pubs/EN-05-10133.pdf; Your Right to Representation to the Community (2009), BAZELON CENTER, http://www.bazelon.org/wp-content/uploads/2017/08/2017-06-29-New-SSA-and-Incarceration-Fact-Sheet-FINAL-VERSION.pdf; Your Right to Representation (2011), PRISON LAW OFFICE,http://www.prisonlaw.com/wp-content/uploads/2015/09/BenefitsLetterAug2011. "Correctional facility" would include a prison, a jail, or a halfway house controlled by your state's Department of Corrections. http://www.ssa.gov/reentry/.

[472] 42 U.S.C. § 402(x)(1)(A)(ii), as amended by Public Law 106-170; Benefits After Incarceration, SOC. SEC. ADMIN., "http://www.ssa.gov/reentry/; Your Right to Representation to the Community (2009), BAZELON CENTER, http://www.bazelon.org/wp-content/uploads/2017/08/2017-06-29-New-SSA-and-Incarceration-Fact-Sheet.

[473] 42 U.S.C. § 1382; Your Right to Representation (2011), PRISON LAW OFFICE,http://www.prisonlaw.com/wp-content/uploads/2015/09/BenefitsLetterAug2011; Social security Handbook, §1854 Certain Outstanding Warrants, www.ssa.gov/OP_Home/handbook/handbook18/handbook-1854.html; Social Security Programs Operations Manual System: How Does an Individual's Fugitive Status Affect SSI Benefits?, www.ssa.gov/poms/nsf/lnx/05005.30001; also see, Social Security Programs Operations Manual System: How Does an Individual's Fugitive Status Affect SSI Benefits?, www.ssa.gov/poms/nsf/lnx/0500530800.

[474] 42 U.S.C. § 1382. See Your Right to Representation (2011), PRISON LAW OFFICE,http://www.prisonlaw.com/wp-content/uploads/2015/09/BenefitsLetterAug2011; What Prisoners Need to Know, SOC. SEC. ADMIN. http://www.ssa.gov/pubs/EN-05-10133.pdf.

[475] Benefits After Incarceration: What You Need to Know, SOC. SEC. ADMIN. http://www.ssa.gov/reentry/.

[476] 42 U.S.C. § 1382; Social Security Programs Operations Manual System: How Does an Individual's Fugitive Status Affect SSI Benefits?, www.ssa.gov/poms/nsf/lnx/0202607550; Your Right to Representation (2011), PRISON LAW OFFICE,http://www.prisonlaw.com/wp-content/uploads/2015/09/BenefitsLetterAug2011.

[477] For example, if you were convicted and incarcerated starting on the fifth of the month, the following month's check, if cashed would be an overpayment. The best way to handle an overpayment is to return the check to SSA. http://www.socialsecurity.gov/pubs/EN-05-10098.pdf. See also, Your Right to Representation to the Community (2009), BAZELON CENTER.

[478] Your Right to Representation to the Community (2009), BAZELON CENTER http://www.bazelon.org/wp-content/uploads/2017/08/2017-06-29-New-SSA-and-Incarceration-Fact-Sheet;www.ssa.gov/pubs/EN-05-10103.pdf.

[479] Arrested? What Happens to Your Benefits?, BAZELON CENTER, http://www.bazelon.org/wp-content/uploads/2017/08/2017-06-29-New-SSA-and-Incarceration-Fact-Sheet; www.ssa.gov/pubs/EN-05-10103.pdf.

[480] Benefits After Incarceration: What You Need to Know, SOC. SEC. ADMIN., http://www.ssa.gov/reentry/; What Prisoners Need to Know, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10133.pdf.

[481] Other Ways to Apply for Benefits, SOC. SEC. ADMIN., http://www.socialsecurity.gov/info/isba/otherways.htm.

[482] See How to Apply Online for Retirement Benefits, SOC. SEC. ADMIN., http://www.socialsecurity.gov/pubs/EN-05-10523.pdf.

[483] If you complete your application within 60 days of your first call to request materials, the SSA will treat that call as the date of your application. Your Right to Representation (2011), PRISON LAW OFFICE, http://www.prisonlaw.com/wp-content/uploads/2015/09/BenefitsLetterAug2011.



TIPS:

- Before you start, you may want to look over the Social Security's application checklist[484] to gather the information you need.
- If you need help with the application, call the Social Security Administration or visit a local Social Security office. You have a right to assistance from Social Security representatives if you need help due to a disability.[485]
- You have a right to appoint any individual—such as a friend, family member, attorney, social worker, or other trusted advocate—to act as your representative in the application process. To do so, use SSA Form 1696-U4 (03-2018) [486] . See Public Benefits Appendix F, PG. 325 for a copy of the form.
- If you need benefits right away due to a financial emergency, ask if you can get "expedited" benefits.[487]

CAN I APPLY FOR RETIREMENT BENEFITS WHILE INCARCERATED?

Yes! You can't receive Social Security benefits while incarcerated[488]—but if you haven't applied before, and you think you may qualify, you can start the application process as early as several months before your release date.

Some prisons and jails have a pre-release agreement with local Social Security offices. Ask the pre-release staff if your facility has a pre-release agreement with a local Social Security Office.

- If your facility has a pre-release agreement:
  - Speak to the pre-release staff. They should be available to help you complete and submit your application before your release.
  - Pre-release staff should also notify the Social Security office about your release date.
  - Ideally, if a pre-release agreement is in place, staff should start working with you several months before your release, and Social Security should then process your application promptly so that your benefits will start shortly after you get out.[489]
- If your facility doesn't offer pre-release assistance — and/or you have trouble working with correctional staff:
  - Call Social Security to have application materials mailed to you and get help with them. Be prepared to give your Social Security number and release date. If Social Security's automated phone system doesn't accept your call, you should ask a non-incarcerated family member to call as an Authorized Representative ("AR") on your behalf (use the form in Public Benefits Appendix F, PG. 325 to appoint a family member as an AR).

WHAT TO DO IF YOU KNOW YOU WILL BE INCARCERATED 30 DAYS OR MORE:

As soon as you know that you will be incarcerated for 30 or more days, you should report this fact to Social Security so that your benefits get suspended in a timely way. If you get any Social Security checks for any months during which you're incarcerated, these will be treated as overpayments and you'll have to repay them later. The amounts might get deducted from your future Social Security benefits, when you're later released from incarceration.

[484] Checklist For Online Medicare, Retirement, and Spouses Applications, SOC. SEC. ADMIN., http://www.socialsecurity.gov/hlp/isba/10/isba-checklist.pdf.
[485] Section 504 of the Rehabilitation Act; Your Right to Representation (2011), PRISON LAW OFFICE, http://www.prisonlaw.com/wp-content/uploads/2015/09/BenefitsLetterAug2011.
[486] Your Right to Representation, SOC. SEC. ADMIN., http://www.socialsecurity.gov/pubs/EN-05-10075.pdf.
[487] PRISON LAW OFFICE, http://www.prisonlaw.com/wp-content/uploads/2015/09/BenefitsLetterAug2011.
[488] 20 C.F.R. § 404.468(a); www.ssa.gov/pubs/EN-05-10103.pdf.
[489] Entering the Community After Incarceration—How We Can Help, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10504.pdf; What Prisoners Need to Know, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10133.pdf.



- An SSA representative will set a post-release appointment for you at a local Social Security office, ask you to bring your official release documents, and tell you what else you need to do.[490]

I WAS RECEIVING RETIREMENT BENEFITS WHEN I ENTERED PRISON OR JAIL. WHAT HAPPENS TO THEM WHILE I'M INCARCERATED?

If you were convicted and incarcerated for 30 or more days in a row, your Social Security benefits got suspended on the 31st day.[491] You can't get these benefits while incarcerated, but you'll stay enrolled in the program. This means if your spouse or children have been getting benefits based on your Social Security eligibility, they'll keep getting them while you're incarcerated (even if your benefits were suspended), so long as they're eligible.[492] This also means that once you have official documents proving your release date, you can apply to restart your retirement benefits.

Please note that BEFORE you are actually convicted—even if you are incarcerated while awaiting trial—you will continue to receive Social Security benefits until you are convicted AND incarcerated for 30 days or more in a row.[493]

IMPORTANT EXCEPTIONS

Exceptions for People Incarcerated Before April 1, 2000—
What happened to your Social Security Benefits during incarceration?

If you were incarcerated before February 1, 1995: Your benefits get suspended after your 31st day of incarceration only if you were convicted of a felony.

If you were incarcerated between February 1, 1995 and March 31, 2000: You're not entitled to benefits for any month in which you were incarcerated following conviction for a crime that can be given a one-year or longer sentence by law (regardless of the actual sentence the court imposed).

If you were incarcerated before April 1, 2000: Your benefits don't get suspended if you're confined by court order because you're found "not guilty" due to insanity, "guilty" but insane, or "incompetent to stand trial."[494]

MY RETIREMENT BENEFITS STOPPED WHILE I WAS INCARCERATED. HOW DO I RESTART THEM?

Before release:

- Once you know your release date, notify your correctional counselor (or another staff member at your facility) that you want to restart your Social Security benefits. It's best to start this process at least 3 months before your release date.[495]
  - If your facility has a pre-release agreement:
    - The pre-release staff should be available to help you complete and submit the necessary paperwork in a timely way.[496]
  - If your facility doesn't offer pre-release assistance and/or you have trouble working with staff:
    - Call 1-800-772-1213 (TTY: 1-800-325-0778) to notify Social Security that you were getting retirement benefits before you got incarcerated, and you want your benefits to restart as soon as possible after your release. The toll-free line is open Monday to Friday, 7 a.m. to 7 p.m. Be prepared to provide your Social Security number and release date. A representative will set a post-release appointment for you at a local Social Security office, ask you to provide official release documents, and tell you what else you need to do.[497]

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[490] Your Right to Representation (2011), PRISON LAW OFFICE, http://www.prisonlaw.com/wp-content/uploads/2015/09/BenefitsLetterAug2011. What Prisoners Need to Know, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10133.pdf; Entering the Community After Incarceration—How We Can Help, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10504.pdf.

[491] So, for example, if you were convicted and went to prison or jail on March 3, your benefits would stop on April 2. Arrested? What Happens to Your Benefits?, BAZELON CENTER, http://www.bazelon.org/wp-content/uploads/2017/08/2017-06-29-New-SSA-and-Incarceration-Fact-Sheet.

[492] 20 C.F.R. § 404.468(a); Benefits After Incarceration: http://www.bazelon.org/wp-content/uploads/2017/08/2017-06-29-New-SSA-and-Incarceration-Fact-Sheet.

[493] What Prisoners Need to Know, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10133.pdf.

[494] 42 U.S.C. § 402(x)(1)(A)(i).

[495] See Benefits After Incarceration, SOC. SEC. ADMIN., http://www.ssa.gov/reentry/; Entering the Community After Incarceration—How We Can Help, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10504.pdf.

[496] What Prisoners Need to Know, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10133.pdf; Entering the Community After Incarceration—How We Can Help, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10504.pdf.

[497] Your Right to Representation (2011), PRISON LAW OFFICE, http://www.prisonlaw.com/wp-content/uploads/2015/09/BenefitsLetterAug2011. What Prisoners Need to Know, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10133.pdf; Entering the Community After Incarceration—How We Can Help, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10504.pdf.



- If Social Security's automated phone system doesn't accept your call, you should ask a non-incarcerated family member to call as an Authorized Representative ("AR") on your behalf (use the form in Public Benefits Appendix F, PG. 325 to appoint a family member as an AR).

You can also ask a friend, family member, or trusted advocate to communicate with Social Security about your benefits on your behalf. Remember that you have a right to appoint any individual—such as a friend, family member, attorney, or social worker—to act as your representative in the application process. To do so, use the form in Public Benefits Appendix F, PG. 325.[498]

After release:

Call 1-800-772-1213 (TTY: 1-800-325-0778) to notify Social Security that you were released from prison and want to restart your retirement benefits. Be prepared to provide your Social Security number. A representative will set an appointment for you at a local Social Security office, ask you to bring your official release documents, and tell you what else you need to do.[499]



IMPORTANT: You can't get back-payments of Social Security for the months you spent in prison or jail.[500] In other words, you can never collect retirement checks you otherwise would have gotten if you weren't incarcerated. However, you should be able to collect back-payments dating back to the month following the month of your release. For example, if you were released on October 10, 2014, you can start receiving retirement benefits again starting November 2014. Since monthly Social Security benefits are paid 1 month after they're due, you can collect your November retirement check in December 2014.[501]

[498] Your Right to Representation, SOC. SEC. ADMIN., http://www.socialsecurity.gov/pubs/EN-05-10075.pdf.
[499] Benefits After Incarceration, SOC. SEC. ADMIN. http://www.ssa.gov/reentry/; What Prisoners Need to Know, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10133.pdf.
[500] 42 U.S.C. § 1382.
[501] What Prisoners Need to Know, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10133.pdf.

SOCIAL SECURITY DISABILITY INSURANCE (SSDI)

WHAT IS SOCIAL SECURITY DISABILITY INSURANCE (SSDI)?

Social Security Disability Insurance (SSDI) benefits are paid out of money collected from Social Security taxes on individual worker's paychecks.[502] SSDI is for U.S. citizens and lawfully present noncitizens (legal permanent residents or LPRs) who have earned a certain amount of Social Security credits by working and paying Social Security taxes, but who can no longer work due to a disability.[503]

AM I ELIGIBLE FOR SSDI?

To get SSDI, you must:

Have a disability.

- A disability is a severe medical condition that prevents you from being able to work.[504]
- Once you apply for SSDI, the State of Connecticut Department of Disability Determination Services will collect medical records to decide if you have a disability.[505]
- Note: Being unemployed, incarcerated, on parole, or currently addicted to substances do not qualify as disabilities for SSDI.[506] **AND**

Have a recent and long enough work history to meet SSDI requirements.[507]

- What counts as recent and lengthy enough work history for SSDI depends on the age when you became disabled. Generally, the older you were when you became disabled, the more recent and lengthy your work must be.[508]

CAN MY CRIMINAL HISTORY LIMIT MY ABILITY TO GET SSDI?

Possibly—but this could be just temporary. You cannot get Social Security benefits for any month that you:[509]

1. Are confined in a correctional facility for a period of 30+ days in a row due to a conviction;[510]
2. Are confined to an institution by court order because you've been found "guilty" but insane, "not guilty" due to insanity or mental illness, or "incompetent to stand trial";[511]
3. Have an open arrest warrant because you're avoiding prosecution or confinement for a felony; or
4. Are found to be violating a condition of probation or parole.[512]

Here is an example of how this works: If you were convicted and confined on March 29, 2014 and stayed in jail until May 2, 2014, you were not entitled to benefits for the months of March, April, or May since you were being confined for 35 days in a row.[513] This means you cannot collect back payments for any SSDI benefits you otherwise would have received if you never had a conviction, warrant, violation, and/or period of confinement as described above.[514]

NOTES RELATED TO ELIGIBILITY FOR OTHER BENEFITS:

If you get SSDI, after your 24th month of benefits you will be automatically enrolled in Medicare (see https://www.ssa.gov/disabilityresearch/wi/medicare.htm).

If you get SSDI, benefits may also be available to certain family members, including: (1) your spouse, if he/she is age 62 or older, or caring for your child who is under 16 and has a disability; and (2) your unmarried child, if he/she is under age 18, or age 18 or older and has a disability that started before age 22 (see https://www.disability-benefits-help.org/blog/dependent-benefits

Depending on your work history, you may also be eligible for Social Security Retirement. Benefits (see PG.258).

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[502] Also called "FICA" taxes. What are FICA and SECA taxes? SOC. SEC. ADMIN., https://faq.ssa.gov/en-us/Topic/article/KA-02375.
[503] What Prisoners Need to Know, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10133.pdf; Disability Benefits, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10029.pdf.
[504] The law defines "disability" as the inability to do any "substantial gainful activity" due to a "medically determinable physical or mental impairment" that can be expected to result in death or that has lasted (or can be expected to last) for at least 12 months in a row. 20 C.F.R. § 404.1505(a).
[505] Disability Benefits, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10029.pdf. If you're blind or have low vision, special rules govern your eligibility and benefits. 20 C.F.R. § 404.1505(b); see 20 C.F.R. §§ 404.1581-404.1585; Disability Planner, SOC. SEC. ADMIN., http://www.ssa.gov/dibplan/dqualify8.htm.
[506] 42 U.S.C. § 423(d)(2)(C); What Prisoners Need to Know, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10133.pdf.
[507] DisabilityBenefits, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10029.pdf.
[508] To see detailed work requirements for people who became disabled at different ages, see DisabilityBenefits, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10029.pdf.
[509] What Prisoners Need to Know, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10133.pdf.
[510] 42 U.S.C. § 402(x)(1)(A)(i); see Benefits After Incarceration, SOC. SEC. ADMIN., http://www.ssa.gov/reentry/; "Correctional facility" would include a prison, a jail, or a halfway house or other penal institution controlled by your state's Department of Corrections. Benefits After Incarceration, SOC. SEC. ADMIN., http://www.ssa.gov/reentry/; See SSA POMS SI BOS00520.009 re halfway houses in Connecticut.
[511] 42 U.S.C. § 402(x)(1)(A)(ii); see Benefits After Incarceration, SOC. SEC. ADMIN., http://www.ssa.gov/reentry/.
[512] 42 U.S.C. § 402(x).
[513] Benefits After Incarceration: What You Need to Know SOC. SEC. ADMIN., https://www.ssa.gov/reentry/benefits.htm.
[514] 42 U.S.C. § 402(x).



Also note that you CANNOT apply for any Social Security benefits based on a disability that is related to a felony offense. For example, if you fell while committing a felony and lost your ability to walk, that disability will not qualify you for SSDI.[515] But you can apply for SSDI for disabilities that are not related to the offense.

Once you qualify for SSDI, you stay enrolled as long as you still have a qualifying disability. Although your benefits get suspended (paused) during incarceration, they won't get terminated (permanently ended) due to your incarceration.[516] This means that if your spouse or children have been getting benefits as your dependents based on your SSDI eligibility, they will keep getting benefits while you're incarcerated, as long as they stay eligible.[517]

If you're currently incarcerated for 30 or more days, and you were already getting SSDI when you were arrested, then your SSDI was suspended on your 31st day of incarceration.[518] But you can apply to restart your SSDI benefits once you have documents showing your release date. If you were not on SSDI when you were arrested, and being incarcerated is the only factor disqualifying you now, you can start a new application for SSDI before your release.[519]

IMPORTANT EXCEPTIONS

Exceptions for People Incarcerated Before April 1, 2000—What happened to your SSDI during incarceration?

If you were incarcerated between February 1, 1995 and March 31, 2000: You're not entitled to SSDI benefits for any month in which you were incarcerated following conviction of a crime punishable by more than a one-year statutory sentence, regardless of the actual sentence imposed by the court.

If you were incarcerated before February 1, 1995: Your SSDI benefits get suspended after your 31st day of incarceration only if you were convicted of a felony.

If you were incarcerated before April 1, 2000: Your SSDI benefits didn't get suspended if you were confined by court order because you were found to be "not guilty" due to insanity, "guilty" but insane, or "incompetent to stand trial.[520]

HOW DO I APPLY FOR SSDI?

You can apply online, by phone, or in person.[521]

- *Online:* Visit SSA's website (www.ssa.gov) and start a new application at https://secure.ssa.gov/iClaim/dib.[522]
- *By phone:* Call the SSA at 1-800-772-1213 (TTY: 1-800-325-0778). A representative will set up an appointment for you to do your application by phone. This toll-free line is open Monday through Friday, 7 a.m. to 7 p.m. For each time you call, record the date of your call and the name of the person who helps you.[523]
- *In person:* First, call the SSA to find the office nearest you; or, if you have Internet access, use the office locator at https://secure.ssa.gov/ICON/main.jsp. Then call to make an appointment.

TIPS FOR APPLYING TO SSDI:

- Apply as soon as possible when you become disabled. The application review process can take 3-5 months.[524]

Before you start, you may want to look over the Social Security Administration's disability application checklist (see checklist in Public Benefits Appendix G, PG. 335 to gather the information you need or look online at https://www.ssa.gov/hlp/radr/10/ovw001-checklist.pdf). [525]

- If you need help with the application, call the Social Security Administration or visit a local Social Security office. You have a right to assistance from Social Security representatives if you need help due to a disability.[526]

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[515] 42 U.S.C. § 423(d)(6)(A).
[516] Benefits After Incarceration, SOC. SEC. ADMIN., http://www.ssa.gov/reentry/.
[517] 20 C.F.R. § 404.468(a); Benefits After Incarceration: What You Need to Know, SOC. SEC. ADMIN., http://www.ssa.gov/reentry/.
[518] What Prisoners Need to Know, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10133.pdf.
[519] Benefits After Incarceration: What You Need to Know SOC. SEC. ADMIN., http://www.ssa.gov/reentry/; What Prisoners Need to Know, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10133.pdf.
[520] 42 U.S.C. § 402(x)(1)(A)(i); Finding the Key to Successful Transition from Jail or Prison to the Community, BAZELON CENTER (2009), http://www.bazelon.org/News-Publications/Publications/List/1/CategoryID/7/Level/a/ProductID/17.aspx?SortField=ProductNumber%2CProductNumber.
[521] Other Ways to Apply for Benefits, SOC. SEC. ADMIN., http://www.socialsecurity.gov/info/isba/otherways.htm.
[522] See Apply Online for Disability Benefits, SOC. SEC. ADMIN. http://www.ssa.gov/pubs/EN-05-10550.pdf.
[523] If you complete your application within 60 days of your first phone call to request information or materials, the SSA will treat that call as the date of your application. See SSA POMS VB 00201.020, https://secure.ssa.gov/poms.nsf/lnx/1400201020.
[524] Disability Benefits, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10029.pdf.
[525] Disability Planner: How You Apply, SOC. SEC. ADMIN., http://www.ssa.gov/dibplan/dapply.htm; Checklist for Online Adult Disability Application, SOC. SEC. ADMIN., http://www.ssa.gov/hlp/radr/10/ovw001-checklist.pdf.
[526] Section 504 of the Rehabilitation Act See SSA POMS DI 10005.001, https://secure.ssa.gov/poms.nsf/lnx/0410005001.



You have a right to appoint any individual—such as a friend, family member, attorney, social worker, or other trusted advocate—to act as your representative in the application process. To do so, use the "Appointment of Representative" form in Public Benefits Appendix F, PG. 325 or look online at https://www.ssa.gov/forms/ssa-1696.pdf.[527]

- If you need benefits right away due to a financial emergency, ask if you can get "expedited" benefits.[528]

CAN I APPLY FOR SSDI WHILE INCARCERATED?

Yes! You cannot receive Social Security benefits while incarcerated[529]— but if you haven't applied for SSDI before, and you think you may qualify, you can start the application process as early as several months before your release date. Keep in mind that review of an SSDI application can take 3-5 months.[530] Some prisons and jails have a **pre-release agreement** with local Social Security offices to make this process easier.

IF THIS IS YOUR SITUATION:	THIS IS WHAT YOU SHOULD DO
If your facility has a pre-release agreement	Speak to correctional staff. They may be available to help you complete and submit your SSDI application before your release. Correctional staff should also notify the Social Security office about your release date. If a pre-release agreement is in place, staff should start working with you several months before your release, and Social Security should then process your application promptly so that your benefits will start shortly after you get out.[531]
If your facility doesn't offer pre-release assistance—and/or you have trouble working with correctional staff	Call Social Security at 1-800-772-1213 (TTY: 1-800-325-0778) to have application materials mailed to you and get help with them. Be prepared to give your Social Security number and release date. If Social Security's automated phone system does not accept your call, you should ask a non-incarcerated family member to call as an Authorized Representative ("AR") on your behalf or see SSA Appointment of Representative form, https://www.ssa.gov/forms/ssa-1696.pdf to appoint a family member as an AR). The form is also in Public Benefits Appendix F, PG. 325. An SSA representative will set a post-release appointment for you at a local Social Security office, ask you to bring your official release documents, and tell you what else you need to do.[532]

PLEASE NOTE: If you become disabled while you are incarcerated, you cannot start getting benefits until (1) you've been disabled for 5 full calendar months OR (2) one full calendar month has passed after your release date—whichever is later.[533]

I WAS RECEIVING SSDI WHEN I GOT ARRESTED. WHAT HAPPENS TO IT WHILE I AM INCARCERATED?

If you were convicted and incarcerated for 30 or more days in a row, your SSDI benefits got suspended on the 31st day.[534] You cannot receive SSDI benefits while incarcerated, but you'll stay enrolled in the program. This means that if your spouse or children have been getting benefits as your dependents based on your SSDI eligibility, they will keep getting benefits

WHAT TO DO IF YOU KNOW YOU WILL BE INCARCERATED 30 DAYS OR MORE:

As soon as you know that you will be incarcerated for 30 or more days, you should report this fact to Social Security so that your benefits get suspended in a timely way. If you get any Social Security checks for any months during which you are incarcerated, these will be treated as overpayments and you'll have to repay them later. The amounts might get deducted from your future Social Security benefits, when you're later released from incarceration.

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[527] Your Right to Representation, SOC. SEC. ADMIN., http://www.socialsecurity.gov/pubs/EN-05-10075.pdf.
[528] Entering the Community After Incarceration—How We Can Help, SOC. SEC. ADMIN., http://www.3ssa.gov/pubs/EN-05-10504.pdf.
[529] 20 C.F.R. § 404.468(a).
[530] What Prisoners Need to Know, Soc. Sec. Admin., http://www.ssa.gov/pubs/EN-05-10133.pdf; Disability Benefits, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10029.pdf.
[531] Entering the Community After Incarceration—How We Can Help, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10504.pdf; What Prisoners Need to Know, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10133.pdf;Arrested? What Happens to Your Benefits?, BAZELON CENTER, http://www.kitsaPGov.com/pubdef/Forms/LinkClick.Benefits.pdf.
[532] What Prisoners Need to Know, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10133.pdf;http://www.ssa.gov/pubs/EN-05-10133.pdf; Entering the Community After Incarceration—How We Can Help, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10504.pdf; Arrested? What Happens to Your Benefits?, BAZELON CENTER, http://www.kitsaPGov.com/pubdef/Forms/LinkClick.Benefits.pdf.
[533] Disability Benefits, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10029.pdf.
[534] So, for example, if you were convicted and went to prison or jail on March 3, your benefits would stop on April 2. *Arrested? What Happens to Your Benefits?*, BAZELON CENTER, http://www.kitsaPGov.com/pubdef/Forms/LinkClick.Benefits.pdf.; Benefits After Incarceration: What You Need To Know, SOC. SEC. ADMIN., https://www.ssa.gov/reentry/benefits.htm.



while you're incarcerated, as long as they stay eligible.[535] This also means that once you have official documents proving your release from incarceration, you can apply to restart your SSDI benefits.[536]

MY SSDI STOPPED WHILE I WAS INCARCERATED. HOW DO I RESTART IT?

BEFORE RELEASE:	AFTER RELEASE:
• Once you know your release date, notify your correctional counselor (or another staff member at your facility) that you want to restart your SSDI benefits. It is best to start this process at least 3 months before your release date.[537] • If your facility has a pre-release agreement with Social Security: • Staff should be available to help you complete and submit the necessary paperwork in a timely way.[538] • If your facility doesn't offer pre-release assistance—and/or you have trouble working with correctional staff: • Call 1-800-772-1213 (TTY: 1-800-325-0778) to notify Social Security that you were getting SSDI before incarceration, and you want your benefits to restart as soon as possible after your release. The toll-free line is open Monday to Friday, 7 a.m. to 7 p.m. • Be prepared to provide your Social Security number and release date. If Social Security's automated phone system does not accept your call, you should ask a non-incarcerated family member to call as an Authorized Representative ("AR") on your behalf (use the Appointment of Representative form found in Public Benefits Appendix F, PG. 325 or look online at https://www.ssa.gov/forms/ssa-1696.pdf to appoint a family member as an AR). • A representative will set a post-release appointment for you at a local Social Security office, ask you to provide official release documents, and tell you what else you need to do.[539] • You can also ask a friend, family member, or trusted advocate to communicate with Social Security about your benefits on your behalf. You have a right to appoint any individual—such as a friend, family member, attorney, or social worker—to act as your representative in the application process. To do so, use the Appointment of Representative form found in Public Benefits Appendix F, PG. 325 or online at https://www.ssa.gov/forms/ssa-1696.pdf.[540]	• If you were not able to do so while incarcerated, call Social Security to report that you were released from prison and want to restart your SSDI benefits. A representative will set an appointment for you at a local Social Security office, ask you to bring your official release documents, and tell you what else you need to do.[541] • If your SSDI has only been suspended (paused)—which is what normally happens—it may take only a month to restart it. If you were incarcerated for 12 months or more, then your SSDI benefits would have been terminated, and you have to file a new application to reestablish your eligibility.[542]

I BELIEVE MY SSDI WAS WRONGLY DENIED OR STOPPED. HOW DO I APPEAL?

Many people who apply for SSDI are denied at first, but then get benefits once they appeal. Considering the small odds of getting approved on the first try, be prepared to get denied and to go through the appeals process.[543] If Social Security decides to deny your SSDI application, it must mail you a notice of this decision.

- **You have a right to appeal.** To do so, you must file a "Request for Reconsideration" within 60 days after the date you received the notice.[544] You can send it by mail, but it's best to file it in person at a local

[535] 20 C.F.R. § 404.468(a); Benefits After Incarceration: What You Need to Know, SOC. SEC. ADMIN., http://www.ssa.gov/reentry/, Finding the Key to Successful Transition from Jail or Prison (2009), BAZELON CENTER, www.bazelon.org/News-Publications/Publications/List/1/CategoryID/7/Level/a/ProductID/17.aspx?SortField=ProductNumber%2CProductNumber.
[536] What Prisoners Need to Know, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10133.pdf.
[537] See Benefits After Incarceration, SOC. SEC. ADMIN., http://www.ssa.gov/reentry/; Entering the Community After Incarceration—How We Can Help, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10504.pdf; Arrested? What Happens to Your Benefits?, BAZELON CENTER, http://www.kitsaPGov.com/pubdef/Forms/LinkClick.Benefits.pdf.
[538] What Prisoners Need to Know, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10133.pdf; Entering the Community After Incarceration—How We Can Help, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10504.pdf; Arrested? What Happens to Your Benefits?, BAZELON CENTER, http://www.kitsaPGov.com/pubdef/Forms/LinkClick.Benefits.pdf.
[539] What Prisoners Need to Know, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10133.pdf; Entering the Community After Incarceration—How We Can Help, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10504.pdf.
[540] Your Right to Representation, SOC. SEC. ADMIN., http://www.socialsecurity.gov/pubs/EN-05-10075.pdf.
[541] Be prepared to provide your Social Security number. See Benefits After Incarceration, SOC. SEC. ADMIN., http://www.ssa.gov/reentry/; What Prisoners Need to Know, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10133.pdf.
[542] See What Prisoners Need to Know, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10133.pdf; Entering the Community After Incarceration—How We Can Help, SOC. SEC. ADMIN., http://www.3ssa.gov/pubs/EN-05-10504.pdf; Arrested? What Happens to Your Benefits?, BAZELON CENTER, http://www.kitsaPGov.com/pubdef/Forms/LinkClick.Benefits.pdf.
[543] The Appeal Process, SOC. SEC. ADMIN., https://www.ssa.gov/pubs/EN-05-10041.pdf.
[544] 20 C.F.R. § 404.909.

Social Security office. This way you get a copy with a time-and-date stamp, which proves that you appealed on time.[545]

- You can also appeal online at: https://secure.ssa.gov/apps6z/iAppeals/ap001.jsp.
- If you miss the 60-day deadline due to factors beyond your control, like illness or hospitalization, file a request for a "good cause exception" to the deadline along with your "Request for Reconsideration."[546]

If Social Security then decides to deny your Request for Reconsideration, it must mail you a notice of this decision.

- Again, you have a right to appeal. To do so, you must file a "Request for an Administrative Law Judge Hearing" within **60 days** after the date you got the notice.[547]

You may seek representation from a legal aid organization or a private attorney.[548]

HELPFUL HINTS

SSDI Back-payments:

You cannot get back-payments of SSDI for the months you spent in prison or jail. In other words, you can never collect SSDI checks you otherwise would have gotten if you were not incarcerated. However, you should be able to collect back-payments of SSDI dating back to the month following the month of your release.

Getting SSDI on the Day You Apply:

In SPECIAL EMERGENCY CASES, you may be able to get benefits on the day you walk into the local Social Security office to complete your SSDI paperwork. This may be possible if:

(1) your SSDI was only suspended and not terminated during your incarceration, *or* you've already filed a new SSDI application before your release;
(2) you can show proof of a financial emergency; and
(3) you haven't already received benefits for the month.

SUPPLEMENTAL SECURITY INCOME (SSI)

Supplemental Security Income (SSI) provides financial support for low-income people who are 65 years old or older and/or have a disability—regardless of work history. The federal government provides certain amounts of aid for people who qualify, and Connecticut residents may be eligible for State Supplement benefits from the Department of Social Services, See https://uwc.211ct.org/state-supplement-for-the-aged-blind-and-disabled/. SSI benefits are meant to cover your basic necessities like food, clothing and shelter.[549]

AM I ELIGIBLE FOR SSI?

To be able to get SSI, you must:

1. Be at least age 65, or blind, or disabled;
   - For SSI purposes, a disability is a severe medical condition that prevents you from being able to work.[550] This is the same definition used for SSDI, and the same process is used to decide whether you have a qualifying disability.[551]
2. Have very little or no income;
   - The income limit varies by where you live and may change from year to year.[552]
3. Own limited resources;[553]
   - The resource limit means that the value of things you own (besides your home and your car) must be below a certain amount, which is set by law and differs for single and married people.[554]
4. Be living in the U.S. as a citizen or a lawfully present noncitizen (LPR);[555]

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[545] Benefits Available to Paroling & Discharging Inmates, PRISON LAW OFFICE (2011), http://www.prisonlaw.com/pdfs/BenefitsLetter,Aug2011.pdf.
[546] 20 C.F.R. § 404.911(a).
[547] 20 C.F.R. § 404.933.
[548] Your Right to Representation, SOC. SEC. ADMIN., https://www.ssa.gov/pubs/EN-05-10075.pdf; Entering the Community After Incarceration—How We Can Help, SOC. SEC. ADMIN., http://www.3ssa.gov/pubs/EN-05-10504.pdf.
[549] Supplementary Security Income (SSI), SOC. SEC. ADMIN. https://www.ssa.gov/pubs/EN-05-11000.pdf.
[550] The law defines "disability" as the inability to do any "substantial gainful activity" due to a "medically determinable physical or mental impairment" that can be expected to result in death or that has lasted (or can be expected to last) for at least 12 months in a row. 20 C.F.R. § 416.905(a).
[551] Disability Benefits, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10029.pdf.
[552] You can call Social Security to find out what current income limits apply to you. See Supplemental Security Income (SSI), SOC. SEC. ADMIN., http://www.socialsecurity.gov/pubs/EN-05-11000.pdf.
[553] Supplemental Security Income (SSI), SOC. SEC. ADMIN., http://www.socialsecurity.gov/pubs/EN-05-11000.pdf
[554] 42 U.S.C. § 1382b; 20 C.F.R. 416.1205.
[555] If you are a noncitizen, you may be able to get SSI if you meet specific requirements; the rules on this are complex. See https://www.ssa.gov/pubs/EN-05-11051.pdf.



5. Apply for any other cash benefits you might be eligible for[556]; **AND**
6. Not be currently incarcerated (details below).[557]

HOW SSI AFFECTS YOUR ABILITY TO GET OTHER PUBLIC BENEFITS:

- Connecticut residents may be eligible for State Supplement benefits.[558]
- Depending on your work history, you may be eligible to get retirement benefits and/or SSDI in addition to SSI.[559]

CAN MY CRIMINAL HISTORY LIMIT MY ABILITY TO GET SSI?

Possibly—but it could be just temporary. You cannot get SSI for any month that you:[560]

1. Are confined in a correctional facility for that full calendar month;
2. Have an outstanding arrest warrant because you're avoiding prosecution or confinement for a felony; or
3. Are found to be violating a condition of probation or parole.[561]

- ***Here is an example of how this works:*** If you went to jail on March 29, 2018 and you remained in jail until May 2, 2018, you were not entitled to SSI benefits for the months of March, April, or May.[562] This means you can't collect "back payments" for SSI benefits that you would have received if you never had a violation, warrant, and/or period of confinement as described in the three situations above.[563] Additionally, your benefits will be paused for up to one year. After that, they will be ended and you will need to re-apply.

HOW DO I APPLY FOR SSI?

You can apply by phone or in person:[564]

- *By phone:* Call Social Security at 1-800-772-1213 (TTY: 1-800-325-0778). A representative will set an appointment for you to do your application by phone. This toll-free line is open Monday through Friday, 7 AM to 7 PM. For each time you call, record the date of your call and the name of the person who assists you. If you complete your application within 60 days of your first call to request information or materials, the SSA will treat that call as the date of your application.[565]
- *In person:* First, call Social Security to find a local office near you; or, if you have Internet access, use the office locator at https://secure.ssa.gov/ICON/main.jsp. Then call the local office to make an appointment. You can begin the application and complete a large part of the application by visiting the SSA website at www.socialsecurity.gov/applyforbenefits.

TIPS FOR APPLYING FOR SSI:

If you're applying based on a disability, apply as soon as possible when you become disabled. The application review process can take 3-5 months.[566]

Before you start, you may want to look over the Social Security Administration's SSI brochure (available online at http://www.socialsecurity.gov/pubs/EN-05-11000.pdf) and/or disability application checklist (see Public Benefits Appendix G, PG. 335)[567] to know what you'll need.

If you need help with the application, call the Social Security Administration or visit a local Social Security office. You have a right to assistance from Social Security representatives if you need help due to a disability.[568]

You have a right to appoint any individual—such as a friend, family member, attorney, social worker, or other trusted advocate—to act as your representative in the application process. To do so, use the "Appointment of Representative" form found in the Public Benefits Appendix F, PG. 325 and at https://www.ssa.gov/forms/ssa-1696.pdf.[569]

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[556] 20 C.F.R. § 416.210.
[557] Supplemental Security Income (SSI), Soc. Sec. Admin., http://www.socialsecurity.gov/pubs/EN-05-11000.pdf.
[558] See https://uwc.211ct.org/state-supplement-for-the-aged-blind-and-disabled/.
[559] Supplemental Security Income (SSI) Benefits, Soc. Sec. Admin., http://www.socialsecurity.gov/pubs/EN-05-11000.pdf.
[560] What Prisoners Need to Know, Soc. Sec. Admin., http://www.ssa.gov/pubs/EN-05-10133.pdf.
[561] 42 U.S.C. § 1382 see also What You Need to Know When You Get Supplemental Security Income (SSI), Soc. Sec. Admin., http://www.ssa.gov/pubs/EN-05-11011.pdf.
[562] Benefits After Incarceration: What You Need to Know, Soc. Sec. Admin., https://www.ssa.gov/reentry/benefits.htm.
[563] 42 U.S.C. § 1382.
[564] See Supplemental Security Income (SSI) Benefits, Soc. Sec. Admin., http://www.ssa.gov/disabilityssi/ssi.html.
[565] See SSA POMS VB 00201.020, https://secure.ssa.gov/poms.nsf/lnx/1400201020.
[566] Disability Benefits, Soc. Sec. Admin., http://www.ssa.gov/pubs/EN-05-10029.pdf.
[567] Disability Planner: How You Apply, Soc. Sec. Admin., http://www.ssa.gov/dibplan/dapply.htm; Checklist for Online Adult Disability Application, Soc. Sec. Admin., http://www.ssa.gov/hlp/radr/10/ovw001-checklist.pdf.
[568] Understanding Supplemental Security Income SSI Application Process And Applicants' Rights, SOC. SEC. ADMIN., https://www.ssa.gov/ssi/text-apply-ussi.htm.
[569] Your Right to Representation, Soc. Sec. Admin., http://www.socialsecurity.gov/pubs/EN-05-10075.pdf.



If you need benefits right away due to a financial emergency, ask if you can get "expedited" payments.[570]

CAN I APPLY FOR SSI WHILE INCARCERATED?

Yes! You cannot receive SSI benefits while incarcerated.[571] But if you have not applied for SSI before, and you think you may qualify, you can start the application process as early as 90 days before your release date. Keep in mind that review of an SSI application can take 3-5 months.[572] See Public Benefits Appendix H, PG. 337 for information about applying for SSI pre-release.

Some prisons and jails have a pre-release agreement with local Social Security offices.

- *If your facility has a pre-release agreement*, speak to correctional staff. They may be available to help you complete and submit your SSI application before your release.
  - Correctional staff should also notify the Social Security office about your release date.
  - Ideally, if a pre-release agreement is in place, staff should start working with you several months before your release, and the Social Security office should then process your application promptly so that your benefits will start shortly after you get out.
- *If your facility doesn't offer pre-release assistance and/or you have trouble working with correctional staff*, call Social Security at 1-800-772-1213 (TTY: 1-800-325-0778) to have application materials mailed to you and get help with them. Be prepared to give your release date.
  - If Social Security's automated phone system does not accept your call, you should ask a non-incarcerated family member to call as an Authorized Representative ("AR") on your behalf (use the form found in the Public Benefits Appendix F, PG. 325 and at https://www.ssa.gov/forms/ssa-1696.pdf to appoint a family member as an AR).
  - An SSA representative will set a post-release appointment for you at a local Social Security office, ask you to bring your official release documents, and tell you what else you need to do.[573]

I WAS RECEIVING SSI WHEN I ENTERED PRISON OR JAIL. WHAT HAPPENS TO IT WHILE I'M INCARCERATED?

It depends on how long your incarceration period lasts—and, specifically, how many full *calendar* months you spend in prison or jail: [574]

- If your incarceration does not last a full calendar month, your SSI benefits generally continue without interruption. Once you have spent a full calendar month in prison or jail, your SSI benefits get suspended (put on pause).
- If your incarceration lasts for less than 12 calendar months in a row, your SSI benefits stay suspended, but you remain enrolled in SSI. This means once you are released, Social Security can promptly restart your SSI benefits if it has proof that you've been released and proof that you still qualify based on income and resources. You will not be required to show new proof of your disability—although you should promptly report any changes to your disabled condition. For details on how to restart your SSI after release from incarceration, see What Prisoners Need to Know, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10133.pdf.
- If your incarceration lasts 1 year or more, and your SSI has been suspended for 12 calendar months in a row, your SSI gets terminated (officially ended). This means you are no longer enrolled in SSI. If you want to get SSI after your release, you must file a new SSI application, including proof of your income and resources and proof of your disability. Initially, processing your new SSI application may take 3-5 months. (For general information on how to start a new SSI application, see Supplemental Security Income (SSI), SOC. SEC. ADMIN., http://www.socialsecurity.gov/pubs/EN-05-11000.pdf. For details on how to apply for SSI while incarcerated, see Supplemental Security Income (SSI) Benefits, SOC. SEC. ADMIN., http://www.ssa.gov/disabilityssi/ssi.html.

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[570] Expedited Payments https://www.ssa.gov/ssi/text-expedite-ussi.htm.
[571] 20 C.F.R. §§ 416.201, 416.211.
Disability Benefits, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10029.pdf.
[573] What Prisoners Need to Know, SOC. SEC. ADMIN. http://www.ssa.gov/pubs/EN-05-10133.pdf; Entering the Community After Incarceration—How We Can Help, SOC. SEC. ADMIN, http://www.ssa.gov/pubs/EN-05-10504.pdf; Arrested? What Happens to Your Benefits?, BAZELON CENTER, http://www.kitsaPGov.com/pubdef/Forms/LinkClick.Benefits.pdf.
[574] What Prisoners Need To Know, SOC. SEC. ADMIN., https://www.ssa.gov/pubs/EN-05-10133.pdf, What You Need to Know When You Get Supplemental Security Income (SSI), SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-11011.pdf.



BELOW IS A CHART THAT SUMMARIZES HOW THE TIMING OF YOUR INCARCERATION AND RELEASE WILL AFFECT YOUR SSI ELIGIBILITY.[575]

IF THIS IS YOUR SITUATION:	THIS IS WHAT WILL HAPPEN TO YOUR ELIGIBILITY FOR SSI:	FOR EXAMPLE:
Incarcerated for less than one full calendar month:	You stay enrolled in SSI. You stay eligible to receive SSI benefits. • Your benefits are not suspended. • You continue to get full benefits.	Suppose you went to prison on February 10, 2014 and got out March 30, 2014: • You were not in prison for a full calendar month—only part of February and part of March. So there are no changes to your eligibility, and you should have received all your benefits as usual.
Incarcerated for one full calendar month:	You stay enrolled in SSI. Your ability to receive SSI benefits is put on pause. • After a full calendar month, benefits are suspended, but not terminated. • You lose full benefits for that full calendar month. • Your benefits can restart post-release.	Suppose you went to prison on February 10, 2014 and got out on April 1, 2014: • You lost your March benefits, since you were in prison for that full calendar month. • You can keep your February benefits, since you were in prison for just part of that month. • You should get your full April benefit—but it may be delayed unless you promptly notify Social Security of your release.
Incarcerated for at least one full calendar month, then released after the 1st of another month:	You stay enrolled in SSI. Your ability to receive SSI benefits is put on pause. • After a full calendar month, benefits are suspended, but not terminated. • If you notify SSA of your release date in advance, your benefits can restart promptly upon release. • You can get partial payment for the calendar month of your release date. • You can get full benefits for the following calendar month after release.	Suppose you went to prison on February 10, 2014 and got out on May 15, 2014: • You lost your March and April benefits, since you were in prison for those full calendar months. • You lost half your May benefit, since you were in prison for half that calendar month; but you are entitled to the other half. You should also get your full June benefit. • If you notify SSA in advance, your benefits may be available as early as your release date.
Incarcerated for 12+ full calendar months in a row, then released:	You <u>do not</u> stay enrolled in SSI. You must reapply to get SSI benefits again. • After a full calendar month, your benefits are suspended. • After 12 calendar months of being suspended, benefits are terminated. • You must file a new SSI application, including proof of disability, which can take 12-18 months to process. You can start your application process before release.	Suppose you went to prison on January 20, 2012 and got out February 10, 2013: • After you have been incarcerated for the full calendar month of February 2012, your benefits are suspended starting March 1, 2012. • After your benefits have been suspended from March 2012 through February 2013 (12 calendar months), they are terminated on March 1, 2013. • If you want to get back on SSI after release, you must file a new SSI application, which you can start before your release date. <u>BUT</u> Suppose you went to prison on January 20, 2012 and got out January 20, 2013: • After you have been incarcerated for the full month of February 2012, your benefits are suspended starting March 1, 2012. • You lost benefits for March through December (10 months), since you were in prison for those full calendar months. • Your benefits were suspended for 10 calendar months: not long enough to get terminated. So if you notify SSA in advance, your benefits may be available as early as your release date.

[575] Benefits After Incarceration: What You Need To Know, SOC. SEC. ADMIN., https://www.ssa.gov/reentry/benefits.htm; What Prisoners Need to Know, SOC. SEC. ADMIN. http://www.ssa.gov/pubs/EN-05-10133.pdf.



MY SSI BENEFITS STOPPED WHILE I WAS INCARCERATED. HOW DO I RESTART THEM?

Follow the instructions in the chart below based on your situation.

BEFORE RELEASE:	AFTER RELEASE:
Once you know your release date, notify your correctional counselor (or another staff member at your facility) that you want to restart your SSI benefits It is best to start this process at least 3 months before your release.[576] • *If your facility has a pre-release agreement with Social Security*, staff should be available to help you complete and submit the necessary paperwork in a timely way.[577] • *If your facility doesn't offer pre-release assistance—and/or you have trouble working with correctional staff*—call Social Security at 1-800-772-1213 (TTY: 1-800-325-0778) to notify Social Security that you were getting SSI before incarceration, and you want your benefits to restart as soon as possible after your release. The toll-free line is open Monday to Friday, 7AM to 7PM. Be prepared to provide your Social Security number and release date. A representative will set a post-release appointment for you at a local Social Security office, ask you to provide official release documents, and tell you what else you need to do.[578] You can also ask a friend, family member, or trusted advocate to communicate with Social Security about your benefits on your behalf. See Appointment of Representative form in the Public Benefits Appendix F, PG. 325 or at https://www.ssa.gov/forms/ssa-1696.pdf for paperwork to complete.[579]	If you were not able to do this while incarcerated, call Social Security to report that you were released from prison and want to restart your SSI benefits. A representative will set an appointment for you at a local Social Security office, ask you to bring your official release documents, and tell you what else you need to do. You will also need your social security number.[580] • If your SSI has only been suspended and not terminated, it may take only a month to restart your benefits. If your SSI has been terminated, you may have to file a new application and wait 3-5 months.[581] • In special cases, you may be able to get benefits on the day you walk into the local Social Security office to complete your SSI paperwork. This is possible if (1) your SSI was only suspended and not terminated during incarceration, or you filed a new SSI application while incarcerated and it was approved before your release; and (2) you can show proof of a financial emergency; and (3) you haven't already received benefits for the month.[582]

HELPFUL HINT
SSI Backpayments

You cannot get back-payments of SSI for any months you spent incarcerated.[583] In other words, you can never collect checks you otherwise would have gotten if you weren't incarcerated. But you should be able to collect benefits dating back to your release. *So, for example, if you were incarcerated on June 7, 2014 and released on September 7, 2014, your SSI can be restarted as of September 7. You'll be eligible for a partial SSI payment for September and full benefits for October.*[584] If your SSI application is approved pre-release, SSI benefits should be paid to you immediately upon release. If your SSI application is approved post-release, SSI benefits should be paid to you immediately upon approval; and you should get retroactive payments that date back to the date of your release.

I BELIEVE MY SSI WAS WRONGLY DENIED OR STOPPED. HOW DO I APPEAL?

Many people who apply for SSI are denied at first, but then get benefits once they appeal. Considering the small odds of getting approved on the first try, be prepared to get denied and to go through the appeals

[576] See Benefits After Incarceration, SOC. SEC. ADMIN., http://www.ssa.gov/reentry/; Entering the Community After Incarceration—How We Can Help, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10504.pdf; Arrested? What Happens to Your Benefits?, BAZELON CENTER, http://www.kitsaPGov.com/pubdef/Forms/LinkClick.Benefits.pdf.
[577] What Prisoners Need to Know, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10133.pdf; Entering the Community After Incarceration—How We Can Help, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10504.pdf; Arrested? What Happens to Your Benefits?, BAZELON CENTER, http://www.kitsaPGov.com/pubdef/Forms/LinkClick.Benefits.pdf.
[578] What Prisoners Need to Know, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10133.pdf; Entering the Community After Incarceration—How We Can Help, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10504.pdf.
[579] See Your Right to Representation, SOC. SEC. ADMIN., http://www.socialsecurity.gov/pubs/EN-05-10075.pdf.
[580] Benefits After Incarceration, SOC. SEC. ADMIN., http://www.ssa.gov/reentry/; What Prisoners Need to Know, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10133.pdf.
[581] What Prisoners Need to Know, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10133.pdf; Entering the Community After Incarceration—How We Can Help, SOC. SEC. ADMIN., http://www.3ssa.gov/pubs/EN-05-10504.pdf.
[582] What Prisoners Need to Know, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10133.pdf; Entering the Community After Incarceration—How We Can Help, SOC. SEC. ADMIN., http://www.3ssa.gov/pubs/EN-05-10504.pdf.
[583] 42 U.S.C. § 1382.
[584] 20 C.F.R. § 416.211 See also What Prisoners Need to Know, SOC. SEC. ADMIN., http://www.ssa.gov/pubs/EN-05-10133.pdf.



process.[585] NOTE: The rules and procedures for appealing SSI decisions are the same as for SSDI See The Appeals Process, SOC. SEC. ADMIN., https://www.ssa.gov/pubs/EN-05-10041.pdf.

If Social Security decides to deny your SSI application, it must mail you a notice of this decision.

- You have a right to appeal. To do so, you must file a Request for Reconsideration within 60 days after the date you got the notice.[586] You can send it by mail, but it's best to file it in person at a local Social Security office. This way you get a copy with a time-and-date stamp, which proves that you appealed on time.
- If you miss the 60-day deadline due to factors beyond your control, like illness or hospitalization, file a request for a "good cause exception" to the deadline along with your Request for Reconsideration.[587]

If Social Security then decides to deny your Request for Reconsideration, it must mail you a notice of this decision.

- Again, you have a right to appeal. To do so, you must file a Request for an Administrative Law Judge Hearing within 60 days after the date you got the notice.[588]

If you can't afford a lawyer to help with your appeal, you may be able to find legal assistance by contacting a legal aid program or a private attorney.[589]

[585] See The Appeals Process, SOC. SEC. ADMIN., https://www.ssa.gov/pubs/EN-05-10041.pdf.
[586] 20 C.F.R. § 416.1409.
[587] 20 C.F.R. § 416.1411(a).
[588] 20 C.F.R. § 416.1433.
[589] Your Right to Representation, SOC.SEC.ADMIN., https://www.ssa.gov/pubs/EN-05-10075.pdf.

VII. VETERAN'S BENEFITS

WHAT WILL I LEARN?

- What benefits are available to veterans
- Who is eligible to receive veterans benefits
- What effect your criminal history has on your ability to receive veterans benefits
- Whether you can apply for veterans benefits while incarcerated
- The effects of incarceration, if you were already receiving veterans benefits
- What to do if your veterans benefits are reduced or stopped
- What to do if you're disqualified from VA benefits due to your discharge status

The federal Department of Veterans Affairs (VA) provides various benefits to U.S. military veterans, including: disability compensation, pensions, education benefits, vocational and employment services, healthcare benefits, insurance benefits, and survivors' and dependents' benefits.[590] Here you will learn about how your criminal record and incarceration may affect your access to these benefits. For more detailed and comprehensive information, you should read:

1. The Guide to Veteran's Benefits in Connecticut,[591] an overview of veterans' resources across the state; and
2. The State of Connecticut Guide to Benefits and overview of the benefits offered. You can also call the VA at 1-800-827-1000 (TDD 1-800-829-4833) with questions and to obtain copies of all these resources.[592] If you have Internet access, visit www.benefits.va.gov/benefits for further details and downloadable forms; and visit www.ebenefits.va.gov to view your status, access your documents, and apply for VA benefits.

VETERAN SERVICE ADVOCATE

The law requires some correctional facilities to refer veterans to a veteran service advocate to help them with reentry to the community from certain correctional facilities prior to release and a referral to a Veteran Services Office that can assist veterans after release.

AM I ELIGIBLE FOR VETERANS' (VA) BENEFITS?

Generally, to be eligible for most VA benefits:

- You must have been discharged from active military service,[593] and
- You must have served the minimum time in service;[594] and
- Your character of discharge must not be dishonorable or based on bad conduct;[595] and
- You must not be statutorily barred from all VA benefits because of your reason for discharge; and
- You must not currently be wanted for an open felony warrant.[596]

Your basic eligibility for different benefits will also depend on the type of military service you performed, how long you served, and other specific needs or issues you may have.[597] For more details about benefits you may qualify for, visit a VA regional office, call 1-800-825-1000, visit www.va.gov/benefits, or create an account at www.ebenefits.va.gov.[598]

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[590] See U.S.C. Title 38; Federal Benefits for Veterans Dependents and Survivors (2014), U.S. DEP'T OF VETERANS AFFAIRS, www.va.gov/opa/publications/benefits_book.asp; Your Right to Representation (2011), PRISON LAW OFFICE, http://www.prisonlaw.com/pdfs/BenefitsLetter,Aug2011.pdf; Summary of VA Benefits, U.S. DEP'T OF VETERANS AFFAIRS, www.benefits.va.gov/BENEFITS/benefits-summary/SummaryofVABenefitsFlyer.pdf.

[591] https://portal.ct.gov/DVA/Pages/Guide-to-Veteran-Benefits-in-Connecticut

[592] Federal Benefits for Veterans Dependents & Survivors (2014), U.S. DEP'T OF VETERANS AFFAIRS, www.va.gov/opa/publications/benefits_book.asp.

[593] Active service means full-time service, other than active duty for training, as a member of the Army, Navy, Air Force, Marine Corps, Coast Guard; or as a commissioned officer of the Public Health Service, Environmental Science Services Administration or National Oceanic and Atmospheric Administration, or the Coast and Geodetic Survey. U.S.C. Title 38; Federal Benefits for Veterans Dependents & Survivors (2014), U.S. DEP'T OF VETERANS AFFAIRS, www.va.gov/opa/publications/benefits_book.asp.

[594] A person who originally enlists after September 7, 1980 must complete either twenty-four months of continuous active duty or the full period for which the person was called or ordered to active duty. 38 C.F.R. § 3.12a. Persons who enlisted prior to September 7, 1980 or persons with a compensable service-connected disability are not subject to the minimum time in service requirement. 38 C.F.R. § 3.12(a).

[595] U.S.C. Title 38; Federal Benefits for Veterans Dependents & Survivors (2014), U.S. DEP'T OF VETERANS AFFAIRS, www.va.gov/opa/publications/benefits_book.asp. For education benefits, the requirement is stricter: your character of discharge or service must be honorable. See Applying for Benefits & Your Character of Discharge, U.S. DEP'T OF VETERANS AFFAIRS, www.benefits.va.gov/benefits/character_of_discharge.asp.

[596] Federal Benefits for Veterans Dependents & Survivors (2014), U.S. DEP'T OF VETERANS AFFAIRS, www.va.gov/opa/publications/benefits_book.asp.

[597] Claims for VA Benefits & Character of Discharge, U.S. DEP'T OF VETERANS AFFAIRS, www.benefits.va.gov/BENEFITS/docs/COD_Factsheet.pdf.

[598] Summary of VA Benefits, U.S. DEP'T OF VETERANS AFFAIRS, www.benefits.va.gov/BENEFITS/benefits-summary/SummaryofVABenefitsFlyer.pdf.

INFORMATION ABOUT DISHONORABLE DISCHARGES

Certain dishonorable discharges may bar you from all VA benefits. But for some dishonorable discharges, including most situations involving a felony conviction, you might still qualify for benefits if the VA reviews your case and decides your discharge *wasn't* under dishonorable conditions through a "discharge upgrade."[599]

More specifically, if you have a discharge status of *honorable* or *general under honorable conditions*, you are automatically eligible to apply for most VA Benefits including VA health care, VA Compensation, and VA Pension.[600] If you have a discharge status of *dishonorable* or *bad conduct (by general court martial)* you are likely barred from all VA benefits.[601] If you have a discharge status of *other than honorable (OTH), bad conduct (special court martial), or uncharacterized, the* VA is required to make an individual determination as to whether you were discharged or released under conditions other than dishonorable. This determination is based solely on your period of service in the military, not conduct or convictions post-service.[602]

DISHONORABLE CONDITIONS

Under VA regulations, your discharge was issued "under dishonorable conditions" if you were released under any of the following circumstances:

- "acceptance of an undesirable discharge to escape trial by general court-martial";
- "mutiny or spying";
- "an offense involving moral turpitude (generally including conviction of a felony)";
- "willful and persistent misconduct"; or
- "homosexual acts involving aggravated circumstances or factors affecting the performance of duty."

CAN MY CRIMINAL HISTORY LIMIT MY ABILITY TO GET VA BENEFITS?

Yes. You're *not* eligible for VA compensation, pension, or death benefits if:

- You're currently wanted for an open warrant on a felony charge;
- You're violating a probation or parole condition for a felony sentence;[603] or
- You have a felony conviction that led to your discharge[604]—unless and until the VA reviews your case and determines that the circumstances leading to your discharge may have been "other than dishonorable."[605]

In addition, for certain VA benefits, your benefit amounts will be restricted or discontinued if you've been incarcerated for 60 or more days for a felony conviction.

IMPORTANT: INFORMATION ABOUT MILITARY SERVICE & DISCHARGE CONDITIONS:

If you served more than one term of active military service, and your discharge for one of the terms was under dishonorable conditions, you may not be eligible for VA benefits based on that term—however, if your discharge for a *different* term of service ended under honorable conditions, you can still be eligible for VA benefits based on this separate term.[606]

Also, if you completed a full term of enlistment, and it didn't end with a formal discharge because you later reenlisted, you can still be eligible for VA benefits based on completion of that first term.[607]

If you have disabilities that are service-connected, and your discharge was under dishonorable conditions, you may not be eligible for VA disability compensation due to your discharge status. However, as long as your discharge isn't related to a situation that would absolutely disqualify you from VA benefits by law you may still be eligible for VA health care benefits (e.g., treatment at a VA medical facility) for those disabilities.[608].

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[599] 38 C.F.R. § 3.12(d); Claims for VA Benefits & Character of Discharge: General Information, U.S. DEP'T OF VETERANS AFFAIRS, http://www.benefits.va.gov/BENEFITS/docs/COD_Factsheet.pdf.www.benefits.va.gov/BENEFITS/docs/COD_Factsheet.pdf.

[600] A discharge under honorable conditions is binding on the Department of Veterans Affairs as to character of discharge. 38 C.F.R. § 3.12(a).

[601] 38 C.F.R. § 3.12(a).

[602] M21-1manual rewrite (MR), Part III, Subpart v, Chapter 1, Section B; Beyond "T.B.D." Understanding VA's Evaluation of a Former Service member's benefits eligibility following involuntary or punitive discharge from the armed services, 214 MIL. L. REV. WINTER 2012.

[603] 38 U.S.C. § 5313B; C.F.R. 38 §§ 3.665(n), 3.666(e); Federal Benefits for Veterans Dependents & Survivors (2014), U.S. DEP'T OF VETERANS AFFAIRS, www.va.gov/opa/publications/benefits_book.asp. If the VA believes that you are in violation of probation or parole you must be provided notice by the VA and an opportunity to present evidence, such as evidence that you are not in violation of probation or parole. See VBA Letter 20-14-09 (June 23, 2014). If the VA determines based upon the warrant and evidence that you submitted that you are fleeing from justice or violated a condition of your probation or parole, your benefits will be terminated. See VBA Letter 20-14-09 (June 23, 2014).

[604] That is, if you were released because of an "offense involving moral turpitude." 38 C.F.R. § 3.12(d); Claims for VA Benefits & Character of Discharge, U.S. DEP'T OF VETERANS AFFAIRS, www.benefits.va.gov/BENEFITS/docs/COD_Factsheet.pdf.

[605] Claims for VA Benefits & Character of Discharge, U.S. DEP'T OF VETERANS AFFAIRS, www.benefits.va.gov/BENEFITS/docs/COD_Factsheet.pdf.

[606] Claims for VA Benefits & Character of Discharge, U.S. DEP'T OF VETERANS AFFAIRS, www.benefits.va.gov/BENEFITS/docs/COD_Factsheet.pdf.

[607] For example, if an individual enlisted for three years, completed the three years and reenlisted for two more years, then received a discharge under other than honorable conditions during the second enlistment, VA benefits may be provided based on the first period of service, even if it is determined that the character of discharge of the second period of service is a bar to benefits. See Claims for VA Benefits & Character of Discharge, U.S. DEP'T OF VETERANS AFFAIRS, www.benefits.va.gov/BENEFITS/docs/COD_Factsheet.pdf.

[608] Claims for VA Benefits & Character of Discharge: General Information, U.S. DEP'T OF VETERANS AFFAIRS, http://www.benefits.va.gov/BENEFITS/docs/COD_Factsheet.pdf.



HOW DO I APPLY FOR VA BENEFITS?

The required forms and steps vary for different types of VA benefits. For most VA benefits, you can submit your application online, by mail, or in person at a Regional Benefit Office.

You can get more details about different VA benefits online, by phone, by mail, or in person:

- ***Online:*** Visit the Veterans Benefits Administration website for a list of benefit types, along with links to forms and instructions on how to apply: www.benefits.va.gov/BENEFITS/Applying.asp.
- ***By phone:*** Call 1-800-827-1000 for questions about benefits; 1-877-222-8387 for questions about health care.
- ***By mail:*** Send a written request to the Regional Benefit Office listed below.
  - Hartford Regional Benefit Office: 555 Willard Ave. Newington, CT 06111
- ***In person:*** Visit the Regional Benefit Office listed above, or visit any Intake Site. To find an Intake Site near you, ask a Regional Benefit Office or search the online directory at www.va.gov/directory/guide/home.asp.

CAN I APPLY FOR VA BENEFITS WHILE INCARCERATED?

Yes. Although your eligibility for VA benefits may be limited or cut off during incarceration, there are various VA benefits you can apply for while incarcerated. There are certain benefits you can apply for and receive in full while incarcerated; and there are certain other benefits you should start applying for while incarcerated so that you can access them immediately upon your release. Information about some of these benefits is provided below. Contact the VA at 1-800-827-1000 (TDD 1-800-829-4833) for further details.

Overview of VA benefits You Can (& Can't) Apply for While Incarcerated:

VA Benefits You CAN Apply for:	VA Benefits You CAN'T Apply For:
Service-related disability compensation, disability pensions, dependency benefits, and death benefits[609] Apportionment of benefits if incarcerated for a non-felony. This means you can ask the VA to pay your dependent(s) some or all of the benefits that you can't receive while incarcerated.[610] You or your dependent(s) must complete VA Form 21-0788 (see https://www.vba.va.gov/pubs/forms/vba-21-0781-are.pdf)[611] and submit it to a VA Regional Office.[612] You CAN apply for education benefits while incarcerated: For a non-felony, you can get full monthly education benefits.[613] For a felony, you can get benefits to cover the costs of your tuition, fees, and necessary books and supplies—if no other government program is covering these costs.[614]	You can't apply for or receive any non-service-related pension benefits while incarcerated for a felony.

[609] The law restricts the amounts you receive while incarcerated (see PG. 536). See 38 U.S.C. § 5313(a), 38 C.F.R. § 3.665(a), (d); Federal Veterans Benefit: Incarceration Information, WASH. STATE DEP'T OF CORR., www.doc.wa.gov/family/docs/VAFederalBenefits.pdf.

[610] If you're incarcerated for 60+ days, on the 61st day the VA will reduce any disability compensation and pension payments you were getting (see PG. 536). 38 U.S.C. § 5313(a), 38 C.F.R. § 3.665(a), (d); Federal Veterans Benefit: Incarceration Information ,WASH. STATE DEP'T OF CORR., www.doc.wa.gov/family/docs/VAFederalBenefits.pdf.

[612] In deciding whether and how much apportionment to award your family member(s), the VA will consider various factors including their income, living expenses, and any special needs. 38 U.S.C. § 5313(a), 38 C.F.R. § 3.665(a), (d); Federal Veterans Benefit: Incarceration Information, WASH. STATE DEP'T OF CORR., www.doc.wa.gov/family/docs/VAFederalBenefits.pdf.

[613] Incarcerated Veterans: How Incarceration Affects Eligibility for VA benefits, U.S. DEP'T OF VETERANS AFFAIRS, www.benefits.va.gov/persona/veteran-incarcerated.asp.

[614] If another government program is covering part of these costs, you can apply for VA benefits to cover the rest. See Health Care for Re-entry Veterans Services & Resources, U.S. DEP'T OF VETERANS AFFAIRS, www.va.gov/homeless/reentry.asp; Guidebook for Connecticut Incarcerated Veterans, 4th ed. (July 2013), U.S. DEP'T OF VETERANS AFFAIRS, www.va.gov/HOMELESS/docs/Reentry/09_ca.pdf.



Pre-release steps for securing VA health care (& other benefits):

- *Meet with your region's Re-entry Specialist.* Every region of the U.S. has a VA Re-entry Specialist who can help determine your eligibility for VA benefits. He/she can also help you enroll, restart disability benefits, getting your DD-214 (explained below), and connecting you with services. Your region's Re-entry Specialist should be scheduled to visit your facility at least yearly.

Enroll with the VA. Do this by visiting with a Re-entry Specialist, OR by submitting a VA Form 10-10EZ by mail. (See copy of form in https://www.va.gov/vaforms/medical/pdf/1010ez-fillable.pdf.) If your release date is within 6 months and you haven't seen a Re-entry Specialist, enroll by mail to ensure timely access to services. To request a form, write to a VA Enrollment Office near your place of release (directory online at http://www.va.gov/directory/guide), and mail back your completed form with "VA Enrollment" written on the envelope.

- *Get a copy of your "DD-214: Report of Separation."* Have this ready before release. This is your proof of military service, and it's a key to your access to job opportunities, community resources, and health care. To request your DD-214, write to: National Personnel Records Center; 1 Archives Drive; St. Louis, MO 63136.
- *File for service-related disability compensation or disability pension, if that applies to you.*[615]

COMPENSATION AND PENSION EXAMINATION?

Even if you are incarcerated, the VA is obligated to provide you with a compensation and pension examination when one is required (see VA Fast Letter 11-22, Examinations for Incarcerated Veterans and Veterans Health Administration (Sept. 8, 2011)). You have the right to have a medical professional perform the examination at the facility where you are incarcerated (see Bolton v. Brown, 8 Vet. App. 185 (1995).

VA programs that can help you plan & navigate reentry:

- **Health Care for Re-entry Veterans** offers outreach, support, and information to veterans in state or federal prison who are at risk of homelessness upon release. To reach an HCRV Specialist near you, call VA's health care line (1-877-222-8387); or check the directory on HCRV's online page.[616]
- **Veterans Justice Outreach** offers outreach, support, and information to veterans who are under arrest, under supervision of treatment courts, or in county jail and at risk of homelessness upon release. To reach a VJO Specialist near you, call VA's health care line (1-877-222-8387); or check the directory on VJO's online page.[617]
- **Homeless Veterans Outreach** (HVO) offers outreach, support, and information to veterans who are involved in the criminal justice system. HVO can help you apply for benefits and refer you to services that meet your needs. To reach an HVO Coordinator near you, call the VA's National Call Center for Homeless Veterans at 1-877-424-3838.[618]

NOT INCARCERATED?

If you're participating in a work-release program, living in a halfway house, or under community supervision as part of your felony sentence, the VA considers you NOT incarcerated.

I WAS RECEIVING VA BENEFITS BEFORE I GOT ARRESTED. WHAT HAPPENS TO THEM WHILE I'M INCARCERATED?

It depends. Until you're convicted, there's no problem: if you're in jail awaiting trial, you're presumed innocent, and still entitled to VA benefits.[619] Once convicted, your ability to get VA benefits depends on your conviction and the length of your incarceration.[620]

For non-service-related pensions:

- If you're incarcerated for a felony or misdemeanor, you should keep getting regular pension payments for the first 60 days of incarceration. If you're released on or before the 60th day, your payments should continue without interruption. But starting on the 61st day of incarceration, payments get cut off. After release, you may be able to restart your payments if you're eligible at that time (details on PG. 278).[621]

For health care benefits:

[615] https://www.va.gov/homeless/reentry.asp.
[616] Health Care for Re-entry Veterans Services & Resources, U.S. DEP'T OF VETERANS AFFAIRS, http://www.va.gov/homeless/reentry.asp.
[617] Veterans Justice Outreach, U.S. DEP'T OF VETERANS AFFAIRS, www.va.gov/homeless/vjo.asp.
[618] Incarcerated Veterans, U.S. DEP'T OF VETERANS AFFAIRS, www.benefits.va.gov/persona/veteran-incarcerated.asp.
[619] Information for Incarcerated Veterans, SWORDS TO PLOWSHARES, www.swords-to-plowshares.org/wp-content/uploads/Information-For-Incarcerated-Veterans.pdf.
[620] Fact Sheet: Incarcerated Veterans (Aug 2012), U.S. DEP'T OF VETERANS AFFAIRS, www.benefits.va.gov/BENEFITS/factsheets/misc/incarcerated.pdf; Incarcerated Veterans: How Incarceration Affects Eligibility for VA benefits, U.S. DEP'T OF VETERANS AFFAIRS, www.benefits.va.gov/persona/veteran-incarcerated.asp.
[621] Fact Sheet: Incarcerated Veterans (Aug 2012), U.S. DEP'T OF VETERANS AFFAIRS, www.benefits.va.gov/BENEFITS/factsheets/misc/incarcerated.pdf; Incarcerated Veterans: How Incarceration Affects Eligibility for VA benefits, U.S. DEP'T OF VETERANS AFFAIRS, www.benefits.va.gov/persona/veteran-incarcerated.asp.



- If you're incarcerated for any conviction, you don't lose eligibility for VA health care; but the VA won't provide this care while you're incarcerated, since the correctional facility has the duty to provide care to you.[622] After release, you should be able to apply for and receive VA health care benefits again (details on PG. 278).[623]

For service-related disability compensation:

- If you're incarcerated for a misdemeanor, you should keep getting your regular disability payments.
- If you're incarcerated for a felony, you should keep getting regular disability payments for the first 60 days of incarceration. If you're released on or before the 60th day, your payments should continue without interruption. But starting on the 61st day of incarceration, payments get reduced: if your disability rating was 20% or higher before incarceration, it should drop to 10%; if it was 10% before, it should be cut in half. *After release*, you may be able to restore your payments based on how severe your disability is at that time (see details on PG. 278).[624]

Apportionment of benefits while incarcerated:

Even though you only receive a portion of your service-related benefit while incarcerated, the balance, or full amount, of the benefit may be "apportioned" to your family member during the period of incarceration.[625] For example, if you are 50% service-connected, you would only be entitled to receive 10% while incarcerated. However, your family may be apportioned the remaining 40% of the benefit.

Either you or your family member may apply for apportionment using VA Form 21-0788. The amount apportioned will be determined based on need. In determining need, the VA considers factors such as the appointee's income, living expenses and any other relevant factors. Apportionment may not be granted retroactively.



IMPORTANT: Notifying the VA about Your Incarceration and Release:

You are required to notify the VA when you go to jail or prison. The VA needs to know whether and when to reduce or stop your benefits. If you receive larger or more VA payments than you're legally entitled to receive while incarcerated, the VA will require that you eventually repay the total amount that you should not have received—your "overpayment." Basically, after you're released from incarceration and once again eligible for benefits, the VA will withhold all your benefits until the overpayment is paid off. [626]

You should notify the VA within a year after your release—in advance, if possible. The VA will assume that you remain incarcerated until you submit proof of your release date. The VA needs this proof before it can restore or restart your benefits.[627]

The VA periodically identifies people receiving VA benefits who are incarcerated or in violation of parole or probation via listings that it receives from the U. S. Bureau of Prisons (BOP), the Social Security Administration (SSA), and other sources. However, these listings may have errors regarding your dates of incarceration, so it is helpful for you to be in direct contact with the VA to correct any inaccurate information.

Note, you can use VA Form 21-4193 to notify the VA of your incarceration and release dates. See copy of form in https://www.vba.va.gov/pubs/forms/VBA-21-4193-ARE.pdf. If you're incarcerated, you can get this form from a correctional counselor. www.reginfo.gov/public/do/DownloadDocument?documentID=203887&version=1. You can also call the VA at 1-800-827-1000 and ask that the form be mailed to you. The form must be signed by a correctional official.

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[622] Fact Sheet: Incarcerated Veterans (Aug 2012), U.S. DEP'T OF VETERANS AFFAIRS, www.benefits.va.gov/BENEFITS/factsheets/misc/incarcerated.pdf.
[623] https://benefits.va.gov/BENEFITS/factsheets/misc/incarcerated.pdf
[624] Fact Sheet: Incarcerated Veterans (Aug 2012), U.S. DEP'T OF VETERANS AFFAIRS, www.benefits.va.gov/BENEFITS/factsheets/misc/incarcerated.pdf; Incarcerated Veterans: How Incarceration Affects Eligibility for VA benefits, U.S. DEP'T OF VETERANS AFFAIRS, www.benefits.va.gov/persona/veteran-incarcerated.asp.
[625] https://www.benefits.va.gov/persona/veteran-incarcerated.asp
[626] Information for Incarcerated Veterans, SWORDS TO PLOWSHARES, www.swords-to-plowshares.org/wp-content/uploads/Information-For-Incarcerated-Veterans.pdf; Can the VA Stop or Lower My Disability Benefits If I Go to Jail?, NOLO: LAW FOR ALL, www.nolo.com/legal-encyclopedia/can-the-va-stop-lower-my-disability-benefits-if-i-go-to-jail.html.
[627] Information for Incarcerated Veterans, SWORDS TO PLOWSHARES, www.swords-to-plowshares.org/wp-content/uploads/Information-For-Incarcerated-Veterans.pdf.



MY VA BENEFITS WERE REDUCED OR STOPPED WHILE I WAS INCARCERATED. HOW DO I RESTORE OR RESTART MY VA BENEFITS?

For disability compensation or pension benefits:

The VA will not automatically resume paying benefits at the full amount once you are released. Once you have a release date, contact the VA as early as 30 days before that date. Provide official proof of your release date, such as VA Form 21-4193. See https://www.vba.va.gov/pubs/forms/VBA-21-4193-ARE.pdf or your parole papers.[628] As long as you notify the VA within one year following your release, you'll receive benefits dating back to your release date.[629]

- The VA will backdate your benefits to the date of release if you provide the VA with proof of your release within one year of your release. If you do not provide notification of your release within one year, your benefits will only be retroactive to the date of the notification.[630]

You can use VA Form 21-4193 to notify the VA of your incarceration and/or release. (https://www.vba.va.gov/pubs/forms/VBA-21-4193-ARE.pdf.) If you're incarcerated, you can get this form from a correctional counselor. If you have Internet access, download the form at www.reginfo.gov/public/do/DownloadDocument?documentID=203887&version=1. You can also call 1-800-827-1000 and ask that the form be mailed to you. The form must be signed by a correctional official to be valid as proof.

For health care benefits:

If you don't have your Veteran Identification Card, and/or if you plan to access services at a VA health care facility you haven't visited before, complete VA Form 10-10EZ (see https://www.va.gov/vaforms/medical/pdf/1010ez-fillable.pdf) and send it to that facility. Doing this at least 6 months before your release can help ensure you'll have access to health care when you get out.[631] You can request this form by calling or writing to any VA health care facility, or by calling 1-877-222-8387.[632]

- If you have your Veteran Identification Card, and if you plan to access services at a VA health care facility you've visited before, you should be able to access services there without submitting any forms.[633]

Debts owed to the VA caused by incarceration:

- If you were paid VA benefits after your 61st day of incarceration you may have an overpayment. An overpayment may prevent you from receiving the full benefit amount to which you are entitled after you are released.
- Whenever an overpayment is established in any program under the jurisdiction of the Veterans Benefits Administration, the Debt Management Center (DMC) at the St. Paul, Minnesota, VA Regional Office assumes responsibility over your debt. The VA DMC may be contacted by mail[634] or by calling 1-800-827-0648.[635]
- You may request a waiver of your debt.[636] The VA does not require the use of a specific form to request a waiver.[637] The time limit for requesting waiver of an overpayment is 180 days from the date you are first advised of the existence of the overpayment and the notification specifies the amount of the debt. A request for waiver should be submitted to the DMC with a completed financial status report using VA Form 20-5655.

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[628] For the VA, being "released from incarceration" includes being on parole, participating in a work release program, or living in a halfway house. See Fact Sheet: Incarcerated Veterans (Aug 2012), U.S. DEP'T OF VETERANS AFFAIRS, www.benefits.va.gov/BENEFITS/factsheets/misc/incarcerated.pdf.

[629] Depending on the type of disability, the VA may also schedule you for a medical examination to see if your disability has improved. See Fact Sheet: Incarcerated Veterans (Aug 2012), U.S. DEP'T OF VETERANS AFFAIRS, www.benefits.va.gov/BENEFITS/factsheets/misc/incarcerated.pdf.

[630] Veterans Benefits Manual, § 9.2.2 (2014); 76 Fed. Reg. 2,766 (Jan. 14, 2011) (proposed rule).

[631] Guidebook for Connecticut Incarcerated Veterans, 4th ed. (July 2013), U.S. DEP'T OF VETERANS AFFAIRS, www.va.gov/HOMELESS/docs/Reentry/09_ca.pdf.

[632] Once you have Internet access, you can find the form at www.va.gov/1010ez.htm or by visiting. See also Arrested? What Happens to Your Federal Benefits?" (2006), BAZELON CENTER, www.kitsaPGov.com/pubdef/Forms/LinkClick.Benefits.pdf.

[633] However, if you aren't receiving service-related disability benefits, the VA may ask for information about your income for the prior year. Guidebook for Connecticut Incarcerated Veterans, 4th ed. (July 2013), U.S. DEP'T OF VETERANS AFFAIRS, www.va.gov/HOMELESS/docs/Reentry/09_ca.pdf.

[634] The DMC mailing address is P.O. Box 11930 St. Paul, MN 55111-0930.

[635] Debt Management Center, U.S. DEP'T OF VETERANS AFFAIRS, http://www.va.gov/debtman/.

[636] 38 C.F.R. § 1.911(c)(2) (2014). A waiver will not be granted by the VA unless you request a waiver.

[637] Veterans Benefits Manual, 2014 Edition, sections 9.4-9.4.8.



- If the VA incorrectly calculated your dates of incarceration, you may challenge the validity of the debt or the effective date of the debt.[638] There is no official form for disputing the validity of the debt.

I'M DISQUALIFIED FROM VA BENEFITS BECAUSE OF MY NEGATIVE DISCHARGE STATUS. HOW CAN I HAVE MY DISCHARGE STATUS REVIEWED FOR AN UPGRADE?

These requests are rarely granted, so you may want to get help.

If you left the military *less than 15 years ago*, apply for a "Review of Discharge or Dismissal" using Department of Defense's DD Form 293. See copy of form in http://arba.army.pentagon.mil/documents/dd0293.pdf.[639] You can also have the form mailed to you by calling the VA at 1-703-607-1600; or by sending a written request to: Army Review Boards Agency; ATTN: Client Information and Quality Assurance; Arlington, VA 22202-4508. Alternatively, obtain DD Form 293 from a VA regional office, or online at http://www.usapa.army.mil.

- The Review Board will grant your upgrade request only if your discharge reason was "inequitable" (not consistent with the policies and traditions of the service) or "improper" (based on error, or violating a law or regulation). With your application form, include written statements and records that help prove your claim.[640]

If you left the military *more than 15 years ago*, apply for a Correction of Military Records using DD Form 149 (see copy of form in http://arba.army.pentagon.mil/documents/DDForm149.pdf).[641] You can also have the form mailed to you by calling the VA at 1-703-607-1600; or by sending a written request to: Army Review Boards Agency; ATTN: Client Information and Quality Assurance; Arlington, VA 22202-4508. Alternatively, obtain DD Form 149 from a VA regional office, or online at www.usapa.army.mil.

- Generally, you must request a correction within 3 years of discovering an "error" or "injustice" in your record. However, if the Board for Correction finds it is "in the interest of justice" to excuse a late request, it may do so. If your request is late, you must explain why your application was delayed, and why it's in the interest of justice for the Board to consider it despite the delay. To show it is in the "interest of justice," explain why it would be unfair for the Board to not consider your request.
- The Board for Correction will grant your request if you show that something in the record is inaccurate or unjust. With your application form, include ALL available evidence that helps to prove this, such as signed witness statements, personnel records, or a brief of arguments supporting the correction.[642]

Because these applications are rarely granted, consider the following options to get help:

1. Contact a local veteran service organization to see if any staff can help you complete the forms and/or represent you.
2. Find a legal aid lawyer who specializes in discharge reviews.
3. Using the contact information provided on the form (see DD 293 or DD 149, whichever applied to you), contact the Review Board to discuss your case and ask questions.[643]

IMPORTANT: If you have an undesirable, other than honorable (OTH), or a bad conduct discharge, you may be eligible for VA benefits if the VA determines that your service was "other than dishonorable" through the Character of Discharge administrative process.[644] You may apply for a Character of Discharge determination by applying for any VA benefit.
The VA will only consider your time in service in making the determination.[645]
You cannot get a favorable determination if you are statutorily barred from benefits.[646]

The VA may consider any number of factors in deciding whether to grant a favorable decision, including, your length of service, whether you deployed to a combat zone, whether you were diagnosed with a medical condition prior to or shortly after discharge, and any other relevant information.

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[638] 38 C.F.R. § 1.911(c)(1).
[639] DD Form 293 is available at www.dtic.mil/whs/directives/infomgt/forms/eforms/dd0293.pdf; National Archives, VETERANS SERVICE RECORDS, www.archives.gov/veterans/military-service-records/correct-service-records.html.
[640] What You Should Know About How to UpGrade Your Military Discharge, U.S. ARMY TRIAL DEFENSE SERVICE, REGION V, FORT LEWIS FIELD OFFICE, http://www.monterey.army.mil/legal/trial_defense/how_to_uPGrade_your_discharge.pdf.
[641] DD Form 149 is available at www.dtic.mil/whs/directives/infomgt/forms/eforms/dd0149.pdf; National Archives, VETERANS SERVICE RECORDS, www.archives.gov/veterans/military-service-records/correct-service-records.html.
[642] Federal Benefits for Veterans, Dependents & Survivors (2014), U.S. DEP'T OF VETERANS AFFAIRS, www.va.gov/opa/publications/benefits_book/benefits_chap15.asp.
[643] What You Should Know About How to UpGrade Your Military Discharge, U.S. ARMY TRIAL DEFENSE SERVICE, REGION V, FORT LEWIS FIELD OFFICE, http://www.monterey.army.mil/legal/trial_defense/how_to_uPGrade_your_discharge.pdf.
[644] M21-1manual rewrite (MR), Part III, Subpart v, Chapter 1, Section B.
[645] See Beyond "T.B.D." Understanding VA's Evaluation of a Former Service member's benefits eligibility following involuntary or punitive discharge from the armed services, 214 MIL. LAW REV. WINTER 2012.
[646] Unless it's determined that you were insane at the time you committed the offense, you're barred from benefits if you were released or discharged for any of the following: sentence of a general court-martial; being a conscientious objector; desertion; resignation by an officer for the good of the service; absence without official leave (AWOL) for a continuous period of 180+ days, without compelling circumstances warranting the unauthorized absence; requesting release from service as an alien during a period of hostilities. 38 U.S.C. § 5303; Claims for VA Benefits & Character of Discharge: General Information ,U.S. DEP'T OF VETERANS AFFAIRS, http://www.benefits.va.gov/BENEFITS/docs/COD_Factsheet.pdf.



VIII. LIFELINE CELL PHONE & LANDLINE BENEFITS

WHAT IS THE LIFELINE PHONE PROGRAM?

The LifeLine Program provides a discount on phone service for qualifying low-income consumers across the country.[647] The LifeLine Program can provide either a reduction in the cost of local landline service or the option of receiving a free cellular phone.[648]

WHAT BENEFITS WILL THE LIFELINE PROGRAM PROVIDE?

LANDLINE DISCOUNT

All providers of local telephone service are required to provide the LifeLine discount.[649] Each local landline phone provider may have their own procedure for applying.

Consumers who are interested in applying for the program should contact their local landline phone provider.

FREE CELLULAR PHONE

Consumers can apply for a free cellular phone which includes a set number of minutes by contacting the following companies:

Access Wireless

- **1-888-900-5899**
- **https://www.accesswireless.com/lifeline**

SafeLink Wireless

- **1-800-SafeLink (723-3546)**
- **www.safelinkwireless.com/**

Assurance Wireless

- **1-888 321-5880**
- **https://www.assurancewireless.com/**

Life Wireless

- **1-888-543-3620**
- **https://www.lifewireless.com/**

AM I ELIGIBLE FOR THE LIFELINE PROGRAM?

A. Generally, there are two ways to qualify for either Lifeline benefit (cellular phone or landline discount).

1. You should qualify if you receive a benefit from one of the following public benefit programs:

- **HUSKY A, B, C, or D (Medicaid)**
- **Supplemental Nutrition Assistance Program (SNAP/food stamps)**
- **Supplemental Security Income (SSI)**
- **Temporary Family Assistance (TFA)**
- **State Administered General Assistance (SAGA Cash)**
- **Rental assistance such as Section 8**

[647] Lifeline Program for Low-Income Consumers, Federal Communications Commission, https://www.fcc.gov/general/lifeline-program-low-income-consumers.
[648] Telephone Bill Credit Programs, United Way of Connecticut-211 and eLibrary, https://uwc.211ct.org/telephone-bill-credit-programs/.
[649] Telephone Bill Credit Programs, United Way of Connecticut-211 and eLibrary, https://uwc.211ct.org/telephone-bill-credit-programs/.



2. **You may also qualify if your annual income is at or below 135% of the Federal Poverty Level.**

Household Size (Number of persons)	Federal Poverty Level 48 Contiguous States, D.C., and Territories
1	$16,862
2	$22,829
3	$28,796
4	$34,763
5	$40,730
6	$46,697
7	$52,664
8	$58,631
For each additional person, add	$5,967

WHAT DOCUMENTS DO I NEED TO BE FOUND ELIGIBLE?

First, you will need documents that prove who you are (your identity) to the phone company. You may need to show your Social Security card, birth certificate, and/or unexpired driver license. For a complete list of acceptable ID, see https://www.usac.org/ls/apply-for-lifeline/prove-my-identity.aspx.

Second, you will need to prove that you require financial assistance. One way to prove this is to show that you receive public benefits from a qualifying state or federal assistance program. You may need to show a copy of your benefit card, eligibility letter, or grant letter from the Connecticut Department of Social Services or the Social Security Administration.

Finally, if you want to prove your eligibility based on your income, you must provide an official document proving your income—for example, an income statement from an employer, a prior year's tax return, a Social Security income statement, a Veterans Administration income statement, and/or a document proving you receive unemployment or some other public benefits. See https://www.usac.org/ls/do-i-qualify/how-to-prove-participation.aspx for a complete list.



CAN MY CRIMINAL BACKGROUND LIMIT MY ABILITY TO QUALIFY FOR THE LIFELINE PROGRAM?

No. Having a criminal record does not affect your eligibility for the LifeLine phone program.

SPECIAL POLICY NOTE FOR PEOPLE UNDER FEDERAL SUPERVISION (for example, federal probation, supervised release, or federal parole): On September 9, 2014, former U.S. Attorney General Eric Holder announced that all federal halfway houses are required to allow their residents to have cell phones, so that people in reentry can pursue job opportunities and connect with family.[650] If you are on federal supervision, you must still meet the same standard eligibility requirements for the LifeLine phone program, just like anyone else.

CAN I APPLY FOR A LIFELINE PHONE WHILE INCARCERATED?

No. You are required to provide a *residential address* (the location where you a living) to apply for the LifeLine program. Giving just a "P.O. Box" address is insufficient.[651]

HOW DO I RECEIVE MY PHONE AND LIFELINE BENEFITS?

If you have chosen to receive a free cellular phone with minutes, your specific phone carrier will supply you with a phone and instructions on how to activate it. Your benefits will start as soon as you activate your phone.

ONCE ENROLLED, WHAT RULES MUST I FOLLOW TO REMAIN ELIGIBLE?

Aside from meeting the *program-based* or *income-based* guidelines, you cannot apply for more than one Lifeline phone per household, as previously discussed.

Your phone company may ask you to recertify every year to show that you are still eligible.

If you are using a free cellular phone, you must use it at least once every 30 days.

Keep your phone company up to date about your address and eligibility within 30 days of a change.

WHAT IF I HAVE ADDITIONAL QUESTIONS OR PROBLEMS?

For more information on the Lifeline Benefit you should visit www.lifelinesupport.org.

[650] See U.S. DOJ Press Release at https://www.justice.gov/opa/pr/new-step-fight-recidivism-attorney-general-holder-announces-justice-department-require (March 24, 2014).
[651] See Free Government Cell Phones, http://www.freegovernmentcellphones.net/.

PUBLIC BENEFITS APPENDIX

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APPENDIX A

Application for Food, Cash or Medical Help, DSS Form W-1EINST (Rev. 3/17)

See next page.

W-1EINST
(Rev. 3/17)

State of Connecticut
Department of Social Services

Apply Faster Online!

Visit www.connect.ct.gov instead of using this form.

W-1E Application for Benefits

Use this form to apply for Food, Cash or Medical help.

Read the instructions on the following pages and complete the form as directed.

ATTENTION!
If you speak another language, language assistance services, free of charge, are available to you.
Call 1-855-626-6632 or TTY: 1-800-842-4524.

Spanish (Español):

ATENCIÓN: si habla español, tiene a su disposición servicios gratuitos de asistencia lingüística.
Llame al 1-855-626-6632 (TTY: 1-800-842-4524).

Chinese (繁體中文):

注意：如果您使用繁體中文，您可以免費獲得語言援助服務。
請致電 1-855-626-6632 (TTY: 1-800-842-4524)。

Vietnamese (Tiếng Việt):

CHÚ Ý: Nếu bạn nói Tiếng Việt, có các dịch vụ hỗ trợ ngôn ngữ miễn phí dành cho bạn.
Gọi số 1-855-626-6632 (TTY: 1-800-842-4524).

Korean (한국어):

주의: 한국어를 사용하시는 경우, 언어 지원 서비스를 무료로 이용하실 수 있습니다. 1-855-626-6632
(TTY: 1-800-842-4524) 번으로 전화해 주십시오.

Tagalog (Filipino):

PAUNAWA: Kung nagsasalita ka ng Tagalog, maaari kang gumamit ng mga serbisyo ng tulong sa wika nang walang bayad.
Tumawag sa 1-855-626-6632 (TTY: 1-800-842-4524).

Russian (Русский):

ВНИМАНИЕ: Если вы говорите на русском языке, то вам доступны бесплатные услуги перевода.
Звоните 1-855-626-6632 (телетайп: 1-800-842-4524).

Creole (Kreyòl Ayisyen):

ATANSYON: Si w pale Kreyòl Ayisyen, gen sèvis èd pou lang ki disponib gratis pou ou.
Rele 1-855-626-6632 (TTY: 1-800-842-4524).

Hindi (हिंदी):

ध्यान दें: यदि आप हिंदी बोलते हैं तो आपके लिए मुफ्त में भाषा सहायता सेवाएं उपलब्ध हैं।
1-800-855-6632 (TTY: 1-800-842-4524) पर कॉल करें।

French (Français):

ATTENTION : Si vous parlez français, des services d'aide linguistique vous sont proposés gratuitement.
Appelez le 1-855-626-6632 (TTY: 1-800-842-4524).

Polish (Polski):

UWAGA: Jeżeli mówisz po polsku, możesz skorzystać z bezpłatnej pomocy językowej.
Zadzwoń pod numer 1-855-626-6632 (TTY: 1-800-842-4524).

Portuguese (Português):

ATENÇÃO: Se fala português, encontram-se disponíveis serviços linguísticos, grátis.
Ligue para 1-855-626-6632 (TTY: 1-800-842-4524).

Italian (Italiano):

ATTENZIONE: In caso la lingua parlata sia l'italiano, sono disponibili servizi di assistenza linguistica gratuiti.
Chiamare il numero 1-855-626-6632 (TTY: 1-800-842-4524).

Albanian (Shqip):

KUJDES: Nëse flitni shqip, për ju ka në dispozicion shërbime të asistencës gjuhësore, pa pagesë.
Telefononi në 1-855-626-6632 (TTY: 1-800-842-4524).

Greek (ελληνικά):

ΠΡΟΣΟΧΗ: Αν μιλάτε ελληνικά, στη διάθεσή σας βρίσκονται υπηρεσίες γλωσσικής υποστήριξης, οι οποίες παρέχονται δωρεάν.
Καλέστε 1-855-626-6632 (TTY: 1-800-842-4524).

Arabic (العربية):

ملحوظة: إذا كنت تتحدث اذكر اللغة، فإن خدمات المساعدة اللغوية تتوافر لك بالمجان. اتصل برقم 1-855-626-6632
(رقم هاتف الصم والبكم: 1-800-842-4524)

Do not return these instruction pages with your application form. Keep for your records or recycle.

Apply Faster Online

Apply faster online at **connect.ct.gov.** We will get your application sooner and you do not need to use this form.

What can I apply for using this application form?

- Help buying food (also called SNAP, the **S**upplemental **N**utrition **A**ssistance **P**rogram)
- Cash help
- Some types of medical help (health care coverage / HUSKY / Medicaid) - read next section for details.

Who can use this application form?

- Anyone can apply for **food** (SNAP) or **cash** help using this application form.
- For **medical** help, use this application form **only** if the person who needs help:
  - is 65 or older, **or**
  - has Medicare, **or**
  - is blind or disabled.
- To apply for **long term care** (nursing home) or **home based care**, apply online at connect.ct.gov, or in person at a DSS office, or using form W-1LTC. Call 855-626-6632 to ask for a W-1LTC form, or get form W-1LTC at a DSS office.
- To apply for **all other types of medical help**, apply online at AccessHealthCT.com or apply by phone at 855-805-4325, or use application form AH3. Call 855-805-4325 for the AH3 form, or get the AH3 form at a DSS office.

How do I fill out this form?

Use the icons (pictures) as a guide. Fill out the sections that match the icons for each program. The exclamation point means that all programs need the information.

- To apply for food help (SNAP) fill out all sections marked
- To apply for cash assistance fill out all sections marked
- To apply for medical help fill out all sections marked
- **Complete all sections with an exclamation mark**
- You can apply for SNAP just by writing your name and address and signing on the first page. This will get your application started but we need answers to all SNAP questions to determine if you are eligible.
- If you need help filling out this application form because of a disability or impairment, or if you need a translator, call 1-855-626-6632.

What happens next?

- Bring the application form to any DSS office or mail it to:
  DSS Scanning Center,
  PO Box 1320, Manchester, CT 06045-1320
- We will review your application form and contact you if we need more information. If you apply for SNAP, you must complete an interview. We will try calling you for an interview. You may also call the Benefit Center to complete the interview after you submit your application form. The Benefit Center phone number is 855-626-6632.
- Temporary Family Assistance (TFA) applicants are required to have an in person office interview as a condition of eligibility unless waived by the Department.
- Depending on what help you apply for, we may need you to prove things that you tell us. See the next page for more information about proofs.

When will I know if I am eligible?

- If you apply for SNAP, we may be able to give you emergency assistance within 7 days of when you apply. To get emergency assistance, you must prove your identity and meet the following:
  - your household's total income is less than $150 a month **and** your household's cash and bank accounts total less than $100; **or**
  - the total of your household's income, cash, and bank accounts are less than your total housing and utility cost for a month; **or**
  - there is a migrant or seasonal farm worker in your household.
- For SNAP applicants who are not eligible for emergency 7-day processing we will tell you within 30 days if you are eligible. If the SNAP applicant is in an institution and applying for SNAP and Supplemental Security Income (SSI) at the same time, the filing date is the date of release from the institution. All SNAP applications are processed in accordance with SNAP procedures, even if you apply for SNAP and other programs. You will not be denied SNAP solely because you are denied benefits from other programs. If we decide you are eligible for SNAP, your benefits usually start from the date we receive your application form.
- If you apply for medical help, we will tell you our decision within 45 days, except in unusual circumstances. If your eligibility is based on disability, we will make our decision within 90 days from when you apply.
- If you apply for cash help, we will tell you if you are eligible within 45 days from when you applied.

Do not return these instruction pages with your application form. Keep for your records or recycle.

Do you have your proof documents?

You may have to provide us with copies of certain proofs (sometimes we call these verifications). Proof of identity, address, social security numbers, citizenship status, income, assets, expenses, and more for each individual listed in the application form may be necessary. The proofs we are looking for can include:

Household Members
- Birth certificates
- Baptismal records
- Marriage papers
- Divorce Papers
- Non-Citizen status resident card (I-551)
- Arrival / Departure Form (I-94)

Income
- Pay stubs (proof of the last 4 weeks of wages)
- IRS form 1040 including all schedules
- Bookkeeping records for self-employment
- Award Letter (for SSA or VA benefits, etc.)

Medical Insurance and Expenses
- Medical cards
- Medical bills

Child Support Costs
- Court order to pay child support
- Cancelled checks
- Wage withholding statements
- Statement from custodial parent of amount you pay

Shelter and Utility Costs
- Lease
- Latest rent receipt
- Utility bill
- Letter from your landlord
- Mortgage bill
- Property tax bill
- Homeowner's insurance policy

Assets
- Bank statements
- Trust fund agreements
- Stocks/bonds/U.S. savings bonds
- Life insurance policies
- Letter from a financial institution
- Car registration
- Deeds
- Legal agreements

Students
- Signed school verification letter (W-1446 - this is a DSS form)
- Report card or a statement from a school official (less than 30 days old)

Send copies of these proofs in along with your application form. Providing us proof can help you receive your benefits sooner. You can also bring them in person to a DSS office.

People who are deaf or hard of hearing and have a TDD/TTY device can contact DSS at 1-800-842-4524.
Persons who are blind or visually impaired can contact DSS at 1-860-424-5040.

For help with domestic violence, or to talk to someone, please call the Connecticut Coalition Against Domestic Violence hotline at 1-888-774-2900.

Do not return these instruction pages with your application form. Keep for your records or recycle.



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Do not return these instruction pages with your application form. Keep for your records or recycle.

W-1E
(Rev. 3/17)

State of Connecticut
Department of Social Services
W-1E Application for Benefits

Apply Faster Online!
ConnectCT
Visit www.connect.ct.gov
instead of using this form.

Who are you applying for? Check one box.	**What kind of help are you applying for?** Check all that apply.
Complete all sections with this exclamation icon (picture).	**Complete all sections that match the icons (pictures) for each program you select.**
☐ Only myself	☐ Food (SNAP - Supplemental Nutrition Assistance Program)
☐ Myself and my spouse	☐ Cash
☐ Myself and my family	☐ Medical (HUSKY/ Medicaid/ health insurance)
☐ Only children under 19 in my care	☐ Special medical help to pay for unpaid medical bills from the past 3 months

Is anyone in the household pregnant?	☐ Yes	☐ No
Does anyone applying live in a licensed residential care facility (boarding home)?	☐ Yes	☐ No

Answer the following questions if you are applying for SNAP:

Complete sections with the apple icon (picture) if applying for food help.

Is your household's total income less than $150 a month (before taxes)?	☐ Yes	☐ No
Do your household's cash and bank accounts total less than $100?	☐ Yes	☐ No
Is the total of your household's monthly income, cash, and bank accounts less than the total of your housing and utility costs for the month?	☐ Yes	☐ No
Is anyone in your household a migrant or seasonal farm worker?	☐ Yes	☐ No

Do you need a reasonable accommodation or extra help getting benefits because of a disability or impairment?

☐ Yes ☐ No If yes, describe your condition and the help you need.

Person 1 Tell us about the people in your household, starting with yourself.

My name (first, middle, last, suffix)		Legal or other name (if different)		
Client ID (if known)		Social security number		
Gender	Preferred spoken language	Do you need an interpreter? ☐ Yes ☐ No		
Date of birth	Best phone number	Phone type ☐ Home ☐ Work ☐ Cell		
☐ No home address	Home street address	City	State	Zip
Mailing address (if different)	Mailing street address	City	State	Zip

By signing, I agree that:
- **I have read this form including the section about rights and responsibilities listed at the end of this application, or have had it read to me in a language that I understand, and that I must comply with these rules;**
- **The information I am giving is true and complete to the best of my knowledge, including all information about citizenship, alien and felon status;**
- **I could go to prison or be required to pay fines if I knowingly give wrong or incomplete information; and**
- **DSS and other federal, state, and local officials may verify (check) any information I give.**

Print your or representative's full name	Signature	Date
Print full name of any other adult applicant	Signature	Date

Person 1 Continued

Marital Status	☐ Never married ☐ Married living with spouse ☐ Married living apart ☐ Legally separated ☐ Divorced ☐ Widowed

Providing race and ethnicity data is optional, does not affect eligibility or benefit amount, and is used to make sure everyone has the same access to benefits.

Ethnicity (optional)	☐ Not of Hispanic origin ☐ Mexican ☐ Mexican-American ☐ Chicano/a ☐ Cuban ☐ Puerto Rican ☐ Other Hispanic, Latino/a or Spanish
Race (optional)	☐ White ☐ Black or African American ☐ Hispanic or Latino/a ☐ Vietnamese ☐ Chinese ☐ Asian Indian ☐ Japanese ☐ Korean ☐ Filipino ☐ Pacific Islander ☐ Guamanian or Chamorro ☐ Other Asian ☐ American Indian or Alaska Native ☐ Samoan ☐ Native Hawaiian

Are you a student?	☐ Not a student ☐ Full Time ☐ Less than full time	Last grade or education level completed	Complete if student	Name of School / Do you have work study? ☐ Yes ☐ No
Citizenship Status	☐ US Citizen ☐ Permanent Resident ☐ Other Non-Citizen	City/State/Country of Birth		
	If you are not a US citizen, fill out the following	When did you enter the United States?	I-94 or Alien Registration #	Immigration Status

Do you plan to remain in CT? ☐ Yes ☐ No	Do you have a disability or impairment? ☐ Yes ☐ No — If yes, explain.
Date moved to CT	

Authorized Representative.

Authorized Representative. You may appoint other people to help you with your application form and to help you get, use, or keep your benefits. If you want to appoint a person to help you, complete this section.

☐ **General authorized representative / responsible person** to help me apply for all DSS programs (SNAP, medical, cash) and to assist me with all aspects of the application and eligibility process, which includes reporting changes and getting notices on my behalf. This person knows my circumstances well enough to answer questions and will act in my best interest.

This person is my: ☐ Conservator ☐ Legal guardian ☐ Power of Attorney ☐ Helper ☐ Other _____

Name	Phone number	Address (street, city, state, zip)

☐ **SNAP Shopper** (A person to shop for you - only if you are applying for SNAP food assistance)

Name	Phone number	Address (street, city, state, zip)

☐ **Medical authorized representative.** Just to help me fill out my application form for medical assistance to pay for my hospital bill, and/or ask for a hearing if medical assistance is denied.

Name	Phone number	Address (street, city, state, zip)

AGREEMENT OF AUTHORIZED REPRESENTATIVE: As the Authorized Representative, I agree to (1) complete and submit application form and renewal forms; (2) receive copies of notices and other communications from DSS; and (3) act on behalf of the applicant in all matters with DSS. I agree to fulfill all of these - responsibilities to the same extent as the person I represent, and that I may be held responsible for wrong information I give DSS while acting as an authorized representative. I also agree to maintain, or be legally bound to maintain, the confidentiality of any information I get from DSS regarding the person. I agree to act as the authorized representative until the applicant tells DSS, in writing or verbally, that he or she no longer wants me to do so, or until I tell DSS, in writing or verbally, that I no longer want to act as the authorized representative.

For a provider, staff member or volunteer of an organization (for Medicaid): I affirm that I will follow the regulations in part 431, subpart F of Title 42 of the Code of Federal Regulations (CFR) and at 45 CFR 155.260(f) (relating to confidentiality of information) and 42 CFR 447.10 (relating to the prohibition against reassignment of provider claims), as well as other relevant state and federal laws concerning conflicts of interest and confidentiality of information.

Have any authorized representative(s) print their names, sign and date below.

Print full name	Signature	Date

Person 2

Name (first, middle, last, suffix)	Social security number	Gender	Date of birth

Marital Status: ☐ Never married ☐ Married living with spouse ☐ Married living apart ☐ Divorced ☐ Legally separated ☐ Widowed

Relationship to you?

Providing race and ethnicity data is optional, does not affect eligibility or benefit amount, and is used to make sure everyone has the same access to benefits.

Ethnicity (optional): ☐ Not of Hispanic origin ☐ Mexican ☐ Mexican-American ☐ Chicano/a ☐ Cuban ☐ Puerto Rican ☐ Other Hispanic, Latino/a or Spanish

Race (optional): ☐ White ☐ Black or African American ☐ Hispanic or Latino/a ☐ Vietnamese ☐ Chinese ☐ Asian Indian ☐ Japanese ☐ Korean ☐ Filipino ☐ Pacific Islander ☐ Guamanian or Chamorro ☐ Other Asian ☐ American Indian or Alaska Native ☐ Samoan ☐ Native Hawaiian

Is this person a student? ☐ Less than full time ☐ Full time ☐ Not a student

Last grade or education level completed

Complete if student

Name of school

Does this person have work study? ☐ Yes ☐ No

Citizenship Status: ☐ US citizen ☐ Permanent resident ☐ Other non-citizen

City/state/country of birth

If this person is not a US citizen, fill out the following

When did this person enter the United States?

I-94 or Alien registration #

Immigration status

Does this person live with you? ☐ Yes ☐ No If no, explain.

Do you buy, prepare and eat food together with this person? ☐ Yes ☐ No

Does this person plan to remain in CT? ☐ Yes ☐ No

Date moved to CT

Does this individual have a disability or impairment? ☐ Yes ☐ No If yes, explain.

Person 3

Name (first, middle, last, suffix)	Social security number	Gender	Date of birth

Marital Status: ☐ Never married ☐ Married living with spouse ☐ Married living apart ☐ Divorced ☐ Legally separated ☐ Widowed

Relationship to you?

Providing race and ethnicity data is optional, does not affect eligibility or benefit amount, and is used to make sure everyone has the same access to benefits.

Ethnicity (optional): ☐ Not of Hispanic origin ☐ Mexican ☐ Mexican-American ☐ Chicano/a ☐ Cuban ☐ Puerto Rican ☐ Other Hispanic, Latino/a or Spanish

Race (optional): ☐ White ☐ Black or African American ☐ Hispanic or Latino/a ☐ Vietnamese ☐ Chinese ☐ Asian Indian ☐ Japanese ☐ Korean ☐ Filipino ☐ Pacific Islander ☐ Guamanian or Chamorro ☐ Other Asian ☐ American Indian or Alaska Native ☐ Samoan ☐ Native Hawaiian

Is this person a student? ☐ Less than full time ☐ Full time ☐ Not a student

Last grade or education level completed

Complete if student

Name of school

Does this person have work study? ☐ Yes ☐ No

Citizenship Status: ☐ US citizen ☐ Permanent resident ☐ Other non-citizen

City/state/country of birth

If this person is not a US citizen, fill out the following

When did this person enter the United States?

I-94 or Alien registration #

Immigration status

Does this person live with you? ☐ Yes ☐ No If no, explain.

Do you buy, prepare and eat food together with this person? ☐ Yes ☐ No

Does this person plan to remain in CT? ☐ Yes ☐ No

Date moved to CT

Does this individual have a disability or impairment? ☐ Yes ☐ No If yes, explain.

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Person 4

Name (first, middle, last, suffix)	Social security number	Gender	Date of birth

Marital Status: ☐ Never married ☐ Married living with spouse ☐ Married living apart ☐ Divorced ☐ Legally separated ☐ Widowed — Relationship to you?

Providing race and ethnicity data is optional, does not affect eligibility or benefit amount, and is used to make sure everyone has the same access to benefits.

Ethnicity (optional): ☐ Not of Hispanic origin ☐ Mexican ☐ Mexican-American ☐ Chicano/a ☐ Cuban ☐ Puerto Rican ☐ Other Hispanic, Latino/a or Spanish

Race (optional): ☐ White ☐ Black or African American ☐ Hispanic or Latino/a ☐ Vietnamese ☐ Chinese ☐ Asian Indian ☐ Japanese ☐ Korean ☐ Filipino ☐ Pacific Islander ☐ Guamanian or Chamorro ☐ Other Asian ☐ American Indian or Alaska Native ☐ Samoan ☐ Native Hawaiian

Is this person a student?	Last grade or education level completed	Complete if student	Name of school	Does this person have work study?
☐ Less than full time ☐ Full time ☐ Not a student				☐ Yes ☐ No

Citizenship Status: ☐ US citizen ☐ Permanent resident ☐ Other non-citizen — City/state/country of birth

If this person is not a US citizen, fill out the following	When did this person enter the United States?	I-94 or Alien registration #	Immigration status

Does this person live with you? ☐ Yes ☐ No If no, explain.

Do you buy, prepare and eat food together with this person? ☐ Yes ☐ No — Does this person plan to remain in CT? ☐ Yes ☐ No — Date moved to CT

Does this individual have a disability or impairment? ☐ Yes ☐ No If yes, explain.

Person 5

Name (first, middle, last, suffix)	Social security number	Gender	Date of birth

Marital Status: ☐ Never married ☐ Married living with spouse ☐ Married living apart ☐ Divorced ☐ Legally separated ☐ Widowed — Relationship to you?

Providing race and ethnicity data is optional, does not affect eligibility or benefit amount, and is used to make sure everyone has the same access to benefits.

Ethnicity (optional): ☐ Not of Hispanic origin ☐ Mexican ☐ Mexican-American ☐ Chicano/a ☐ Cuban ☐ Puerto Rican ☐ Other Hispanic, Latino/a or Spanish

Race (optional): ☐ White ☐ Black or African American ☐ Hispanic or Latino/a ☐ Vietnamese ☐ Chinese ☐ Asian Indian ☐ Japanese ☐ Korean ☐ Filipino ☐ Pacific Islander ☐ Guamanian or Chamorro ☐ Other Asian ☐ American Indian or Alaska Native ☐ Samoan ☐ Native Hawaiian

Is this person a student?	Last grade or education level completed	Complete if student	Name of school	Does this person have work study?
☐ Less than full time ☐ Full time ☐ Not a student				☐ Yes ☐ No

Citizenship Status: ☐ US citizen ☐ Permanent resident ☐ Other non-citizen — City/state/country of birth

If this person is not a US citizen, fill out the following	When did this person enter the United States?	I-94 or Alien registration #	Immigration status

Does this person live with you? ☐ Yes ☐ No If no, explain.

Do you buy, prepare and eat food together with this person? ☐ Yes ☐ No — Does this person plan to remain in CT? ☐ Yes ☐ No — Date moved to CT

Does this individual have a disability or impairment? ☐ Yes ☐ No If yes, explain.

If you need to add additional people that live in your household to your application, please attach a separate piece of paper with their information along with this form.

Other questions about people in your household.

Does anyone in your household have a medical condition that prevents them from working?	☐ Yes	☐ No	If yes, who?
Is anyone in your household unable to work because he or she is caring for a disabled person?	☐ Yes	☐ No	If yes, who?
Is there a joint custody agreement for any child listed in the household?	☐ Yes	☐ No	If yes, which child?
Is there a court ordered supervision for any child listed in the household?	☐ Yes	☐ No	If yes, who?

Meals. Answer these questions if you are applying for food help (SNAP).

Does anyone in your household receive more than 1/2 their meals from an organization?	☐ Yes	☐ No	If yes, who?
Does anyone in your household receive at least one meal as part of rent?	☐ Yes	☐ No	If yes, who?

Military Service. Tell us about anyone in your household that has a relationship with the U.S. military, or is the widow, spouse or child of someone that does.

Is anyone in your household in the U.S. military, or has anyone been in the U.S. military?	☐ Yes	☐ No	If yes, who?
➥ Please explain his or her military status. (active, retired, honorably discharged, etc.)			
Is anyone in your household a widow, spouse, or child (under age 18) of anyone in the U.S. military, or anyone who has been in the U.S. military?	☐ Yes	☐ No	If yes, who?
➥ Please explain his or her relation to the member of the U.S. military.			

Criminal History. Tell us about the criminal history of people in your household.

Complete this section if you are applying for food or cash help.

Have you or anyone in your household been convicted of a drug felony after August 22, 1996?	☐ Yes	☐ No	If yes, who?
Are you or any members of your household a fleeing felon?	☐ Yes	☐ No	If yes, who?
Do you or any member of your household have a probation or parole violation?	☐ Yes	☐ No	If yes, who?
Have you or anyone in your household been convicted of trading SNAP benefits for drugs after August 22, 1996?	☐ Yes	☐ No	If yes, who?
Have you or anyone in your household been convicted of buying or selling SNAP benefits over $500 in any state after September 22, 1996?	☐ Yes	☐ No	If yes, who?
Have you or anyone in your household been convicted of fraudulently receiving duplicate SNAP benefits in any state after September 22, 1996?	☐ Yes	☐ No	If yes, who?
Have you or anyone in your household been convicted of trading SNAP benefits for guns, ammunitions or explosives after September 22, 1996?	☐ Yes	☐ No	If yes, who?

Legally Liable Relatives. Tell us about legally liable relatives, including spouses who do not live with you or parents of your children who do not live with you. Give as much information as you know.

Name of relative	Gender	Social security number	Date of birth

Address (street, city, state, zip)	Relationship to household members

Non-Citizen Information. Answer these questions if anyone in your household is not a US citizen.

Does any non-citizen in the household have a sponsor? ☐ Yes ☐ No

Name(s) of non-citizen(s)	Name(s) of sponsor(s)
Sponsor's relationship to you	Do you buy, prepare and eat food together with the sponsor(s)? ☐ Yes ☐ No
Do you live with the sponsor(s)? ☐ Yes ☐ No	If no, explain.

If you are a refugee, please provide the name of your refugee agency.

Past Benefits. Tell us about anyone in your household who has received cash, medical or food help from Connecticut or other states in the last 90 days.

☐ Cash help	Amount $	State	☐ Medical help	State	☐ Food help	State

Has anyone in your household received cash assistance for families since 1996? ☐ Yes ☐ No	If yes, who?	Which state(s)?

Pregnancy. Tell us about anyone in your household who is pregnant.

Are you or anyone in your household pregnant? ☐ Yes ☐ No	If yes, who?	How many babies are expected?	Due date

Medical Insurance. Tell us about anyone in your household who has Medicare or other medical insurance.

Person on Medicare	Claim #	Type (A, B, D)	Start date
Person on Medicare	Claim #	Type (A, B, D)	Start date

If you or anyone in your household has other medical insurance fill out the table below.

Policy holder	Policy #	Insurance company	Type of coverage	Policy start date	Policy end date

Special Needs. Answer the following if you or your spouse are applying for cash help and are blind, disabled or age 65 or older.

Only fill this section out if you are applying for cash.

Do you or your spouse have a special diet?	☐ Yes ☐ No	If yes, who?
Do you or your spouse need clothing?	☐ Yes ☐ No	If yes, who?
Do you or your spouse eat at least one meal at a restaurant each day?	☐ Yes ☐ No	If yes, who?

Cash, bank accounts and other assets. Tell us about your household's cash, savings accounts, checking accounts and other assets. Other assets can include: stocks, trusts, annuities, certificates of deposit, investment accounts, medical savings accounts or Achieving a Better Life Experience (ABLE) accounts. Attach another page if needed.

	Asset 1	Asset 2	Asset 3
Owner(s) list all			
Type			
Name of bank or institution			
Current balance	$	$	$
Account #			

Retirement accounts. Tell us about your household's retirement accounts, including any 403B, 457B, 401k, IRA, Roth IRA or Keogh accounts.

	Account 1	Account 2	Account 3
Owner(s) list all			
Type			
Name of bank or institution			
Current balance	$	$	$
Account #			

Real Property. Tell us about real property owned by any household member. Real property can include a home, mobile home, or land.

Property 1	Owner(s) list all		Is this a business asset? ☐ Yes ☐ No
	Address (street, city, state, zip)		Does it generate income? ☐ Yes ☐ No
	Type (home, rental property, etc.)	Property value $	Amount owed $
Property 2	Owner(s) list all		Is this a business asset? ☐ Yes ☐ No
	Address (street, city, state, zip)		Does it generate income? ☐ Yes ☐ No
	Type (home, rental property, etc.)	Property value $	Amount owed $

Life Insurance. Tell us about your household's life insurance policies.

Insurance 1	Owner(s) list all	Policy #	Death Benefit $	Cash Surrender Value $
	Insurance Company	Policy Type: (select one) ☐ Term Life Insurance ☐ Whole Life Insurance		
Insurance 2	Owner(s) list all	Policy #	Death Benefit $	Cash Surrender Value $
	Insurance Company	Policy Type: (select one) ☐ Term Life Insurance ☐ Whole Life Insurance		

Burial Contracts and Plots. Tell us about burial contracts or plots that your household has paid for.

Contract 1	Owner(s) list all	Designated for	
	State where contract was issued	Funeral home or cemetery name	
	Select one: ☐ Contract ☐ Plot ☐ Other (Specify) _____		Amount or value
Contract 2	Owner(s) list all	Designated for	
	State where contract was issued	Funeral home or cemetery name	
	Select one: ☐ Contract ☐ Plot ☐ Other (Specify) _____		Amount or value

Vehicles. Tell us about any vehicles owned by your household. Vehicles include cars, mobile homes, recreational vehicles (RVs), motorcycles, snowmobiles, trailers, trucks, vans, boats or other watercraft.

Vehicle 1	Owner(s) list all			Type of vehicle	
	Make	Model	Year	Amount owed $	
	Used for work or school? ☐ Yes ☐ No	Used for medical appointments? ☐ Yes ☐ No	Is this a business asset? ☐ Yes ☐ No		
Vehicle 2	Owner(s) list all			Type of vehicle	
	Make	Model	Year	Amount owed $	
	Used for work or school? ☐ Yes ☐ No	Used for medical appointments? ☐ Yes ☐ No	Is this a business asset? ☐ Yes ☐ No		

Lawsuits and Inheritance. Tell us if anyone in your household has any lawsuits or inheritance pending.

Has anyone in your household filed a lawsuit that is still pending? ☐ Yes ☐ No	If yes, who?	Attorney's name		
	Attorney's address (street, city, state, zip)			
Does anyone in your household expect to receive an inheritance? ☐ Yes ☐ No	If yes, who?	Amount of inheritance $	Date Expected	

Sales or transfers. Tell us if anyone in your household has sold or transferred ownership of any motor vehicles, bank accounts, real property, cash, stocks, bonds, or mutual funds. If applying for cash, tell us about any sales or transfers within the past 24 months. If applying for SNAP tell us about any sales or transfers in the past 90 days.

	What was sold, given away, etc.?	By who?	Amount / value	Date of sale, transfer or gift
Item 1			$	
Item 2			$	
Item 3			$	

Work income. Tell us about your household's income from work including all jobs worked by any household member in the past 3 months. Income from work means wages, salary, tips, and commissions. Attach another page if needed.

Job 1	Name of individual working	Employer / company name			
	Company contact's name and title	Employer's phone			
	Employer's address (street, city, state, zip)	Start date			
	How often paid? ☐ Weekly ☐ Biweekly ☐ Monthly ☐ Other	Gross income per pay period (before taxes) $	Hours worked per week	Rate per hour	
Job 2	Name of individual working	Employer / company name			
	Company contact's name and title	Employer's phone			
	Employer's address (street, city, state, zip)	Start date			
	How often paid? ☐ Weekly ☐ Biweekly ☐ Monthly ☐ Other	Gross income per pay period (before taxes) $	Hours worked per week	Rate per hour	
Job 3	Name of individual working	Employer / company name			
	Company contact's name and title	Employer's phone			
	Employer's address (street, city, state, zip)	Start date			
	How often paid? ☐ Weekly ☐ Biweekly ☐ Monthly ☐ Other	Gross income per pay period (before taxes) $	Hours worked per week	Rate per hour	

Job Loss and Striker Status. Tell us about recent job changes or if anyone in your household is on strike.

Has anyone lost a job, changed jobs, quit a job, reduced work hours within the last 120 days? ☐ Yes ☐ No	If yes, who?		
Which job?		Date job ended or hours were reduced	Date Last Paid
What happened and why?			
Is anyone in the household currently on strike? ☐ Yes ☐ No	If yes, who?		Date strike began

Self-Employment Income. Tell us about income from current self-employment, or self-employment that ended in the last 90 days. If you are reporting any self-employment or personal business income, you must give us copies of all schedules from your IRS 1040 form.

Owner(s) list all		Business address (city, state, zip)	
Business name		Business type	
Date self-employment started	Date self-employment ended	Average gross monthly income before taxes $	Hours per week worked

Other Income. Tell us about income you get from other sources, such as: disability benefits, worker's compensation payments, unemployment benefits, pensions, Social Security, annuities, retirement income, veteran's benefits, child support payments, foster care or adoption subsidies, or rental income.

Name of person with income	Type / source	Claim #	How often?	Amount	Start date	End date
				$		
				$		
				$		
				$		

Other benefit applications. Tell us about other benefits that household members have applied for, but do not currently receive. Other benefits may include: Social Security benefits (including SSI or SSDI), unemployment compensation, pensions, disability payments, VA benefits, or workers compensation.

Has anyone in your household applied for any of the following benefits? Check all that apply.

☐ SSD ☐ SSA ☐ SSI ☐ Disability ☐ Pension ☐ SSA Early Retirement ☐ VA Benefit ☐ Foreign Income ☐ Workers Compensation
☐ Unemployment Compensation ☐ Railroad Retirement ☐ Other _____

Complete the table below with details about any benefit that you've applied for and checked off above.

	Benefit 1	Benefit 2	Benefit 3
Name of person applying			
Type / source			
Start date (if known)			

Dependent Care Expenses. Tell us about expenses your household pays for childcare or for the care of an elderly or disabled adult.

Dependent 1	Dependent's name	Provider's name	
	Provider's address (street, city, state, zip)		If state pays, how much per month? $
	Who pays?	Amount you pay $	How often?
Dependent 2	Dependent's name	Provider's name	
	Provider's address (street, city, state, zip)		If state pays, how much per month? $
	Who pays?	Amount you pay $	How often?

Medical Expenses. Tell us about any household medical expenses. Medical expenses may include: hospital or doctor bills, dental bills, prescriptions, co-pays, health insurance premiums, medical equipment, costs for glasses and over-the-counter medications/supplements, costs related to a service animal, or costs for a health aid or attendant.

	Expense 1	Expense 2	Expense 3
Name of person with expense			
Expense type			
Date of service			
Amount due	$	$	$
How often do you pay?			
Bill paid?	☐ Yes ☐ No ☐ Partially	☐ Yes ☐ No ☐ Partially	☐ Yes ☐ No ☐ Partially

Court-Ordered Child Support. Tell us about child support that a court has ordered you to pay for children who do not live with you.

	Child 1	Child 2	Child 3
Child's name			
Who pays?			
Amount paid	$	$	$
How often do you pay?			
Type	☐ Current child support ☐ Arrearage ☐ Health insurance premium	☐ Current child support ☐ Arrearage ☐ Health insurance premium	☐ Current child support ☐ Arrearage ☐ Health insurance premium

Shelter Expenses. Tell us about shelter costs that your household is responsible for paying such as: rent or mortgage payments, condo fees, property taxes, and homeowner's insurance. Answering these questions can help you get the most benefits possible.

	Expense 1	Expense 2	Expense 3
Name of person with expense			
Expense type			
Expense amount	$	$	$
How often do you pay?			
If renting, is this subsidized?	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No
If yes, what type of subsidy?			
Do you live in public housing?	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No

Work Related Expenses. These can include cost of tools or materials required for work, mandatory union dues, equipment installation and maintenance, FICA, life or health insurance, mandatory retirement plans, and any expenses related to self-employment.

	Expense 1	Expense 2	Expense 3
Name of person with expense			
Expense type			
Expense amount	$	$	$
How often do you pay?			
Date expense began			

Utility Expenses. Tell us about utility costs that your household is responsible for paying, such as: heating, cooling, electric, gas, water, sewer, garbage, or phones. Answering these questions can help you get the most benefits possible.

Do you pay for heating or cooling separate from your shelter expenses?	☐ Yes ☐ No
Do you pay an extra fee to your landlord for heating or cooling?	☐ Yes ☐ No
Has the household received energy assistance payments in the last year?	☐ Yes ☐ No

Complete the following section if you answered No to the questions above. Do you pay for any of the following utilities separately from your shelter expenses? (Check all that apply.) Include utility expenses that are not part of rent or mortgage.

☐ Sewer / septic ☐ Water ☐ Butane ☐ Electric ☐ Gas
☐ Telephone ☐ Wood ☐ Coal ☐ Garbage ☐ Other fuel

People who are deaf or hard of hearing and have a TDD/TTY device can contact DSS at 1-800-842-4524.
Persons who are blind or visually impaired can contact DSS at 1-860-424-5040.

ED-682
(Rev. 9/15)

Do You Want To Register To Vote?

Federal and State laws require the Department of Social Services (DSS) to give you the chance to register to vote. Answer the questions below and print and sign your name in the space given.

- Are you registered to vote? ☐ Yes I am already registered ☐ No I am not registered
- If you are not registered to vote where you live now, would you like to apply to register to vote here today? ☐ Yes ☐ No

IF YOU DO NOT CHECK EITHER BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO VOTE AT THIS TIME.

Applying to register or declining to register to vote will not affect the amount of assistance that you will be provided by this agency.

If you would like help in filling out the voter registration application form, we will help you. The decision whether to seek or accept help is yours. You may fill out the application form in private.

You can register online at https://voterregistration.ct.gov/OLVR, or you can complete a paper voter registration application form and leave it at DSS or mail it in. The form is included with DSS applications and renewals that we mail to you, and you can also get one at all DSS offices. You can mail your completed form to DSS in the enclosed envelope or send it directly to your Town Hall. If you need help, or if you need another form, call **1-855-626-6632**.

Print Your Name	Sign Here	Date	
Your Address (#, Street, Apt #)	City	State	Zip Code

For DSS Worker's Use Only

Date _____ ☐ No boxes checked ☐ Voter Registration Card Sent

Worker Name _____ Worker Number _____

(Tear here and keep)

If you believe that someone has interfered with your right to register or to decline to register to vote, your right to privacy in deciding whether to register or in applying to register to vote, or your right to choose your own political party or other political preferences, you may file a complaint with: State Elections Enforcement Commission, 20 Trinity Street, Hartford, CT 06106; 860-256-2940, toll-free 866-733-2463, TDD: 1-800-842-9710; or online at SEEC@ct.gov



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W-0016RR
(Rev. 3/17)

State of Connecticut
Department of Social Services
Rights and Responsibilities

The following statements apply to all who ask for or receive help from the Department:

For All Programs

For all programs, except SNAP, I will notify the Department of Social Services (DSS) within 10 days of any change in income, assets or living arrangements.

I may request a hearing if I disagree with an action taken on my case. Hearing requests must be in writing for all programs, except SNAP. Requests for a SNAP hearing may also be made by telephone. You may represent yourself at a hearing, or you may have a lawyer, relative, friend of someone else represent you.

All information given on forms is subject to verification by federal, state and local officials. I will cooperate with these officials by providing authorizations, documents and other proof to prove what I have said. I authorize DSS to verify (check) any information given on forms I submit.

All information given on forms, including Social Security numbers, is confidential, except as permitted or required by court order, state or federal law. With certain exceptions, it will be used only to administer DSS programs. If DSS believes that there is imminent danger to a child's or family's health, safety or welfare, DSS will provide the child's address and telephone number to the Department of Children and Families. For all programs, except Medicaid, DSS will give my address to a law enforcement official to locate me if I am fleeing to avoid prosecution or custody for certain crimes or for violating a condition of probation for certain crimes or if I have information that a law enforcement official needs to do his or her job concerning certain crimes.

DSS may disclose information about me and others in my family or household who are receiving benefits for purposes directly connected with the administration of DSS programs. Purposes directly connected with the administration of DSS' programs include, but are not limited to: establishing eligibility, determining the amount of help, providing services, and for investigations, prosecutions, or civil proceedings related to the administration of DSS programs.

DSS may disclose to its contractors confidential information from the Department of Labor concerning unemployment compensation benefit and quarterly wage information pertaining to any household member requesting assistance to determine and review eligibility for medical assistance, SNAP, SAGA, TFA and State Supplement.

The State may check information it gets about child support payments, which are made to the State on behalf of my child, with the Bureau of Child Support Enforcement (BCSE).

If I make a false or misleading statement, I may be subject to civil or criminal penalties.

I authorize DSS to check any information regarding anyone's non-citizen status with the U.S. Citizenship and Immigration Services (USCIS). I understand that DSS will not share the information given on this form with USCIS. I also understand that USCIS cannot use this application form to deny admission to the U.S., harm permanent resident status or deport me or anyone I am applying for. Information received from the USCIS may affect my household's eligibility and level of benefits.

Any information I give on forms, including Social Security numbers, will be used to check identity and eligibility for those people in my household who are going to receive benefits. People who live with me who are not applying for benefits do not need to give their Social Security numbers, but if they are willing to do so then it may speed up the application process. Social Security numbers will be cross-matched against federal, state and local government files by computers. DSS is allowed to request Social Security numbers based on the following statutes: for SNAP, the Food and Nutrition Act of 2008 (formerly the Food Stamp Act), 7 USC §§ 2011-2036; 7 USC § 2025(e)(1) and 42 USC §§ 1320b-7(a)(1) and (b)(4); for TFA, 42 USC §§ 1320b-7(a)(1) and (b)(1); for Medicaid, 42 USC §§1320b-7(a)(1) and b)(2); for State Supplement to the Aged, Blind and Disabled, 42 USC §§ 1320b-7(a)(1) and (b)(5); for SAGA, the Tax Reform Act of 1976, 42 USC § 405(c)(2)(C)(i); for all programs except SAGA, Conn. Gen. Stat. § 17b-77.

DSS will use information available to it through the Income and Eligibility Verification System (IEVS) and through the National Directory of New Hires to determine my eligibility and benefits. This information will come from the Labor Department, the Social Security Administration, the Internal Revenue Service and other agencies when allowed by law. DSS may check the information it receives from these sources directly with other sources, such as banks and employers. These results may affect my household's eligibility and level of benefits.

Giving the information asked for on forms is voluntary. If I do not give certain information, however, benefits or services may be denied. For SNAP, if I fail to report or check any of the listed expenses, DSS will treat this as a statement that I do not want to receive a deduction for the unreported expense.

I will cooperate with state and federal personnel in Quality Control Reviews.

For State Supplement Cash

If money is due to me because of an inheritance, settlement of a pending or future lawsuit, lottery winnings, the sale of property or from many other sources, this money will go (be assigned) to the State. The State may recover from that money an amount up to the total amount of benefits paid to me or anyone for whom I receive benefits.

The State will recover money from my estate after I die.

The State will place a lien against my home and my spouse's property and any non-home property either of us owns in the State in the amount of benefits I receive.

I will give DSS a security mortgage on all non-home property outside of the State that I or my spouse owns.

My legally liable relative may be billed to repay the State for cash the State paid to me.

Keep this page 1 for your records - Do not return to DSS

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(Rev. 3/17)

State of Connecticut
Department of Social Services
Rights and Responsibilities

For The Supplemental Nutrition Assistance Program (SNAP)

If I break any of the rules on purpose I can be barred from SNAP from between one year and permanently, fined up to $250,000, and/ or imprisoned up to 20 years. I may also be subject to prosecution under any other applicable federal and state laws and I may also be barred from SNAP for an additional 18 months if court ordered.

My application or renewal for and receipt of my SNAP benefits is a registration for work for myself and all members of my SNAP assistance unit who are required to register. I further understand that I and all other members of the SNAP assistance unit who are required to do so must participate in Employment and Training services unless there is good cause not to participate.

I will notify the Department of Social Services (DSS) by the 10th day of the month following the month when my income increases above 130% of the federal poverty level for my family size.

I will notify the DSS by the 10th day of the month following the month when anyone in my household who is considered an Able Bodied Adult Without Dependents works less than 20 hours per week or participates in an Employment and Training activity less than 20 hours per week.

If I break a SNAP rule on purpose, I am ineligible to get SNAP. The first time I break a rule I will not be able to get SNAP for one year. The second time I will not be able to get SNAP for two years. The third time I will not be able to get SNAP ever again.

If I am found guilty of trafficking SNAP benefits of $500 or more, I cannot get SNAP ever again. Trafficking in SNAP means selling them instead of using them to buy food.

If I am found guilty of buying a product with SNAP that has a container with a return deposit with the intent of getting cash by dumping the product out and returning the container for cash, the first time I break this rule I will not be able to get SNAP for 12 months, the second time I will not be able to get SNAP for 24 months, the third time I will not be able to get SNAP ever again.

I am not allowed to use, or have in my possession, an EBT card that is not mine (unless I am an authorized SNAP shopper) and not to let others use my card (unless they are an authorized SNAP shopper).

If I am found guilty of buying or trading a controlled substance or receiving SNAP benefits as payment for a controlled substance, the first time I break this rule I cannot get SNAP for 24 months and the second time I will not be able to get SNAP ever again.

If I am found guilty of buying or trading firearms, ammunition or explosives or receiving SNAP benefits as payment for firearms, ammunition or explosives, I will not be able to get SNAP ever again.

If I intentionally misuse an Electronic Benefit Transfer (EBT) card, I may no longer get SNAP. I may also be fined up to $250,000 or sent to jail for up to 20 years or both. Misuse of an EBT card means altering, selling, or trading a card, using someone else's card without permission or exchanging benefits.

I am not allowed to buy nonfood items, such as alcohol or cigarettes, or to buy food on credit. I understand this is an intentional misuse of an EBT card and could result in a disqualification.

If I make a false statement about the identity or address of myself or household members to get more than one SNAP benefit for the same time period, I will not be able to get SNAP for 10 years.

If a SNAP claim arises against my household, the information on forms I submit to DSS, including all Social Security numbers, may be referred to federal and state agencies, as well as private claims collection agencies for claims collection action.

The State must process applications for SNAP in accordance with SNAP procedures, including timeliness, notice and Fair Hearing requirements. A household may not be denied SNAP benefits solely because they have been denied benefits from other programs .

For Jobs First / TFA Cash

The State will place a lien against my home and my spouse's property and any non-home property that either of us owns in the State in the amount of benefits I receive. The State will also place a lien against the property of the parents of children under 18 years old who live in my household.

I and all other members of the Jobs First / TFA household who are required to do so must participate in Employment Services, unless there is an exemption for that person.

If money is due to me from an inheritance or from the settlement of a pending or future lawsuit, lottery winnings, the sale of property or from any other sources, this money will go (be assigned) to the State. The State may recover from that money an amount up to the total amount of benefits paid to me or anyone for whom I receive benefits.

DSS may conduct an unscheduled home visit.

The State recovers money it paid to me from my estate when I die.

My legally liable relative may be billed to repay the State for cash paid to me.

If I knowingly give false (wrong) information to DSS about myself or someone I am applying for in order to get Jobs First / TFA benefits or get the wrong amount of money, I will not get the benefits for 6 months the first time this happens and 12 months the second time. If it happens a third time, I will never again be able to get Jobs First / TFA benefits.

I will not use my EBT card to conduct electronic benefit transfer transactions in a liquor store, an adult-oriented entertainment establishment, or a casino, gambling casino or gaming establishment.

I will give DSS a security mortgage on the non-home property outside of the State that I or my spouse own.

Keep this page 2 for your records - Do not return to DSS

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State of Connecticut
Department of Social Services
Rights and Responsibilities

For SAGA Cash

If money is due to me because of an inheritance, settlement of a pending or future lawsuit, lottery winnings, the sale of property or from many other sources, this money will go (be assigned) to the State. The State may recover from that money an amount up to the total amount of benefits paid to me or anyone for whom I receive benefits.

The State will place a lien against my home and my spouse's property and any non-home property that either of us owns in the State in the amount of benefits I receive.

I will give DSS a security mortgage on all non-home property outside of the State that I or my spouse owns.

I must cooperate with the State in getting support from my spouse.

If a member of my household has a substance abuse problem, he or she may be required to be in treatment in order to receive SAGA cash benefits.

If I make false or misleading statements when I apply for SAGA, this is breaking the law and I may not be able to get SAGA for up to a year.

For Medical Assistance

Money from a pending or future lawsuit will go (be assigned) to the State to recover any medical expenses paid by the State related to the lawsuit.

If I knowingly give false (wrong) or misleading information to DSS about myself or someone I am applying for, I am breaking federal law and I may be fined up to $25,000 or put in prison for 5 years or both.

By applying for medical assistance, I give (assign) my right of support from third parties to DSS (section 1912 of the Social Security Act).

If I am in a nursing facility or if I am applying for home and community-based services, and I want to assign my support rights against my spouse, I must sign an additional assignment of support (section 1924 of the Social Security Act).

The State may bill my legally liable relative to repay the State for the costs of my medical care.

I will not alter (change), trade, sell or use someone else's medical services identification card.

The State recovers money from my estate if I receive long-term care services and also if I am at least 55 years old when I receive community medical assistance benefits and I do not have a living spouse or child who is under 21 years old or blind or disabled.

The State may place a lien on my home, under certain conditions, if I enter a nursing facility and I will not be returning to my home in the community.

DSS or its representative may apply for Medicare on my behalf if DSS thinks I am eligible for Medicare. DSS or its representative may also file Medicare claims and appeals on my behalf.

DSS or any other health insurer or provider may release information about me and my family as necessary for the delivery of medical and program services, as permitted by federal and state law.

By receiving medical assistance, I allow the State to recover the cost of my medical bills that are covered by a third party, such as other insurance, directly from that third party.

Child Support Assignment And Cooperation

By applying for help from the State, I assign (give) to the State all the rights I have to current support from any person for any family member included in the application.

For as long as I am getting help from the State, I must fully cooperate with the State in order to get other responsible persons to contribute to my family's support.

The State will keep child support due to me while I am receiving cash help, which means that I will not collect it during that time.

When my TFA cash help ends, all current child support will come to me. Any unpaid child support that was due to me during the time I was receiving TFA cash help is owed to the State.

The State will continue to enforce my child support order after I stop receiving help, unless I notify the State that I do not want this service.

Keep this page 3 for your records - Do not return to DSS

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State of Connecticut
Department of Social Services
Rights and Responsibilities

Non-Discrimination Statement

USDA NON-DISCRIMINATION STATEMENT:

This institution is prohibited from discriminating on the basis of race, color, national origin, disability, age, sex and in some cases religion or political beliefs.

The U.S. Department of Agriculture also prohibits discrimination based on race, color, national origin, sex, religious creed, disability, age, political beliefs or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at **http://www.ascr.usda.gov/** complaint_filing_cust.html and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

(1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Ave, SW Washington, D.C. 20250-9410;

(2) fax: (202) 690-7442; or

(3) email: **program.intake@usda.gov**

For any other information dealing with Supplemental Nutrition Assistance Program (SNAP) issues, persons should either contact the USDA SNAP Hotline Number at (800) 221-5689, which is also in Spanish or call the State Information/Hotline Numbers (click the link for a listing of hotline numbers by State); found online at:

http://www.fns.usda.gov/snap/contact_info/hotlines.htm.

To file a complaint of discrimination regarding a program receiving Federal financial assistance through the U.S. Department of Health and Human Services (HHS), write:

HHS Director,Office for Civil Rights,

Room 515-F, 200 Independence Avenue, S.W., Washington, D.C. 20201

or call (202) 619-0403 (voice) or (800) 537-7697 (TTY).

This institution is an equal opportunity provider.

DHHS NON-DISCRIMINATION STATEMENT:

The Department of Social Services complies with applicable Federal civil rights laws and does not discriminate on the basis of race, color, national origin, age, disability, or sex.

The Department does not exclude people or treat them differently because of race, color, national origin, age, disability, or sex.

The Department of Social Services:

1. Provides free aids and services to people with disabilities to communicate effectively with us, such as:
   - Qualified sign language interpreters
   - Written information in other formats (large print, audio, accessible electronic formats, other formats)
2. Provides free language services to people whose primary language is not English, such as:
   - Qualified interpreters
   - Information written in other languages

If you need these services, contact the Department of Social Services Benefits Center at 1-855-626-6632.

If you believe that the Department of Social Services has failed to provide these services or discriminated in another way on the basis of race, color, national origin, age, disability, or sex, you can file a grievance with:

Department of Social Services
ADA Coordinator
55 Farmington Ave,
Hartford, CT 06105-5033
Phone: 860-424-5040, Fax 860-424-4948;
Email: affirmativeaction.dss@ct.gov.

You can file a grievance in person or by mail, fax, or email. If you need help filing a grievance, the ADA Coordinator is available to help you. You can also file a civil rights complaint with the U.S. Department of Health and Human Services, Office for Civil Rights, electronically through the Office for Civil Rights Complaint Portal, available at https://ocrportal.hhs.gov/ocr/portal/lobby.jsf, or by mail or phone at:

US Dept. of Health and Human Services
200 Independence Avenue, SW Room 509F, HHH Building
Washington, D.C. 20201
1-800-368-1019, 800-537-7697 (TDD)
Complaint forms are available at **http://www.hhs.gov/ocr/office/file/index.html**

CT NON-DISCRIMINATION STATEMENT:

You have the right to make a discrimination complaint if you think we have taken action against you because of your race, color, religion, sex, gender identity or expression, marital status, age, national origin, ancestry, political beliefs, sexual orientation, intellectual disability, mental disability, learning disability, or physical disability, including, but not limited to, blindness.

An individual with a disability may request and receive a reasonable accommodation or special help from the Department of Social Services when it is necessary to allow the individual to have an equal and meaningful opportunity to participate in programs administered by the Department.

If you asked for an accommodation or special help and we refused to provide it, you may make a complaint to the Department's ADA Coordinator or any of the agencies listed below:

Commissioner of Social Services
Attn: ADA Coordinator
55 Farmington Ave,
Hartford, CT 06105
Ph: (860) 424-5040; Fax: (860) 424-4948

Connecticut Commission on Human Rights and Opportunities
450 Columbus Blvd,
Hartford, CT 06103
Ph: (860) 541-3400; Toll free: (800) 477-5737; TTD: (860) 541-3459; Fax: (860) 246-5265;
Web: **http://www.ct.gov/chro/site/default.asp**

U.S. Dept. of Health and Human Services, Office for Civil Rights
JFK Federal Building, Rm 1875,
Boston, MA 02203
Ph: (617) 565-1340; Toll free: (800) 368-1019; TTY: (800) 537-7697; Fax: (617) 565-3809;
Web: **http://www.hhs.gov/ocr/office/file/index.html**

Keep this page 4 for your records - Do not return to DSS

APPENDIX B

List of Connecticut Department of Social Service Offices
Field Office Locations
https://portal.ct.gov/DSS/About-the-Department-of-Social-Services/Contact

Bridgeport
925 Housatonic Avenue
Bridgeport, CT 06606

Danbury
342 Main Street
Danbury, CT 06810

Greater Hartford
20 Meadow Road
Windsor, CT 06095

Manchester 699 East Middle Turnpike
Manchester, CT 06040

Middletown
2081 South Main Street, Suite B
Middletown, CT 06457

New Britain
30 Christian Lane
New Britain, CT 06051-4152

New Haven
50 Humphrey Street
New Haven, CT 06511

Norwich
401 West Thames Street
Norwich, CT 06360

Torrington
62 Commercial Boulevard
Torrington, CT 06790

Stamford
1642 Bedford Street
Stamford, CT 06905

Waterbury
249 Thomaston Avenue
Waterbury, CT 06702

Willimantic
1320 Main Street / Tyler Square
Willimantic, CT 06226

DSS offers Video Remote Interpreting (VRI) / Language

Translation Services

Video Interpreting available onsite

What is VRI?

DSS's Video Remote Interpreting (VRI) is the on-demand service that provides communication between deaf or hard-of-hearing persons and hearing persons that are in the same location, utilizing an interpreter by way of a computer with a webcam and Internet connection or a tablet using a cellular connection.

Benefits

- On-demand services – no need to schedule in advance
- Average speed of answer
- Experienced video interpreters
- Clear audio and video quality
- Quiet, private locations





APPENDIX C

Care 4 Kids Application, (Rev. 10/18)[652]

See next page.

[652] See https://www.ctcare4kids.com/files/2012/05/Care-4-Kids-Application-Form.pdf for the Care 4 Kids Application.

Care 4 Kids Application

Care 4 Kids ▪ 1344 Silas Deane Highway ▪ Rocky Hill, CT 06067
Phone: 1-888-214-5437
Fax: 1-877-868-0871

Care 4 Kids (C4K) is the child care assistance program for the State of Connecticut. This form will give us the information we need to see if you are eligible for child care assistance from Care 4 Kids.

1. **Fill out this Application.** If you need help, call 1-888-214-5437 or visit www.ctcare4kids.com.
2. **Fill out the Parent Provider Agreement (PPA)** with your child care provider. New providers to the Care 4 Kids program must complete a W-9 form and return it with the completed PPA. Applications can be submitted even if you have not picked a child care provider. If you need help finding a licensed child care provider, call 2-1-1 Child Care at 2-1-1 or 1-800-505-1000.
3. Please make sure you sign and date your Application and PPA. **Incomplete forms may not be accepted and will delay processing.**
4. **Provide all necessary information.** Submit a copy of the requested information with your Application.

Information that you provide on this form must be checked before you can receive Care 4 Kids assistance. The following documents can be submitted.

- **Income from Employment** – Copy of your most recent pay stubs or a letter from your employer.
- **Self-Employment** – Recent tax records and tax returns, or receipts of business income and expenditures.
- **Social Security Income** – Current award notice, copy of current check or statement from social security.
- **Child Support Paid** – Cancelled check, money order, or wage stub showing deduction.
- **Foster Care Payment** – Foster care stipend check or award letter from Department of Children and Families.
- **Rental Income You Receive From Someone Else** – Business records or income tax records.

SECTION 1: APPLICANT INFORMATION/HEAD OF HOUSEHOLD

The applicant is the parent or adult legally responsible for the child(ren). If the parent is under the age of 18 and living with an adult, the adult is considered the applicant and must fill out and sign this Application.

_____ _____ _____ ___/___/___
FIRST NAME *M.I.* *LAST NAME* *DATE OF BIRTH*

_____ _____
STREET ADDRESS *FLOOR/APARTMENT NUMBER*

_____ _____ _____ (___) _____ (___) _____
CITY *STATE* *ZIP* *PRIMARY PHONE* *WORK PHONE*

___ ___ _____
SOCIAL SECURITY NUMBER (OPTIONAL)

Gender: ❑ Female ❑ Male **Marital Status:** ❑ Married ❑ Single ❑ Separated ❑ Divorced

Race: ❑ **A** (Asian) ❑ **B** (Black/African) ❑ **C** (White) ❑ **N** (American Indian/Alaska Native) ❑ **P** (Native Hawaiian/Other Pacific Islander)

Hispanic/Latino: ❑ YES ❑ NO

Is this Application for child care assistance for a foster child? ❑ YES ❑ NO

Are you living in a temporary housing situation? ❑ YES ❑ NO

Have you experienced 3 or more moves in the past year? ❑ YES ❑ NO

Are you an active member of the United States Military? ❑ YES ❑ NO (If **YES**, check box below)

❑ Active Duty U.S. Military ❑ National Guard Military Reserve

Do you have an impairment that requires an accommodation or extra help? ❑ YES ❑ NO

What is the primary language spoken in your home? _____

❑ Marque aquí si desea recibir cartas y formularios en español. *(Check here to receive letters and forms in Spanish)*



NAME (First/Last):_____

SECTION 2: CHILDREN INFORMATION

To be eligible, children must be under age 13. Children with special needs may be eligible up to age 19.

CHILDREN IN THE HOME WHO NEED CHILD CARE ASSISTANCE

KEY: A (Asian) B (Black/African Decent) C (White) N (American Indian/Alaskan Native) P (Native Hawaiian/Other Pacific Islander)

Child's Name *(First Name, Middle Initial, Last Name)*	Date of Birth	Relationship to Applicant	Gender	Race *(circle all that apply)*	Is child Hispanic/ Latino?	Social Security Number *(optional)*	Is child a U.S. citizen?	Is child up to date with shots? *(immunizations)*
1.	___/___/___		❑ M ❑ F	A B C N P	❑ YES ❑ NO	_____-____-_____	❑ YES ❑ NO	❑ YES ❑ NO
2.	___/___/___		❑ M ❑ F	A B C N P	❑ YES ❑ NO	_____-____-_____	❑ YES ❑ NO	❑ YES ❑ NO
3.	___/___/___		❑ M ❑ F	A B C N P	❑ YES ❑ NO	_____-____-_____	❑ YES ❑ NO	❑ YES ❑ NO
4.	___/___/___		❑ M ❑ F	A B C N P	❑ YES ❑ NO	_____-____-_____	❑ YES ❑ NO	❑ YES ❑ NO
5.	___/___/___		❑ M ❑ F	A B C N P	❑ YES ❑ NO	_____-____-_____	❑ YES ❑ NO	❑ YES ❑ NO

Do any of the above children have special needs? ❑ YES ❑ NO If **YES**, provide name(s):_____

Do you share joint custody with any of the children listed above? ❑ YES ❑ NO

If **YES**, provide name(s): _____

CHILDREN UNDER 18 IN THE HOME WHO DO NOT NEED CHILD CARE ASSISTANCE

First Name, Middle Initial, Last Name	Date of Birth	Gender	Relationship of Child to Applicant	Social Security Number *(optional)*
1.	____/____/____	❑ M ❑ F		_____-_____-_____
2.	____/____/____	❑ M ❑ F		_____-_____-_____
3.	____/____/____	❑ M ❑ F		_____-_____-_____

Do any of the children listed above have their *own* children living in your home? ❑ YES ❑ NO If **YES**, list the names of the minor parents (under age 18) and the name(s) of their child(ren):

Parent(s) Under Age 18:

_____

_____

Child(ren) of Parent Under Age 18:

_____

_____

SECTION 3: INFORMATION ON OTHER ADULTS LIVING IN YOUR HOME

List **all** other adults **18 and over** living in your home. Include your spouse and any relatives and non-relatives who live in your home.

First Name, Middle Initial, Last Name	Date of Birth	Gender	Relationship to Applicant	Social Security Number *(optional)*	Is this person a parent of child living in the home?
1.	___/___/___	❑ M ❑ F		_____-____-_____	❑ YES ❑ NO Name of Child
2.	___/___/___	❑ M ❑ F		_____-____-_____	❑ YES ❑ NO Name of Child

Are any of the other adults listed above an active member of the United States Military? ❑ YES ❑ NO If **YES**, check the box and provide the name of the other adult(s): ❑ Active Duty U.S. Military ❑ National Guard Military Reserve

_____

NAME (First/Last):_____

SECTION 4: WORK/EDUCATION/TRAINING ACTIVITIES

List all parents and other adults, including yourself, who are working, in training, or in school. Include parents or other persons legally responsible for the children in the home and their spouses. Fill out the information for each activity/parent/other adult. **If there are more than 2 activities, make a copy of this page or download and print another copy of this page from the Care 4 Kids website at www.ctcare4kids.com.**

1. _____
NAME OF PARENT OR OTHER ADULT IN THE HOME

Type of Activity: ❑ Work ❑ Education ❑ High School ❑ Self-Employed ❑ Training ❑ Disabled

Name of Employer/Program/School _____

Address _____ City_____ State_____ Zip_____

Start Date _____ Phone (____) _____

PARENT/ADULT – TYPICAL WEEKLY SCHEDULE

Enter start time and end time, and circle AM or PM. If this activity has more than one schedule, please indicate below.

Day of the Week	Schedule 1 Begin Time	Schedule 1 End Time	Schedule 2 Begin Time	Schedule 2 End Time
Sunday	____:____ AM PM	____:____ AM PM	____:____ AM PM	____:____ AM PM
Monday	____:____ AM PM	____:____ AM PM	____:____ AM PM	____:____ AM PM
Tuesday	____:____ AM PM	____:____ AM PM	____:____ AM PM	____:____ AM PM
Wednesday	____:____ AM PM	____:____ AM PM	____:____ AM PM	____:____ AM PM
Thursday	____:____ AM PM	____:____ AM PM	____:____ AM PM	____:____ AM PM
Friday	____:____ AM PM	____:____ AM PM	____:____ AM PM	____:____ AM PM
Saturday	____:____ AM PM	____:____ AM PM	____:____ AM PM	____:____ AM PM

If your work schedule or activity is flexible or varies, please explain:_____

_____

Daily commute to/from child care setting/activity?_____ minutes Do you use public transportation? ❑ YES ❑ NO

2. _____
NAME OF PARENT OR OTHER ADULT IN THE HOME

Type of Activity: ❑ Work ❑ Education ❑ High School ❑ Self-Employed ❑ Training ❑ Disabled

Name of Employer/Program/School_____

Address_____ City_____ State_____ Zip_____

Start Date_____ Phone (____) _____

PARENT/ADULT – TYPICAL WEEKLY SCHEDULE

Enter start time and end time, and circle AM or PM. If this activity has more than one schedule, please indicate below.

Day of the Week	Schedule 1 Begin Time	Schedule 1 End Time	Schedule 2 Begin Time	Schedule 2 End Time
Sunday	____:____ AM PM	____:____ AM PM	____:____ AM PM	____:____ AM PM
Monday	____:____ AM PM	____:____ AM PM	____:____ AM PM	____:____ AM PM
Tuesday	____:____ AM PM	____:____ AM PM	____:____ AM PM	____:____ AM PM
Wednesday	____:____ AM PM	____:____ AM PM	____:____ AM PM	____:____ AM PM
Thursday	____:____ AM PM	____:____ AM PM	____:____ AM PM	____:____ AM PM
Friday	____:____ AM PM	____:____ AM PM	____:____ AM PM	____:____ AM PM
Saturday	____:____ AM PM	____:____ AM PM	____:____ AM PM	____:____ AM PM

If your work schedule or activity is flexible or varies, please explain:_____

_____

Daily commute to/from child care setting/activity?_____ minutes Do you use public transportation? ❑ YES ❑ NO



NAME (First/Last): _____

SECTION 5: CHILD SUPPORT PAID

If you or another adult living in your home pays child support, that amount may be deducted from your income. If **YES**, payment is made to _____. Submit verification of child support paid.

What is/are the name(s) of the child(ren) for whom you pay support? _____

_____

How much is paid? $_____ How often? ❑ Weekly ❑ Bi-Weekly ❑ Semi-Monthly ❑ Monthly

SECTION 6: INCOME INFORMATION

Send verification of all earned and unearned income for parents, parents of children under 18, step-parents, and children under 18. These family members are part of your household and their income will be counted when deciding eligibility. Send at least 2 weeks of your MOST RECENT paycheck stub(s) or a letter from your employer. If you are self-employed, submit a copy of your most recent tax records and returns, including the schedules or receipts of business income and expenditures.

Persons with Income →	Name	Name	Name	Name
Gross Wages *(before taxes)* **and Frequency**	$ _____ *per wk bwk sm mo *(circle one)*	$ _____ *per wk bwk sm mo *(circle one)*	$ _____ *per wk bwk sm mo *(circle one)*	$ _____ *per wk bwk sm mo *(circle one)*
Self-Employment	$ _____ per week or month *(circle one)*	$ _____ per week or month *(circle one)*	$ _____ per week or month *(circle one)*	$ _____ per week or month *(circle one)*
DCF Stipend	$ _____ per month	$ _____ per month	$ _____ per month	$ _____ per month
Social Security Income	$ _____ per month	$ _____ per month	$ _____ per month	$ _____ per month
Unemployment Compensation	$ _____ per month	$ _____ per month	$ _____ per month	$ _____ per month
Other Income *(i.e. alimony, pensions, worker's compensation, veterans benefits, rental income)*	$ _____ Type:_____ *per wk bwk sm mo *(circle one)*	$ _____ Type:_____ *per wk bwk sm mo *(circle one)*	$ _____ Type:_____ *per wk bwk sm mo *(circle one)*	$ _____ Type:_____ *per wk bwk sm mo *(circle one)*

KEY: per:* **wk (weekly), **bwk** (bi-weekly), **sm** (semi-monthly), **mo** (monthly)

Does your household have assets that exceed $1 million in value? ❑ YES ❑ NO

Do you get child care assistance from another source? ❑ YES ❑ NO

If **YES**, from whom?_____ How much? $_____ How often?_____

SECTION 7: PARENTS RIGHTS AND RESPONSIBILITIES

Please read the following section carefully. If there is anything you do not understand, call **Care 4 Kids** at **1-888-214-5437** and ask that it be explained to you.

- When you have read this section, please sign and date the next page.
- You have certain rights and there are certain rules you need to follow.
- You have the right to file an Application, withdraw an Application, or discontinue your participation in Care 4 Kids at any time.
- You have the right to be treated fairly by Care 4 Kids without regard to race, color, religion, sex or sexual orientation, marital status, national origin, ancestry, age, political beliefs, or disability. You have the right to request forms and notices in Spanish. All non-English speaking participants have the right to the services of an interpreter.
- You have the right to ask for a review of any decision made by Care 4 Kids on your Application. You have the right to speak to a supervisor or mediator and the right to request a hearing from the State of Connecticut.

I understand and agree that:

- I must report changes in my situation to Care 4 Kids **within 10 days** of the change for the following: change in address, household income over 85% of the State Median Income, if the child receiving Care 4 Kids benefits is no longer in the home, child care provider, and loss of employment or stopping an approved activity. For the current State Median Income Chart, please visit the Care 4 Kids website www.ctcare4kids.com.
- Care 4 Kids may verify the information I have given on this form. I understand that if I am eligible for Care 4 Kids, benefits will not begin any earlier than 15 days before the date the Application is received.



NAME (First/Last): _____

SECTION 7, CONTINUED: PARENTS RIGHTS AND RESPONSIBILITIES

- The Department of Labor will share unemployment compensation and wage information for applicants and household members for determination of eligibility for Care 4 Kids. The Office of Early Childhood (OEC) may disclose to its contractor confidential information from the Department of Labor concerning unemployment compensation benefits and quarterly wage information pertaining to individuals who have signed the Application, only as necessary, to determine eligibility for the Care 4 Kids program.
- The information on this form is confidential. The OEC or its contractor will only use this information to administer a State of Connecticut program. Information may be shared with others as permitted by law.
- Care 4 Kids will disclose information about my eligibility for Care 4 Kids to my provider.
- Care 4 Kids may be required to provide information about program applicants and participants to law enforcement officials.
- The child care arrangement is between my provider and me. The OEC and Care 4 Kids are not responsible for the child care arrangement.
- The State of Connecticut may conduct unscheduled visits to verify any household, employer, or provider circumstances.
- Care 4 Kids may not pay the full amount charged by my provider. I am responsible for paying all additional provider charges.
- I have the right to choose any eligible child care provider that meets all applicable health, training, and licensing requirements.
- I may be required to repay any benefits received in error, including administrative errors. I may be subject to criminal prosecution for fraud if I knowingly supply any false information to Care 4 Kids or fail to report changes on time. I also may be disqualified from the program. In order to remain eligible, I must cooperate with the Care 4 Kids and State of Connecticut quality control process.

PLEASE READ AND SIGN: I have read my rights and responsibilities or have had them read to me in a language I understand. I certify, under penalty of perjury, that all of the information provided is true and correct to the best of my knowledge.

Applicant Signature:_____ Date:_____

Signature of other legally responsible adult living with you (i.e. spouse, child's parent, etc.)

Other Signature:_____ Date:_____

RETURN THIS APPLICATION TO:
Care 4 Kids ▪ 1344 Silas Deane Highway ▪ Rocky Hill, CT ▪ 06067
FAX: 1-877-868-0871

APPENDIX D

Department of Social Services Application for Medicare Savings Programs, DSS Form W-1QMB (Rev.8/16) [653]

See next page.

[653] Search the internet for "Department of Social Services Application for Medicare Savings Programs, DSS Form W-1QMB (Rev.8/16)" to obtain a copy of Form W-1QMB.

W-1QMB
(Rev 8/16)

State of Connecticut Department of Social Services

Application for Medicare Savings Programs (QMB, SLMB, ALMB)

*Use this form to **apply** for Medicare Savings Program benefits. If you currently receive these benefits, please renew using the Renewal Form for Medicare Savings Programs (W-1QMBR).*

Do you need a reasonable accommodation or special help to complete your application because you have a disability? ☐ Yes ☐ No If yes, complete the next question and see page 3 about how we can help.

If you need a reasonable accommodation or special help, tell us what kind of help you need:

_____

Tell us about yourself

Name (first, middle, last)	Sex (M or F)	Social Security #	Date of Birth

Home Street Address	City	State	Zip Code

Mailing Address (if different)	City	State	Zip Code

Best phone # to reach you	Marital Status (check one): ☐ Never Married ☐ Married ☐ Separated ☐ Divorced ☐ Widowed

This application is for (check one):	Spouse's Name (first, middle, last)	
☐ Yourself only		
☐ Yourself and your spouse	Spouse's Social Security #	Spouse's Date of Birth

Title VI of the Civil Rights Act of 1964 allows us to ask for race and ethnic origin information. You do not have to give it to us. The information helps to make sure that we are following federal civil rights law. If you do not want to give us this information, it will not affect your application.

Are you of Hispanic, Latino/a, or Spanish origin? ☐ No ☐ Yes (if yes, check all that apply)
☐ Mexican, Mexican-American or Chicano/a ☐ Cuban ☐ Puerto Rican ☐ Other Hispanic, Latino/a or Spanish

Racial Heritage (check all that apply): ☐ White ☐ Black or African American ☐ American Indian or Alaska Native
☐ Asian Indian ☐ Chinese ☐ Filipino ☐ Japanese ☐ Korean ☐ Vietnamese ☐ Other Asian
☐ Native Hawaiian ☐ Samoan ☐ Guamanian or Chamorro ☐ Other Pacific Islander

Tell us about your citizenship status

	Are you a U.S. citizen? (check one)	If no, what is your non-citizen status? (refugee, entrant, permanent resident, etc.)	What is your alien registration number?	What is your country of origin?	What are the date and place that you came into the country?	What is your sponsor's name? (if applicable)
Yourself	☐ Yes ☐ No					
Your Spouse	☐ Yes ☐ No					

Return to:
PO Box 1320, Manchester, CT 06045

W-1QMB

Tell us about your medical insurance

Check if you have Medicare Part A ☐ or Part B ☐. Check if your spouse has Medicare Part A ☐ or Part B ☐.

Insurance for You	Insurance for Your Spouse
Medicare Claim #:_____	Medicare Claim #:_____
Insurance other than Medicare, if any:	Insurance other than Medicare, if any:
Company name: _____	Company name: _____
Policy number: _____	Policy number: _____
Group number: _____	Group number: _____
Check off all the services that are covered:	Check off all the services that are covered:
☐ Hospital ☐ Doctor/Surgical ☐ Dental	☐ Hospital ☐ Doctor/Surgical ☐ Dental
☐ Prescription ☐ Vision/Optical ☐ Long Term Care	☐ Prescription ☐ Vision/Optical ☐ Long Term Care
Policy start date: _____ Stop date: _____	Policy start date: _____ Stop date: _____
Policy premium amount: $_____ per _____	Policy premium amount: $_____ per _____
Date you started paying this premium: _____	Date you started paying this premium: _____

Tell us about your income

List all income that you and your spouse receive. List the amounts of income before any deductions are made.

Examples of income are: Social Security, Supplemental Security Income (SSI), wages, pensions, disability benefits, worker's compensation, unemployment compensation, interest, dividends, rental property income, alimony, and child support.

Income for Yourself			Income for Your Spouse		
Where does the money come from?	**How much do you receive?**	**How often do you receive it?** (hourly, weekly, every other week, monthly, yearly)	**Where does the money come from?**	**How much do you receive?**	**How often do you receive it?** (hourly, weekly, every other week, monthly, yearly)
Wages (employer name):	$		Wages (employer name):	$	
Interest:	$		Interest:	$	
Social Security (type):	$		Social Security type):	$	
Pension (company name):	$		Pension (company name):	$	
IRA (name of bank):	$		IRA (name of bank):	$	
Other (describe):	$		Other (describe):	$	

Return to:
PO Box 1320, Manchester, CT 06045



W-1QMB

Important information for you to know about your application

- This application is a request for help from the Medicare Savings Programs only.
- All the information given on this form is confidential and will only be used to administer the programs and will only be disclosed as permitted by law.
- The Social Security numbers of everyone receiving or requesting assistance will be used to verify identity and eligibility. Social Security numbers will be checked against government databases, as permitted by law.
- Information provided on this form may be verified to the extent permitted by law, including by checking government computer databases or directly with third parties such as employers or banks.

If you need a reasonable accommodation or special help

If you cannot do something we ask you to do because you have a disability, you may request a reasonable accommodation or special help. For example, we may be able to complete your application over the telephone if you cannot come into the office, help you get certain proofs, or give you extra time to provide information. Contact DSS at 1-855-626-6632 to request a reasonable accommodation or special help. If we do not agree to give you a reasonable accommodation or special help based on your disability, you can complain to the department's Americans with Disabilities Act (ADA) coordinator. See the Non-Discrimination Statement on page 4.

Please read carefully and sign below

- I give permission to DSS, or any health insurer, provider, or any other entity providing services to me or my family under the Medicaid program, to release information about me or my family as necessary for the delivery of Medicaid program services and the administration of the Medicaid program, as permissible by federal or state law.
- I certify under penalty of perjury that all the statements made on this form are true and complete to the best of my knowledge. I understand that I can be criminally or civilly prosecuted under state or federal law if I knowingly give incorrect information or fail to report something I should report.

Any person who helped you complete this form or completed this form for you must also sign.

Applicant's Signature	Date	Spouse's Signature	Date
Helper or Representative's Signature	Date	Relationship To Applicant	

Permission to Share Information

To permit the Department of Social Services to share information about your application, please identify the authorized individuals, agencies, or institutions that DSS may communicate with, and sign in the box.

1	Name:	Phone #
	Address:	
2	Name:	Phone #
	Address:	
Applicant's Signature or Signature of Authorized Representative		Date

Return to:
PO Box 1320, Manchester, CT 06045

W-1QMB

NON-DISCRIMINATION STATEMENT
You may file discrimination complaints or request reasonable accommodations as follows:

You have the right to make a discrimination complaint if you think we have taken action against you because of your race, color, religion, sex, gender identity or expression, marital status, age, national origin, ancestry, political beliefs, sexual orientation, intellectual disability, mental disability, learning disability, or physical disability, including, but not limited to, blindness.

An individual with a disability may request and receive a reasonable accommodation or special help from the Department of Social Services when it is necessary to allow the individual to have an equal and meaningful opportunity to participate in programs administered by the Department.

If you asked for an accommodation or special help and we refused to provide it, you may make a complaint to the Department's Affirmative Action Division Director or any of the agencies listed:

Commissioner of Social Services
Attn: Affirmative Action Division Director/ADA Coordinator
55 Farmington Avenue, Hartford, CT 06105
Ph: 1-860-424-5040 Toll free: 1-800-842-1508
TDD: 1-800-842-4524 Fax: 1-860-424-4948

Connecticut Commission on Human Rights and Opportunities
25 Sigourney Street, Hartford, CT 06106
Ph: 1-860-541-3400 Toll free: 1-800-477-5737
TDD: 1-860-541-3459 Fax: 1-860-246-5265
Web: http://www.ct.gov/chro/site/default.asp

U.S. Dept. of Health and Human Services Office for Civil Rights
JFK Federal Building, Room 1875, Boston, MA 02203
Ph: 1-617-565-1340 Toll free: 1-800-368-1019
TDD: 1-800-537-7697 Fax: 1-617-565-3809
Web: http://www.hhs.gov/ocr/office/file/index.html

Persons who are deaf or hard of hearing and have a TTD/TTY device can contact DSS at 1-800-842-4524. Persons who are blind or visually impaired can contact DSS at 1-860-424-5040.

Return to:
PO Box 1320, Manchester, CT 06045

W-1QMB

ED-682
(Rev. 9/15)

DO YOU WANT TO REGISTER TO VOTE?

Federal and state laws require the Department of Social Services (DSS) to give you the chance to register to vote. Please answer the questions below and print and sign your name in the space provided.

- Are you registered to vote? ☐ Yes, I am already registered ☐ No
- If you are not registered to vote where you live now, would you like to apply to register to vote here today? ☐ Yes ☐ No

IF YOU DO NOT CHECK EITHER BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO VOTE AT THIS TIME.

Applying to register or declining to register to vote will not affect the amount of assistance that you will be provided by this agency.

If you would like help in filling out the voter registration application form, we will help you. The decision whether to seek or accept help is yours. You may fill out the application form in private.

You can register online at https://voterregistration.ct.gov/OLVR, or you can complete a paper voter registration application form and leave it at DSS or mail it in. The form is included with DSS applications and renewals that we mail to you, and you can also get one at all DSS offices. You can mail your completed form to DSS in the enclosed envelope or send it directly to your Town Hall. If you need help, please call 1-855-626-6632.

Print Your Name	Sign Here		Date
Your Address (#, Street, Apt #)	City	State	Zip Code

For Worker's Use Only

Date _____ ☐ No boxes checked ☐ Voter Registration Card Sent

Worker Name _____ Worker Number _____

(Tear Here and Keep)

If you believe that someone has interfered with your right to register or to decline to register to vote, your right to privacy in deciding whether to register or in applying to register to vote, or your right to choose you own political party or other political preferences, you may file a complaint with: State Elections Enforcement Commission, 20 Trinity Street, Hartford, CT 06106; 860-256-2940, toll-free 866-733-2463, TDD: 1-800-842-9710; SEEC@ct.gov



APPENDIX E

Social Security Administration Application for Retirement Benefits Checklist [654]

See next page.

[654] See https://www.ssa.gov/pubs/EN-05-10377.pdf for "Your Retirement Checklist."

Your Retirement Checklist

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What you should know before you apply	1
If you have a special claiming situation	2
Additional things you should think about	3
Contacting Social Security	4

At Social Security, we're often asked, "What's the best age to start receiving retirement benefits?" The answer is that there isn't a "best" age that applies to everyone. It's a personal decision based on your situation and, ultimately, it's your choice. To help you make an informed choice, consider the factors below as you think about when to start receiving your Social Security benefits.

What you should know before you apply

▫ What does "retirement" mean?

For us, retiring means getting your Social Security retirement benefit. It might mean that you've also stopped working. However, these two things don't need to happen at the same time. For example, you have the option of delaying your monthly benefit even after you stop working. Delaying your benefit will increase your monthly benefit amount. (See below.)

▫ Your benefits are based on your entire earnings history

Do you know how your benefit is calculated? Your monthly benefit amount is based on your highest 35 years of earnings. If you don't have 35 years of earnings, your monthly benefit will be reduced, because years with no earnings will count as zeroes. Learn your estimated monthly benefit amount by reading your Social Security Statement at ***www.socialsecurity.gov/myaccount***, or use the *Retirement Estimator* at ***www.SocialSecurity.gov/retire/estimator.html***.

▫ Your monthly benefit is higher if you wait to start

When should you start your retirement benefit? You can start receiving benefits as early as age 62. However, the longer you wait (up to age 70), the higher your monthly benefit will be — for the rest of your life. If you're married and you're the higher earner, delaying your benefit may also mean higher survivor benefits for your spouse when you pass away. You can see the impact of starting your monthly benefits at different ages by checking your *Social Security Statement* or the *Retirement Estimator*. Both are available online at ***www.socialsecurity.gov/onlineservices***. For more information on how delaying increases your monthly benefit, read our publication, *When to Start Receiving*



Retirement Benefits (Publication No. 05-10147), at ***www.socialsecurity.gov/pubs/EN-05-10147.pdf***.

- **Your full retirement age may be higher than you think**

  Your "full retirement age" is determined by the year you were born. The retirement age used to be 65 for everyone, but is gradually increasing to 67. As the full retirement age goes up, benefits claimed at earlier ages go down. Find out your full retirement age at ***www.socialsecurity.gov/planners/retire/ageincrease.html***.

- **Your benefits may be temporarily reduced if you work while receiving benefits**

  Working after you start receiving retirement benefits may affect your monthly benefit amount, depending on your age and how much you earn. If you are younger than your full retirement age, and your earnings exceed certain dollar amounts, some of your monthly benefit may be withheld. We will increase your monthly benefit after you reach full retirement age to account for the months of withheld benefits. When you reach your full retirement age, you can work and earn as much as you want and your benefit will not be affected. Find more information at ***www.socialsecurity.gov/planners/retire/whileworking.html***.

  Working can also increase your monthly benefit amount because benefits are based on your highest 35 years of earnings. If your current or future earnings are higher than one of the years we used to compute your retirement benefit, your benefit amount may increase slightly.

- **Your benefits may be taxed**

  Some people have to pay federal income taxes on part of their Social Security benefits. This usually happens only if you have other substantial income (e.g., wages, interest, or dividends) in addition to your benefits. Learn more at ***www.socialsecurity.gov/planners/taxes.html***.

If you have a special claiming situation

- **You or your family members may be eligible for spousal and family benefits**

  Are you eligible for benefits based on your spouse's, or ex-spouse's, earnings record? If you were married for 10 years or longer, you may be eligible for benefits on your ex-spouse's record. Do you have a spouse who is eligible based on your earnings record? Spouses and ex-spouses can generally receive up to half of the worker's full retirement age monthly benefit amount, and widow(er)s can receive more than that. However, if you are eligible for your own benefit and a spouse benefit, you will only receive the higher of the two benefit amounts. Learn more about benefits for your family at ***www.socialsecurity.gov/planners/retire/applying7.html***, spouse's benefits at ***www.socialsecurity.gov/planners/retire/applying6.html***, and survivors benefits at ***www.socialsecurity.gov/planners/survivors***.

- **You have additional benefit choices if you are widowed and retired**

  If you are eligible for both your own retirement benefit and a survivor benefit based on a deceased spouse's or deceased ex-spouse's record, you have additional options to consider. You may want to apply for one benefit and delay applying for the other benefit to let it grow. When you apply for benefits, ask the Social Security representative if you can receive one benefit and delay the other to increase its value.

- **You can receive benefits if you are a citizen or lawfully present**

  As long as you are legally present in the country and you and your employers have contributed to Social Security during your working years, you may be eligible for benefits. Our web page at ***www.socialsecurity.gov/planners/retire/applying5.html*** has more information.



▫ **Your benefit may be reduced if you worked in jobs not covered by Social Security**

If you worked in a job where you didn't pay Social Security taxes, and you are now receiving a retirement or disability pension based on those earnings, your Social Security benefit may be affected. Learn more at ***www.socialsecurity.gov/planners/retire/gpo-wep.html.***

Additional things you should think about

▫ **Your longevity and health**

Retirement may be longer than you think. As you consider when to begin receiving retirement benefits, take into account how long you might live. Today, more than one in three 65-year-olds will live to age 90. You can use our Life Expectancy Calculator at ***www.socialsecurity.gov/planners/lifeexpectancy.html*** to see the average life expectancy for someone your age — but keep in mind that many people live longer than "average." Social Security benefits last as long as you live, providing valuable protection against outliving savings and other sources of retirement income. Delaying your benefit to let it grow is one way to increase your monthly Social Security protection.

▫ **Retroactive benefits**

If you are past your full retirement age when you start receiving benefits, you can choose to receive up to six months of retroactive monthly benefits. However, using this option changes the start of your benefit to an earlier date. Remember that by choosing to start your benefit earlier, your monthly benefit amount will be lower for the rest of your life, and your spouse's survivor benefits may also be lower.

▫ **Signing up for Medicare**

Consider whether you need to apply for Medicare at age 65, even if you aren't applying for monthly retirement benefits. If you have already started receiving your retirement benefits, you will be automatically enrolled in Medicare when you turn 65. Medicare Part A (Hospital Insurance) is free for most people, and Medicare Part B (Medical Insurance) requires a monthly premium. Generally, if you have not already started receiving retirement benefits, you will want to sign up for Medicare three months before turning age 65, unless you have group health coverage through a current employer.

NOTE: *If you don't have group health coverage through a current employer and you don't sign up for Medicare Part B when first eligible, then you may have to pay a late enrollment penalty for as long as you have Part B. Also, you may have to wait to enroll, which will delay this coverage.*

If you have a Health Savings Account (HSA) when you sign up for Medicare, you can't contribute to your HSA once your Medicare coverage begins. If you contribute to your HSA after your Medicare coverage starts, you may have to pay a tax penalty. If you'd like to continue contributing to your HSA, you shouldn't apply for Medicare, Social Security, or Railroad Retirement Board (RRB) benefits.

Learn more at ***www.socialsecurity.gov/medicare*** or ***www.medicare.gov***.

▫ **Applying for your benefits**

Once you have decided when you want to start receiving your monthly Social Security benefit, you can apply up to four months before the date you want your benefits to start. Visit ***www.socialsecurity.gov/retire*** to apply.

For more information, read our publication, *When to Start Receiving Retirement Benefits* (Publication No. 05-10147), at ***www.socialsecurity.gov/pubs/EN-05-10147.pdf***, and visit the Retirement Planner at ***www.socialsecurity.gov/planners/retire***.

Contacting Social Security

The most convenient way to contact us anytime, anywhere is to visit ***www.socialsecurity.gov*** where you can also take care of some business with an online *my* Social Security account.

Call us toll-free at **1-800-772-1213** or at **1-800-325-0778** (TTY) if you're deaf or hard of hearing. We can answer your calls from 7 a.m. to 7 p.m., week days. Or use our automated services via telephone, 24 hours a day. We look forward to serving you.

Securing today and tomorrow

Social Security Administration
Publication No. 05-10377
January 2018
Your Retirement Checklist
Produced and published at U.S. taxpayer expense

APPENDIX F

Social Security Administration "Appointment of Authorized Representative", Form SSA-1696-U4 (03/2018) UF [655]

See next page.

[655] See https://www.ssa.gov/forms/ssa-1696.pdf for Form SSA-1696-U4 "Appointment of Representative."



Form **SSA-1696-U4** (03-2018) UF
Discontinue Prior Editions
Social Security Administration

OMB No. 0960-0527

Completing This Form to Appoint a Representative

Choosing to be Represented

You can choose to have a representative help you when you do business with Social Security. We will work with your representative, just as we would with you. It is important that you select a qualified person because, once appointed, your representative may act for you in most Social Security matters. We give more information, and examples of what a representative may do, in the section titled "Information for Claimants."

Privacy Act Statement
Collection and Use of Personal Information

Sections 206 and 1631(d) of the Social Security Act, as amended, allow us to collect this information. Furnishing us this information is voluntary. However, failing to provide all or part of the information may prevent us from appointing a representative to act on your behalf.

We will use the information to verify the appointment of your representative and his or her acceptance of the appointment. We may also share your information for the following purposes, called routine uses:

1. To a congressional office in response to an inquiry from that office made on behalf of, and at the request of, the subject of the record or a third party acting on the subject's behalf.
2. To Federal, State, and local law enforcement agencies and private security contractors, as appropriate, information necessary: (a) to enable them to protect the safety of Social Security Administration (SSA) employees and customers, the security of the SSA workplace, and the operation of SSA facilities; or (b) to assist investigations or prosecutions with respect to activities that affect such safety and security or activities that disrupt the operation of SSA facilities; and
3. To contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its programs.

In addition, we may share this information in accordance with the Privacy Act and other Federal laws. For example, where authorized, we may use and disclose this information in computer matching programs, in which our records are compared with other records to establish or verify a person's eligibility for Federal benefit programs and for repayment of incorrect or delinquent debts under these programs.

A list of additional routine uses is available in our Privacy Act System of Records Notices (SORNs) 60-0089, entitled Claims Folders Systems; 60-0320, entitled Electronic Disability Claim File; and 60-0325, entitled Appointed Representative File. Additional information and a full listing of all our SORNs are available on our website at www.socialsecurity.gov/foia/bluebook.

How to Complete this Form

Please print or type your answers on this form. At the top of the form, provide your full name and your Social Security number. If your claim is based on another person's work and earnings, also provide the "wage earner's" name and Social Security number. If you appoint more than one individual as your representative, you may want to complete a form for each of them.

Part 1 Claimant's Appointment of Representative

Give the name and address of the individual(s) you are appointing. You may appoint an attorney or any other qualified individual to represent you. You also may appoint more than one individual, but please refer to the "Information for Claimants" section "What your Representative(s) May Charge" for more information about payment of fees. You can appoint one or more individuals in a firm, corporation, or other organization as your representative(s), but you may not appoint a law firm, legal aid group, corporation or organization itself. Check the block(s) showing the program(s) under which you have a claim. You may check more than one block. Check:

- Title II (RSDI), if your claim concerns retirement, survivors, or disability insurance benefits.
- Title XVI (SSI), if your claim concerns Supplemental Security Income.
- Title XVIII (Medicare Coverage), if your claim concerns entitlement to Medicare or enrollment in the Supplementary Medical Insurance (SMI) plan.
- Title VIII (SVB), if your claim concerns entitlement to Special Veterans Benefits.

When you give your permission your representative may designate an associate (e.g. a clerk), or other party or entity (e. g. a copying service) to receive information from your claim file on your representative's behalf for the duration of your claim. If you want to give your representative permission to do that, check the block to authorize this release.

If you will have more than one representative, check the appropriate block and give the name of the individual you want to be your principal representative. SSA will make contacts with, and send notices or requests for development to, only the principal representative. The principal representative will provide copies of notices or requests to other co-representatives.

You must sign and date the form. Print or type your address, area code and telephone number.

If you are appointing a representative to replace a representative that you discharged or who withdrew his or her representation, you must notify us in writing that the prior appointment has ended.



Part 2 Representative's Acceptance of Appointment

Each individual you appoint in Part I should also complete Part 2. If the individual is not an attorney, he or she must give his or her name, state that he or she accepts the appointment, and sign the form.

Part 3 Fee Arrangement

To help in processing benefits and fee payments timely you and your representative should complete this section. Your representative should check a box, sign and date the form. Your representative may choose to receive payment, waive direct payment, or waive payment of the fee altogether. If you and your representative change your arrangement before we decide your claim, you can provide a new or amended form so that we can update our records. If you appoint a second representative or co-counsel who also will not charge a fee, he or she should also complete this part or provide a new form, or if not using the form, give us a separate, written waiver statement. If your representative is not eligible for direct payment, or is an attorney or an eligible non-attorney who waives direct payment, you will be responsible for paying any fee we authorize.

Under certain circumstances, we do not have to authorize the fee. These circumstances include where a Court has awarded a fee based on your representative's actions as a legal guardian or court-appointed representative, or where a business (such as an insurance company), other organization or government agency will pay your representative's fee and you and your beneficiaries have no liability to pay any fees or expenses.

Paperwork Reduction Act Statement - This information collection meets the requirements of 44 U.S.C. § 3507, as amended by Section 2 of the Paperwork Reduction Act of 1995. You do not need to answer these questions unless we display a valid Office of Management and Budget control number. We estimate that it will take about 10 minutes to read the instructions, gather the facts, and answer the questions. **SEND THE COMPLETED FORM TO YOUR LOCAL SOCIAL SECURITY OFFICE. The office is listed under U. S. Government agencies in your telephone directory or you may call Social Security at 1-800-772-1213 (TTY 1-800-325-0778).** *You may send comments on our time estimate above to: SSA, 6401 Security Blvd, Baltimore, MD 21235-6401.* ***Send only comments relating to our time estimate to this address, not the completed form.***

References

- 18 U.S.C. §§ 203, 205, and 207; and 42 U.S. C. §§ 406 (a), 1320a-6, and 1383(d)(2)
- 20 CFR §§ 404.1700 et. seq., 408.1101, and 416.1500 et. seq.
- Social Security Rulings 83-27 and 82-39
- 26 U.S.C. §§ 6041 and 6045(f)



Information for Representatives

Fees for Representation

An attorney or other individual who wants to charge or collect a fee for providing services in connection with a claim before the Social Security Administration (SSA) must generally obtain our prior authorization of the fee for representation. The only exceptions are if:

- certain requirements are met and a third-party entity, such as a business, an insurance carrier, a for profit, or nonprofit organization or a government agency will pay the fee and any expenses from its own funds and the claimant and auxiliary beneficiaries incur no liability, directly or indirectly, for the cost (s); or
- a Federal court awarded a fee based on the representative's activities as the claimant's legal guardian or court-appointed representative;
- a Federal court awarded a fee for representational services provided before the court. In those cases, neither the Federal court nor SSA can authorize a fee for the other.

Obtaining Authorization of a Fee

To charge a fee for services, you must use one of two mutually exclusive fee authorization processes. You must file either a fee petition or a fee agreement with us. In either case, you cannot charge more than the fee amount we authorize.

Fee Petition Process

You may file a fee petition after you complete your services to the claimant. This written request must describe in detail the amount of time you spent on each service provided and the amount of the fee you are requesting. In order to directly pay you under a fee petition, you must either file a fee petition or notify us within 60 days after we decide the claim of your intent to file a fee petition.

You must give the claimant a copy of the fee petition and each attachment. The claimant may disagree with the information shown by contacting a Social Security office within 20 days of receiving his or her copy of the fee petition. We will consider the reasonable value of the services provided, and send you notice of the amount of the fee you can charge.

Fee Agreement Process

If you and the claimant have a written fee agreement, one of you must give it to us before we decide the claim(s). We usually will approve the agreement if:

- you both signed it;
- the fee you agreed on is no more than 25 percent of past-due benefits, or $6,000 (or a higher amount we set and announce in the Federal Register), whichever is less;
- we approve the claim(s); and
- the claim results in past-due benefits.

We will send you a copy of the notice we send the claimant telling him or her the amount of the fee you can charge based on the agreement.

If we do not approve the fee agreement, we will tell you in writing. We also will tell you and the claimant that you must file a fee petition if you wish to charge and collect a fee.

After we tell you the amount of the fee you can charge, you or the claimant may ask us in writing to review the authorized fee. If we approved a fee agreement, the person who decided the claim(s) also may ask us to lower the amount. Someone who did not decide the amount of the fee the first time will review and finally decide the amount of the fee.

Collecting a Fee

You may accept money for your fee in advance, as long as you hold it in a trust or escrow account. The claimant never owes you more than the fee we authorize, except for:

- any fee a Federal court allows for your services before it; and
- out-of-pocket expenses you incur or expect to incur, for example, the cost of getting evidence. Our authorization is not needed for such expenses.

If you are not an attorney and you are ineligible to receive direct payment, you must collect the authorized fee from the claimant. If you are interested in becoming eligible to receive direct payment, you can find more information about this on our "Representing Social Security Claimants" website: http://www.ssa.gov/representation/.



If you are an attorney or a non-attorney whom SSA has found eligible to receive direct payment and you register with SSA, as described below, we usually withhold 25 percent of any past-due benefits that result from a favorably decided retirement, survivors, disability insurance, or supplemental security income claim. Once we authorize a fee, we pay you all or part of the fee from the funds withheld. We will also charge you the assessment required by section 206(d) and 1631(d)(2)(C) of the Social Security Act. You cannot charge or collect this expense from the claimant. You will need to collect from the claimant:

- **the rest of the fee he or she owes**, if the amount of the authorized fee is more than the amount of money we withheld and paid you for the claimant, plus any amount you held for the claimant in a trust or escrow account.

- **all of the fee he or she owes**, if we did not withhold past-due benefits, (for example, because there are no past-due benefits; you waived direct payment or did not register for direct payment; the claimant discharged you or you withdrew from representing before we issued a favorable decision); or we withheld past-due benefits, but you did not ask us to authorize a fee or tell us that you planned to ask for a fee within 60 days after the date of the notice of award and we released the withheld amount to the claimant.

Registering for Direct Fee Payment

If you are eligible and want to receive direct payment, you must register with us before we effectuate a favorable decision on the claim. To register, you must submit a Form SSA-1699 (Registration of Individuals and Staff for Appointed Representative Services) once and a Form SSA-1695 (Identifying Information for Possible Direct Payment of Authorized Fees) with each appointment. We will use the information you provide on these forms to issue you a Form 1099-MISC if we pay you aggregate fees of $600 or more in a calendar year. The Internal Revenue Code requires that we do this. For information on the registration process, see our "Representing Social Security Claimants" website http://www.ssa.gov/representation/.

Conflict of Interest and Penalties

If you commit improper acts, you can be suspended or disqualified from representing anyone before SSA. You also can face criminal prosecution. Improper acts include:

- If you are or were an officer or employee of the United States, providing services as a representative in certain claims against and other matters affecting the Federal government.

- Knowingly and willingly furnishing false information.

- Charging or collecting an unauthorized fee, or charging or collecting too much for services provided in any claim, including services before a court that made a favorable decision.

References

- 18 U.S.C. §§ 203, 205, and 207; and 42 U.S.C. §§ 406 (a), 1320a-6, and 1383(d)(2)
- 20 CFR §§ 404.1700 et. seq., 408.1101, and 416.1500 et. seq.
- Social Security Rulings 83-27 and 82-39
- 26 U.S.C. §§ 6041 and 6045(f)



Form **SSA-1696-U4** (03-2018) UF
Discontinue Prior Editions
Social Security Administration

Please read the instructions before completing the form.

OMB No. 0960-0527

Name (Claimant) (Print or Type)		Social Security Number	
Wage Earner (If Different)		Social Security Number	

Part 1 - Claimant's Appointment of Representation

I appoint this individual, _____

to act as my representative in connection with my claim(s) or asserted right(s) under:

☐ Title II (RSDI) ☐ Title XVI (SSI) ☐ Title XVIII (Medicare) ☐ Title VIII (SVB)

This individual may, entirely in my place, make any request or give any notice; give or draw out evidence or information; get information; and receive any notice in connection with my pending claim(s) or asserted right(s).

☐ I authorize the Social Security Administration to release information about my pending claim(s) or asserted right(s) to designated associates who perform administrative duties (e.g. clerks), partners, and/or parties under contractual arrangements (e.g. copying services) for or with my representative.

☐ I appoint, or I now have, more than one representative. My principal representative is:

Name of Principal Representative

Signature (Claimant)	Address	
Telephone Number (with Area Code)	Fax Number (with Area Code)	Date

Part 2 - Representative's Acceptance of Appointment

I, _____, hereby accept the above appointment. I certify that I have not been suspended or prohibited from practice before the Social Security Administration; that I am not disqualified from representing the claimant as a current or former officer or employee of the United States; and that I will not charge or collect any fee for the representation, even if a third party will pay the fee, unless it has been approved in accordance with the laws and rules referred to on the reverse side of the representative's copy of this form. If I decide not to charge or collect a fee for the representation, I will notify the Social Security Administration. (Completion of Part 3 satisfies this requirement.)

Check one: ☐ I am an attorney ☐ I am a non-attorney eligible for direct payment under SSA law.
☐ I am a non-attorney not eligible for direct payment.

I am now or have previously been disbarred or suspended from a court or bar to which I was previously admitted to practice as an attorney. ☐ Yes ☐ No

I am now or have previously been disqualified from participating in or appearing before a Federal program or agency. ☐ Yes ☐ No

I declare under penalty of perjury that I have examined all the information on this form, and on any accompanying statements or forms, and it is true and correct to the best of my knowledge.

Signature (Representative)	Address	
Telephone Number (with Area Code)	Fax Number (with Area Code)	Date

Part 3 - Fee Arrangement

(Select an option, sign and date this section.)

☐ **I am charging a fee and requesting direct payment** of the fee from withheld past-due benefits. (*SSA must authorize the fee unless a regulatory exception applies.*)

☐ **I am charging a fee but waiving direct payment** of the fee from withheld past-due benefits - I do not qualify for or do not request direct payment. (*SSA must authorize the fee unless a regulatory exception applies.*)

☐ **I am waiving fees and expenses from the claimant and any auxiliary beneficiaries** - By checking this block I certify that my fee will be paid by a third-party entity or government agency, and that the claimant and any auxiliary beneficiaries are free of all liability, directly or indirectly, in whole or in part, to pay any fee or expenses to me or anyone as a result of their claim(s) or asserted right(s). (*SSA does not need to authorize the fee if a third-party entity or a government agency will pay from its funds the fee and any expenses for this appointment. Do not check this block if a third-party individual will pay the fee.*)

☐ **I am waiving fees from any source** - I am waiving my right to charge and collect any fee, under sections 206 and 1631 (d)(2) of the Social Security Act. I release my client and any auxiliary beneficiaries from any obligations, contractual or otherwise, which may be owed to me for services provided in connection with their claim(s) or asserted right(s).

Signature (Representative)	Date

File Copy

Form **SSA-1696-U4** (03-2018) UF
Discontinue Prior Editions
Social Security Administration

Please read the instructions before completing the form.

OMB No. 0960-0527

Name (Claimant) (Print or Type)	Social Security Number
Wage Earner (If Different)	Social Security Number

Part 1 - Claimant's Appointment of Representation

I appoint this individual, _____

to act as my representative in connection with my claim(s) or asserted right(s) under:

☐ Title II (RSDI) ☐ Title XVI (SSI) ☐ Title XVIII (Medicare) ☐ Title VIII (SVB)

This individual may, entirely in my place, make any request or give any notice; give or draw out evidence or information; get information; and receive any notice in connection with my pending claim(s) or asserted right(s).

☐ I authorize the Social Security Administration to release information about my pending claim(s) or asserted right(s) to designated associates who perform administrative duties (e.g. clerks), partners, and/or parties under contractual arrangements (e.g. copying services) for or with my representative.

☐ I appoint, or I now have, more than one representative. My principal representative is:

Name of Principal Representative

Signature (Claimant)	Address	
Telephone Number (with Area Code)	Fax Number (with Area Code)	Date

Part 2 - Representative's Acceptance of Appointment

I, _____, hereby accept the above appointment. I certify that I have not been suspended or prohibited from practice before the Social Security Administration; that I am not disqualified from representing the claimant as a current or former officer or employee of the United States; and that I will not charge or collect any fee for the representation, even if a third party will pay the fee, unless it has been approved in accordance with the laws and rules referred to on the reverse side of the representative's copy of this form. If I decide not to charge or collect a fee for the representation, I will notify the Social Security Administration. (Completion of Part 3 satisfies this requirement.)

Check one: ☐ I am an attorney ☐ I am a non-attorney eligible for direct payment under SSA law.
☐ I am a non-attorney not eligible for direct payment.

I am now or have previously been disbarred or suspended from a court or bar to which I was previously admitted to practice as an attorney. ☐ Yes ☐ No

I am now or have previously been disqualified from participating in or appearing before a Federal program or agency. ☐ Yes ☐ No

I declare under penalty of perjury that I have examined all the information on this form, and on any accompanying statements or forms, and it is true and correct to the best of my knowledge.

Signature (Representative)	Address	
Telephone Number (with Area Code)	Fax Number (with Area Code)	Date

Part 3 - Fee Arrangement

(Select an option, sign and date this section.)

☐ **I am charging a fee and requesting direct payment** of the fee from withheld past-due benefits. (*SSA must authorize the fee unless a regulatory exception applies.*)

☐ **I am charging a fee but waiving direct payment** of the fee from withheld past-due benefits - I do not qualify for or do not request direct payment. (*SSA must authorize the fee unless a regulatory exception applies.*)

☐ **I am waiving fees and expenses from the claimant and any auxiliary beneficiaries** - By checking this block I certify that my fee will be paid by a third-party entity or government agency, and that the claimant and any auxiliary beneficiaries are free of all liability, directly or indirectly, in whole or in part, to pay any fee or expenses to me or anyone as a result of their claim(s) or asserted right(s). (*SSA does not need to authorize the fee if a third-party entity or a government agency will pay from its funds the fee and any expenses for this appointment. Do not check this block if a third-party individual will pay the fee.*)

☐ **I am waiving fees from any source** - I am waiving my right to charge and collect any fee, under sections 206 and 1631 (d)(2) of the Social Security Act. I release my client and any auxiliary beneficiaries from any obligations, contractual or otherwise, which may be owed to me for services provided in connection with their claim(s) or asserted right(s).

Signature (Representative)	Date

Claimant Copy



Information for Claimants

What Your Representative(s) May Do

We will work directly with your appointed representative unless he or she asks us to work directly with you. Your representative may:

- get information from your claim(s) file;
- with your permission, designate associates who perform administrative duties (e.g. clerks), partners and/or parties under contractual arrangements (e.g., copying services) to receive information from us on his or her behalf (by checking the appropriate block and signing this form, you are providing your permission for your representative to designate such associates, partners, and/or contractual parties);
- give us evidence or information to support your claim;
- come with you, or for you, to any interview, conference, or hearing you have with us;
- request a reconsideration, a hearing, or Appeals Council review; and
- help you and your witnesses prepare for a hearing and question any witnesses.

Also, your representative will receive a copy of the decision(s) we make on your claim(s). We will rely on your representative to tell you about the status of your claim(s), but you still may call or visit us for information.

You and your representative(s) are responsible for giving Social Security accurate information. It is wrong to knowingly and willingly furnish false information. Doing so may result in criminal prosecution.

We usually continue to work with your representative until (1) you notify us in writing that he or she no longer represents you; or (2) your representative tells us that he or she is withdrawing or indicates that his or her services have ended (for example, by filing a fee petition or not pursuing an appeal). We do not continue to work with someone who is suspended or disqualified from representing claimants. We will inform you if we suspend your representative.

What Your Representative(s) May Charge

Each representative you appoint can ask for a fee. To charge you a fee for services, your representative must get our authorization if you or another individual will pay the fee. However, as described in "Completing this form to appoint a representative, Part 3 Fee Arrangement" section of this form, under certain circumstances, we do not have to authorize the representative's fee. To request a fee, your representative must file a fee agreement or a fee petition. In either case, your representative cannot charge you more than the fee amount we authorize. If he or she does, promptly report this to your Social Security office.

Filing A Fee Petition

Your representative may file a fee petition when his or her work on your claim(s) is complete. This written request describes in detail the amount of time your representative spent on each service he or she provided you. The request also gives the amount of the fee the representative wants to charge for these services. Your representative must give you a copy of the fee petition and each attachment. If you disagree with the information shown in the fee petition, contact your Social Security office. Please do this within 20 days of receiving your copy of the petition.

We will review the petition and consider the reasonable value of the services provided. Then we will tell you in writing the amount of the fee we authorize.

Filing A Fee Agreement

If you and your representative have a written fee agreement, one of you must give it to us before we decide your claim(s). We usually will approve the agreement if:

- you both signed it;
- the fee you agreed on is no more than 25 percent of past-due benefits, or $6,000 (or a higher amount we set and announced in the Federal Register), whichever is less;
- we approve your claim(s); and
- your claim results in past-due benefits.

We will tell you in writing the amount of the fee your representative can charge based on the agreement.

If we do not approve the fee agreement, we will tell you and your representative in writing. If your representative wishes to charge and collect a fee, he or she must file a fee petition. After we tell you the amount of the fee your representative can charge, you or your representative can ask us to look at it again if either or both of you disagree with the amount. If we approved a fee agreement, the person who decided your claim (s) also may ask us to lower the amount. Someone who did not decide the amount of the fee the first time will review and finally decide the amount of the fee.

How Much You Pay

You never owe more than the fee we authorize, except for:

- any fee a Federal court allows for your representative's services before it; and
- out-of-pocket expenses your representative incurs or expects to incur, for example, the cost of getting your doctor's or hospital's records. Our authorization is not needed for such expenses.

Your representative may accept money in advance as long as he or she holds it in a trust or escrow account. We usually withhold 25 percent of your past-due benefits to pay toward the fee for you if:

- your retirement, survivors, disability insurance, and/or supplemental security income claim(s) results in past- due benefits;
- your representative is an attorney or a non-attorney whom we have determined to be eligible to receive direct payment of fees; and
- your representative registers with us for direct payment before we effectuate a favorable decision on your claim.

You must pay your representative directly:

- **the rest of the fee you owe**, if the amount of the authorized fee is more than the money we withheld and paid to your representative for you plus any amount your representative held for you in a trust or escrow account.
- **all of the fee you owe**, if we did not withhold past-due benefits, (for example, because there are no past-due benefits; your representative waived direct payment, did not register for direct payment, you discharged the representative, or he or she withdrew from representing you, before we issued a favorable decision); or we withheld an amount from your past-due benefits, but your representative did not ask us to authorize a fee or tell us that he or she planned to ask for a fee within 60 days after the date of your notice of award and we released the withheld amount to you.



Form **SSA-1696-U4** (03-2018) UF
Discontinue Prior Editions
Social Security Administration

Please read the instructions before completing the form.

OMB No. 0960-0527

Name (Claimant) (Print or Type)	Social Security Number
Wage Earner (If Different)	Social Security Number

Part 1 - Claimant's Appointment of Representation

I appoint this individual, _____

to act as my representative in connection with my claim(s) or asserted right(s) under:

☐ Title II (RSDI) ☐ Title XVI (SSI) ☐ Title XVIII (Medicare) ☐ Title VIII (SVB)

This individual may, entirely in my place, make any request or give any notice; give or draw out evidence or information; get information; and receive any notice in connection with my pending claim(s) or asserted right(s).

☐ I authorize the Social Security Administration to release information about my pending claim(s) or asserted right(s) to designated associates who perform administrative duties (e.g. clerks), partners, and/or parties under contractual arrangements (e.g. copying services) for or with my representative.

☐ I appoint, or I now have, more than one representative. My principal representative is:

Name of Principal Representative

Signature (Claimant)	Address	
Telephone Number (with Area Code)	Fax Number (with Area Code)	Date

Part 2 - Representative's Acceptance of Appointment

I, _____, hereby accept the above appointment. I certify that I have not been suspended or prohibited from practice before the Social Security Administration; that I am not disqualified from representing the claimant as a current or former officer or employee of the United States; and that I will not charge or collect any fee for the representation, even if a third party will pay the fee, unless it has been approved in accordance with the laws and rules referred to on the reverse side of the representative's copy of this form. If I decide not to charge or collect a fee for the representation, I will notify the Social Security Administration. (Completion of Part 3 satisfies this requirement.)

Check one: ☐ I am an attorney ☐ I am a non-attorney eligible for direct payment under SSA law.
☐ I am a non-attorney not eligible for direct payment.

I am now or have previously been disbarred or suspended from a court or bar to which I was previously admitted to practice as an attorney. ☐ Yes ☐ No

I am now or have previously been disqualified from participating in or appearing before a Federal program or agency. ☐ Yes ☐ No

I declare under penalty of perjury that I have examined all the information on this form, and on any accompanying statements or forms, and it is true and correct to the best of my knowledge.

Signature (Representative)	Address	
Telephone Number (with Area Code)	Fax Number (with Area Code)	Date

Part 3 - Fee Arrangement

(Select an option, sign and date this section.)

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Signature (Representative)	Date

Representative Copy



Form **SSA-1696-U4** (03-2018) UF
Discontinue Prior Editions
Social Security Administration

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OMB No. 0960-0527

Name (Claimant) (Print or Type)	Social Security Number
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☐ I authorize the Social Security Administration to release information about my pending claim(s) or asserted right(s) to designated associates who perform administrative duties (e.g. clerks), partners, and/or parties under contractual arrangements (e.g. copying services) for or with my representative.

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Check one: ☐ I am an attorney ☐ I am a non-attorney eligible for direct payment under SSA law.
☐ I am a non-attorney not eligible for direct payment.

I am now or have previously been disbarred or suspended from a court or bar to which I was previously admitted to practice as an attorney. ☐ Yes ☐ No

I am now or have previously been disqualified from participating in or appearing before a Federal program or agency. ☐ Yes ☐ No

I declare under penalty of perjury that I have examined all the information on this form, and on any accompanying statements or forms, and it is true and correct to the best of my knowledge.

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Telephone Number (with Area Code)	Fax Number (with Area Code)	Date

Part 3 - Fee Arrangement

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Signature (Representative)	Date

OHO Copy

APPENDIX G

Social Security Administration Checklist for Online Adult Disability Application [656]

See next page.

[656] See https://www.ssa.gov/hlp/radr/10/ovw001-checklist.pdf for Adult Disability Checklist.

Checklist for Online Adult Disability Application

The information below will help you gather the information you may need to create a *my* Social Security account and complete the online Disability application. We recommend you print this page to use while gathering your information.

Create a *my* Social Security Account

You are required to login to your existing *my* Social Security account, or attempt to create one. To create an account, we will ask you a series of identity questions for verification. You may want to have certain items on hand to be prepared for additional security questions, such as, but not limited to: **mobile phone (for the purpose of receiving texts and emails), credit card, W-2, and tax forms.**

File for Benefits Online – The Information You Need

Date and Place of Birth - If you were born outside the United States or its territories:
- Name of your birth country at the time of your birth (it may have a different name now)
- Permanent Resident Card number (if you are not a U.S citizen)

Marriage and Divorce
- Name of current spouse, name of prior spouse (if the marriage lasted more than 10 years or ended in death)
- Spouse(s) date of birth and SSN (optional)
- Beginning and ending dates of marriage(s), place of marriage(s) (city, state or country, if married outside the U.S.)

Names and Dates of Birth of Children Who:
- Became disabled prior to age 22, or
- Are under age 18 and are unmarried, or
- Are aged 18 to 19 and still attending secondary school full time

U.S. Military Service
- Type of duty and branch, service period dates

Employer Details for Current Year and Prior 2 Years (not self-employment)
- View your Social Security Statement online at *www.socialsecurity.gov/myaccount*
- Employer name, employment start and end dates, total earnings (wages, tips, etc.)

Self-Employment Details for Current Year and Prior 2 Years
- View your Social Security Statement online at *www.socialsecurity.gov/myaccount*
- Business type and total net income

Direct Deposit - Domestic bank (USA)
- Account type and number
- Bank routing number

Direct Deposit - International bank (non-USA)
- International Direct Deposit (IDD) bank country
- Bank name, bank code, and currency
- Account type and number, branch/transit number

Alternate Contact
- Name, address and phone number of someone we can contact who knows about your medical condition(s) and can help you with your claim

List of your Medical Conditions

Information About Doctors, Healthcare Professionals, Hospitals and Clinics
- Names, addresses, phone numbers, patient ID numbers, and dates of examinations and treatments
- Names and dates of medical tests you have had and who sent you for them
- Names of medications (prescriptions and non-prescriptions), reason for medication and who prescribed them

Information About Other Medical Records
- Vocational rehabilitation services, workers compensation, public welfare, prison/ jail, an attorney, or another place

Job History
- Date your medical condition began to affect your ability to work
- Type of jobs (up to 5) that you had in the 15 years before you became unable to work because of your condition
- Type of duties you did on the longest job you had

Education and Training
- Highest grade in school completed (date), and any special education (school name, city and state)
- Name of special job training, trade school or vocational school and date completed

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APPENDIX H

Spotlight on Prerelease Procedure-Applying for SSI Prerelease [657]

See next page.

[657] See https://www.ssa.gov/ssi/spotlights/spot-prerelease.htm.

SPOTLIGHT ON PRERELEASE PROCEDURE -- 2019 Edition

IS THERE A WAY TO APPLY FOR SSI BEFORE MY ANTICIPATED RELEASE FROM AN INSTITUTION?



The prerelease procedure allows you to apply for Supplemental Security Income (SSI) and Supplemental Nutrition Assistance Program (SNAP) benefits (formerly food stamps) several months before your anticipated release from an institution so that benefits can begin quickly after your release. We do not pay you SSI benefits when you reside in a public institution.

WHO CAN BENEFIT FROM THE PRERELEASE PROCEDURE?

We will process an application for you under the prerelease procedure if you:

- are in an institution (for example, hospital, nursing home, prison, or jail) ; and
- appear likely to meet the criteria for SSI eligibility when you are released from the institution; and
- are scheduled to be released within several months of the date you file your application for SSI.

HOW DOES THE PRERELEASE PROCEDURE WORK?

There may be a prerelease agreement in effect between the institution and your local Social Security office. However, you may file an application for SSI benefits under the prerelease procedure even if there is no agreement in effect.

A prerelease agreement may be formal (a written agreement signed by both parties) or informal. Under the agreement, Social Security helps the institution's staff learn the prerelease procedure and provides them with a Social Security contact to assist with the prerelease procedure.

THE INSTITUTION AGREES TO:

- notify us if you appear likely to meet the criteria for SSI and you could be released within 30 days after notification of potential SSI eligibility;
- provide current medical evidence and nonmedical information needed to process your claim;
- provide your anticipated release date and notify us of any delays that may result in a later release date; and
- notify us when you are released.

SOCIAL SECURITY AGREES TO:

- process your claim or reinstatement as quickly as possible; and
- with your permission, notify the institution of the SSI determination promptly.

THIS INFORMATION IS GENERAL.
FOR MORE INFORMATION, CALL 1–800–772–1213 (TTY 1–800–325–0778),
VISIT OUR WEBSITE (www.ssa.gov) ON THE INTERNET,
OR CONTACT YOUR LOCAL SOCIAL SECURITY OFFICE

From SSA website https://www.ssa.gov

FAMILY:

Reunification & Other Family-Related Issues



The FAMILY CHAPTER will give you an overview of the issues that parents and caregivers experience when trying to reconnect with and care for their children, as well as legal issues that arise during incarceration related to children, spouses/partners, and other family-related issues. This Chapter will teach you how to establish or re-establish your rights, responsibilities, and relationship with your child(ren), and how to navigate the family court systems so that you can best handle any issues related to custody, guardianship, visitation, child support, spousal support, paternity, and ending marriages.

DISCLAIMER – YOUR RESPONSIBILITY WHEN USING THIS GUIDE: When putting together the *Roadmap to Reentry: A Connecticut Legal Guide*, we did our best to give you useful and accurate information. However, the laws change frequently and are subject to differing interpretations. We do not always have the resources to make changes to this informational material every time the law changes. If you use information from the *Roadmap to Reentry* legal guide, it is *your responsibility* to make sure that the law has not changed and applies to your particular situation. If you are incarcerated, most of the materials you need should be available in your institution's law library. The *Roadmap to Reentry* guide is not intending to give legal advice, but rather legal information. No attorney-client relationship is created by using any information in this guide. You should always consult your own attorney if you need legal advice specific to your situation.



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WHAT WILL I LEARN IN THE FAMILY CHAPTER?

- Key terms and concepts that you will frequently come across when you are navigating family law issues.
- How to locate and reconnect with your child or grandchild; how your incarceration, parole/probation, and any court orders (such as protective and restraining orders) could affect your rights and responsibilities as a parent or grandparent.
- What the different courts are that handle family law cases in Connecticut and how to best navigate each court system.
- What the rights and responsibilities of a parent or caregiver are to care for a child and to make decisions for him/her.
- What your rights are to see and spend time with your child.
- What happens when a judge appoints a legal guardian to care for a child, and what your rights and responsibilities are as a guardian or parent.
- Your options as a parent if DCF or a judge removes your child from your home.
- How to become a guardian for a child in a probate court case.
- How to get custody or visitation if your case involves your child's other parent.
- How to reconnect with a child or grandchild, establish paternity, and other family issues while you are in prison, jail, or after your release.
- How to end a marriage while incarcerated or after your release, and what to do if your spouse wants a divorce while you are incarcerated.
- How to handle financial matters, such as child support payments, spousal support, and other support issues, including what to do if you owe past, overdue child or spousal support payments when you are released from prison or jail.
- How family violence related restraining orders may affect you, options for getting a restraining order, and what to do if you have a restraining order against you.



I. INTRODUCTION



IMPORTANT! Always follow the conditions of any Criminal Protective Orders, Restraining Orders, No Contact Orders, or Supervision Conditions against you.

Family support is the biggest predictor of success in reentry. Yet family law can be confusing, and few family law attorneys represent people in reentry for free. This Chapter aims to provide you with information and resources on how to navigate legal issues related to your family and children, so you will be better equipped upon release.

This Chapter will explain basic family law issues you may face during your reentry. These issues are:

- Reunification with children.
- Stay-away orders from family members, children and loved ones.
- Entering into and ending marriages.
- Court-ordered debts related to a family law case (including "child support" and "spousal support").

This Chapter will guide you through different legal questions that come up and different options you have as a parent, grandparent, spouse, or partner. It will also explain what your rights are as a parent or grandparent with a criminal record trying to reunify with your child or grandchild and/or gain greater legal rights.

We hope to provide you with the information you need to establish a positive relationship with your family and your community.

QUESTIONS? If you have questions after reading this Chapter, we recommend that you contact a lawyer, a case manager, or a trusted friend in the community to help you work through this material. You can also contact Statewide Legal Services and they will try to provide further assistance or referrals regarding family matters. Call (800) 453-3320, 9 a.m. - 12 noon and 1-2 p.m. Monday-Friday, or apply for help on the website, https://www.slsct.org/get-help . For help with criminal matters please contact Division of the Public Defender Services, (860) 509-6400.

KEY TERMS IN THE FAMILY CHAPTER

If you are a parent or caregiver with a criminal record, and you have legal issues related to your family situation, it can help to know some basic legal concepts like: *What is a guardian? What are custody and visitation?* Here, we explain the definitions of some of the key terms that will appear again and again in this Chapter, so you can refer back to these terms as needed.

Acknowledgement of Paternity: An "Acknowledgement of Paternity" is a legal document that says who is the "natural father" (the biological father) of a child. It must be signed by *both* of the child's biological parents (father and mother) in front of a notary public.

Adoption: Adoption means giving complete parental rights and responsibilities to someone who is not the child's biological ("by blood") parent. Once the adoption is final, the adoptive parents are considered to be the child's new legal parents, and the child's birth parents no longer have any rights to the child. Adoption is permanent, meaning it generally can't be changed afterward. An adoptive parent can be a stepparent or a spouse of one of the child's birth parents, a relative who has been caring for the child, or someone not related to the child by blood.

Arrearage: An arrearage is unpaid, overdue child or spousal support payments (child support or alimony debt). In other words, an arrearage is money you owe from past support payments that you did not make. An arrearage is different from *current* child or spousal support payments that you have to make now, which cover the cost of caring for your child or supporting your spouse or former spouse today. Often, there are different rules for arrearages so it is important to know the difference.

Best Interest of the Child: This is the legal standard that a judge will use in any legal case involving a child's care (like child custody and visitation cases). The judge will decide what is in the "best interest of the child," by looking at factors like: developmental needs and temperament of the children, ability for the parents to meet the children's needs, each parent's history of abusive behavior, and whether any of the children have been neglected or abused.

Case Plan: A case plan is created by the Department of Children and Families (DCF) when it gets involved with a family and is supervising the care of a child. The goal of the case plan is to assess and address a family's needs and to assure safety, permanency and well-being for families and children[658]. For example, if you reconnect with your child upon reentry, a case plan could require you to attend parenting or counseling classes, participate in substance abuse treatment, and/or visit with your child. DCF should provide you with a

[658] https://portal.ct.gov/-/media/DCF/Policy/Chapters/20-1-Overview.pdf?la=en.

copy of your case plan and for a limited period of time upon reentry offer you certain programs and services that you need in order to successfully complete your case plan (see the definition of "Family Reunification Services" for more information below).

Child Protection Proceeding: The Department of Children and Families (DCF) may become involved with a family in cases of abuse or neglect. If DCF finds evidence to support a claim of abuse or neglect, a Child Protection Proceeding will be filed in Juvenile Court. In these cases, DCF will file a petition claiming that a child has been abused, uncared for, or neglected by a parent or caregiver[659].

Child Support Payment: A judge may order the parent who does *not* have custody (see definition below) of the child to pay child support to the parent who does have custody of the child. This "child support payment" is to help cover the cost of caring for the child.

Civil Order of Protection: Any person who has been the victim of sexual assault, sexual abuse or stalking can apply to the court for a civil order of protection as long as he/she does not qualify for a restraining order and there is no restraining order issued by the family court or a protective order issued by the criminal court. In a civil order of protection, the protected person is called the applicant and the person whom the order is against is called the respondent. Among other things, the order can prohibit the respondent from contacting or going within 100 yards of the applicant.[660]

Court Order: A "court order" is a decision by a judge in court, usually in writing. A court order requires someone *to do* OR *not do* something. For example, a court order might say whether you currently have custody and/or visitation with your child, who else has custody and/or visitation with your child, and which court is involved in your family's case. Court orders may also require you to do things like attend a parenting class or prevent you from contacting someone. It is important to know about any court orders in your case or your child's case, because a court order may restrict how and when you can contact your child OR your child's caregiver—and will help you understand what steps to take next.

WHO MIGHT BE A CAREGIVER?

The person caring for your child may be the child's *other parent*, or may be a relative, family friend, foster parent, or someone else who has a relationship with your child. These are just some *examples* of people who might be caregivers – so your child's situation may be different!

Court Service Center Staff: Every family court should have a staff assistant at the Court Service Center— someone who can help you with court forms, answer questions, provide general information about family law issues, and walk you through some of the steps of your case if you do not have a lawyer. However, the staff assistant *cannot* give any legal advice or answer questions about a specific case. To find your Court Service Center staff member, visit: https://jud.ct.gov/CSC/loc.htm.

Custodial Parent: The custodial parent is the parent who has *physical custody* of his or her child, meaning the child *lives with* this parent. *For comparison, see also definition for "non-custodial parent" below.*

Custody: Custody is the legal rights and responsibilities to live with and care for your child.

- **Physical Custody:** The legal right to have your child live with you.
- **Legal Custody:** The legal right to make important decisions about your child's health, education, and well-being.

Department of Children and Families (DCF): The Department of Children and Families (DCF) is the state agency that responds to reports of abuse, neglect and abandonment of young people. The state is divided into six regional DCF offices. For additional definitions of common terms in DCF matters please see:

https://portal.ct.gov/DCF/1-DCF/Commonly-Used-DCF-Words-Phrases

Ex Parte Order: An order made by a judge based on the papers submitted by the person seeking the order and without you being able to respond. If an initial order is granted, a hearing will be scheduled, usually within fourteen days, where you will be given a chance to present your case. However, if the judge issues the Ex Parte Order, you must abide by it until the hearing where the judge will make a decision whether the order is going to be extended.

Family Reunification Services: These are services that Department of Children and Families (DCF) must provide you with, if it is involved in a legal case regarding you and your child. Family reunification services are meant to help you complete your "permanency plan" and any other court requirements to encourage reunification with your child.

Foster Care: Sometimes when a child is removed from his or her parents' home, the judge will send the child to live in a "foster care" placement. "Foster care" describes the placement of a child living with one or two "foster parents"—people whom the State has licensed, trained and approved to care for children in their home. However, foster parents have fewer rights than legal guardians or biological parents, so the judge and

[659] Conn. Gen. Stat. §46b-129.
[660] Conn. Gen. Stat. §46b-16a.



Department of Children and Families will continue to be legally responsible for making decisions about the child.

Guardian (or "Legal Guardian"): A guardian is one who has the authority and obligations to make major decisions affecting the child's welfare, which the child cannot make on his own, including, but not limited to, consent determinations regarding marriage, enlistment in the armed forces and major medical, psychiatric or surgical treatment. A guardianship does not terminate the parental rights of the child's legal or biological parents; it only puts their parental rights on hold while the guardian has physical and legal custody.[661]

Guardian Ad Litem: Guardian Ad Litem is the person appointed by the court to act on behalf of the best interests of a minor in a legal action.

Lien: A lien is the right to take (and sell) property belonging to another person until that person pays off a debt s/he owes. For more information about liens, go to https://www.jud.ct.gov/childsupport/faq_eng.htm.

Non-Custodial Parent: The non-custodial parent is the parent who does *not* have physical custody of his or her child. *For comparison, see also definition of "custodial parent" above.*

Notice: In any case involving you and your rights as a parent, you are legally required to receive "notice" of the case, which means you must be informed of the case. This "notice" could be a letter mailed to you, an announcement made by the judge in court, paperwork handed to you in person in court, at your home, or while you are incarcerated. Often, a Marshal or Sheriff takes on the role of giving people "notice" papers inside prison or jail.

Order of Temporary Custody (OTC): An Order of Temporary Custody is an order by a judge, granted to the DCF, to insure the immediate safety of a child without a hearing. The OTC vests the care and custody of the child in DCF pending the adjudication on the merits of the neglect or abuse petition that was filed with the OTC. The OTC does not transfer legal guardianship of the child or affect parental rights except as to physical custody. When a Motion for Order of Temporary Custody is filed with a neglect or abuse petition, then the filing of the OTC is also the beginning of the first phase of the neglect or abuse proceeding.

Parent: Parents means the adult persons, or upon the approval of the Commissioner one adult person providing permanent family residence services.

Parental Rights: Parents (see definition above) have a lot of legal rights with respect to their minor children, including the right to live with, care for, and make decisions for their children under the age of 18. These rights are called "parental rights." In some situations, a parent's rights can be temporarily put on hold and/or given to someone else (such as a legal guardian). In extreme situations, a parent's rights may be taken away permanently (through the termination of parental rights and adoption of the child by another person or family). However, parents have the right to special legal protections before their legal rights can be changed or taken away without their permission. Additionally, attorneys are provided to parents who cannot afford an attorney and face losing their parental rights.

Permanency Planning: Permanency Planning clarifies the intent of the DCF placement by committing to a plan which will eventually provide a permanent home for a child in an abuse or neglect proceeding.

Petition/Petitioner: A petition is a legal document that asks a judge to do or not do something. A petitioner is the person (or people) who asks the judge to do this, by filing the petition in court.

Protective Order: Protective orders in a family violence situation are criminal, and are issued after the accused (also called the defendant) has been arrested for committing a family violence crime. See "restraining order" below for the types of protections the court may order against the defendant for the benefit of the protected party.[662]

Removal: When DCF or a judge takes a child away from his/her parent's custody.

Restraining Order: A restraining order is a court order from a judge in family court that can protect someone from being physically harmed, threatened, stalked, or abused. The person who asks for and is protected by the restraining order is called the "applicant" or "plaintiff". The person whom the restraining order is against is called the "respondent" or "defendant". In a restraining order the respondent must be a family or household member663 of the applicant. There are various types of other orders from different courts that also seek to protect someone from physical harm or abuse (these are discussed in the Restraining Order and Protective Order section). A Restraining Order in family court can:

[661] By contrast, adoption does terminate the parental rights of the child's legal or biological parents, and also creates a permanent parent/child relationship between the child and his/her adoptive parent. See Conn. Gen. Stat. §46b-129(j).
[662] Conn. Gen. Stat.§ 46b-38c and Conn. Gen. Stat. § 53a-40e.
[663] Conn Gen. Stat. §46b-38a.



- prohibit (stop) the respondent from doing specific acts towards the applicant, such as following, threatening or abusing the applicant;
- require the respondent to stay away from the applicant's home;
- prohibit the respondent from contacting the applicant in any manner, including written and electronic means or through a third party;
- require the respondent to stay 100 yards away from the applicant.

A restraining order that contains all the above conditions is commonly referred to as a "Full No Contact Order".

Restraining Order vs. Protective Order: Restraining orders differ from protective orders in that a restraining order is issued by a civil court without the accused person being arrested. Protective orders in a family violence situation are criminal orders and are issued by the criminal court after the accused person has been arrested.

Reunification: Reunification can mean two things: In the real world (i.e., outside of court), reunification can mean reuniting with your child and (re)developing a relationship with him/her. In court, reunification means getting back your legal right to care for your child, after s/he has been removed by DCF.

Support Enforcement Services (SES): Support Enforcement Services is a division of the judicial branch that collects and enforces child support payments by making sure that custodial parents and guardians receive the payments from non-custodial parents. These proceedings take place in Family Support Magistrate Division of Superior Court, separate from other family matters.

Termination of Parental Rights (TPR): TPR is the complete severance by court order of the legal relationship, with all its rights and responsibilities, between the child and the parent(s) so that the child is eligible for adoption, except it will not affect the rights of inheritance of the child or the religious affiliation of the child until the child is adopted.

Visitation (commonly referred to as "parenting time"): Visitation or visitation rights are the legal terms used to identify the right of a parent to spend time with their child. If you appear in court asking to have visitation with your child, a judge will use various factors to determine whether visitation (and how much visitation) is in the child's best interest.[664]

Now that you've learned some of the basics, keep reading to learn more about the child custody, child visitation, the court system, guardianship, other legal issues related to families and child support.

THE IMPACT OF A CRIMINAL RECORD ON A LEGAL CASE ABOUT YOUR CHILD OR GRANDCHILD

WHAT IS A CRIMINAL RECORD?

Before we jump deep into family law issues, it's important to understand what a "criminal record" is. Here is a quick summary.

Your "criminal record" is the broad term used to describe *any contact* you have had with law enforcement, the courts, or another part of the criminal justice system that was written down (recorded). Your entire criminal record includes: arrests (whether or not they led to a conviction), any criminal charges filed against you, convictions (felonies or misdemeanors, even if they get "expunged"), pleas, acquittals ("not guilty" findings), dismissals, sentences, periods of incarceration in jail or prison, and any other contact with the criminal justice system. BUT—and this is an important but—not everyone can see this entire record because some criminal records are *protected under certain circumstances*.

[664] Conn. Gen. Stat. §46b-56b.

HOW WILL MY CRIMINAL RECORD IMPACT MY ABILITY TO RECONNECT WITH MY CHILD OR GRANDCHILD?

In any legal case involving children, a criminal record could, and often does, affect your ability to reconnect with a child or grandchild. A judge making decisions about the care of a child will look at anything and everything about a child's and the parents' life that relates to the well-being of the child and who is best suited to care for and have a relationship with that child.[665] This includes the judge looking at things like:

- Your criminal record;
- Your Department of Children and Families records;
- Current or past court orders;
- Current or past restraining or protective orders against you (or that you took out against someone else);
- Your home and living arrangements. Court investigators and sometimes attorneys and social workers will visit the place you live to assess you, your interactions with your child and other people in your home; and your overall living situation; and
- Your past and current contact with your child.

Even though your record will come up in court, it is often STILL POSSIBLE to reconnect with your child or grandchild.

WHAT ARE EXAMPLES OF LEGAL CASES INVOLVING CHILDREN?

Examples of legal cases involving children include cases about: custody, visitation, divorce, adoption, guardianship, DCF/dependency cases, and fostering a child. These cases may also involve questions about paternity, child support, and spousal support, and/or restraining and protective orders.

ARE THERE ANY CONVICTIONS THAT MAY BAN ME FROM RECONNECTING WITH MY CHILD OR GRANDCHILD?

Yes. For some convictions, the law may ban you from reconnecting with a child/grandchild if a petition is filed to terminate your parental rights. For some conviction offenses, a judge is unlikely to grant full custody or unsupervised visitation. See the chart that follows.

HOW DIFFERENT CONVICTIONS WILL AFFECT YOUR CUSTODY & VISITATION RIGHTS	
CONVICTION OFFENSE	**HOW WILL THIS AFFECT MY CHANCES OF GETTING CUSTODY OR VISITATION?**
Family Violence	Judges will consider family violence in determining custody and can rule against a parent if that parent engaged in family violence, especially if the violence included or involved the child. However, judges may also consider family violence crimes against another parent or partner as separate if a child was not involved or present during the violent incidents.
Rape	DCF can petition to the court to terminate parental rights with evidence that someone was found guilty of a sexual assault.[666] In addition, a conviction of a sexual assault resulting in the child's birth is not necessary—a victim can seek to terminate parental rights even if there is no criminal conviction, as long as there is clear and convincing evidence of the assault. [667]
Other Convictions	A judge will likely not grant custody or unsupervised visitation in the following circumstances, unless s/he finds that there is no risk of harm to your child: If you have a conviction for certain child abuse offenses; If you have a conviction for first-degree murder of the child's other parent; and/or sibling

For more information on how your criminal record will be a factor in a judge's decision regarding your custody/visitation see the section on the Best Interest of the Child standard on PG. 359.

[665] Conn. Gen. Stat. §46b-56c.
[666] Conn. Gen. Stat. § 17a-11.1a and 17a-111b.
[667] Conn. Gen. Stat. § 47a-717(g).

II. THE RIGHTS OF PARENTS & GRANDPARENTS

WHAT WILL I LEARN ABOUT PARENTS' & GRANDPARENTS' RIGHTS?

- Whether or not the law automatically gives you the right to care for your child.
- The difference between your rights as a parent to care for your child and your rights as a grandparent to care for your grandchild.
- How a grandparent can make informal or formal arrangements to care for a grandchild.

ANY AUTOMATIC RIGHTS?

DO I AUTOMATICALLY HAVE A RIGHT TO CARE FOR MY CHILD OR GRANDCHILD?

Not necessarily. Although it may seem like parents and grandparents would have automatic rights to care for a child, being blood-related (biologically related) or married to someone who is blood-related to a child does not mean you automatically have the right to live with, see, or make decisions about your child or grandchild. It is also important to note that the legal rights of parents are MUCH stronger than those of grandparents. Below we discuss whether you have the legal right to care for a child as a parent and grandparent:

For Parents: The law assumes that a child's parents—biological or adoptive—will make decisions in the "best interest of the child" so they usually have the automatic legal right to do so.[668] Courts get involved when something goes wrong, and then the judge makes decisions based on what is in the "best interest of the child" (learn more on what factors a judge looks at in deciding what is in the "best interest of the child" on PG. 359).

- For women, if you give birth to a child, you are the child's biological parent and so under the law you have the automatic legal right to care for that child unless (1) you have chosen to give up your parental rights through adoption *OR* (2) the state limited or took away your parental rights for a certain reason.[669]
- For men, if it is proven to a court that you are the biological father of the child (this is called paternity) or you were married to the mother when the child was born, then you have the automatic legal right to care for that child unless (1) you have chosen to give up your parental rights through adoption *OR* (2) the state limited or took away your parental rights for a certain reason.[670]

For Grandparents: Under the law, grandparents do NOT have any automatic legal rights to see or care for their grandchildren. In other words, just because your biological child has a child of his or her own does NOT mean you have any legal right to care for or make decisions about that grandchild.[671] But a grandparent CAN make informal or formal arrangements to take care of or see their grandchildren.

- Unless there are informal legal restrictions due to your criminal background, you MAY be able to make arrangements with your grandchild's caregiver or parent(s) to spend time with your grandchild without court involvement.
- If the parent or guardian of a child will not agree to an informal arrangement, then a grandparent could ask a judge in court for custody or visitation with his or her grandchildren.
    - In family court, a grandparent can join an ongoing case involving the grandchildren and ask for custody or visitation if the grandparent has had a parent-like relationship with his or her grandchild.[672] If there is no ongoing case, a grandparent who has had a parent-like relationship with his or her grandchild may be able to start a case and ask the court to grant visitation. For more information on Family Court, see PG. 366.
    - In probate court, a grandparent can start a case or join an ongoing case and request permanent or temporary guardianship of his or her grandchildren if a parent or current guardian is UNABLE to take care of the child. For more information on Probate Court, see PG. 368.

Again, once a grandparent establishes for a judge that the grandparent has a parent-like relationship with his or her grandchild and that the child will suffer significant harm without the grandparent as part of the child's life, whether or not a grandparent will be able to get legal custody of or visitation with the grandchild will then depend on what a judge decides is in the "best interest of the child" — learn more about this standard on PG. 359.

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[668] Parham v. J.R., 442 U.S. 584 (1979).
[669] Conn. Gen. Stat. §§ 45a-707-719.
[670] See *Father's Rights*, CT LAW HELP (March 2018), *available at* https://ctlawhelp.org/en/fathers-rights-paternity-support-visitation-connecticut; Conn. Gen. Stat. §§ 45a-707-719.
[671] Conn. Gen. Stat. §§ 46b-56b; 46b-59; *Roth v. Weston*, 259 Conn. 202 (2002).
[672] Conn. Gen. Stat. §46b-59 ("court shall grant the right of visitation with any minor child to any person if the court finds after hearing and by clear and convincing evidence that a parent-like relationship exists between the person and the minor child and denial of visitation would cause real and significant harm," where "'Real and significant harm' means that the minor child is neglected, as defined in [Conn. Gen. Stat. §] 46b-120, or uncared for, as defined in said section."

III. BASIC STEPS TO RECONNECT WITH YOUR CHILD OR GRANDCHILD

WHAT WILL I LEARN ABOUT RECONNECTING WITH CHILDREN?

- Steps you can take to start the process of reconnecting with your child or grandchild.
- What a court order is and why it is important for understanding your rights and responsibilities when reconnecting with your child, and how to find out if there is a court order concerning your child.
- How conditions of parole or probation might impact your ability to reconnect with your child.
- Ideas for how to locate your child.
- How you can find out whether your child or grandchild has an open court case, and what to do if there is or is not an open court case involving your child or grandchild.

Below are basic steps to reconnect with your child or grandchild in your reentry. The steps mostly focus on *parents* reconnecting with their child(ren), but we also make note of rules that specifically apply to grandparents.

For Parents: Everyone's relationship with their child is different and the ways in which a parent's incarceration will affect that relationship will be different too. But the law *assumes* that it is best for a child to have a relationship with both parents, unless there is a specific reason to believe that contact with one or both parents will *harm the child*.[673] If you have been incarcerated but are *genuinely ready* to play a positive role in your child's life and *still maintain some or all of your parental rights*, then the law says your child should be able to reconnect with you so long as that is safe and healthy for the child. In any legal case involving your child, the judge must decide what is the "best interest of the child."[674] For more information on what factors a judge looks at in deciding the "best interest of the child," see PG. 359.

IMPORTANT! Always follow the conditions of any Criminal Protective Orders, Civil Restraining Orders or Protective Orders, or Supervision Conditions against you. For more information, go to PG. 361.

I AM IN REENTRY, AND I WANT TO RECONNECT WITH MY CHILD OR GRANDCHILD. WHERE CAN I START?

STEP 1: Find out if there are any court orders that could limit or stop you from contacting your child and/or your child's caregiver.

> What is a court order?

A court order is a legal decision by a judge requiring something. It could affect your ability to reconnect with your child, so it is very important to know if any orders exist. A court order could impact you in the following ways:

- *A court order could limit your custody or visitation rights.*
- *A court order could require you to DO or NOT DO something.*[675]

> Why are court orders important to know about when I am trying to reconnect with my child?

Court orders are very important because they may explain your rights and responsibilities toward your child—including when and how you are allowed to visit and contact the child. If you do not follow a court order, then you could ruin your ability to reconnect with your child. Why? By violating the court order, you could face civil or criminal consequences that could prohibit you from contacting your child at all. If you want to change a court order, you need to go to the court where the order is from and ask about the process to change it.[676]

EXAMPLES OF COURT ORDERS

Examples of court orders include Civil Restraining Orders, and Criminal Protective Orders. For full definitions of each of these types of orders, see the "Key Terms" section of this Chapter, beginning on PG. 346.

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[673] Conn. Gen. Stat. §§ 46b-56a-56b. Please note that if you have been convicted of murder, a court will not grant you visitation with your child. Conn. Gen. Stat. § 46b-59b.
For more information on how your criminal record will be a factor in a judge's decision regarding your custody/visitation rights, see PG. 373.

[674] Conn. Gen. Stat. § 46b-56.

[675] For more information about the process and potential consequences of violating a family court order see *What if the Other Parent Doesn't Obey a Court Order? How to file a Motion for Contempt*, CT LAW HELP (Feb. 2018), *available at* https://ctlawhelp.org/en/motion-for-contempt. Please also note that a violation of a protective order or restraining order is a felony. Conn. Gen. Stat. § 53a-223.

[676] For more information *see How to Change Your Custody or Visitation Order*, CT Law Help (March 2018), available at https://ctlawhelp.org/en/change-child-custody-order.

> How do I know if there is a court order affecting my rights with my child?

IF YOU WERE SERVED WITH COURT PAPERS (before, during, or after your incarceration), check the papers to see if they include court orders that limit your custody and/or visitation rights with your child OR limit your ability to contact your child and/or your child's other parent or current caregiver (*for grandparents,* the child's caregiver might be your child, your grandchild's other parent, or someone else).

IF YOU ARE NOT SURE IF THERE ARE ANY COURT ORDERS OR DO NOT HAVE COPIES OF THE COURT PAPERS, you can find out by contacting the clerk in the local court **where your child's case is going on**. You can usually call the clerk's office by phone or go in person when the clerk's office is open. Ask for copies of ALL the court orders in the case. Usually, a court order will say "court order" or "order" on the paperwork.

To figure out if there is a case in court that involves your child and more information on this question, see below.

GET UP-TO-DATE COURT PAPERS!

Even if you were served with court papers while in prison/jail, it is best to get a new copy of the court order once you get out to make sure that you have all the most up-to-date papers.

Find out if there are any CONDITIONS OF PAROLE, PROBATION, OR OTHER TYPE OF COMMUNITY SUPERVISION that could limit or stop you from contacting your child and/or your child's caregiver.

If you are on parole, probation, or some other type of community supervision, you must get to know and follow ALL of the terms and conditions of your supervision. This includes any rules about whom you *can and cannot contact*, places where you *can and cannot travel, move, live, or visit*.

These conditions can impact your ability to see or visit your child(ren)—so be aware of them BEFORE you start contacting or visiting them.

Until and unless a supervision condition is changed through the legal process, you should ALWAYS FOLLOW IT!

You may also be able to request a **travel pass** from your parole or probation officer to travel beyond where you are normally allowed to go. You may need a travel pass to attend a court hearing involving your children or visit with family members or friends for your case. For more information about protective, and restraining orders, see also PG. 361.

Locate your child.

If you do not already know where you child is, the next step is to locate your child—so long as there are no court orders or conditions of your supervision that prevent you from contacting your child or child's caregiver.

You will need to know the location of your child and child's caregiver if you want to contact that child or "serve" the caregiver with any court papers, if you open a case. (To "serve" someone with court papers means to give proper legal documentation and notification about a court case to certain required people.)

HELPFUL HINT
General Tips for Locating Your Child

1. IF THE DEPARTMENT OF CHILDREN AND FAMILIES (DCF) IS INVOLVED in your child's case, you can contact DCF to help you locate your child and current caregiver.
2. IF DCF IS NOT INVOLVED in your child's case, you could try to call family members, friends, the other parent, or the other parent's family or friends—so long as this contact would *not violate* any court orders, parole/probation conditions, restraining orders and/or protective orders!
3. IF YOU STILL CAN'T LOCATE YOUR CHILD, you could try social media (such as Facebook or Twitter) to ask if a friend or family member knows where your child is or who is taking care of him/her. Remember to always be safe and careful—only contact people you trust, and follow any orders or supervision conditions against you!

Find out if there is a court case (an open case or a past case) involving your child(ren).

Next, you will need to know if there's already a *court case* (open OR closed) involving your child(ren).

By law, when a court case is filed about a child, both parents have the right to (1) be notified of the case, (2) be sent copies of the court documents, and (3) have the chance to respond.[677]

IF YOU WERE SERVED WITH COURT PAPERS ABOUT YOUR CHILD'S CASE WHILE YOU WERE INCARCERATED, those papers should tell you: (1) the case number, and (2) the exact court the case was in.

[677] Conn. Gen. Stat. § 17a-103b for juvenile court; Conn. Gen. Stat. § 46b-45 and § 46b-61 for family court; and Conn. Gen. Stat. § 45a-609 for removal of guardian in probate court.



PLEASE NOTE: Mistakes often happen with the legal filing and mailing processes—so if you're a parent, there's a chance that you didn't receive the papers that you should have; let the judge know if this happened!

HELPFUL HINT

General Tips for Figuring Out if there is a Court Case Involving Your Child or Grandchild

1. *ASK A CAREGIVER:* If you know your child's caregiver, you can ask him or her about any court case(s) involving your child. It can help to ask (1) *which court* the case is (or was) in, (2) the *case number* (if the caregiver can find it), (3) *copies of any court or legal papers* from your child's case, and (4) *any other information that you can find out*.
2. *CONTACT THE COURT:* If you don't know where or with whom your child is living (or if the caregiver won't give you any information), you could contact ALL THREE COURTS in the area where your child lives (or where your child was living when you last knew)—(1) family court, (2) probate court, and (3) juvenile court. Be prepared to provide as much information as you can about your child and yourself.[678]

IF THERE IS A COURT CASE INVOLVING YOUR CHILD, it is best to next contact the court clerk to request a copy of any *court orders* and *other documents* about the court case, and ask to join the case.

If there is a court case involving your child, you will most likely have to join that case, as opposed to starting a new one, to increase your custody or visitation rights.

FOR ANY CASE—WHETHER IT IS OPEN OR WAS IN THE PAST—ALWAYS GET COPIES OF ANY COURT ORDERS! Getting copies of all court papers, including court orders, are an important part of the process of learning about or joining a case. **Court orders** can explain your current rights and responsibilities with your child—including when and how you are allowed to visit and contact the child OR limiting or preventing you from contacting the child. If you want more custody or visitation, you may need to ask the judge to change this court order.

IF DCF IS INVOLVED IN YOUR CHILD'S CASE, ask the clerk at the **juvenile court** in the area where your child lives for any **court orders**.[679] You can also ask your social worker and/or the juvenile court judge for:

(1) A copy of your case plan, which explains what you need to do to get your child back (IF that is an option at this point in time); AND

(2) A list of family reunification services, which are classes and programs to help you get your child back.

FOR MORE INFORMATION:

- For *probate court* rules and procedures, see PG. 368.
- For *family court* rules and procedures, see PG. 366.
- For a SUMMARY of the three family-related courts listed here, see the chart on PG. 364.

IF THERE IS NO COURT CASE INVOLVING YOUR CHILD and NO COURT ORDER, and you had legal or physical custody of the children before you were incarcerated, but the child's other parent or guardian does not want you to visit with or care for your child, you will likely need to open a new case to ask a judge for more rights and responsibilities as a parent.

For Parents: If there is *no court case* involving your child OR no court order in your child's case, you will likely need to open a new case.

To start a new case, you will need to file specific paperwork to ask the judge for more rights and responsibilities as a parent (or caregiver). And depending on what rights you want to get (for example, custody, visitation, guardianship, etc.), you may need to go to one of the courts discussed on PG. 362).

Once you file a petition in the proper court, you will have to prepare to go to court for a hearing or other procedures. Each of the three family-related courts in Connecticut has different powers, different rules, and different procedures that you need to be aware of before going to court.

Exactly how your record will impact your request for greater custody and visitation rights will depend on **the court your case is in** and **the exact conviction(s)** on your record. Some convictions will completely prevent you as a parent or a grandparent from getting custody or visitation of your child or grandchild. For more information on the impact of specific convictions, see PG. 350.

[678] Helpful identifying information includes: your full name, your date of birth, your Social Security Number, your child's full name, your child's date of birth, your child's Social Security Number, etc. To find the phone numbers and addresses of these courts, check online (for example, through a Google.com search), the local Yellow Pages, or call 2-1-1 or 4-1-1 "Information" (note: 4-1-1 usually costs $1.99 per call). You can also find a list of all Connecticut courts by visiting the following website: https://www.jud.ct.gov/courts.htm.

[679] If there is a DCF case, then your parental rights may have been restricted or terminated.



You may also consider asking a judge for VISITATION before you ask for full CUSTODY.

HELPFUL HINT
It's Easier to Get Visitation Rights than Custody

In general, if you are the child's parent, it is usually **easier to get visitation rights with your child at first, rather than full custody** after a period of incarceration. Connecticut has a strong public policy of supporting parent-child relationships and allowing visits, unless they will be harmful to the child.[680] Asking a judge for visitation rights with your child—and then allowing for some time to show that the visits are going well—can be a great first step to getting custody. Through visitation with your child, you can show a judge that you are responsible and have a good relationship with your child. Eventually you can request greater custody rights.

For Grandparents Who Want to Reunify with Grandchildren: If there is no existing court case regarding your grandchild, you can only start a new case in very limited circumstances. Read the section on "Grandparents Rights" on PG. 351**Error! Bookmark not defined.** For more information on when a grandparent can start a new case.

Yes, a criminal record could, and often does, affect your ability to reconnect with your child or grandchild. But in many cases, it is STILL POSSIBLE to reconnect with your child or grandchild, even though your record will come up in court.

IV. DEFINING CUSTODY & VISITATION

WHAT WILL I LEARN ABOUT CUSTODY & VISITATION?

- What custody is and the different types of custody.
- What legal and physical custody arrangements look like in real life.
- What visitation is and how a judge can make different types of visitation orders depending on a parent's (or caregiver's) situation.
- What visitation plans could look like in real life.

WHAT DO CUSTODY AND VISITATION HAVE TO DO WITH MY REENTRY?

"Custody" and "visitation" are important legal concepts in reentry because you may not be able to see or care for your child or grandchild as soon as you get out of prison or jail. You might have to go to court to ask for visits or custody of the child(ren) you want to reconnect with, and your criminal record is likely to be a factor a judge looks at if you must go to court.

CUSTODY

WHAT DOES CUSTODY MEAN?

In Connecticut divorce or custody/visitation cases, courts may make orders about where a child will live, how decisions concerning that child are made and who can visit the child. "Custody" orders cover where a child will live and how decisions about the child will be made.[681] A judge may decide who has custody of a child, whether it is one parent, both parents, or a third party.[682] There are two types of custody that a judge can make decisions about: (1) *physical* custody; and (2) *legal* custody.[683] A parent or caregiver can have both physical custody AND legal custody (as parents often do), or just one of these forms of custody.[684] Other terms like "joint custody" or "joint physical custody" mean that both parents have joint decision making and that physical custody is shared by the parents. [685] When a parent has "sole legal custody" this means that only one parent has the ability to make important decisions about a child.[686]

[680] Conn. Gen. Stat. §§ 46b-56a-56b.
[681] CT Judicial Branch, Common Legal Words, https://www.jud.ct.gov/legalterms.htm.
[682] Conn. Gen. Stat. Ann. § 46(b)-56(West 2018).
[683] Conn. Gen. Stat. Ann. § 46(b)-56(a) (West 2018).
[684] Id.
[685] Conn. Gen. Stat. Ann. § 46(b)-56(a)(a).
[686] Id.



THIS CHART EXPLAINS THE DIFFERENT TYPES OF CUSTODY ARRANGEMENTS THAT A PERSON CAN HAVE THROUGH A COURT:

TYPES AND MEANINGS OF CUSTODY	
PHYSICAL CUSTODY TYPES AND MEANING	**LEGAL CUSTODY TYPES AND MEANING**
SOLE PHYSICAL CUSTODY (also referred to in CT as Parenting Time): Your child lives with you full time (although the other parent or caregiver may have visitation rights). You, and only you, are responsible for your child's daily care and supervision. NOTE: It's very common for one parent/caregiver to have both sole physical custody and sole legal custody.	**SOLE LEGAL CUSTODY:** You, and only you, are the person who can make important decisions about your child's health, education, religious beliefs and well being. NOTE: It's very common for one parent/caregiver to have both sole physical custody and sole legal custody.
JOINT PHYSICAL CUSTODY: Your child lives with you part of the time, and with the other parent (or caregiver) part of the time. You are responsible for your child's care and supervision when s/he is with you, and someone else is responsible for your child's care when the child is with him/her. Joint physical custody does not necessarily mean there is an equal 50/50 split in time between parents (or caregivers); it could be that the child spends more time with one parent than the other. This is still joint custody.	**JOINT LEGAL CUSTODY:** You and the other parent (or caregiver) share the right to make important decisions about your child. It is possible for the judge to give the parents joint legal custody, but still give one parent complete power to make certain types of decisions alone, and have both parents share responsibilities for other types of decisions. An important note: Even when both parents have the right to make decisions about the child, they do not have to agree on every decision. There are times when the CT courts will include in a Joint Custody Order, a specific remedial action needed to address this particular situation, like mediation for example. [687]

[687] 8 Arnold H. Rutkin et all. 8 Conn. Practice Series. Family Law and Practice €42:8 (3d. ed) (Dec. 2018) Desai v. Desai, 119 Conn. App. 224, 987 A.2d 362 (2010). See also Tabackman v. Tabackman, 25 Conn. App. 366, 593 A.2d 526 (1991).

WHAT DO LEGAL AND PHYSICAL CUSTODY ARRANGEMENTS LOOK LIKE IN REAL LIFE?

There are many different possible arrangements and combinations of legal and physical custody (sole and joint). Here are some *examples* that show these concepts in real life. Remember, these are just *examples*—no two situations are exactly the same. There is no such thing as a "normal custody arrangement," so it is okay if your situation is different than in these three stories.

COMMON EXAMPLES OF CUSTODY ARRANGEMENTS

STORY #1: Jessica is an 8-year-old girl. The judge gave her mother, Maria, sole physical custody, meaning that Jessica lives with Maria full time. Jessica's father, John, recently returned home from prison and asked the court for visitation. The court granted him weekly visitation with Jessica, but not any *physical* custody. However, the court gave both Maria and John joint *legal* custody over Jessica, which means they both get to make important decisions for her—like medical decisions and where to go to school, etc. But only Maria has physical custody, meaning that only Maria is responsible for Jessica's day-to-day care. To change this arrangement, John would need to go to court to ask for joint physical custody.

STORY #2: David's parents, Carlos and Rashida, are separated, but the judge gave them joint physical custody and joint legal custody of their son. David lives with Rashida during most of the week (Monday-Thursday), and with Carlos on weekends (Friday-Sunday). Rashida and Carlos live in the same school district, so David can attend school normally during the week. Rashida and Carlos also share joint legal custody, which means they both get to make important decisions for their child—like medical decisions, where to go to school, etc.

STORY #3: The judge appointed Kerry's grandmother, Mary, as her legal guardian, because both of Kerry's parents were unable to care for her due to their drug addiction. This means that Mary has both sole physical and legal custody of Kerry. Kerry lives with Mary (physical custody), and Mary gets to make all important decisions for Kerry (legal custody)—like medical decisions, where to go to school, etc. Kerry's parents do NOT have physical or legal custody of their child, but her father, Joseph, asked the judge and was granted supervised visitation with her. Kerry's mother, Janet, is currently incarcerated and does not have visitation (but she can ask the judge for visitation rights while she's in prison or after she gets out).

VISITATION

WHAT DOES VISITATION MEAN?

There is no definition of "Visitation" in the CT statutes. So, it is up to the courts to determine the details of visitation on a case by case basis. According to Connecticut: Family Law and Practice with Forms, "…the terms visitation and parenting time are interchangeable and are used to refer to any time spent by the child away from his or her primary residence regardless of whether the time is being spent with a parent or some other third person and regardless of whether the situation involves sole or joint custody." [688] A judge can write an order describing when and how often the parent, grandparent, or other family member can visit the child. When a judge decides that a person's parental rights are limited to seeing and spending time with a child rather than living with and making major decisions for the child, this means that person does NOT have "custody" of the child. Visits can be for the day or overnight, supervised, or unsupervised.

THIS CHART EXPLAINS THE 3 TYPES OF VISITATION/PARENTING PLANS A COURT COULD ORDER:

TYPES OF VISITATION PLANS

REASONABLE VISITATION—a flexible plan that allows the petitioning parent to work out the details of visits with the other parent (or caregiver)—such as when, where, how often, and for how long the visits will take place.

SCHEDULED VISITATION—a detailed plan with exact dates and times for the parent to visit the child.

SUPERVISED VISITATION—a plan that allows the petitioning parent to visit their child regularly but requires someone else to be present and supervising the visits, to make sure that the child is safe and that the parent and child get along well.[689]

NO VISITATION—the judge may decide not to give the parent any visitation at all. This happens if the judge is concerned that a parent will harm a child and thinks it's best for the child not to have contact with the parent.

[688] 8 Arnold H. Rutkin et al. Connecticut Practice Series. Family Law and Practice with Forms (3rd ed. 2010, with 2018 supplement p. 600).
[689] Supervised visits usually take place when a denial of visitation is not warranted, but the parent needs to meet the child at a certain venue with a supervisor who will oversee the visit and make sure that the child is safe from any harm, abuse or abduction. Id. p. 607.



WHAT DO VISITATION ARRANGEMENTS LOOK LIKE IN REAL LIFE?

Here are some common examples of visitation arrangements:

COMMON EXAMPLES OF VISITATION ARRANGEMENTS

STORY #1: Robin and Sally are married and have three children. After Robin was incarcerated, Sally filed for a separation from Robin and requested sole custody, both legal and physical, of all the children. The judge granted Sally's requests for both the separation and the custody of the children. Upon Robin's release, Sally and Robin agreed on a reasonable visitation plan that allowed Robin and Sally to create their own visitation schedule without a judge. Every Sunday, Robin and Sally would meet at Sally's home to figure out when Robin could see the children and for how long. This is **reasonable visitation**.

STORY #2: Robin wanted more time with his children each week so he asked Sally if they could agree on a different visitation schedule. Sally and Robin were not getting along well since Robin's reentry; Sally felt uncomfortable with giving Robin more time with the children so she said no. Robin went to court and asked a judge to grant more visitation with the children. Because Robin and Sally could not come to an agreement and the judge did not find any reason for denying Robin time with his children, the judge ordered a visitation schedule that provided the exact days and times Robin could spend time with this children. This is **scheduled visitation**.

STORY #3: Sally asked the judge to deny Robin visitation with the children. Sally presented evidence about Robin's behavior and the judge decided that Robin could not spend time with the children without supervision. The judge ordered supervised visitation for Robin. He was able to see his children twice a week, but the visits took place at a court ordered place with someone chosen by the court to supervise. This is **supervised visitation**.



V. JUDGES, COURTS & THE "BEST INTEREST OF THE CHILD" LEGAL STANDARD

WHAT WILL I LEARN ABOUT JUDGES, COURTS & THE "BEST INTEREST OF THE CHILD" LEGAL STANDARD?

- Why the court would be involved in your family matters.
- How judges use the "best interest of the child" legal standard to make decisions about who can care for or see your child or grandchild.
- Which factors a judge may consider when making decisions about custody and visitation with your child or grandchild.
- How past substance abuse could impact your ability to reconnect with your child or grandchild.
- How cleaning up your criminal record might help you gain custody or reunite with your child.

WHY WOULD THE COURTS BE INVOLVED IN MY FAMILY MATTERS?

There are many different reasons that courts get involved in family matters. Examples of when courts get involved include cases of divorce or legal separation; cases about paternity; disagreements about custody, visitation, or child support; when one or both parents are no longer able to care for a child because they are sick, disabled, incarcerated, or dead; or the court is supervising a child's care due to allegations of abuse or neglect.

In most cases, incarceration will affect your relationship with your family, and the courts may end up getting involved to decide who should have the legal right to make decisions about your child or grandchild, and who should be able to visit or care for your child or grandchild. While you are/were incarcerated, it's possible that there were changes in your child's care that had nothing to do with your actual conviction, but the courts got involved either because there was already an open case about the child, someone asked the court to get involved, or the local Department of Children and Families (DCF), decided it was necessary for the court to oversee the care of your child because of abuse or neglect allegations.

If a court case is opened about the care of your child, it is important to know that everything in your criminal record will be available to the judge. But the judge doesn't look only at your criminal record; your record is one factor of MANY factors s/he will consider to decide who is best suited to care for your child, and what is in the child's "best interest". To learn more about the factors a judge looks at in making decisions about a child's care, see the next question! See Family Appendix C, PG. 408 for information about how to bring or join a family court case about custody and/or visitation.

WHAT FACTORS DOES A JUDGE LOOK AT WHEN MAKING A DECISION ABOUT CUSTODY AND VISITATION WITH MY CHILD/GRANDCHILD[690]?

The Legal Standard: "Best interest of the child":

As we stated earlier, when deciding whether to let you *see, care for, or make decisions* for your child or grandchild, the judge must find that it would be in the **"best interest of the child"** to allow you the contact you desire.[691] To make this decision, a judge looks at many parts of a child's life and relationship with you, as well as the other people in the child's life.[692] For the most part, there are no hard and fast rules about what is in a child's "best interest", in particular when it comes to considering a parent or caregiver's criminal record. But in most cases, the judge will consider *many factors*.

Factors a judge will look at about THE CHILD include, but are not limited to:[693]

- Temperament and developmental needs of the child;
- Relevant information obtained about and from the child;
- The child's past and current relationship with each parent, siblings and any other person who will affect the best interest of the child;
- The child's adjustment to his or her home, school, and community environments;
- Length that child has lived in a stable and satisfactory environment, and desirability of maintaining continuity of that environment;
- Stability of a child's existing or proposed residences, or both;

[690] In CT, a grandparent may submit a verified petition for the right of visitation with a minor child. Petitioner must show that 1) a parent like relationship exists between the person and minor child AND (2) denial of visitation would cause real and significant harm. Court may grant visitation if clear and convincing evidence of such relationship exists and that denial of it would cause real and significant harm. Conn Gen. State. § 46(b)-59.
[691] Conn. Gen. Stat. § 46(b)-56(b).
[692] Conn. Gen. Stat. § 46(b)-56(c).
[693] Id.



- Child's cultural background;
- Effect on the child of the actions of an abuser, if domestic violence occurred between the parents, or between the parent and the child;
- Whether DCF or a court has found that the child or sibling of the child has been abused or neglected.

Factors a judge will look at about YOU include, but are not limited to:

- Whether you've had a smooth transition back to the community;
- Your past and current interactions and relationship with the child ;
- The willingness and ability of each parent to facilitate and encourage such continuing parent-child relationship between the child and the other parent as is appropriate, including compliance with any court orders;
- Whether you used manipulation or coercive behavior in an effort to involve the child in parental disputes;
- The effect on the child of the actions of the abuser, if any domestic violence has occurred between the parents or between a parent and another individual or the child;
- Whether the child or a sibling of the child has been abused or neglected by you or while in your care.[694]
- The mental and physical health of all individuals involved, except that a disability of a proposed custodial parent or other party, in and of itself, shall not be the determining factor regarding custody unless the proposed custodial arrangement is not in the best interest of the child;
- Your criminal record and past misconduct;
- If you have the ability to parent and provide for the child (money, housing, job, stability, etc.);
- Whether you have a history of substance abuse (see the next question).

These factors will all go into the judge's decision about what is in the "best interest of the child," your rights as a parent and caregiver, and what your role in the child's life should be.

I HAVE A HISTORY OF SUBSTANCE ABUSE. HOW WILL THIS IMPACT MY ABILITY TO RECONNECT WITH MY CHILD OR GRANDCHILD?

If you have struggled with addiction, drugs or alcohol (whether or not this is related to your system involvement or past convictions), the judge will consider this history when deciding whether custody or visitation with you is in your child's "best interest." The Judge may order you and your child to participate in counseling. You may also be ordered to participate in drug and/or alcohol screening as well if it is deemed to be in the "best interest of the child."[695] However, the judge *cannot* deny you custody based ONLY on the results of a positive drug test—a dirty test is only one factor when deciding whether custody would be in your child's best interest.

WOULD IT HELP MY FAMILY LAW CASE TO CLEAN UP MY RECORD?

It depends—but it can never hurt your case. We recommend cleaning up your criminal record in the event there is any misinformation or mistakes that could negatively affect your case in family court. Also, there could be updates that would be helpful in family court such as pardons and dismissals.

SHOW YOUR RECOVERY SUCCESS!

If you have a history of substance abuse, consider ways you can show that you are on the right path by:

(1) Keeping a record of rehab meetings you attend including dates and times.

(2) Asking for letters of support from your drug counselor or sponsor.

(3) Being prepared to discuss how you have avoided drugs and stayed clean. You may talk about where you live, who your friends are and how those changes have helped to keep you sober and clean.

HELPFUL HINT

Clean Up Your Criminal Record & Get Convictions Expunged

If possible, it is recommended that you get your conviction pardoned under Title 54: Connecticut's Criminal Procedure, Section 142(a) or that you clean up your criminal record in other ways—*before* trying to get custody of a child. The following website may be helpful to find out more information about pardons in CT: https://portal.ct.gov/BOPP/Pardon-Division/Pardon/Pardon-FAQs.

VI. PROTECTIVE & RESTRAINING ORDERS & OTHER "NO-CONTACT" CONDITIONS

[694] Conn. Gen. Stat. §46b-56(c).
[695] Conn. Gen. Stat. §46b-56(i).

WHAT WILL I LEARN ABOUT PROTECTIVE & RESTRAINING ORDERS & OTHER "NO-CONTACT" CONDITIONS?

- What to do if you have a protective order, restraining order or "no-contact" condition against you because of a court order or probation, parole, or other community supervision.
- What the consequences are for violating a protective order, restraining order or "no-contact" condition.
- How to challenge a restraining order, protective order or a no contact order that is a condition of parole or probation, or other community supervision.
- How other conditions of probation or parole, such as travel restrictions, could impact your ability to reconnect with your child or grandchild. See Family Appendix D, PG. 410 for more information about protective orders, restraining orders and no contact conditions.

I BELIEVE THERE IS A PROTECTIVE ORDER, RESTRAINING ORDER OR "NO-CONTACT" CONDITION AGAINST ME. WHAT CAN I DO?

There are five types of orders (also called "stay-away", "no-contact", and "restraining" orders) that could be in place against you:

1) A No Contact provision could be a **condition of your supervision**, required by parole, probation, or some other type of community supervision).
2) A protective order could be **required by a criminal court in certain family violence cases as a condition of release and throughout the pendency of the criminal case**.[696]
3) A standing criminal restraining order could be required by a criminal court as part of your sentence at the end of a criminal case involving serious family violence offenses.
4) A restraining order could have been issued **by a family court if a family or household member applied and obtained Relief from Abuse** otherwise known as a restraining order.
5) A civil order of protection could be **granted** if a civil court finds there is a threat of physical danger to the applicant by the respondent even if there is no close or familial relationship between the parties.

In all cases, you MUST follow the order or condition **even if you wish to return to court to try to challenge, and/or modify the order!**

PLEASE NOTE that in certain cases in family or civil court, a judge may issue an "Ex Parte"order, based on the papers submitted by the person seeking the order and without you being able to respond. Even if an initial order is granted, a hearing will be scheduled, usually within fourteen days, where you will be given a chance to present your case. However, if the judge issues the Ex Parte order, you must abide by it until the hearing where the judge will make a decision whether the order is going to be extended.

PLEASE NOTE: It is important to know the SPECIFICS of any orders preventing you from contacting another person. For example, a restraining order, protective order or "no-contact" condition may prevent you from contacting the caregiver or other parent of your child or grandchild; but this order may *not* apply to your child or grandchild, *unless it specifically says so*. This can create a situation where, for example, you can contact your child, but you *cannot* arrange for a visit with your child because there is an order or condition preventing you from contacting your child's caregiver or the other parent.

WHAT COULD HAPPEN IF I VIOLATE A COURT'S PROTECTIVE ORDER, RESTRAINING ORDER OR A "NO-CONTACT" CONDITION OF MY SUPERVISION?

If you violate a court's protective order, restraining order or a "no-contact" condition of your supervision that forbids you from contacting another person, you could be fined, subject to incarceration for up to 5 years for violating the court order and/or re-incarcerated for violating the conditions of your supervision.[697] **While following the protective order, you can still try to change it. This is called a modification.**

Again, it is important to get to know the SPECIFICS of any orders or "no-contact" conditions against you so that you do not violate them.

[696] Conn. Gen. Stat.§ 46b-38c and Conn. Gen. Stat. § 53a-40e.
[697] Violating a protective order or restraining order is a Class D felony offense. CONN. GEN. STAT. § 53A-223.





IMPORTANT: You might have a protective order against you issued by a judge in criminal court and a restraining order against you issued by a judge in family court, each with different conditions or requirements. So what rules should you follow? Answer: Follow whichever order is more restrictive! To make sure you do not violate the provisions of any order if multiple orders are in effect, you MUST follow the order that places the most restrictive conditions against you. It is also important to know about any conditions or orders against you, because if you go to court to ask for greater rights with your child (for example, increased custody or visitation), the judge will consider any protective or restraining orders against you.[698]



IMPORTANT: If your criminal case involved domestic violence or child abuse, then it is possible that a judge issued a criminal protective order against you that prevents you from contacting the other parent or guardian and your child. Or a parent or guardian may have asked a court for a restraining order that prevents you from contacting your child. If your child has a protective order or a restraining order against you, do NOT contact your child.

Transfer Restrictions: There may also be limitations on your ability to transfer your parole or probation location to certain areas for a number of reasons — and you should get to know these limitations BEFORE you attempt to move, visit, or contact your child or grandchild. Again, it is always best to follow a condition while challenging it rather than violate that condition. If you are on probation, there are national rules, called the Interstate Compact for Adult Offender Supervision, that control whether you can move to another state or territory.[699] Speak to your parole officer or probation officer about your conditions so that you are clear where you can go and where you cannot go.

VII. THE THREE COURTS THAT HANDLE FAMILY MATTERS & NAVIGATING THEM

WHAT WILL I LEARN ABOUT COURTS?

- The three different courts that make decisions about family issues.
- Where you can locate court forms during reentry and while awaiting release.
- How to request transportation to court for cases about your parental rights while you are incarcerated.
- How to get visitation with your child while you are still incarcerated.

INTRODUCTION TO THE THREE COURTS THAT HANDLE FAMILY MATTERS

This section will explain the three courts in Connecticut that make legal decisions about family issues and the care of children. Just because your situation *seems to fit into the description of cases that happen in one type of court*…does not mean the case will definitely be heard and decided by a judge in that court. See Family Appendix B, PG. 405 for a description of the structure of Connecticut courts. See Family Appendix C, PG. 408 for procedures on how to begin or join a family court case about custody and/or visitation.

Family law cases can be long, complicated, and difficult to navigate. Every case is different and every judicial district handles cases dealing with family and children a little bit differently. It can even vary by *judge* within the *same* judicial district!

But don't let this overwhelm you. There are people you can contact to get help with your family law situation so you do not have figure things out alone:

- First, there are **Court Service Centers** in every judicial district courthouse that provide services for self-represented parties, members of the bar, and the community at large. Examples of services provided at Court Service Centers include, statewide calendar and docket information, court forms, judicial publications, and public use computers.[700]
- Second, you can also read this Chapter and call **Statewide Legal Services**[701] (Monday through Friday, 9AM – 12PM and 1PM to 2PM, at phone number (800) 453-3320; from Middletown and Hartford, (860) 344-0380) for more information about a family law case or to receive the name of an attorney who may represent you for free.

[698] Conn. Gen. Stat. § 46b-56; see also Uniform Child Custody Jurisdiction & Enforcement Act, Conn. Gen. Stat. § 46b-115s.
[699] https://www.jud.ct.gov/Publications/AP136.pdf.
[700] https://www.jud.ct.gov/csc/default.htm.
[701] https://www.slsct.org/contact.



- Third, for a list of **legal aid offices** in your region of Connecticut that may be able to help you, see Guide Appendix PG. 413.

WHAT ARE THE DIFFERENT COURTS IN CONNECTICUT THAT MAKE DECISIONS ABOUT FAMILY AND CHILDREN?

There are three different courts in Connecticut that make decisions about family matters and the care of children: **probate court**, **juvenile court**, and **family court**.

It is important to understand the basics of all three courts so you know the best place to go to restore or establish your rights as a parent, grandparent, caregiver, or guardian.

Here are the 3 courts and what you need to know:

(1) Family court handles cases about **divorce**, **child support**, **paternity**, and SOME **child custody and visitation** cases.

(2) Probate court handles matters involving the care and guardianship of children. These matters include removing and appointing guardians of children, paternity, overseeing financial accounts of minors, termination of parental rights, adoptions, and emancipation of minors.[702] Individuals who want to become a child's legal guardian, such as relatives or family friends, may file guardianship petitions in this court for temporary or permanent guardianship. This does *not* end the parent's rights, but instead puts them on *pause*.

(3) Juvenile court[703] oversees three types of matters:

- **Child Protection**[704] matters include abuse and neglect cases filed by the Department of Children and Families ("DCF"). DCF opens a case in juvenile court if someone reports that a child may be at risk. If a child is at risk at home, the juvenile court may take over custody of the child. A child is sometimes called a "ward" of the state.
- **Delinquency Cases** makes decisions in cases where a child (under the age of 18) is arrested and charged with a crime. This court may send the young person to juvenile detention as a punishment for breaking the law. For more information on delinquency court, visit Connecticut's Judicial Branch website at https://www.jud.ct.gov/juv_infoguide/IJCP_Delinquency.html. We do not go into detail about delinquency cases in this guide because the guide is focused on people in the adult criminal justice system and in reentry from prisons and jails.
- **Status Offense Cases**[705] are also known as Family with Service Needs (FWSN) cases. These cases involve a child who has run away without cause, is beyond the control of his or her parents or guardian, truant, and/or the child is thirteen years of age or older and has engaged in sexual intercourse with a person who is thirteen years of age or older and not more than two years or younger than such child[706].

If you know which court your family's or child's case is in:

This section gives background on all three courts—*probate, family, and juvenile*. If you already know which court your case (or your child's case) is in, you can skip directly to the section of this Chapter that discusses that court.

If you do NOT know which court your family's or child's case is in:

If you do *not* know which court your case (or your child's case) is in, or if it's in any court at all, read the steps on PG. 352 to learn how to find out which court might be involved. You can also review the chart on the next page to get a basic idea of what each of the three courts does.

[702] http://www.ctprobate.gov/Pages/ChildrensMatters.aspx.
[703] https://www.jud.ct.gov/juv_infoguide/index.html.
[704] https://www.jud.ct.gov/juv_infoguide/IJCP_ChildProtection.html.
[705] https://www.jud.ct.gov/juv_infoguide/IJCP_StatusOffense.html#fnContent1.
[706] Conn.Gen.Stat. § 46b-120(7).



THE CHART BELOW SUMMARIZES THE 3 MAIN COURTS THAT MAKE DECISIONS ABOUT FAMILY MATTERS AND CHILDREN'S CARE IN CONNECTICUT. EACH COURT HAS DIFFERENT RULES AND PROCEDURES. IF YOU ARE UNSURE ABOUT WHICH COURT YOUR CASE IS IN OR SHOULD BE IN, USE THE CHART AS A STARTING POINT AS YOU WORK TOWARD REUNIFYING WITH YOUR CHILDREN OR GRANDCHILDREN.

SUMMARY OF CONNECTICUT COURTS THAT MAKE DECISIONS ABOUT FAMILY			
GENERAL QUESTIONS	**FAMILY COURT**	**PROBATE COURT**	**JUVENILE COURT**
WHEN WOULD MY CHILD OR I NEED TO GO TO THIS COURT?	You would want to go to Family Court to ask for custody or visitation if you are the child's parent and you have an issue with the other parent. The family court also hears cases that involve divorce, child support, and paternity cases.	You would need to go to Probate Court in two main situations: (1)The court has appointed (chosen) someone else (not the child's parent) to be the guardian for your child, and you want custody or visitation with your child. A guardian is an adult (not the child's parent), such as a relative or family friend, who has legal and physical custody of the child.[707] Learn more on PG. 368. OR (2) You want to become the guardian for someone else's child.	You or your child might go to Juvenile Court if the child's parent(s) are suspected of abuse or neglect and the Department of Children and Families (DCF) has become involved in the child's case.
WHO STARTS THE CASE?	A *parent*	(1) A person who wants to become the guardian of someone else's child. (This could be a relative or family friend.) This person might be living with the child already, but want more rights and responsibilities; OR (2) A parent who is trying to *end a guardianship already in place through the probate court*, and get custody or visitation with their child back; OR (3) The guardian for a child such as a relative or family friend who wants to end an existing guardianship arrangement.	Department of Children and Families (DCF) or the State's Attorney
WHERE DO I FIND MORE INFORMATION ABOUT THE RULES & PROCEDURES OF THIS COURT?	See PG. 366.	See PG. 368.	https://www.jud.ct.gov

[707] By contrast, adoption does terminate the parental rights of the child's legal or biological parents, and also creates a permanent parent/child relationship between the child and his/her adoptive parent. See C.G.S. § 45a-731 et seq. (Effects of final decree of adoption. Surviving rights); § 17a-112 et seq (Termination of parental rights of children committed to commissioner. Cooperative postadoption agreements. Placement of child from another state. Interstate Compact on the Placement of Children); § 46b-129 (Commitment of child or youth. Petition for neglected, uncared for or abused child or youth. Hearing re temporary custody, order to appear or petition. Review of permanency plan. Cost of care and maintenance of child or youth; reimbursement. Revocation of commitment. Legal guardianships and permanent legal guardian ships. Applicability of provisions re placement of child from another state and Interstate Compact on the Placement of children);§ 33a-6 (Order of Temporary Custody; Ex Parte Orders and Orders to Appear); § 33a-7 (Preliminary Order of Temporary Custody or First Hearing; Actions by Judicial Authority).

WHERE CAN I FIND THE COURT FORMS I NEED TO START A CASE IN ONE OF THE 3 FAMILY-RELATED COURTS?

Each of the three courts that handle family matters has LETTERS and NUMBERS to identify forms that are specific to their court:

- **Family court** forms start with JD-FM.
- **Probate court** forms start with PC.
- **Juvenile court** forms start with JD-JM.
- **Each court** has its own fee waiver form.

You can find Connecticut court forms on the Connecticut Judicial Branch website (family and juvenile forms) https://www.jud.ct.gov/webforms/or the Connecticut Probate Courts website http://www.ctprobate.gov/Pages/Probate-Court-Forms.aspx. Of course, because rules and procedures vary judicial district by judicial district, you ALWAYS want to check with your local court's rules and procedures to find out which court forms are preferred or required in your judicial district.

Below we further explain how you can access various court forms for your family or child's case, depending on whether you are currently or formerly incarcerated.

If you were incarcerated in the past:

Connecticut court forms are available online from the Connecticut Judicial Branch website at https://www.jud.ct.gov/webforms/. You can also ask the court's Service Center to help you with the court forms you need. Finally, your local law library may also be able to help you with the court forms, legal research materials, and information about other legal resources you may need.

HELPFUL HINT
Court Service Center/Law Libraries

It can be very helpful to talk to a lawyer about your family law case. If you do not have a lawyer to represent you, your local family court's Court Service Center or Law Library can help you with forms and procedures—but NOT legal advice. You may also want to contact a local legal aid office and find out if someone can help you with your case (see a listing of legal aid offices in Guide Appendix, PG. 413).

If you are incarcerated now:

You have the right to petition to start a case while you are incarcerated, but there may be barriers that make it so you cannot be present at court or, because of your incarceration, cannot meet requirements needed for custody, since you cannot have physical custody of your child while you are incarcerated. For more information on custody see PG. 355. For more information on convictions that bar you from requesting custody or visitation, see PG. 349 Before you start a case, make sure your incarceration or conviction is not an automatic bar from getting a favorable result in court. If you have access to the internet, the Connecticut court forms are available online from the Connecticut Judicial Branch https://www.jud.ct.gov/webforms/ or Connecticut Probate Courts' websites http://www.ctprobate.gov/Pages/Probate-Court-Forms.aspx.

I AM INCARCERATED NOW. CAN I GO TO A COURT HEARING FOR A CASE INVOLVING MY CHILD?

Yes – for any court hearing involving your child, you can *ask* the judge to be transported and it is up to the judge whether or not to order your transportation for the hearing. The following are examples of the types of cases where you would want to request transportation to court: termination of parental rights, temporary custody or a removal of guardianship, paternity cases, and child support cases[708].
Either you or your attorney must file a petition for a writ of habeas corpus. The judge presiding over your case will either grant or deny your petition. If your petition is granted, the judge may order you transported to court to appear in person or the judge may order that you participate by video conference from prison[709].

I AM INCARCERATED NOW. CAN I GET COURT ORDERED VISITATION WITH MY CHILD?

Yes, you have *the right to request visitation* while you are incarcerated. However, we recommend trying to come to an informal agreement with the child's caregiver for visits to your facility. Filing a lawsuit is a timely and costly process that can cause conflict in your family. If you have an informal visiting schedule then you are more likely to have an amicable relationship with the child's guardian. Once you have a successful visit or two, you can ask the caregiver for a *reasonable schedule for visits*.

[708] Conn.Gen.Stat. § 46b-231(m). Family support magistrates may issue writs of habeas corpus ad testificandum in IV-D support cases for persons in the custody of the Commissioner of Correction.
[709] CT.Pr.Bk. § 23-68 Where presence of person may be by means of an interactive audiovisual device.





IMPORTANT! Be sure to put your agreement in writing—It can be a simple letter from you stating what you have agreed. Keep a copy. Then keep written records of how your arrangement is working out over time.

If you cannot agree on an informal visitation plan with your child's caregiver, then you can request visitation through court. If that is your situation, you can follow the steps for starting or joining a case in any of the family-related courts (see below for how to start or join a case).

Grandparents, because they do not have any automatic right to visitation, cannot ask the court for visitation with their grandchild while they are incarcerated, but may be able to set up an informal agreement with the child's parent or caregiver to come visit them.

VIII. FAMILY COURT

WHAT WILL I LEARN ABOUT FAMILY COURT?

- Why you would need to go to family court to reconnect with your child or grandchild.
- How a judge's decisions in family court can affect your rights as a parent or grandparent.
- How a judge will decide if you can have custody or visitation with your child or grandchild, and how the rights of parents are different from the rights of grandparents in family court.

WHAT IS FAMILY COURT?

Family court is the court system that handles cases involving married couples or domestic partners and their children, if they have any. Please keep reading to learn more.

WHY WOULD I GO TO FAMILY COURT TO RECONNECT WITH MY CHILD OR GRANDCHILD?

You may go to family court for cases about divorce or ***separation; child/spousal support or alimony; paternity questions; and/or custody and visitation disagreements*** between parents or caregivers.[710] A family court judge may make decisions and orders related to any of these types of cases.

HOW CAN A JUDGE'S DECISION IN FAMILY COURT AFFECT MY RIGHTS AS A PARENT?

A judge in family court can make a decision (called a "court order") about what kind of custody or visitation arrangement you get to have with your child. Depending on the order, a judge could increase or decrease your access to or your ability to have a say in major decisions regarding your child.

Examples:

1) If the judge grants the other parent or caregiver sole legal and physical custody of your child, you no longer get to live with or make important decisions about that child.
2) If the judge grants the other parent physical custody but joint legal custody, you cannot live with your child, but you still get to be involved in important decisions about his/her life.

HOW WILL A FAMILY COURT JUDGE DECIDE IF I GET CUSTODY OR VISITATION WITH MY CHILD?

A family court judge who is deciding whether or not to give you custody or visitation must find that it would be in the **"best interest of the child"** to do so.

The law assumes that it is in the "best interest of the child" to have a stable, consistent relationship with both parents through custody and/or visitation. In making orders regarding a parent's access to his or her child, the court will enter orders that serve the best interest of the child and provide the child with the active and consistent involvement of both parents.[711] But such orders will be based on the parent's ability to parent and his or her interest in the child.[712]

[710] Conn. Gen. Stat. § 46b-1.
[711] Conn. Gen. Stat. § 46b-56 (b).
[712] Conn. Gen. Stat. § 46b-56 (b).

HOW CAN I SHOW THE FAMILY COURT JUDGE THAT CUSTODY OR VISITATION WITH ME IS IN THE "BEST INTEREST OF THE CHILD"?

Here are some suggestions of what to tell or show a family court judge in order to persuade him or her that increasing your custody or visitation rights is in the best interest of your child (note: learn more about the "best interest of the child" legal standard on PG. 359):

- **Write down ALL of your efforts to see your child and keep the document in a safe place.** By bringing the recording of all the dates and times you called or tried to see your child, you can show to the court that you have taken the process of connecting with your child seriously. This may help you if the child's caregiver has been difficult in allowing you to visit.
- **Stay in contact with your child.** Whether you are incarcerated or not, try to stay a parental figure as much as you can by remembering dates important to your child and asking your child's caregiver or others about the child.
- **Start slowly with visits.** If you and the other parent (or caregiver) feel better about your reconnecting with your child slowly, you might start with short visits in the other parent's (or caregiver's) home. Then over time, if you build a record of positive visits, you can discuss making your visits longer and more frequent.
- **You can make other requests of the other parent (or caregiver), in addition to visits.** You can ask to call and write to your child, to receive photos and report cards, to stay updated on school progress and health issues, and to be asked about important decisions.
- **Keep written records of everything.** Put any agreements in writing, and always keep an extra copy safe. As your visits continue, keep written records of how things are going.

NOTE: The Department of Children and Families (DCF) creates a **case plan** when it gets involved in a case regarding a child. The case plan sets out the steps you must take to get your child back or to get visitation. For example, a case plan could require you to attend parenting or counseling classes, participate in substance abuse treatment, and/or visit with your child. Make sure you fully comply with the terms of the case plan.

WHAT CAN I DO TO SHOW MITIGATING CIRCUMSTANCES RELATED TO MY CRIMINAL RECORD?

You can show the judge anything that indicates that giving you custody or visitation will be in the best interests of your child. You can show the judge things like: certificates earned during incarceration, letters to and from your child, letters of support from family and friends, documents that show attendance in self-help groups, proof of employment.

HOW CAN A JUDGE'S DECISION IN FAMILY COURT AFFECT MY CUSTODY OR VISITATION RIGHTS AS A *GRANDPARENT*?

As you may recall from the section on "grandparents' rights," beginning on PG 351, grandparents do *not* have an automatic legal right to custody or visitation with their grandchild(ren).

But if you successfully join an ONGOING family court case about your grandchild, the judge could:

- Grant you visitation rights if you meet the legal requirements, AND/OR
- Grant a parent or other caregiver custody of your grandchild; and *that parent or caregiver* can later choose whether or not to let you see the child.[713]

Also, if there is no ONGOING family court case about your grandchild, you may start your own case and ask the court for visitation with your grandchild.[714]

HOW WILL A FAMILY COURT JUDGE DECIDE IF I GET CUSTODY OR VISITATION WITH MY GRANDCHILD?

A grandparent may request to become the child's primary caregiver, get *custody* of the child, OR a judge might order *visitation rights* under certain circumstances.

- *If you are a grandparent seeking CUSTODY or VISITATION of your grandchild*: As a grandparent, you can ask for custody or visitation with your grandchild if you can show the court that you have a parent-like relationship with your grandchild and that not having custody or visitation will result in very substantial harm to your grandchild.[715]

[713] Fish v. Fish, 939 A.2d 1040 (2008).
[714] Conn. Gen. Stat.§ 46b-59.
[715] Roth v. Weston, 789 A.2d. 431 (2002)



WHAT ALTERNATIVE TO GOING TO FAMILY COURT IS THERE FOR RECONNECTING WITH MY CHILD/GRANDCHILD?

Informal Custody or Visitation Plan: Parents and caregivers can make their own arrangements for custody and visitation without going to court. But, if the parents or caregivers can no longer agree on an arrangement for the care of the child, then one or both of the parents or caregivers will have to go to court to ask a judge for a formal custody or visitation plan.

ON CUSTODY & VISITATION

For information on custody and visitation, check out the following resources:

IMPORTANT! For ALL family-related legal issues, the Court Service Center staff can help you fill out and file your paperwork. See Family Appendix A for information about court resources.



IMPORTANT REMINDER: If you have a restraining order or no-contact against you of any kind, make sure you understand the conditions of that order BEFORE you attempt to contact your child's caregiver or other parents. Make sure you do not violate the order! If you are UNSURE whether there is an order against you, see PG. 353 on how to find out, and what you can and cannot do.

IX. PROBATE COURT GUARDIANSHIPS

WHAT WILL I LEARN ABOUT PROBATE COURT?

- What probate court is.
- Why you would need to go to probate court to reconnect with your child or grandchild, and why this is especially important for grandparents.
- Your rights and responsibilities as a child's legal guardian.
- The difference between a guardianship, adoption, and foster care.
- How to become a guardian again after having been removed as guardian.
- How a judge's decisions in probate court can affect your rights as a parent.
- Your rights as a parent if you have been incarcerated and someone else is the guardian of your child.
- How and why you would go to probate court to become the guardian of someone else's child, and how going to probate court could help you financially to take care of someone else's child.
- How a probate court judge will decide if you should be the guardian of someone else's child.
- How your criminal record may affect your chances of being appointed as the guardian for someone else's child.
- How your criminal record may affect your chances of being appointed as the guardian or conservator for an elderly or disabled person.
- How you can show a judge in probate court that you being appointed the guardian is in the "best interest of the child."

This section goes into TWO DIFFERENT SCENARIOS about probate guardianships:

1. If you were formerly incarcerated and now want to END a probate guardianship set up for your child *by someone else* while you were away.
2. If you were formerly incarcerated and now want to BECOME the probate guardian of someone else's child, and have questions about how your record will impact your ability to do so.
   Note: The parents of a child are guardians of the child until they are removed as guardians.[716] The parents of a child are the mother, who can prove having given birth to or adopted the child, and the father, who is recognized as the father under Connecticut state law; for example, if he was married to the mother at the time of the birth if the child, or if he signed a binding acknowledgement of paternity.[717] If you think you are the father of a child but are not legally recognized as the father, you cannot be a legal party to a guardianship proceeding unless you've shown a reasonable degree of interest, concern, or responsibility for the child's welfare.[718]

   If the Department of Children and Families (DCF) is involved in the child's case, you probably have to go to juvenile court.

[716] Conn. Gen. Stat. § 45a-606.
[717] Conn. Gen. Stat. § 45a-604(1)-(2).
[718] Conn. Gen. Stat. § 46b-172a(g).



WHAT IS PROBATE COURT?

Probate court makes decisions in *probate guardianship cases*. The probate court judge decides whether or not to remove one or both parents as their child's guardian, appoint someone other than a parent as a child's guardian, and when (if ever) to end a guardianship.

WHY WOULD I HAVE TO GO TO PROBATE COURT TO RECONNECT WITH MY CHILD OR GRANDCHILD?

People go to probate court seeking to become a child's legal guardian and must file a "petition" (a legal request) to do so.

In reentry, you might become involved in a probate case to:

- Be reinstated as guardian of your minor child if you were previously removed as a guardian and the court has not yet established a permanent guardian;
- End a temporary guardianship set up while you were incarcerated or away for other reasons; OR
- Support someone else becoming a guardian for your child (parents only).

To *become* reinstated as guardian after removal, to *end a temporary guardianship or support someone else becoming your child's guardian*, you will have to JOIN his or her open probate court case.

A Special Note for Grandparents: This information is very important for grandparents because *probate court* will be the court you will want to file a "petition" in if there is no ongoing case involving your grandchild and you want to become his or her guardian. Remember! Grandparents don't have automatic rights to care for a grandchild (learn more about your rights on PG. 351). However, if you as a grandparent want to have *visitation* with a grandchild, you may be able to petition the *Superior Court* for visitation rights. In order to file in Superior Court, you will need to show that a parent-like relationship exists between you and your grandchild, and that denial of visitation would cause real and significant harm to your grandchild.[719] If you can make this showing, the *Superior Court* may allow visitation with conditions in the best interest of the child.[720] While considering the best interest of the child, the judge will consider the wishes of the child, the effect visitation will have on the relationship of the child with their parents or guardians, and the effect on the child of any domestic violence that has occurred between the parents, guardians, grandparents, and/or the child.[721] But remember, visitation rights are not the same as parental rights.[722]

[719] Conn. Gen. Stat. § 46b-59(b).
[720] Conn. Gen. Stat. § 46b-59(e).
[721] Id.
[722] Conn. Gen. Stat. § 46b-59(f).

CHART: HOW IS GUARDIANSHIP DIFFERENT THAN ADOPTION OR FOSTER CARE?

THE CHART BELOW EXPLAINS THE DIFFERENCES BETWEEN GUARDIANSHIP, ADOPTION, AND FOSTER CARE.

GUARDIANSHIP	ADOPTION	FOSTER CARE
A guardianship is awarded when: • Parents still have parental rights. They can ask for reasonable contact with the child. • When one or both parents has been removed as guardian by the court. If only one parent has been removed and no permanent guardian has been appointed, the removed parent may petition the court for reinstatement as guardian. The judge in court can end a temporary guardianship if the parents become able to take care of the child. Guardians may be supervised by the court.[723]	An adoption is awarded when: • The parents' rights are permanently ended. The legal relationship with the adoptive parents is permanent and is exactly the same as a birth family. An adopted child inherits from his or her adoptive parents, just as a birth child would. Adoptive families are not supervised by the court.	Foster case happens when: • The parents' rights are temporarily transferred to the state but parents may be able to see the child if DCF grants permission. A judge can end a foster care placement if DCF determines that the parent(s) can take care of the child or a relative/caregiver gets guardianship or adopts the child. Foster parents are supervised and licensed by the state.

SCENARIO 1: RECONNECTING WITH YOUR CHILD IN PROBATE COURT

WHY WOULD I GO TO PROBATE COURT TO END A GUARDIANSHIP?

You would go to probate court to end a guardianship if someone else was given temporary guardianship of your child while you were incarcerated. If a judge in probate court formally created the guardianship, then you have to go to probate court to end it.

You would also go to probate court if only you were removed as guardian and the court confirmed your child's other parent as sole guardian.[724]

IF SOMEONE ELSE IS THE GUARDIAN OF MY CHILD, WHAT ARE MY LEGAL RIGHTS AS A PARENT?

Guardianship does NOT end your parental rights; it puts them on hold while the guardian has the child.[725] This allows the guardian(s) to make all the decisions about caring for the child that a parent would make,[726] without necessarily permanently cutting off the parents' rights to ask for custody of their child back in the future.

Parent's Rights: The child's legal or biological parents still have certain *rights* during the guardianship:

- The children in a guardianship are still considered legally and biologically "related" to their parents (the parents' rights are not terminated);

[723] Conn. Gen. Stat. § 45a-625.
[724] Conn. Gen. Stat. § 45a-611(a).
[725] By contrast, adoption does terminate (end) the parental rights of the child's legal or biological parents, and also creates a permanent parent-child relationship between the child and his or her adoptive parent.
[726] Conn. Gen. Stat. § 45a-604(5).

- During a proceeding for removal of a guardian, appointment of a guardian, or termination of parental rights, the Probate Court may grant visitation rights to the parent;[727]
- When the judge appoints a guardian to have custody of a child, the judge may also give visitation rights to the child's parent(s) and/or sibling(s) to visit the child.[728]
    - If the judge orders visitation, the child's guardian must allow these visits to take place.
    - If there is no court order for visitation, the guardian has the right to decide whether the child may visit with his/her parent(s) or other relatives. So if you don't have a court order and the guardian is not letting you see your child, you might need to go to Probate Court to ask the judge for visitation.
    - *Please Note:* You will need to ask for visitation from *the same probate court* that appointed your child's current guardian, which may be in a different county from where you live. You request visitation by filling out a form and filing it with the probate court.[729]

Parent's Responsibilities:

The child's legal or biological parents also still have certain *responsibilities* for their child during the guardianship. Parents must continue to financially support their children in a guardianship (including paying child support if it's ordered[730] – read more about child support on PG. 385). Also, children in a guardianship can inherit money or get Social Security benefits from their parents. If you are currently or about to become incarcerated and would like to learn how to pause your child support payments, see PG. 387 in the "Child Support" section.

HOW CAN A JUDGE'S DECISION IN PROBATE COURT AFFECT MY RIGHTS AS A PARENT?

Temporary Guardianship: If a parent is unable to care for a child, he/she may petition the probate court for appointment of a temporary guardian. The temporary guardian serves with but does not replace the parent so that either the parent or guardian may make important decisions affecting the child. The appointment lasts one year and can be extended if needed. A temporary guardianship can end before the year is over if the parent or guardian who asked that the temporary guardian be appointed notifies the Probate Court that the guardianship is no longer necessary.[731]

Removal of only one parent: If you have been removed as guardian and your child's other parent has been confirmed as the sole guardian, you may petition in the same probate court that removed you for reinstatement.[732]

The rules are different if the guardianship is a permanent guardianship. If you, a parent, were removed as guardian of the child, and the Probate Court then appointed a permanent guardian for the child (other than your child's other parent), you cannot petition for termination of the guardianship. You, as a parent who was previously removed as guardian, can only become the guardian of the child again if the Permanent Guardian becomes unwilling or unable to serve as the Permanent Guardian and the Probate Court decides to appoint you as the guardian.[733] If the judge in probate court does terminate the guardianship and appoint you guardian, you will have legal custody of your child.

HOW WILL A JUDGE IN PROBATE COURT DECIDE WHETHER TO REINSTATE ME AS GUARDIAN OF MY CHILD OR LET ME HAVE VISITATION?

For the Probate Court to reinstate you as a guardian of your child, the judge will have to determine that the factors that resulted in removal of you as a guardian of your child have been resolved and your reinstatement as guardian is in the best interest of the child.[734] See PG. 359 for more information on what factors a judge will look at when deciding what is in the best interest of the child.

A judge may ask for an investigation of the home conditions and needs of the child, and of your home conditions.[735] Note that you can't ask to be reinstated as a guardian more than once every six months.

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[727] CONN. GEN. STAT. § 45a-612. The Court's decision will consider the best interests of the child and the wishes of the child, if the child is capable of having an intelligent opinion.
[728] PROBATE COURT USER GUIDE: GUARDIANS OF MINORS, OFFICE OF THE PROBATE COURT ADMINISTRATOR STATE OF CONNECTICUT (2018), 6, http://www.ctprobate.gov/Documents/User%20Guide%20-%20Guardians%20of%20Minors.pdf.
[729] Request for review/modification of visitation, http://www.ctprobate.gov/Forms/PC-5012.pdf.
[730] A guardian can contact the Department of Social Services for help getting a child support order. Child Support – Non-Custodial Parent, CONNECTICUT.GOV, https://portal.ct.gov/DSS/Child-Support/Child-Support---Non-Custodial-Parent.
[731] Conn. Gen. Stat. § 45a-622(a).
[732] Conn. Gen. Stat. § 45a-611(a).
[733] Conn. Gen. Stat. § 45a-616a, Conn. Gen. Stat. § 45a-614.
[734] Conn. Gen. Stat. § 45a-611.
[735] Conn. Gen. Stat. § 46b-129(n).



Reasons why a parent may be removed as guardian include abandonment of the child, denial of care, guidance, or control necessary to the child because of the parent's actions or failure to act, non-accidental physical injury to the child by someone responsible for them, malnutrition, sexual molestation, deprivation of necessities, emotional maltreatment, cruel punishment, or neglect. These may be the issue(s) that have to be resolved before you can become the guardian of your child again.[736]

In order to allow you to have visitation with your child, a probate court judge must find that it is in the best interest of the child. [737] The judge also considers the child's wishes if he or she is of sufficient age to form an intelligent opinion. See PG. 359 for more information on what factors a judge will look at when deciding what is in the best interest of the child.

ARE THERE CONVICTIONS THAT WILL AUTOMATICALLY BAN ME FROM RECONNECTING WITH MY CHILD IN PROBATE COURT?

Yes, there are certain convictions that will automatically ban you from reconnecting with your child. See PG. 350 for more information on what factors a judge will look at when deciding what is in the best interest of the child.

WHAT CAN I DO TO SHOW THE PROBATE COURT JUDGE THAT REINSTATEMENT OF GUARDIANSHIP OR VISITATION WITH ME IS IN THE "BEST INTEREST OF THE CHILD"?

The court can consider any factor it thinks relevant to determining the best interest of the child.[738] It can help to clearly explain the things that make you a positive person in the child's life. You can emphasize your ability to care for the child, the strength of your relationship with the child, the stability you can bring to the child's life, and why it is best for the child to live or visit with you. If possible, you should also talk to a lawyer. To find a legal aid organization near you, see Guide Appendix PG. 413.

WHAT CAN I DO TO REDUCE THE WEIGHT THE JUDGE GIVES MY CRIMINAL RECORD?

As stated in the family court section on PG. 366, you can show the judge anything that indicates that giving you custody or visitation will be in the best interest of your child. You can show the judge things like certificates earned during incarceration, letters to and from your child, letters of support from family and friends, documents that show attendance in self-help groups, and proof of employment.

SCENARIO 2: BECOMING THE PROBATE GUARDIAN OF SOMEONE ELSE'S CHILD WHEN YOU HAVE A RECORD

WHAT IS A LEGAL GUARDIAN?

As a legal guardian, you are responsible for *caring for* and *making decisions* for the child[739], including:

1) Where the child lives;
2) Education;
3) Health care;
4) Social services;
5) Financial support and/or public benefits;
6) Supervision and misconduct;
7) Driver license;
8) Military service;
9) Marriage;
10) Funeral arrangements; and
11) Any other responsibilities that the judge orders.

WHY WOULD I GO TO PROBATE COURT TO BECOME THE GUARDIAN OF SOMEONE ELSE'S CHILD?

Sometimes a parent cannot take care of a child. Typical reasons include:

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[736] Conn. Gen. Stat. § 45a-610.
[737] Conn. Gen. Stat. § 45a-611.
[738] See, e.g., Conn. Gen. Stat. §46b-56(c)(some factors that may affect your likelihood of becoming a guardian are: the needs of the child; your ability and willingness to understand and meet the needs of the child; the informed preferences of the child; the wishes of the child's parents; the relationship of the child with you; your willingness and ability to encourage a parent-child relationship, as appropriate; your ability to be actively involved in the life of the child; stability in the child's life; your mental and physical health; the child's cultural background; the effect on the child of the actions of an abuser, if any domestic violence has occurred). See also Best Interest of the Child Standard in Connecticut, Connecticut Judicial Branch Law Libraries (2018), https://www.jud.ct.gov/lawlib/Notebooks/Pathfinders/BestInterest.pdf.
[739] Conn. Gen. Stat. § 45a-604(5).

Serious physical or mental illness;
Military service and deployment;
Deportation;
In-patient rehabilitative treatment;
Incarceration;
Drug or alcohol abuse problem;
History of being abusive; or
Some other reason that makes caring for a child difficult.

A temporary legal guardian can take care of a child while the parent is unavailable to, until the parent is able to take care of the child again or a more permanent situation is decided upon, such as adoption.

WHO CAN BE A LEGAL GUARDIAN?

Anyone, so long as a judge in probate court approves them. You would go to probate court to become the guardian of someone else's child if you are a close friend or relative of the child and want to help take care of the child because the parent cannot, or if you are a stepparent who otherwise would have no legal connection to the child.

To give you custody of someone else's child through a probate guardianship, a probate court judge will look at the following factors:

1) Your ability to meet the physical, emotional, moral and educational needs of the minor on a day to day basis;
2) The child's wishes, if the child is mature enough to have an opinion on the guardianship;
3) Whether there is already a relationship between you and the child; and
4) Whether the guardianship is in the "*best interest of the child.*"[740] In all child custody and visitation cases, including ones for probate guardianship, the judge may consider such factors as:
    a. The health and safety of the child,
    b. Any history of abuse by the parent or person seeking custody,
    c. Habitual or continued substance abuse by the parent,
    d. The criminal record of the non-parent petitioning for guardianship, AND
    e. Whether the child will be raised in stable and loving environment.

! **REMEMBER! Your criminal record is *one factor* in the judge's decision in allowing someone to be the guardian of a child. For more information on how your criminal record will impact your ability to reconnect with your child, see PG. 349 ("What does a judge look at when making a decision about . . . my child/grandchild?").**

WHAT CAN I DO TO SHOW THE PROBATE COURT JUDGE THAT CUSTODY OR VISITATION WITH ME IS IN THE "BEST INTEREST OF THE CHILD"?

It can help to clearly explain the things that make you a positive person in the child's life. You can emphasize your ability to care for the child, the strength of your relationship with the child, the stability you can bring to the child's life, and why it is best for the child to live or visit with you. If possible, talk to a lawyer. To find a free legal aid organization in your area, see Guide Appendix. PG. 413 for places that may be able to help.

HOW COULD THE PROBATE COURT HELP ME FINANCIALLY TAKE CARE OF SOMEONE ELSE'S CHILD?

If you are taking care of someone else's child and want support, you may be able to get financial help as a guardian through child support from the child's parents or government assistance (called "public benefits").[741] If the child's parent is deceased and had a work history, you may be able to collect social security survivor's benefits for the child.

A court-appointed guardian may be able to receive money from the Kinship Fund or the Respite Fund if not receiving a subsidy or benefit from DCF.[742]

WHAT IS A NOTARY?

A notary is a person who can perform certain legal procedures or create documents that are recognized by the court. A notary will charge you for their services. To find affordable notary services, contact your local legal aid office to see if they have a notary on site and how much it would cost.

[740] Conn. Gen. Stat. § 45a-617(a). Note that there is a presumption that it is in the best interests of the child to have a relative by blood or marriage as a guardian.
[741] See Judicial Council of Cal., Duties of a Guardian (2016), http://www.courts.ca.gov/1211.htm.
[742] KINSHIP & FAMILY RESPITE FUND, CONNECTICUT PROBATE COURT, http://www.ctprobate.gov/Pages/Kinship-and-Grandparent-Respite-Fund.aspx.



If you are caring for a child who is in DCF care or custody, you may be eligible to receive money through the subsidized guardianship program.[743] If you became the guardian of a child without DCF involvement, you cannot get money through the program.

You may be able to apply for Temporary Family Assistance benefits just for the child.[744]

For more information on how to request child support in family court, see PG. 385.

Ask the social worker on your case about what help you can get.

FREE RESOURCES

For more information on probate guardianship, these guides explain the rights and responsibilities of a guardian, and how to petition for guardianship:

Probate Court User Guide: Guardians of Minors, Office of the Probate Court Administrator for the State of Connecticut - http://www.ctprobate.gov/Documents/User%20Guide%20-%20Guardians%20of%20Minors.pdf.

Guardianship in Connecticut - https://www.jud.ct.gov/lawlib/Notebooks/Pathfinders/GuardianshipinCT/Guardianship.pdf.

Kinship Caregivers/Grandparents Raising Grandchildren/Custodial Relatives - https://uwc.211ct.org/kinship-caregiversgrandparents-raising-grandchildrencustodial-relatives/.

CARING FOR ADULTS: BECOMING THE PROBATE CONSERVATOR FOR AN ELDERLY OR DISABLED PERSON WHEN YOU HAVE A RECORD

WHAT IS A CONSERVATORSHIP?

A conservatorship operates much like a legal guardianship (see PG. 372), but instead of being responsible for a child, you are responsible for an adult. The subject of a conservatorship (called the conservatee) is usually an adult who cannot take care of or manage their own affairs, whether due to their age or a mental or physical disability.[745] Although responsibilities differ depending on the type of conservatorship, if you become the conservator for a loved one, you may be responsible for overseeing the conservatee's:

1) Daily care, including food, clothing, and shelter;
2) Finances, assets, and estate planning (such as drafting a will);
3) Medical care or other professional care, counsel, treatment, or service.[746]

The Probate Court will decide on your responsibilities as conservator. The conservatee will retain all other rights.[747]

Your job as conservator is to help the conservatee in the least restrictive way possible.[748] You need to think about what the conservatee wants when making decisions for their benefit, and how to make the conservatee as independent as possible.

You can also become the guardian of a person with an intellectual disability who has an IQ of 69 or less.[749] If the person has a less severe intellectual disability, consider becoming a conservator instead of a guardian.

If you are the guardian of a person with an intellectual disability, you are responsible for supervising some or all of their care.[750] To become a guardian of a person with an intellectual disability, you need to file a petition with the Probate Court stating whether the person already has a guardian or conservator, describe the person's ability to take care of themselves and make decisions, reasons why the person should have a guardian, and the extent to which you want to be a guardian.[751] The court will choose a guardian for a person with an intellectual disability based on the best interest of the person and the person's preferences.[752]

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[743] DWYER, KATHERINE, CONNECTICUT GEN. ASSEMBLY OFFICE OF LEGISLATIVE RESEARCH, 2017-R-0208, SUBSIDIZED GUARDIANSHIP PROGRAM (2017), https://www.cga.ct.gov/2017/rpt/pdf/2017-R-0208.pdf.
[744] Connecticut Department of Social Services, Temporary Family Assistance (TFA): Fact Sheet (2014), https://portal.ct.gov/-/media/Departments-and-Agencies/DSS/Economic-Security/tfafactsheet.pdf?la=en.
[745] PROBATE COURT USER GUIDE: FOR CONSERVATORS, OFFICE OF THE PROBATE COURT ADMINISTRATOR STATE OF CONNECTICUT (2018) http://www.ctprobate.gov/Documents/User Guide - Conservators.pdf.
[746] Conn. Gen. Stat. § 45a-656(a).
[747] Conn. Gen. Stat. § 45a-650(l).
[748] Conn. Gen. Stat. § 45a-656(b).
[749] Conn. Gen. Stat. § 1-1g.
[750] Conn. Gen. Stat. § 45a-669(1), (3).
[751] Conn. Gen. Stat. § 45a-670.
[752] Conn. Gen. Stat. § 45a-676(f).

HOW DO I BECOME A LOVED ONE'S CONSERVATOR?

Establishing a conservatorship is complex and may require the help of a lawyer with expertise in family, probate, and/or estate law. To get a sense of how probate conservatorships operate, visit the Probate Court website.[753]

While you can only become the conservator of an adult, you may be able to petition the Probate Court to become a conservator 45 days before the conservatee turns 18.[754]

Anyone with sufficient interest in a potential conservatee can petition the Probate Court to become a temporary conservator to prevent harm.[755] The judge will decide what the temporary conservator is allowed to do.

In choosing a conservator, the judge considers the potential conservator's knowledge of what the conservatee wants, the ability of the potential conservator to carry out the duties of the conservatorship, the costs of the conservatorship, the potential conservator's commitment to promoting the conservatee's welfare and independence, and any potential conflicts of interest of the proposed conservator.[756]

The Probate Court oversees the activities of a conservator regularly. To take certain actions, you may have to petition the Probate Court for permission. [757] The conservator will report to the Probate Court annually.[758] You can do this by filing a Conservator's Report, PC-371.[759]

If the conservatee has enough assets, you as conservator may have to purchase a probate bond. A probate bond is meant to protect the assets of the conservatee from mismanagement.[760]

CAN I BE A LOVED ONE'S CONSERVATOR IF I HAVE A CRIMINAL RECORD?

The law is silent on how a person's criminal record could affect their petition for conservatorship. But based on the statute, it seems that a criminal record would be a problem if it kept you from performing as a conservator or presented a conflict of interest.

FREE RESOURCE

The following guide contains more information on probate conservatorships:

Probate Court User Guide: For Conservators, by the Office of the Probate Court Administrator for the State of Connecticut - http://www.ctprobate.gov/Documents/User Guide - Conservators.pdf.

Probate Court User Guide: Persons with Intellectual Disability, by the Office of the Probate Court Administrator for the State of Connecticut - http://www.ctprobate.gov/Documents/User Guide - Persons with Intellectual Disability.pdf.

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[753] CONSERVATORSHIPS, CONNECTICUT PROBATE COURT, http://www.ctprobate.gov/Pages/Conservatorships.aspx.
[754] Conn. Gen. Stat. § 45a-648(c).
[755] Conn. Gen. Stat. § 45a-654(a).
[756] Conn. Gen. Stat. § 45a-650(h).
[757] PROBATE COURT USER GUIDE: FOR CONSERVATORS, OFFICE OF THE PROBATE COURT ADMINISTRATOR STATE OF CONNECTICUT (2018), at 10, http://www.ctprobate.gov/Documents/User Guide - Conservators.pdf.
[758] Conn. Gen. Stat. § 45a-656(c).
[759] http://www.ctprobate.gov/Forms/PC-371.pdf.
[760] Conn. Gen. Stat. § 45a-650(i).

X. FAMILY ISSUES INSIDE PRISON OR JAIL

PATERNITY ISSUES

WHAT IS PATERNITY?

Under the law, there is a difference between being biologically related to a child and having the legal right to decide what is best for the child. It is possible to be a child's biological parent but not the "legal parent," OR you can be the child's legal parent even if you are *not* the biological parent. There are specific legal rules for deciding who the child's legal parents are—in other words, rules for establishing paternity.

Paternity is determined differently for children born in wedlock and children born to married couples. A child born in wedlock is presumed to be a child of the marriage and the presumption may be rebutted only by clear and convincing proof that the child is illegitimate[761]. The mother and father of a child born while the parents are married are automatically considered "joint guardians" of the child, and each has the same rights, powers and duties concerning the child[762]. Being a guardian means having authority over and obligations toward a minor, and includes:

- The obligation of care and control;
- The authority to make major decisions affecting the minor's education and welfare, including, but not limited to, consent determinations regarding marriage, enlistment in the armed forces and major medical, psychiatric or surgical treatment; and
- Upon the death of the minor, the authority to make decisions concerning funeral arrangements and the disposition of the body of the minor.[763]

For a child whose parents are not married paternity has to be established according to certain legal rules in order for the father to have joint guardianship. To learn more about how paternity is established, keep reading this section.

Note that paternity rights are the same if a child were conceived using artificial insemination, which includes intrauterine insemination and in vitro fertilization.[764]

For married same-sex couples, if a couple conceives through assisted reproduction (i.e. with a sperm or egg donor) while married, the non-biological parent is treated by law as if they were the legal parent of the child; both parents have joint guardianship.[765]

WHY DOES LEGAL PATERNITY MATTER?

Establishing paternity gives you and your child many rights, including a right to child support, access to your child's medical records, public benefits for you and the child, and more. Once paternity is established, the family court or family support magistrate's court can make orders for custody, visitation, and child support (which can include child care and health insurance). [766] The Probate Court has the authority to make decisions on changing a child's name.[767] Until paternity is established, the court cannot make orders about these issues.

IMPORTANT: An individual should file a claim for paternity ONLY if he believes that he is the child's father because the law prevents the individual from denying paternity once the petition has been filed. Also, if the court finds that the individual is the child's father, his parental rights and responsibilities will be the same as those of the mother, including the duty to pay child support.[768] A legal parent also has the right to seek custody or visitation by starting a custody or visitation case. For more information on financial support, please see the section on Child Support beginning on PG.385. For more information on custody and visitation, please see the overview on Custody and Visitation on PG. 355.

[761] See Schaffer v. Schaffer, 187 Conn. 224, 226 (1982); Weidenbacher v. Duclos, 34 Conn.App. 129, 136 (1994).
[762] See Conn. Gen. Stat. Sec. 45a-606.
[763] See Conn. Gen. Stat. Sec. 45a-604(5) and (6).
[764] See Conn. Gen. Stat. Sec. 45a-771, et seq.
[765] See Barse v. Pasternak, 2015 WL 4570772 (June 29, 2015).
[766] Conn. Gen. Stat. Sec. 46b-1.
[767] Conn. Gen. Stat. Sec. 45a-99.
[768] See Conn. Gen. Stat. § 46b-172a(a) and (f); Connecticut Probate Courts, Children's Matters: http://www.ctprobate.gov/Pages/ChildrensMatters.aspx.

CAN MY CRIMINAL RECORD AFFECT PATERNITY ISSUES AND RECONNECTING WITH MY CHILD?

Yes. After establishing paternity, a parent with a criminal record may be limited or completely denied some or all of the benefits of paternity at the time of the court hearing OR may have to establish a record of good behavior to do things such as visit the child. To begin the process of visitation or custody, it is necessary to establish legal paternity.

HOW DO I ESTABLISH PATERNITY?

1. There are two main ways to establish paternity when the child's parents are not married: The father can sign a voluntary "Acknowledgment of Paternity" form[769] and the mother can sign an affirmation of paternity[770].
2. A court can decide paternity and the case can start in one of the following ways:

   a) An individual who claims to be the father of a child born out of wedlock may petition a Probate Court in the area where either the mother or the child lives to establish the child's paternity. The paternity petition may be filed before or after the child turns 18, or even after the death of the child.[771] Probate Court Form PC-907 can be used to file a paternity claim.
   b) A parent (or non-parent legal guardian) of the child can go to the Family Support Magistrates Court and seek a child support order — either on his or her own or with the help of the local child support agency at the Connecticut Department of Social Services (DSS).[772] This type of case can help to establish paternity as the court can order a DNA test, if paternity is challenged.[773]
   c) A parent can start a child custody or child visitation case in the Superior Court which can also help to establish paternity by ordering the parties to subject themselves to a DNA test, if there is uncertainty.

WHAT DO I NEED TO DO TO ESTABLISH MY PATERNITY IN COURT WHILE I AM INCARCERATED?

You are required to complete the correct forms, submit the forms to the court clerk for processing and "serve" them on – give formal notice to - the other party in the suit. You also have to arrange to attend court hearings in person or through a videoconference. You can do all these things while you are incarcerated but it may not be easy:

1. ***Obtaining and completing the forms:*** We recommend you obtain assistance from one or all of the following:

The contracted provider of the Inmate Legal Assistance Program may help you to prepare the appropriate forms.[774] The ILAP provider may also help you serve the papers on the other party in the case, for example, the mother of the child.

- If you are the potential father seeking to establish your paternity, start the case in the Probate Court that serves the area where the other party or your child lives.[775] The forms are available at these links: http://www.ctprobate.gov/Forms/PC-907 and http://www.ctprobate.gov/Forms/JD-FM-164.pdf.pdf.
- If you are the mother seeking to establish the paternity of a presumed father, you have until your child is 18 years of age to start a case in the Family Support Magistrate Court in the judicial district where either you or the presumed father resides. The court does not have a form on which a mother can initiate a paternity-only petition but the procedure for doing so is outlined in a statute.[776] A simpler way to assert a claim for paternity is to start a child custody lawsuit and name the presumed father/parent as the defendant. If the defendant disputes parentage, the court can order the steps necessary to prove/disprove parentage. You can find all the forms needed to initiate a custody/visitation case here: https://www.jud.ct.gov/forms/grouped/family/custody.htm. In the

[769] See Regs. Conn. State Agencies §17b-27-7, App. A.
[770] Conn. Gen. Stats.§ 46b-172.
[771] See Conn. Gen. Stat. § 46b-172a(a); See also Children's Matters section of Connecticut Probate Courts website: http://www.ctprobate.gov/Pages/ChildrensMatters.aspx.
[772] Conn. Gen. Stat. § 17b-179.
[773] See Conn. Gen. Stat. § 46b-231.
[774] See Dept. of Corr. Admin. Directive No. 10.3, eff. 11/18/15, Inmate Legal Assistance. The Connecticut Department of Corrections DOC) is required by law to help you access the court. DOC contracts with a law firm or agency to do so. As of this writing in April, 2019, the Bansley Anthony Burdo Law Firm law firm had the contract to provide inmate legal assistance. At all times, you may ask an officer at your facility or call DOC Legal Affairs at (860) 692-7575 to find out who is providing inmate legal assistance.
[775] Conn. Gen. Stat. § 46b-172a(a.)
[776] See Conn. Gen. Stat. § 46b-160.



alternative, you can ask the state of Connecticut to initiate a child support case on your and your child's behalf[777] and paternity will be addressed, as needed.[778]

- Law clerks in the law library (if you have one in your institution)
- Family and friends – can get the proper forms from the Probate Court or download them from the internet at http://www.ctprobate.gov/Forms/PC-907 and http://www.ctprobate.gov/Forms/JD-FM-164.pdf.pdf and send them to you.

2. ***Filing fees:*** If you have limited income, you should file an application for waiver of fees with the court. The Probate Court fee waiver form is found here: http://www.ctprobate.gov/Forms/PC-184.pdf. The Superior Court fee waiver application is here: https://www.jud.ct.gov/webforms/forms/fm075.pdf.

3. ***Serving the papers:*** If you are the potential father and you file a claim for paternity in the Probate Court, the court is required to serve your claim on the mother or prospective mother of the child.[779] However, if you file a petition in the Superior Court, you, the petitioner, are responsible for serving the other party in your paternity case the documents that you used to start the case. There are specific rules about how you can serve a party in a case, and state marshals are trained how to properly serve court notice. Use this list to find a state marshal in your county who can serve the papers on the opposing party: https://www.jud.ct.gov/faq/Marshals/PDF/MarshalList.pdf. If the putative father does not live in the state of Connecticut, you will have to serve him in person outside the state, in accordance with the laws of the state where the father is to be served.[780]

4. ***Attending court hearings:*** You can do one of the following:

   - Request to be transported to court for the hearings. For information on your right to be transported to court, contact the law firm or agency that provides inmate civil legal assistance.[781]
   - An alternative to physically appearing in court is to request that you appear by telephone or videoconference.[782] We recommend that you ask for this option if transportation to court is not possible or feasible for you.

If you establish paternity by signing a "Declaration of Paternity," it must be signed by both parents at the same time and notarized. If you are incarcerated, this may not be possible.

[777] See Conn. Gen. Stat. § 17b-179.
[778] See Conn. Gen. Stat. §§ 46b-163 to 46b-171.
[779] Conn. Gen. Stat. § 46b-172a(a).
[780] See Conn. Gen. Stat. § 46b-160(a)(1)(B)(4)(b).
[781] See Dept. of Corr. Admin. Directive No. 10.3, eff. 11/18/15, Inmate Legal Assistance. The Connecticut Department of Corrections is required to help you access the court. DOC provides access by contracting with a law firm or agency to do so. As of this writing in April, 2019, the Bansley Anthony Burdo Law Firm law firm had the contract to provide inmate legal assistance.
[782] See Dept. of Corr. Admin. Directive No. 4.8, eff. 2/2/2013, audio/video-conferencing policy.

XI. ENDING A MARRIAGE (DIVORCE, ANNULMENT & LEGAL SEPARATION)

WHAT WILL I LEARN ABOUT ENDING A MARRIAGE?

- How to end a marriage.
- How to end a marriage while you are incarcerated.
- How to get a divorce if you have an order not to contact your spouse or if you cannot find your spouse after you are released.
- What will happen if your spouse wants a divorce while you are incarcerated.

HOW CAN I END MY MARRIAGE?

In Connecticut, one or both of the parties to a marriage can ask the court to end their legal relationship by dissolution (also called divorce) or annulment. One can also obtain a legal separation, however, this type of case does not end your marriage. The following chart defines divorce, annulment and legal separation. We will also discuss how to get these outcomes, and how to respond to a request to end a marriage.

ENDING A LEGAL RELATIONSHIP:
Comparing Divorce, Legal Separation, and Annulment

General Questions About Each Type	Divorce	Legal Separation	Annulment
WHAT IS IT?	A divorce ends your marriage A Connecticut court can divorce you if you can show the following: A. Residency[783] (1) One of the parties to the marriage lived in Connecticut for at least twelve months before the date of the dissolution complaint or before the date of the divorce decree; or (2) One of the parties lived in Connecticut at the time of the marriage and returned to the state with the intention of permanently remaining	A legal separation does NOT end your marriage and is not a required step before seeking a divorce. If you cannot divorce or do not want a divorce, you can ask for a legal separation. By doing so, you can ask the court for orders about what to do with money you share, property, debts, or parenting issues.	An annulment ends a marriage and is granted when a court says your marriage was never legally valid under the laws of Connecticut or other state in which you were married.[786] Examples of marriages that are invalid (void) from the outset include: Marriage of incest (where close blood relatives or step-relatives marry)[787]; Bigamous marriages (where a person is already married to another)[788]; Marriages conducted by unauthorized persons[789]; Certain other marriages may be declared "void" if a party seeks annulment: A person under conservatorship. The law prohibits a person under conservatorship from getting a marriage license without the written consent of the conservator.[790] A conservator of an individual who marries in violation of this statute may seek to annul the marriage.[791] Fraud. Force. Duress. Lack of mutual consent to marry.[792]

[783] Conn. Gen. Stat. § 46b-44.
[786] See Conn. Gen. Stat. § 46b-40(b).
[787] Conn. Gen. Stat. § 46b-21.
[788] See Perlstein v. Perlstein, 26 Conn.Supp. 257, 259, (1966).
[789] See Conn. Gen. Stat. § 46b-22, *but see* Conn. Gen. Stat. § 46b-22a (concerning unauthorized justices of the peace and family support referees who represented themselves as duly qualified).
[790] Conn. Gen. Stat. § 46b-29 (2018).
[791] Connecticut Practice Series, Connecticut: Family Law and Practice with Forms § 12:6 (2010).
[792] See Schibi v. Schibi, 136 Conn. 196 (1949).



	before the filing of the complaint; or (3) The cause for the dissolution of the marriage arose after either party moved into this state. B. Reason for the dissolution[784] (1) The marriage has broken down irretrievably; or (2) One of the other nine reasons allowed under CT law for a divorce is proven.	Connecticut has the same residency and reason requirements for legal separation as it does for divorce.[785]	Other considerations: Age at the time of the marriage. A person at least 16 and under 18 years of age can marry with the approval of the Probate Court.[793] While the law does not say whether a marriage is void or voidable if the required approval is not obtained, Connecticut courts have held that lack of the necessary consent does not make the marriage void or voidable.[794]

[784] Conn. Gen. Stat. § 46b-40.
[785] See Conn. Gen. Stat. §§ 46b-40 and 46b-44.
[793] Conn. Gen. Stat. § 46b-20a(b).
[794] Manning v. Manning, 16 Conn. Sup. 461, 1950 WL 629 (Super. Ct. 1950); Fantasia v. Fantasia, 8 Conn.Supp. 25, 1940 WL 641 (Super. Ct. 1940).

HOW DO I GET IT?	Here is a general overview of the steps: (1) Fill out court forms. You will need, at minimum, a Summons (JD-FM-3), a Notice of Automatic Court Orders (JD-FM-158) and a blank Appearance (JD-CL-12). If you want specific legal advice about how to fill out your court forms, talk to a lawyer. (2) Serve court forms on the other person ("party"). (3) File court forms with proof that they have been served. (4) Fill out and serve your financial disclosure forms.	The court does not have a Complaint form for legal separation, and you will need to prepare a Legal Separation Complaint. However, the same procedures must be followed when starting this type of a case as are required for a divorce[795] and other forms are readily available on the judicial website or from the inmate legal assistance provider. You will need, at minimum, a Summons (JD-FM-3), a Notice of Automatic Court Orders (JD-FM-158) and a blank Appearance (JD-CL-12). If you want specific legal advice about how to fill out your court forms, talk to a lawyer.	You will have to go in front of a judge and prove that one of the above reasons applies to you and your marriage. Annulments are extremely rare! Be sure to talk to a lawyer BEFORE you go before a judge so you can talk to someone about whether this is best for you.
WHAT IS THE EFFECT OF GETTING	You will no longer be married so you may	You will not be able to marry someone else,	Since an annulment treats your relationship as having never been "valid" (lawful), your rights and obligations

[795] See CT Practice Book Sec. 25-2 (2019).



ONE?	remarry, file your taxes differently.	BUT you will have court orders based on what you and your partner requested such as instructions on joint custody.	to your children, property, money that is owed may need to be established in court.
IF MY SPOUSE STARTS A CASE, HOW DO I RESPOND?	First, read all the papers you receive carefully and follow the instructions. You can respond by filing the following forms: (1) Appearance form for you or your attorney so that you can get notices of what is happening in your case. (2) Answer form. This is to say if you agree or disagree with each numbered statement in the Divorce Complaint. (3) Divorce Cross-Complaint form. This will tell the court what you want and the divorce action can still proceed if the other party withdraws the case. Note: The Divorce Complaint may not detail what the other party wants the court to order, but, you can get a general idea if the other party is seeking child support, alimony, sole or joint custody and division of property and debts. Once you learn what specific orders the other party wants, you can decide whether you agree or don't agree, or if you and the other party can work out an agreement together. The court offers mediation services and can help with negotiations between you and your partner. If you agree with everything—including how to separate property and arrange for custody or	See the instructions under Divorce.	See the instructions under Divorce. And most importantly, Talk to a lawyer IMMEDIATELY! The law that applies to getting an annulment is very complicated and no website or book can explain it fully.

	visitation of your child(ren)—your case is considered "uncontested" and you can get a divorce quickly. If you or your partner DO NOT reach an agreement on everything, your situation is considered "contested". In a contested matter, you can ask for a trial to discuss the things about which you disagree.		
WHAT ELSE COULD HELP ME IN LEGALLY ENDING MY RELATIONSHIP?	Whether you are seeking a divorce, annulment, or legal separation, you may want to look into mediation to help you and your partner come to agreements in the process. **In Connecticut, all parties must ordinarily wait at least 90 days to get a divorce. However, other options may take less time.[796] See State of Connecticut Judicial Branch Form JDP-FM-274 to see which option will work best in your situation, https://jud.ct.gov/Publications/FM274.pdf.**		

[796] State of Connecticut Judicial Branch Form JDP-FM-274 (New 2/19), https://jud.ct.gov/Publications/FM274.pdf.



DIVORCE QUESTIONS WHILE INCARCERATED & AFTER RELEASE FROM PRISON OR JAIL

CAN I FILE FOR DIVORCE WHILE I AM INCARCERATED?

Yes you can. The same requirements apply as if you were not incarcerated. But, there are some things you should consider:

1) Your participation in your divorce case is more effective if you are physically present at your hearings. Get help from the Inmate Legal Assistance program with court transport; you may also call the court where your case is filed and ask the clerk to help you by sending the necessary paperwork to your facility to request your transportation to court for your hearing.[797] You can also request that you be allowed to participate in the hearing by videoconference.
2) You will not be able to gain physical custody of a child while you are incarcerated, so, that part of your divorce proceeding will not be handled. Instead, you will have to come back to court once you are released to discuss custody. You may be able to have joint legal custody of a child if you have a good relationship with the other parent. Joint legal custody allows both parents to participate in decision-making regarding a child's health, education and religious upbringing.[798]
3) There is no guarantee that your child or children will visit you in jail and getting a court order for visitation may be more difficult if you get a divorce while in jail.
4) Since you may not be present at the divorce, you may have difficulty getting information about property or financial interests that you may be entitled to from your spouse. If you get a divorce while incarcerated and do not get court orders that divide marital property and financial interests the way you would like, you will not be able to go back to court to get these things.

I WAS INCARCERATED AND HAVE AN ORDER NOT TO CONTACT MY SPOUSE. HOW DO I GET A DIVORCE?

The process of divorce is the same, but you CANNOT make contact with your spouse or domestic partner. Instead, you will have to ask someone to file your forms for you.

To protect yourself and to make sure you do not violate the no-contact order, talk to your attorney who represented you at the time you received the protective order if you received the no-contact order as a result of a criminal investigation or criminal conviction. If the no-contact order was *condition of your parole*, you should contact the defense attorney/public defender who represented you and/or ask your parole officer for help. Both of these people can help you find resources so that you can begin the divorce process.

I WAS INCARCERATED, AND NOW I CANNOT FIND MY SPOUSE. HOW DO I GET A DIVORCE?

If you can no longer find your spouse, you must still file the paperwork and go through the steps of filing a divorce (see on PG. 379 for those steps). However, you will also need to ask the court for permission to serve your spouse by publication in a newspaper in the last town your spouse lived. The form on which you will seek permission to serve your spouse by publication is called a "Motion for Order of Notice."

MY SPOUSE WANTS A DIVORCE AND I AM INCARCERATED. HOW WILL I BE NOTIFIED? WHAT SHOULD I DO?

You will likely receive paperwork through the mail or a judicial marshal will leave them for you at your facility, which will include the Summons, Complaint, Automatic Court Orders and any other legal papers that were filed by your spouse. See the above chart for steps you can take after you are served with divorce paperwork.

[797] CT Dept. of Corrections Admin. Directives 9.1 (2012) and 10.3 (2015).
[798] See Conn. Gen. Stat.§ 46b-56a.



XII. MANAGING & NAVIGATING SPOUSAL & CHILD SUPPORT

WHAT WILL I LEARN ABOUT SPOUSAL & CHILD SUPPORT?

- What family-related court-ordered debt is, including child support and spousal support, and how it can affect your reentry.
- How to manage child support payments and spousal support payments during and after incarceration, including changing the amount you owe.
- What are the consequences for failing to pay child support or spousal support.
- What to do if you owe past, overdue child support payments or spousal support payments when you return to the community from prison or jail.
- How to ask for spousal support and whether you can ask for spousal support while you are incarcerated.

Many people coming home from prison or jail are surprised to find they owe lots of money to various courts, agencies, and people. The money you owe can make it very hard to get back on your feet, which can leave you feeling frustrated and discouraged. In this section, we will walk you through the different types of court ordered debts that a judge can order you to pay to support your children or spouse.

WHAT IS A FAMILY-RELATED COURT-ORDERED DEBT?

You may have court-ordered debt that you owe because of criminal justice system involvement. Examples of these debts include: *restitution; court fines and penalties; administrative fees; and traffic fines and fees*. Here we provide you with an overview of family-related court-ordered debts, specifically **child support** and **spousal support**.

HOW WILL OWING FAMILY-RELATED COURT-ORDERED DEBTS AFFECT MY REENTRY?

Family-related court-ordered debts are important to manage and navigate because if you are *unaware, unwilling, or unable to pay*, they can add up quickly and harm you as you try to rebuild stability in your reentry. If you owe money to help support your child or spouse, this may affect your wage earnings, credit score, ability to secure housing, bank accounts; and failure to pay could be a violation of your conditions of parole, probation, or other type of community supervision. Here, we describe each family-related court-ordered debt, how to find out if and how much you owe, how to request a change to the order, how to manage your payments, and the consequences for failure to pay.

CHILD SUPPORT DEBT

BASICS OF CHILD SUPPORT

WHAT IS CHILD SUPPORT?

Child support is a *payment* that a judge can order a PARENT (including an adoptive parent) to make to another parent or caregiver to cover the child's care and living expenses. State law says that it is the joint duty of each parent to support his or her family.[799] Usually, the parent who does *not* have physical custody of the child (or who has physical custody some of the time and earns more money) pays child support to the parent or caregiver who has physical custody of the child most or all of the time.[800]

WHO HAS TO PAY CHILD SUPPORT?

A court can only order you to pay child support if you are legally considered to be the child's mother or father.[801] You have to pay child support when a family court judge makes a *child support order*, which says how much each parent is required to pay. A family court judge (either the Superior Court or a family support magistrate) can make a child support order where a parent neglects or refuses to provide necessary support to a child.[802]

[799] Conn. Gen. Stat. § 46b-37(b).
[800] This is because CONN. GEN. STAT. §§ 46b-37, 46b-215, 46b-84(a) say both parents are expected contribute equally to their child's financial needs. *See also* CONN. AGENCIES REGS. § 46b-215a et seq.
[801] Conn. Gen. Stat. §§ 46b-58, 46b-215(4).
[802] Conn. Gen. Stat. § 46b-215(a).



In general, you must continue to make child support payments until your child turns 18 years old,[803] or until the judge or magistrate agrees to change the order. Child support may also end if your parental rights are terminated.[804]

Do legal guardians have to pay child support?

No.[805] Child support is a parental responsibility, not a legal guardian's responsibility, and therefore a judge cannot order a legal guardian to pay child support.[806] But *adoptive parents* DO take on a legal financial responsibility to support their adoptive child(ren)—because they assume the *legal rights and responsibilities of biological parents* (unlike legal guardians).[807]

WHO RECEIVES MY CHILD SUPPORT PAYMENTS?

In general, your child support payments go to the child's other parent or caregiver who has physical custody of the child, OR to the state of Connecticut if your child receives public benefits or if the Department of Children and Families (DCF) is involved.

Can you pay child support directly to the legal guardian of a child?

You can pay child support directly to the guardian in an informal capacity. If the guardian or the support enforcement officer has requested child support in court, you will have to pay the state disbursement unit and they will provide support to your child's guardian.[808]

HOW WILL OWING CHILD SUPPORT AFFECT MY REENTRY?

Owing child support can affect every area of your reentry from getting employment to occupational licenses to public benefits and even housing. If you do not make child support payments, you can face such serious consequences as the following:

1) If you are employed, your employer will automatically deduct (take away) a portion of your wages to pay your current and/or overdue child support obligations (called a *wage assignment* or *wage garnishment*);[809]
2) Your child support payments can be automatically deducted (taken away) from other income and benefits you earn, including state or federal income tax refunds, workers' compensation benefits, unemployment and state disability benefits, retirement benefits, and lottery winnings;[810]
3) Liens can be placed on your property and bank accounts to pay overdue child support;[811]
4) Your driver's license, occupational license, and commercial or recreational licenses may be suspended, revoked, or denied;[812]
5) Your passport may be revoked or denied;[813]
6) Unpaid child support will be reported to credit bureaus, which can hurt your credit rating and make it harder to get a loan, rent an apartment, or find a job;[814] AND/OR
7) *If you are unemployed and do not pay your child support obligations*, the judge may order you to get a job (or at least to try). For example, the judge may order you to participate in work activities, such as job

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[803] Conn. Gen. Stat. § 46b-215(a). However, if your child is still in high school and lives with a parent, then child support continues until s/he graduates OR turns 19—whichever happens first. Conn. Gen. Stat. §§46b-215(a), 46b-84(b). Alternatively, child support can end earlier if/when your child (1) gets married, (2) is emancipated, or (3) dies. Or child support may continue for longer if (1) the parents agree to a longer arrangement that is fair and equitable, (2) the judge/magistrate orders both parents to keep supporting a mentally, physically, and/or intellectually disabled adult child, until the disabled child reaches the age of 21, or (3) the judge/magistrate orders educational support, which must terminate by the child's 23rd birthday.

[804] *See* In re Baciany R., 150 A.3d 744, 750 (Conn. App. Ct. 2016) ("If the [father's] parental rights were terminated, his financial responsibility also would be terminated."). However, "Connecticut child support enforcement legislation clearly evinces a strong state policy of ensuring that minor children receive the support to which they are entitled." *In re Bruce R.*, 234 Conn. 194, 209 (1995). Moreover, "the legislature did not intend that §45a-717(f) be used as a means for a parent to avoid the obligation to support his or her children. To interpret the statutory scheme as such would alter radically the parental support obligation which our laws consistently have reinforced." *Id.* at 213.

[805] See Conn. Gen. Stat. § 45a-604(5). "A guardian of a minor child has no legal obligation of support for that child." *Farrow v. Vargas*, 231 Conn. 1, 18 (1994).

[806] Conn. Gen. Stat. § 46b-215(a).

[807] Conn. Gen. Stat. § 46b-58.

[808] State of Conn. Judicial Branch, *Child Support Frequently Asked Questions*, https://www.jud.ct.gov/childsupport/faq_eng.htm#8; Conn. Child Support Internet Payment Website, https://ct.smartchildsupport.com/.

[809] Conn. Gen. Stat. §§ 46b-215(a)(9); 52-362f.

[810] Conn. Gen. Stat. § 46b-215(a)(9); Conn. Gen. Stat. § 52-362e(b) (state income tax refund); Conn. Gen. Stat. § 52-362e, 42 U.S.C. § 664 and 26 U.S.C. § 6402(c) (federal income tax refund); Conn. Gen. Stat. § 52-362 (workers' compensation, unemployment, disability benefits, retirement), CONN. GEN. STAT. § 52-362d, Conn. Agencies Regs. § 52-362d-4 (lottery winnings).

[811] Conn. Gen. Stat. §§ 46b-215(a)(9), 52-362d.

[812] Conn. Gen. Stat. §§ 46b-215(a)(9).

[813] 42 U.S.C. §652(k).

[814] Conn. Agencies Regs. §52-362d-3.

searching and training, or may order participation in the job training and retraining program established by the Labor Commissioner.[815]

8) Finally, if the judge finds that you are *able* to make child support payments and are *willfully* failing to pay, the judge can find you "in contempt of court" and have you arrested or put in jail.[816] However, the judge usually only does this as a last resort, if all other enforcement efforts have failed.

HOW DO I FIND OUT WHETHER I OWE CHILD SUPPORT AND HOW MUCH I OWE?

If you were ordered to pay child support, you should have received papers from the other parent, guardian, or support enforcement officer.[817] If you can't remember whether you received papers (or you don't have them anymore), you should contact the court clerk to get a copy of your child support order and other court papers to find out how much you owe. You can also call 1-888-233-7223 to request more information about child support payments owed or to inquire about your account balance.

If you disagree with the amount of overdue child support you (or the other parent) owe, you can ask the Support Enforcement Services of the Superior Court or the Department of Social Services for a review of your account, and/or you can ask the judge to determine how much money you owe.[818]

! **IMPORTANT: If you *never received any papers or child support orders*, but the Support Enforcement Services or Department of Social Services now says that you owe child support, you may be able to have the judge *cancel* the child support order. But you must act *as soon as you find out* that there is an order for you to pay child support. If you do not act immediately, the judge may refuse to cancel the order.**

MANAGING YOUR CHILD SUPPORT PAYMENTS

I AM CURRENTLY INCARCERATED. DO MY CHILD SUPPORT PAYMENTS AUTOMATICALLY STOP WHEN I AM IN PRISON OR JAIL?

NO—child support does NOT stop automatically while you're incarcerated.

HOW WILL MY CHILD SUPPORT PAYMENTS CHANGE WHILE I'M INCARCERATED?	
Your payments may be modified upon proper motion.	Your child support payments will NOT stop automatically while you're incarcerated. You will continue to owe child support payments while you are incarcerated, unless you get the judge to change your child support order. To stop your child support payments while you are incarcerated, you will need to motion the Superior Court of the family support magistrate to modify the existing order. The judge/magistrate will take into account your present income and assets in determining how to modify the support order while you are incarcerated.[819]
Your payments may be reduced to zero dollars if your child support order was an IV-D[820] support case AND you are incarcerated for more than 90 days.	If your child support order is handled by Support Enforcement Services AND you are incarcerated for more than 90 days, your child support payments will be paused (suspended) while you are incarcerated, effective on the date that a Support Enforcement Officer files an affidavit in the Family Support Magistrate Division.[821] This means that you will not owe any child support during the time you are incarcerated, and you will not have to do anything to make this to happen. But your child support payments will automatically continue again ninety days after you are released.[822]

[815] Conn. Gen. Stat. §§ 46-215(a)(9)(A), 31-3t.
[816] Conn. Gen. Stat. §§ 46b-215(a)(8)(C), 46b-231(m)(7).
[817] Conn. Gen. Stat. § 46b-215(a)(3). Alternatively, in the case of IV-D support cases, a copy of any support order should have been provided to you (and the state registry) fourteen days after issuance of the order. Conn. Gen. Stat. § 46b-215(f).
[818] Conn. Gen. Stat. §§ 46b-231(s)(4), 46b-231(u)(2).
[819] Conn. Gen. Stat. § 46b-215e.
[820] IV-D support cases refer to cases where the IV-D agency is providing child support enforcement services under Title IV-D of the Social Security Act. Conn. Gen. Stat. § 46b-231(b)(13).
[821] Conn. Gen. Stat. § 46b-215e(b). The affidavit must include: (1) the beginning and expected end dates of the incarceration, (2) a statement that a diligent search failed to find any income or assets that could satisfy the support order during the incarceration and the offense was not against the custodial party or child subject to the support order, and (3) notice was provided to the custodial party and was not objected to by that party.
[822] Conn. Gen. Stat. § 46b-215e(d).



Your payments WILL NOT be modified if:	Modification of an existing support order based on incarceration WILL NOT be granted where the reason for incarceration was an offense against the custodial party (e.g., the other parent or guardian) or the child subject to the support order.[823]

WILL MY CHILD SUPPORT PAYMENTS AUTOMATICALLY BEGIN WHEN I AM RELEASED FROM PRISON OR JAIL?

Generally, yes. The court will expect you to pay your child support as soon as you start receiving income.[824] Moreover, as stated above, if your support order is an IV-D support order, child support payments will be reinstated ninety (90) days after you are released.

HOW DO I MAKE CHILD SUPPORT PAYMENTS?

Regardless of whether the support order is an IV-D support order or a non-IV-D support order, all support payments are processed by the State Disbursement Unit.[825]

All child support payments should be sent by mail to the State Disbursement Unit (SDU) at:

Connecticut – CCSPC
P.O. Box 990031
Hartford, CT 06199-0031

Alternatively, payments can be made online through: https://ct.smartchildsupport.com/Default.aspx. Payments *may* be made directly to the other parent only where agreed upon and ordered by the court.[826]

HELPFUL HINT
Keep Records of Your Payments!

IMPORTANT! It's a good idea to *always keep a record of every payment you make*. You can keep a separate notebook where you write down the *date* and *amount* of each payment, or make notes on a calendar every time you make a payment (including the date and amount). The Support Enforcement Services especially recommends getting a receipt from the other parent when making a payment directly to him or her. [827]

HELPFUL HINT
I lost my job or went to jail and cannot afford my child support payments!

IMPORTANT! If you cannot pay or are falling behind on your child support payments because you lost your job, went to jail, or some other important changes have happened, it's recommended that you *immediately* contact the Support Enforcement Services and/or family court and ask to change your child support amount. Don't wait! You are responsible for paying the full amount of child support until the judge or magistrate changes the child support order. For more information about changing your child support order, see, PG. 389.

WHAT CAN I DO IF MY MONEY IS BEING TAKEN OUT OF MY SALARY FOR OVERDUE CHILD SUPPORT PAYMENTS?

If you are employed, a portion of your wages may be automatically taken out to pay your current and/or overdue child support (called a *wage assignment* or *wage garnishment*).[828] This will happen even if you only owe *current* child support payments, without any overdue payments or interest. If your child support payments are being taken directly from your wages and cover the full amount owed, you should not need to make other payments.

If you are not employed, or if your child support is not being taken from your wages, you must make child support payments directly.

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[823] Conn. Gen. Stat. § 46b-215e(a)-(b).
[824] SUPPORT ENFORCEMENT SERVICES, *What Happens to My Child Support Order While I Am in Prison?*, https://portal.ct.gov/-/media/DOC/Pdf/ChildSupportInfopdf.pdf?la=en.
[825] STATE OF CONN. JUDICIAL BRANCH, *Child Support Frequently Asked Questions*, https://www.jud.ct.gov/childsupport/faq_eng.htm#8; see also Case Input Record Non IV-D Income Withholding (Form JD-FM-150), https://www.jud.ct.gov/webforms/forms/fm150.pdf.
[826] STATE OF CONN. JUDICIAL BRANCH, *For Noncustodial Parents Answers to Common Questions*, https://www.jud.ct.gov/Publications/fm197.pdf.
[827] STATE OF CONN. JUDICIAL BRANCH, *For Noncustodial Parents Answers to Common Questions*, https://www.jud.ct.gov/Publications/fm197.pdf.
[828] Conn. Gen. Stat. §§ 46b-215(a)(9); 52-362f.

CAN I CHANGE OR ADJUST THE AMOUNT OF CHILD SUPPORT I OWE? …WHILE I AM INCARCERATED? …AFTER MY RELEASE?

IMPORTANT: The process for changing or lowering your CURRENT and FUTURE child support payments is different than the process for changing your PAST, OVERDUE child support debt. This question will explain how to change your *current* child support payments.

First the bad news: In general, you CANNOT go back and change the amount of past, overdue child support payments.

But you CAN ask the judge to change the amount of child support that you have to pay in the future, starting from the date when you file your court papers.[829]

To ask for a change in your child support payments while incarcerated, contact Support Enforcement Services for review and adjustment services. You can contact them in person, by telephone (either the local Support Enforcement Services office or the Child Support Call Center at 1-800-228-KIDS/1-800-228-5437), by email to the local office, or by letter to any Support Enforcement Services office.[830] Alternatively, an incarcerated parent can file a motion for modification with the court or hire an attorney to file a motion for modification on his or her behalf.

IMPORTANT: In general, the judge can only change the amount of child support you owe for *future* payments (starting from the day you file papers asking for the change). The judge cannot reduce the amount of *past* child support that you owe. Therefore, you should contact Support Enforcement Services and/or file your court papers *as soon as you are incarcerated*, if possible, to request a change in your payments.

If you are served with new child support papers while in prison or jail, you should contact the Support Enforcement Services office listed on the paperwork right away. It is best to contact the SES *in writing*, by filling out and sending back the blank *Appearance* form that you receive with the court papers.[831] You only have *30 days* (starting from the day you receive the papers) to respond to the SES and/or the court.[832] You must notify the SES again once you are released.

See the chart on the next page as a guide for how to request a change to current and future child support payments.

[829] See http://www.jud.ct.gov/Publications/fm218.pdf for a guide on "How to Change Your Child Support Order."
[830] The local Support Enforcement Services directory can be found at: https://www.jud.ct.gov/childsupport/directory.htm.
[831] When you receive your court papers, they should include a blank Appearance form (JD-CL-12) for you to complete and send back.
[832] FORM JD-FM-3.



USE THE FOLLOWING CHART AS A GUIDE IF YOU WANT TO REQUEST A CHANGE IN YOUR CURRENT AND FUTURE CHILD SUPPORT PAYMENTS.

REQUESTING A CHANGE IN YOUR CURRENT & FUTURE CHILD SUPPORT PAYMENTS

YOU WANT TO REQUEST A CHANGE FROM→	The Court (the Judge)	The Support Enforcement Services (SES)
What should I do?	File a Motion for Modification (JD-FM-174), Appearance Form (JD-CL-12), Application for Waiver of Fees (JD-FM-75),[833] Financial Affidavit (JD-FM-6-SHORT or JD-FM-6-LONG),[834] AND Affidavit Concerning Children (JD-FM-164) at the Court Clerk's Office.[835]	Contact your local SES and tell them you want a "review and adjustment" of your child support order.
What are the steps I need to follow?	To request a change in court, you must: Fill out the above forms (see box above); File your court forms with the Court clerk; Serve copies of all your papers on the other parent; Collect other documents to show your income (e.g., pay stubs from the last 13 weeks, information regarding any benefits you receive, such as Social Security Benefits or Unemployment Compensation, and proof of any medical reasons justifying why you cannot work) in preparation for your hearing; and Have a court hearing to decide how much child support you must pay (see box below). IMPORTANT: You will need to show the judge that your circumstances have changed and you cannot afford your current child support payments—for example, because you were incarcerated, lost your job, have other expenses, or for some other reason. Along with your court forms, you should include any pay stubs or proof of income and your latest federal and state tax returns—these will show the judge how much money you make and how much you can afford to pay in child support.[836]	To request a change from the SES: Contact your local SES and tell them you want a "review and adjustment" of the child support order. You may contact SES by telephoning the local office of the Child Support Call Center at 1-800-228-5437, by emailing the local office, or by letter to any SES office.
What happens next?	After you file your court forms and other documents, you will have a hearing. At the hearing, the judge can change your child support payments starting from the date you first filed your court papers.	The SES will act on a request for modification received by letter, telephone or email. The SES will conduct a review and they determine whether a change in payment amount is supported based on financial information. If such a change is warranted, the SES will prepare and file a motion for modification and send it to the local office to be served on the other parent. After the date of service, the court date to reduce your child support payment amount will occur in about six weeks. IMPORTANT: It can take up to 3 months from the date the SES receives the request to the court hearing date, and your child support obligations will continue to increase during this time—so don't stop making payments while you're waiting!

[833] The Application for Waiver of Fees should be filed if you income is low and you are seeking to have the court fees waived.
[834] If your gross annual income is less than $75,000 and your total net assets are less than $75,000, use the SHORT form. Otherwise, if your gross annual income/total net assets are more than $75,000, you must use the LONG form.
[835] These forms are available online at: https://jud.ct.gov/webforms/default.aspx?load_catg=Family. Note that the forms are also available in Spanish, Portuguese, and Polish.
[836] See STATE OF CONN. JUDICIAL BRANCH, *What Happens When You Go to Family Support Magistrate Court*, www.jud.ct.gov/publications/fm209.pdf, for details regarding the process and paper work for going to Family Magistrate Court. *See also* STATE OF CONN. JUDICIAL BRANCH, *How to Change Your Child Support Order*, https://www.jud.ct.gov/Publications/fm218.pdf.



HELPFUL HINTS
What can I do if . . .?

If your driver's license has been suspended due to unpaid child support… First, if the order has been issued, but thirty days has not yet passed, the suspension order is not yet effective and, if the terms of the order can be met (e.g., the specified amount is paid) then comply with the order within the thirty day period (this will make the suspension order null and void).[837] If you cannot comply with the suspension order (e.g., you cannot make the required payments), your license will be suspended upon the Department of Social Services or a support enforcement officer filing an affidavit stating that you have failed to meet the requirements. If the Department of Social Services or the officer fails to file the affidavit within forty-five days of the expiration of the thirty day-period, the suspension order is null and void.[838] Finally, if you are unable to pay and your license has been suspended, your options are to comply with the conditions of the license suspension regarding reinstatement, or otherwise motion for the court or family support magistrate to rescind the suspension.[839]

If your passport has a hold on it… Federal law requires that anyone who owes more than $2,500 in overdue child support cannot get a passport.[840] In Connecticut, you must pay off ALL of your overdue child support or have your child support case closed in order to get your passport released.

I AM FORMERLY INCARCERATED AND OWE MONEY FOR PAST, OVERDUE CHILD SUPPORT PAYMENTS ("ARREARAGE"). HOW CAN I CHANGE THESE ARREARAGES?

Connecticut has two methods for arrearage adjustment. The first is through participation in Connecticut's Parenthood Program. The second is Arrearage Liquidation, which will be addressed in the following section.

PARENTHOOD PROGRAM

If you owe child support, you can be eligible for arrearage adjustment through participating in a Parenthood Program.[841] A Parenthood Program must be certified by the commissioner. The goal of the program is to provide services that promote the positive involvement and interaction of noncustodial parents (parents that do not have primary physical custody of the child) with their children. At a minimum, the program provides a curriculum of 24 hours of programming over a period of twelve weeks. The program provides services either directly or through referral in the following areas: [842]

1. Education, training and employment readiness;
2. Parenting education and services to strengthen the parent-child relationship;
3. Counseling, support, and self-help;
4. Legal assistance and court advocacy;
5. Mental health and substance abuse services;
6. Housing;
7. Transportation;
8. Domestic violence services;
9. Conflict resolution and anger management;
10. Mentoring;
11. Relationship and co-parenting mediation;
12. Pregnancy prevention.

To be eligible to participate in a Parenthood Program to reduce your arrearage, you have to be approved by the Department of Social Services. [843] To be approved, you must meet the following requirements: [844]

1. Satisfactory progress in the Program demonstrated by quantifiable achievements (such as signing a paternity acknowledgement, signing a voluntary support agreement, [845] signing a co-parenting or mediation agreement, attending one or more child development classes, or registering with the Department of Labor for skills training);

[837] Conn. Gen. Stat. § 46b-220(d).
[838] Conn. Gen. Stat. § 46b-220(c)-(d).
[839] Conn. Gen. Stat. § 46b-220(e).
[840] 22 C.F.R. §51.60(a).
[841] Conn. Agencies Regs. § 17b-179b-2(a).
[842] Conn. Agencies Regs. § 17b-179b-2(b).
[843] Conn. Agencies Regs. § 17b-179b-3(a).
[844] Conn. Agencies Regs. § 17b-179b-3(a).
[845] A voluntary support agreement is a document signed by the parent owing the support which (1) states the responsibilities of the parent under the arrearage adjustment program, (2) defines the activities required for participating in the program, (3) specifies the outcomes expected from successful completion in the program, and (4) states the total arrearage amount that is subject to adjustment and the amount of the current child support obligation. Conn. Agencies Regs. § 7b-179b-1(15).

2. Meeting program goals for appropriate involvement and interaction with your child(ren) and (a) you owe an arrearage to the State of Connecticut and there is a current payment due to the other parent/guardian or (b) you now reside with the child who is the subject of the support order;
3. Entering into a voluntary agreement and apply for arrearage adjustment; AND
4. Have never engaged in acts of domestic violence against the other parent or the child(ren).

Upon successful completion of the Parenthood Program, you will receive a one-time arrearage adjustment of ten percent of your starting arrearage. [846]

If, during your participation in and after successful completion of the program, you also pay your *current* child support obligations (as identified in the voluntary agreement) your arrearage will be reduced by 50% of every dollar paid on your current child support obligations.[847] Your compliance will be reviewed every year by the commissioner to determine if the arrearage reduction should continue with future payments.

If, during your participation in and after successful completion of the program, you reside with the child who is the subject of the order and are employed a minimum of 120 hours a month, your arrearage will be reduced by 50% of the current support amount calculated by the Connecticut Arrearage Guidelines at the end of each calendar quarter. [848]

CAN I GET RID OF MY PAST, OVERDUE CHILD SUPPORT DEBT?

It depends, but probably not entirely.

IMPORTANT: The process for changing or lowering your PAST, OVERDUE child support debt ("arrearage") is *different* than the process for changing your CURRENT child support payment amount. This question will explain how to change your *past*, *overdue* child support debt. To learn about changing your *current* child support payments, see PG. 389.

This question will explain how to change your *past*, *overdue* child support debt.

You may qualify for arrearage liquidation (in other words, a full adjustment of 100% of your arrearage) for state-owed arrearages. The following requirements must be met for eligibility: [849]

1. The arrearage is owed to the State of Connecticut and would take at least five years to pay in full at the rate of payment calculated by the Connecticut Arrearage Guidelines;
2. If there is a current support obligation, the payments must be current or any payments owed should be paid prior to or at the time of the arrearage liquidation; and
3. Any arrearage payable to the parent with physical custody of the child shall be paid in full prior to the time of the arrearage liquidation.

Note: Although, you may qualify for your state-owed support arrearage to be liquidated, payments owed to a party other than the state (such as the other parent) will not be liquidated.

First, figure out whether you owe overdue child support payments to the other parent (or caregiver) or to the state.

Once you know to whom you owe money, use the following chart to figure out your next steps:

CHANGING OR LOWERING YOUR PAST, OVERDUE CHILD SUPPORT DEBT (ARREARAGE)

TO WHOM DO YOU OWE CHILD SUPPORT MONEY?	I OWE CHILD SUPPORT TO THE STATE (CONNECTICUT)	I OWE CHILD SUPPORT TO THE OTHER PARENT (OR CAREGIVER)
How do I know whom I owe?	If the other parent (or caregiver) is receiving public benefits for your child, or if DCF has taken your child, you owe child support to the State of Connecticut.	If your child support order was part of a divorce or family law case, you will probably owe child support directly to the other parent.

[846] Conn. Agencies Regs. §17b-179b-3(b)(1).
[847] Conn. Agencies Regs. §17b-179b-3(b)(2).
[848] Conn. Agencies Regs. §17b-179b-3(b)(3).
[849] Conn. Agencies Regs. §17b-179b-4.

What should I do?	Apply for Arrearage Liquidation (see above). If you qualify, the Arrearage Liquidation program will reduce (but not completely eliminate) the amount of child support debt that you owe to the State, so you will not have to pay as much.	Try to work out an agreement (called a "settlement") with the other parent (or caregiver). You may be able to work out an agreement to forgive some or all of the overdue child support, in exchange for your paying off the remaining amount right away. For example, you could offer to make—and the other parent (or caregiver) could agree to accept—a single lump sum payment all at once, rather than making many smaller payments over time and having the debt drag out.
Important Information to Know:	You must meet the eligibility requirements listed above.	If you reach an agreement with the other parent, you should make sure to put it in writing for the SES and the judge.

CAN I DISCHARGE MY CHILD SUPPORT ARREARAGE BY FILING FOR BANKRUPTCY?

No. Filing for bankruptcy will not cancel debt related to child support.[850] There is no legal procedure that completely discharges child support debt. While you may be able to reduce any child support arrearage you owe to the state (see chart above), you will continue to owe some amount of child support until it is paid off.

I RECEIVE PUBLIC BENEFITS. CAN A PORTION OF MY PUBLIC BENEFITS BE TAKEN TO PAY FOR CHILD SUPPORT?

Yes. If you owe *any* child support payments (current and/or past, overdue payments), a portion of your public benefits payments can be automatically taken out to pay off your child support obligations.[851] That means your payments can be taken out of your unemployment, disability, workers compensation, veteran's benefits, or any other benefits you earn.

However, if you are already receiving public assistance, the judge *may* decide that your income is *too low* to owe *current* child support payments.[852] BUT—this *only* applies to *current* payments. Even if the judge decides that your income is too low for *current* payments, you will still owe any *past, overdue* child support payments. You should ask the judge for a payment plan that lets you make small payments over time. **Remember:** The only way you can reduce paying past, overdue child support payments is (1) if you satisfactorily complete a Parenthood Program; OR (2) if you get a settlement agreement with the Arrearage Liquidation program or other parent.

CONSEQUENCES FOR FAILING TO PAY CHILD SUPPORT

CAN I BE IN VIOLATION OF MY SUPERVISION OR PAROLE IF I FAIL TO PAY CHILD SUPPORT?

Yes. Failure to pay child support can amount to a violation of supervision or parole if you are held in contempt of court for willfully withholding payment. Carrying out any criminal activity (which contempt of court is) is a general violation of parole and supervision.

CAN I GO TO JAIL FOR NOT PAYING CHILD SUPPORT?

Yes. Not paying child support can have very serious consequences. If a family court judge finds that you have the ability to pay support but are willfully not paying it, the judge can find you "in contempt of court." Being "in contempt of court" means you are not following an order from a judge and it could be punished with jail time. If you are being charged with contempt of court and could face criminal charges, you have the right to a lawyer. If you cannot afford a lawyer, ask the court to appoint one for you.

[850] 11 U.S.C. § 523(a)(5); 11 U.S.C. § 101(14A).
[851] Conn. Gen. Stat. § 52-362.
[852] You will still have to follow all the steps discussed above for responding to a child support request and/or changing a child support order, so that the judge can determine your income and child support obligations.



If you are able to show that you are not able to pay before the court, you will probably not be held in contempt (which can lead to jail time). However, this still may cause other problems. Although you may not go to jail for being in debt, your credit may affected if you do not pay the child support you have been ordered to pay. If your credit is affected because you have not paid child support, you may have difficulty in doing things that result in a credit check like renting an apartment or purchasing a car.

FREE RESOURCES

For more information on child support payments and child support debt, check out the following resources:

- Child Support FAQs by the Judicial Branch of Connecticut: https://www.jud.ct.gov/childsupport/faq_eng.htm.
- How to change your child support order: http://www.jud.ct.gov/Publications/fm218.pdf.
- What Happens to My Child Support Order While I'm In Prison? https://portal.ct.gov/-/media/DOC/Pdf/ChildSupportInfopdf.pdf?la=en.
- Answers to Common Questions for Noncustodial Parents: https://www.jud.ct.gov/Publications/fm197.pdf.
- What Happens When You Go to Family Magistrate Court: www.jud.ct.gov/publications/fm209.pdf.
- Court forms for child support/family matters are available at https://www.jud.ct.gov/webforms/default.aspx?load_catg=Family#searchTable.

Whether you are still incarcerated or back in the community, you know how important your children and your family are for rebuilding your life, your relationships, and your sense of self.

SPOUSAL SUPPORT DEBT

BASICS OF SPOUSAL SUPPORT DEBT

WHAT IS SPOUSAL SUPPORT?

When a couple legally separates or divorces, a judge in family court may order one spouse or domestic partner to pay the other a certain amount of money each month in order to help pay for the less earning spouse or partner's living expenses.[853] This is called "alimony."[854] To understand more about divorce and legal separation, see the section beginning on PG. 379.

WHO HAS TO PAY SPOUSAL SUPPORT?

If you and your spouse or partner either get a court-order for spousal support or you agree to a payment plan on your own, the spouse or partner that is the higher wage earner will have to pay the lesser-earning spouse or partner an adequate amount of money to help pay for the lesser earning spouse's basic living expenses.[855]

HOW WILL OWING SPOUSAL SUPPORT AFFECT MY REENTRY?

Owing spousal support can affect your credit score, your ability to get some types of employment, your income, and more. For example:

- *Your Credit Score Can Be Affected:* If your spousal support order is a IV-D order, a family magistrate can report your support non-payment to credit rating agencies. They are also entitled to use all the enforcement mechanisms that they use for child support non-payments.
- *Your Employment and Income Can Be Affected:* If the person receiving spousal supports files for wage garnishment, your employer may be forced to withhold part of your wages to pay back your past due spousal support.

HOW DO I FIND OUT IF I OWE SPOUSAL SUPPORT AND HOW MUCH I OWE?

If the Support Enforcement Services (SES) is involved because you are paying your spousal support payment along with your child support payment, you should contact the SES directly to ask how much you owe. The local Support Enforcement Services directory can be found at: https://www.jud.ct.gov/childsupport/directory.htm.

If the SES is not involved you should get in contact with the person to whom you are paying spousal support and ask them how much you owe. If that is not possible you can also contact the family law magistrate who issued the order.

MANAGING SPOUSAL SUPPORT PAYMENTS

I RECEIVED LEGAL PAPERS ABOUT SPOUSAL SUPPORT. WHAT CAN I DO?

If you have been "served" spousal support papers (meaning that someone has given you, or mailed you legal papers telling you that they have filed papers that ask the Family Court to issue an order about spousal support), you should respond if you want to have input into the judge's final decision.

To respond, you must first file an "*Appearance*" (Form JD-CL-12). You may then file an Answer and or Cross Complaint. (Form JD-FM-160 and Form JD-FM-159).

I AM CURRENTLY INCARCERATED. DO MY SPOUSAL SUPPORT PAYMENTS AUTOMATICALLY STOP WHILE I AM IN PRISON OR JAIL?

Your spousal support payments do not automatically stop while you are incarcerated, but you can request that your order be paused or reduced if you are not longer able to pay. For steps on how to change an order, see PG. 389.

If you do not ask the family court judge to reduce your spousal support order, then your missed payments will add up while you are incarcerated, and you must pay this after you are released.

To reduce or pause spousal/partner support payments, you should either (1) file for modification OR (2) if children are involved, contact your local Support Enforcement Services.

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[853] Conn. Gen. Stat. § 46b-82.
[854] Conn. Gen. Stat. § 46b-82.
[855] Conn. Gen. Stat. § 46b-82.



DO MY SPOUSAL SUPPORT PAYMENTS AUTOMATICALLY BEGIN WHEN I AM RELEASED FROM PRISON?

Because your spousal support payments do not automatically stop while you are incarcerated, then your release will not cause the payments to automatically begin. Follow the court order for your spousal support payments for all relevant dates and amounts owed.

HOW ARE SPOUSAL SUPPORT PAYMENTS MADE?

Most spousal support is paid through "earning assignments," also known as "wage garnishments." This is a portion of money that is removed from your paycheck BEFORE you get paid. In the same way that many taxes are taken out, an "earning assignment" or wage garnishment is removed directly from your paycheck and is considered payment for your court spousal order (and/or child support order).[856]

- If you also have a child support withholding in place, child support will be taken from your check first. Then, if you also owe spousal or partner support that will be taken from your check.
- If the Support Enforcement Services (SES) is involved in your case, they will automatically issue the withholding and begin collecting from your paycheck through your employer.
- If the SES is not involved in your case, your former spouse or domestic partner, or the court itself, will prepare a withholding and send it to your employer.

HOW DO PAYMENTS MADE BY WAGE GARNISHMENT WORK?

When the court orders "wage garnishments," your employer receives court papers that will tell him or her the amount of money that should be taken out (withheld) from your check each pay period. Once your employer receives this paperwork, he or she has just a few days to start taking the money out from your next paycheck.[857]

Once this money is taken from your paycheck (or "withheld), your employer will send your money based on how payment was specified in the order. If you want to challenge the decision to garnish your wages, fill out and file the *Exemption and Modification* form (form JD-CV-3a). If you file within 20 days of the date of service of the wage execution form, no money will be taken out of your paycheck until a hearing is held and a judge makes a decision. If you file after the 20 day period, the amount of wage execution ordered by the judge will be removed and will continue to be removed from your paycheck until (1) a hearing is held, (2) an agreement settling the debt is agreed upon, or (3) the debt is paid off.[858]

CAN I CHANGE THE AMOUNT OF SPOUSAL SUPPORT I OWE (WHILE I AM INCARCERATED OR AFTER MY RELEASE)?

After a judge makes a spousal or partner support order, one or both spouses or domestic partners may need to change the order. This may happen because you or your former spouse's job changed, you or your former spouse does not need support any more, or you would like to make changes because the spouse that is paying cannot afford to pay the ordered amount. When deciding whether to change the order, a judge will look to determine if there is are "changes in circumstances."



IMPORTANT! Unless the judge signs a new court order, the existing spousal or partner support amount and order will not be changed. So, to protect yourself, even if you have a verbal agreement with your spouse/domestic partner to change the spousal or partner support amount, put it in writing and have a judge sign it. That way you have a current spousal or partner support order that reflects the current amount.

It takes time for the courts to process paperwork and/or to schedule a hearing before a judge to change court orders and you do not want to get into trouble if your circumstances have changed and now it is difficult to pay. Remember, failure to pay because you do not want to pay may result in the court stating you are in "contempt of court" which may lead to jail time.

I AM FORMERLY INCARCERATED AND OWE MONEY FOR PAST, OVERDUE SPOUSAL SUPPORT PAYMENTS ("ARREARAGE"). HOW CAN I CHANGE THESE ARREARAGES?

You cannot change these arrearages.

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[856] Conn. Gen. Stat. §§ 46b-231; 52-362; JD-FM-68.
[857] CT LAW HELP, *Wage Attachments*, https://ctlawhelp.org/en/guide-to-wage-attachments.
[858] CT LAW HELP, *Wage Attachments*, https://ctlawhelp.org/en/guide-to-wage-attachments.

CAN I GET RID OF MY PAST, OVERDUE SPOUSAL SUPPORT PAYMENTS?

Unfortunately, although it is possible to modify the amount of spousal support that you pay and end spousal support all together, these changes cannot be made retroactively. There is no way to get rid of past over due spousal support payments.

CONSEQUENCES FOR FAILING TO PAY SPOUSAL SUPPORT

CAN I BE IN VIOLATION OF MY SUPERVISION OR PAROLE IF I FAIL TO PAY SPOUSAL SUPPORT?

Every person on parole and supervision is subjected to a set of general conditions, one of which is the prohibition of carrying out any illegal activities.

Although not paying your spousal support is not a crime in and of itself, if a judge determines that you have the resources to pay, but are willfully refusing to do so, you might be found in contempt of court. This is a criminal charge that would amount to a parole violation.

CAN I GO TO JAIL FOR NOT PAYING SPOUSAL SUPPORT?

Someone cannot be put in jail just because they owe money. But the person who owes support is ignoring a court order to pay support, so he or she can be prosecuted for being in contempt of court and could go to jail for that reason. If you are being charged with contempt of court and could face criminal charges, you have the right to a lawyer. If you cannot afford a lawyer, ask the court to appoint one for you.[859]

If you are able to show the judge that you are not able to pay, you will probably not be held in contempt (which can lead to jail time). However, this still may cause other problems. Although you may not go to jail for being in debt, your credit may affected if you do not pay the spousal support you have been ordered to pay. If your credit is affected because you have not paid spousal support, you may have difficulty in doing things that result in a credit check like renting an apartment or purchasing a car.

REQUESTING SPOUSAL SUPPORT PAYMENTS

HOW DO I ASK THE COURT FOR A SPOUSAL SUPPORT ORDER?

Spousal support can be requested by you and ordered by a judge in a divorce, legal separation, annulment or domestic violence restraining order proceeding. You can also agree to spousal support with your spouse on your own, outside of court. The agreement about spousal support (sometimes called a stipulation) will have the full force of law once a judge signs it.[860]

You can ask for a spousal support order once you file (start) your divorce, legal separation, annulment or domestic violence restraining order case.[861] You can get temporary orders for spousal support while you are waiting for the final judgment in your case.

To set up a spousal support order, you or your spouse must request an order from the judge. The procedure for requesting an order depends on:

1. Whether you already have a family court case that involves you and your spouse or domestic partner; or
2. Whether you are starting a case for the first time.

! **IMPORTANT! The Connecticut Judicial Branch website has all the forms you may need in order to start or join a family court case (available at: https://www.jud.ct.gov/webforms/default.aspx?load_catg=Family#searchTable.)**

CAN I ASK FOR SPOUSAL SUPPORT WHILE I AM INCARCERATED?

You can request spousal support while you are incarcerated but the judge will likely not grant it. The process is the same as it would be if you were not incarcerated. See the preceding question for information on how to request spousal support.

A judge, when ordering spousal support, looks at the receiving spouse's need for the money to meet basic expenses.[862] It will be extremely hard for you to justify the need for financial support from your spouse while you are incarcerated because the federal, state or county institution where you are serving your sentence is already providing you with your basic necessities such as food, clothing and shelter and you do not have personal expenses during your incarceration.

[859] Conn. Gen. Stat. § 51-296.
[860] Conn. Gen. Stat. §§ 46b-82; 46b-86.
[861] Conn. Gen. Stat. § 46b-82.
[862] Conn. Gen. Stat. § 46b-82.



Therefore, it is advised that you ask the judge to hold on making a determination as to spousal support until you are released.

XIII. FAMILY VIOLENCE & RESTRAINING ORDERS

WHAT WILL I LEARN ABOUT FAMILY VIOLENCE & RESTRAINING ORDERS?

- What a restraining order is and different types of restraining orders.
- What a restraining order can and cannot do.
- What you must do if you have a restraining order against you, and what could happen if you violate a restraining order.
- What could happen if your partner who got the restraining order against you contacts or visits you.

OVERVIEW OF FAMILY VIOLENCE RESTRAINING ORDERS & VIOLATIONS

WHAT IS FAMILY VIOLENCE (COMMONLY REFERRED TO AS "DOMESTIC VIOLENCE")?

Family violence is defined as an incident resulting in physical harm, bodily injury or assault, or an act of threatened violence that constitutes fear of imminent physical harm, bodily injury or assault, including, but not limited to, stalking or a pattern of threatening, between family or household members. Verbal abuse or argument does not constitute family violence unless there is present danger and the likelihood that physical violence will occur. [863]

Family violence laws consider the following to be *abuse*:

1) Physically hurting or trying to hurt someone, intentionally or recklessly;
2) Sexual assault;
3) Making someone reasonably afraid that they or someone else are about to be seriously hurt (like threats or promises to harm someone); OR
4) Behavior like stalking, threatening, or hitting someone; disturbing someone's peace; or destroying someone's personal property.

! **IMPORTANT: If you were abused by your partner before you were incarcerated and/or are afraid of your partner, it may help you to talk to a family violence victim advocate, even if you do not want (or are not sure if you want) to ask for legal protection.**

For domestic violence resources in your town, see http://www.ctcadv.org/find-help/find-a-ct-provider/. For additional domestic violence resources in communities of color, see http://www.ctcadv.org/find-help/communities-color/.

REMEMBER!
A court order is a legally enforceable decision made by a judge.

WHAT IS A RESTRAINING ORDER (ALSO REFERRED TO AS RELIEF FROM ABUSE)?

A restraining order is a court order that helps protect people from abuse or threats of abuse from someone with whom they have a close relationship.[864]

WHAT CAN A RESTRAINING ORDER (RELIEF FROM ABUSE ORDER IN FAMILY COURT) DO?

A restraining order is a court order made by a judge.[865] It can require someone to:

1) Not assault, threaten, harass, follow, stalk or interfere with the applicant (this is known as **a Partial Protective or Restraining Order)**
2) Stay away from another person's home (and moving out if you lived together), work, or their children's schools (this is known as a **Residential Stay Away Order)**
3) Not contact another person (and minor children if ordered) in any way, and possibly stay 100 yards away (this is referred to as a **No Contact Order)**
4) Allow the respondent to come back to the property once with the police to get their belongings
5) If the applicant left the property, allow the applicant to come back to the property once with the police to get their belongings
6) Stay away from any of the applicant's pets
7) Not have a gun, ammunition or certificate to carry a firearm
8) The judge can also order temporary custody of minor child(ren) and/or
9) Require someone to communicate through a third party regarding the minor child(ren)

[863] Conn. Gen. Stat. § 46b-38a.
[864] Conn. Gen. Stat. § 46b-15.
[865] Conn. Gen. Stat. § 46b-15.



The judge can also make certain temporary financial orders at the hearing on the Application for Relief from Abuse that can last up to 120 days, it can require someone to:

10) Pay child support provided that the person against whom the order is entered has a legal duty to support the child(ren) and ability to pay
11) Maintain or keep paying certain utility bills
12) Prevent the respondent from cancelling insurance policies
13) Provide certain items to the applicant[866]
14) Release or return certain property[867]

The full extent of the orders a judge may enter can be found in Family Appendix D, PG. 410.

THE FOLLOWING DESCRIBES BOTH RESTRAINING AND PROTECTIVE ORDERS:

WHAT CAN'T A RESTRAINING ORDER OR A PROTECTIVE ORDER DO?

A restraining or protective order cannot:
1) End your marriage. It is NOT a divorce.
2) Establish paternity of your children with the respondent (if you are not married to him or her).

I HAVE A PROTECTIVE AND/OR RESTRAINING ORDER AGAINST ME. WHAT MUST I DO?

If you have a restraining order against you, there are things you may not be able to do, for example:
1) Go to certain places
2) Do certain things
3) Live in certain areas
4) Visit or contact your children
5) Visit or contact your current or former partner
6) Own a gun or any other types of weapons
7) If you violate the restraining order or protective order and are arrested, it may also affect your immigration status. If you are worried about this, talk to an immigration lawyer to find out if you will be affected.

What you can/can't do, and whom you can/can't see or visit, will be specifically outlined in the restraining order or protective order. Read it carefully!

WHAT COULD HAPPEN IF I VIOLATE A PROTECTIVE ORDER OR RESTRAINING ORDER AGAINST ME?

If you violate the restraining order or protective order, you may go to jail, pay a fine, or both.[868] Make sure you review the order against you and know what you can and cannot do. A violation of a restraining or protective order can occur in many ways—for example, it could be a violation to contact the applicant through social media, even tagging the person in a picture or a comment. Violation of a restraining order or protective order may also be leaving messages or being in the physical area of an applicant. A court may determine that you violated a restraining order or protective order even if you respond to a message sent by the applicant. With all of these things in mind, the simplest instruction is to do not contact or respond to a person who has a protective order or restraining order against you in ANY manner.

WHAT COULD HAPPEN IF MY PARTNER—WHO GOT THE PROTECTIVE ORDER OR RESTRAINING ORDER AGAINST ME—CONTACTS OR VISITS ME?

You will likely STILL be in violation of the order. Restraining orders and protective orders are not mutual; they are a one-way street. This means that only you as the "respondent" can violate the order, the "applicant" cannot. It is your duty, as the respondent, to make sure that you quickly leave the area and do not try to communicate with your partner when you realize that your partner is in the same area. If the applicant attempts to contact you by phone, you should not accept the call or hang up immediately. If the applicant

[866] Conn. Gen. Stat. § 46b-15(e).
[867] Conn. Gen. Stat. § 46b-15(d).

contacts you by mail, do not respond. If a third party, other than a lawyer, contacts you on his or her behalf, do not respond.

NOTE: It is possible for both people to have ***mutual restraining orders*** and/or protective orders against one another. To stay in compliance, you should follow any orders against you, even if you also have an order against the other person.

IN ADDITION TO FAMILY VIOLENCE RESTRAINING ORDERS THERE ARE DIFFERENT TYPES OF ORDERS THAT MAY REQUIRE SOMEONE NOT TO CONTACT ANOTHER PERSON. THESE ORDERS AND CONDITIONS ARE LISTED BELOW.

	TYPES OF PROTECTIVE ORDERS, RESTRAINING ORDERS & STAY-AWAY ORDERS					
	Criminal Family Violence Protective Order[869]	**Ex Parte Order**[870]	**Temporary Restraining Order also referred to as Relief from Abuse**[871]	**Standing Criminal Restraining Order** [872]	**Civil Order of Protection** [873]	**Parole and Probation conditions**
Who can ask for it?	This is an order issued by a judge in criminal court as a condition of release after an arrest for a family violence case. This order is triggered by an arrest.	Any person who is looking for a restraining order in family court or a civil order of protection in civil court can ask a judge to issue an order before a hearing is held to get immediate protection.	Any person who has a familial or household relationship with the respondent and there is a continuous threat of present or physical injury, pattern of stalking or pattern of threatening.	Courts issue these orders at the end of certain criminal cases where the victim is a member of the offender's family, or a household member, to protect crime victims from future harm. Victims of crimes may be heard on whether an order may be issued.	Any person who believes he or she is a victim of sexual assault, sexual abuse or stalking if he or she does not qualify to obtain a Relief from Abuse order from family court.	Sometimes your parole conditions set by the Board of Pardons and Paroles or supervision (probation) conditions will include a special condition restricting contact with certain people and traveling to certain places. Conditions are set by the Parole Board and the parole officer. Additionally, the victim has the right to be heard on the conditions of parole or supervision and request no contact orders.
How long does it last?	As long as the criminal case is pending. Once the case is disposed of, even if through a conviction, the CPO is no longer in effect.	14 days until the hearing date, or 7 days in cases involving firearms.	This order can last up to a year. The judge will order a period of time the order is in effect and provide an expiration date. Prior to the expiration date, a motion to extend to the restraining order can be filed and another hearing will be scheduled to determine whether the restraining order should be extended.	Standard criminal restraining orders are lifetime orders that are in effect until the Court modifies or revokes them.	The order can last for up to one year but can be extended to last longer.	The length of your parole or probation.

[869] Conn. Gen. Stat. § 46b-38c.
[870] Conn. Gen. Stat. § 46b-15.
[871] Conn. Gen. Stat. § 46b-15.
[872] Conn. Gen Stat. § 53a-40e.
[873] Conn. Gen. Stat. § 46b-16a.



What can a judge do with this type of order?	The judge can order the accused to stay away from the victim's residence (even if the accused lives in the residence) and not to contact the victim in any manner. If you violate the restraining order, you may go to jail, pay a fine, or both.	The judge can order all or some relief listed in 1 through 9 of the Family Violence Restraining Order section above.	At the hearing the judge can order all or some of the relief listed above under the Family Violence Restraining Order. If you violate the restraining order, you may go to jail, pay a fine, or both	Among other orders, the judge can order the offender to stay away from victim's home or work and not to contact the victim. It is important to know that the judge can order the offender to leave the home.	The judge can order the respondent not to contact the applicant, stay away from applicants' home, school, and work, not to assault, threaten, harass, attach or sexually assault the applicant, to stay away from their animals, and stay 100 yards away from the applicant.	Conditions imposed can require you not to contact certain people. If you breach the condition of probation after a conviction, the Office of Adult Probation or State's Attorney may seek an arrest warrant for you. There will be a hearing, and the court can continue the sentence of supervision, modify the conditions of supervision, or could terminate supervision and order incarceration.

XIV. CONCLUSION

We hope the FAMILY CHAPTER has empowered you to reconnect with your family, and to gain greater rights and responsibilities as a parent.

QUESTIONS? If you have questions after reading this Chapter, we recommend that you contact a lawyer, a case manager, or a trusted friend in the community to help you work through this material. You can also contact Statewide Legal Services and they will try to provide further assistance or referrals regarding family matters Call (800) 453-3320, 9 a.m.-noon and 1-2 p.m. Monday-Friday, or apply for help on the website, https://www.slsct.org/get-help . For help with criminal matters please contact Public Defender Services at (860) 509-6400.

FAMILY APPENDIX

APPENDIX A.	Finding Help: Contact Information for Court Resources - PG. 404
APPENDIX B.	Understanding the Structure of Connecticut Courts - PG. 405
APPENDIX C.	Starting or Joining a Family Court Case About Custody and/or Visitation - PG. 408
APPENDIX D.	Protective Orders, Restraining Orders & No Contact Conditions - PG. 410

APPENDIX A

Contact Information for Court Resources

I AM LOOKING FOR…	WEBSITE
Judicial District Directory for contact information for family or criminal court	https://www.jud.ct.gov/directory/directory/location/Default.htm
Court Service Centers	https://www.jud.ct.gov/csc/loc.htm
Family Services	https://www.jud.ct.gov/directory/directory/family.htm
Adult Probation	https://www.jud.ct.gov/directory/directory/adultprob.htm

QUESTIONS? If you have questions after reading this Chapter, we recommend that you contact a lawyer, a case manager, or a trusted friend in the community to help you work through this material. You can also contact Statewide Legal Services and they will try to provide further assistance or referrals regarding family matters. Call (800) 453-33200, 9 a.m.-12 noon and 1-2 p.m. Monday-Friday, or apply for help on the website: https://www.slsct.org/get-help). For help with criminal matters please contact Public Defender Services at (860) 509-6400.

APPENDIX B

Understanding the Structure of Connecticut Courts:

In the Family & Children chapter you will see information about custody and divorce cases, child support cases, juvenile matters, neglect and abuse (Department of Children and Families proceedings), guardianships and adoptions, and criminal cases. While you may have more than one case in court at the same time, it is important to understand that these cases may take places in different courts with different judges and court personnel. However, judges and court personnel in one case may have mechanisms to obtain information about your other cases.

Superior Court Divisions

At the initial or "lower" level, matters are heard in either Superior Court of Connecticut or Probate Court. Superior Court is divided into 13 Judicial Districts and 20 Geographical Areas. There are also juvenile districts statewide (subdivisions of Superior Court). In general, major criminal cases, civil matters and family cases that are not juvenile matters are heard at Judicial District Court locations. Other civil and less serious criminal matters are heard at Geographical Area Court locations. Cases involving juvenile matters are heard at Juvenile Court locations. [874] The matters that you may encounter will fall into the following categories of Superior Court:

A. Criminal division-hears misdemeanors and felony crimes as well as motor vehicle related infractions and violations. Most serious criminal offense are heard by Judicial District Court; misdemeanors, some felonies and motor vehicle related offenses are heard in Geographical Area (G.A.) Courts.
B. Family division- hears divorce, custody, legal separation and family support payment matters. Support payment matters are heard by a subdivision in Family Court known as "Magistrate Court."
C. Juvenile division- hears matters such as Termination of Parental Rights, Delinquency, Abuse and Neglect petitions brought by Department of Children & Family (DCF), cases related to family service needs, and emancipation of a minor.
D. Housing division (not discussed in this Chapter).

Probate Court

In addition to Superior Court, Connecticut has 117 Probate Courts that have power to hear matters on adoptions, guardianships of minors, name changes, among other matters of deceased persons that are not discussed in the Family Chapter.

The terms and definitions provided in the Introduction Section of the Family Chapter may refer to terms commonly used in any of the above proceedings.

Higher Courts

Connecticut Court system provides that the Court of Appeals review decisions from Superior Court if an appeal is filed. The Connecticut Supreme Court reviews decisions of the Appellate Court and certain types of decisions made in Superior Court. Both the Appellate Court and the Supreme Court rely on the record and briefs of the lower court. No witnesses or evidence are presented on appeals to the Appellate Court or the Supreme Court.

I. Additional Information About Your Criminal Record:

As discussed in the Family Chapter, your criminal record may have an impact on reunification with your child and contact with some family members. You can view your public criminal record online at: https://www.jud.ct.gov/crim.htm . The Judicial website will show your current cases (if the case has not been disposed of through a plea or been dismissed), and your criminal convictions. Some cases may be sealed and are not viewable on the website. There may also be laws limiting the amount of time your criminal convictions can show up on the public record. Checking your public record online will only ensure

[874] https://www.jud.ct.gov/Publications/es201.pdf.



that you can see what the general public can see. However, when you are in Family Court, Family Services may have additional information, such as prior restraining or protective orders or information about other family-related or violent offenses that are not available to the public.

Please note that in addition to your criminal cases, you will also be able to see motor vehicle related cases. Criminal cases will have the letters "CR" as part of a docket number. Motor vehicle cases will be identified accordingly depending on whether the case is a moving violation or an infraction.

Can I get my criminal convictions erased?

You may be eligible to apply to the Board of Pardons for an absolute pardon 3 years after disposition of your most recent misdemeanor conviction or 5 years after most recent disposition of a felony conviction[875]. An absolute pardon means a complete erasure of your criminal record. This process includes several steps, including providing an application listing your complete criminal history (including reckless driving, DUI and DWI offenses), fingerprints, and providing at least 3 character references, including a letter from your probation officer if you ever served a period of probation. The steps and forms required are described in detail on the Board's website:

https://portal.ct.gov/BOPP/Pardon-Division/Pardon/Pardon-Application-Process. See Guide Appendix on PG. 413 for a list of legal aid offices that may be able to assist you with your pardon.

II. Additional Information about Support Enforcement Services (SES) and Child Support

SES is a division of the Connecticut Judicial Branch responsible for enforcing and processing child support payments and medical support, and assisting parents with modification of child support orders[876]. SES works closely with other branches of government to make sure that the State of Connecticut provides child support services (a requirement by law of the Federal Social Security Act, Section IV-D). Phone number for SES is 1800-228-5437. In addition to enforcing child support orders and modifying orders, SES may also help locate the non-custodial parent and establish paternity. If the family received public assistance, the case is considered to be a IV-D matter.

SES can enforce child support orders in various ways[877] including the following:

1. Income withholding- SES can collect child support through wages, tax returns, unemployment compensation and other forms of income.
2. Contempt- if the Court finds that someone willfully failed to pay child support, the Court can order the person in contempt to pay a lump sum or money or order that they be incarcerated until the debt is paid.
3. License suspension- if the court finds the person in contempt for not paying child support, the Court can order that your driver's occupational or recreational license is suspended after 30 days.
4. Credit reporting- SES can report unpaid child support to credit bureaus
5. Bank account seizure – SES can garnish or seize bank accounts if child support is not paid.

III. I cannot afford my child support payments. How do I reduce my child support order?

Using SES to help modify your order

If Family Court or a Magistrate ordered you to pay child support and you have a "change in circumstances" such as loss or reduction in income (or there is a change in circumstances in the other parent's income), you can apply to modify your child support order. A "change in circumstances" in income means that your required payment is 15% or more than the current calculations under the Connecticut Child Support and Arrearage Guidelines.

[875] https://portal.ct.gov/-/media/BOPP/Legacy-Files/PardonsEligibiltyNotice9115pdf.pdf?la=en.
[876] https://www.jud.ct.gov/Publications/fm196.pdf .
[877] https://www.jud.ct.gov/childsupport/faq_eng.htm#12.

If your child support order is being enforced by Support Enforcement Services (SES), you may call SES and inform them that you believe you may need a modification of your order. SES will ask you to provide proof of income, and if your order needs to be changed, SES will file the forms with the Court to modify your child support. You will still need to appear on the Court date even if SES files the forms for you.

You can also contact an attorney or file a Motion for Modification yourself to modify a child support order.

Filing a Motion to Modify by Yourself

If you file the Motion for Modification yourself (Form JD-FM-174)[878], you may also want to file a Fee Waiver (JD-FM-75) to get the fee waived in order to file the Motion. Additionally, you will need to file a Financial Affidavit (JD-FM-006) indicating your current income and providing all assets and debts, and an Affidavit Concerning Children (JD-FM-164). You will also need to file an Appearance (JD-CL-12) with your current address if you did not already file one. You will then need to have the paperwork served on the other party by a state marshal. The clerk's office can give you a list of marshals to use in the county where the documents need to be served. You must indicate on the Fee Waiver that you are asking for the service fee to be waived as well as the fee to file the motion. If the Court does not grant the waiver, you will have to pay to have your motion filed or served by the marshal.

*Helpful hint: if you are filling out an affidavit, do not sign it until you are in front of a notary. The clerk at the courthouse can take your oath if you have your ID with you.

Additional Reentry Resources for Parents:

The following reading material may be helpful for family law related issues for parents currently incarcerated or recently released from incarceration:

Children With Incarcerated Parents' Initiative. Family Law Handbook: Resources for People in Connecticut Prisons: http://ctcip.org/wp-content/uploads/2016/06/CT_FamilyLawHandbook-2013.pdf.

[878] https://www.jud.ct.gov/forms/grouped/family/modification.htm.

APPENDIX C

Procedures to Begin or Join a Family Court Case about Custody and/or Visitation

If you are interested in getting custody of or visitation with your child, before reading this Appendix, we first recommend you read the following sections of this Chapter: STEPS FOR RECONNECTING (see PG. 350 and PG. 369) and BASICS ABOUT CUSTODY AND VISITATION (see PG. 355). These sections will help you understand the legal meaning of custody and visitation, what each looks like in real life, how your criminal record generally affects your rights to custody and/or visitation, and first steps to take if you are interested in reconnecting with a child in reentry. After reading these sections, if you would like to open a case in Family Court, the information below will help you understand how to begin or join a family court case.

Get help

If you have any questions about starting a case and/or if you need help with deciding which form to pick and file, and/or what kind of case you should bring to family court, you can and should contact a lawyer. If you are unable to afford a lawyer, you can contact Statewide Legal Services at 1-800-453-3320 or 860-344-0380, Monday through Friday 9-12 and 1-2. They give free legal advice and referrals to Connecticut's Legal Aid programs for eligible low-income residents with non-criminal civil and family cases. You can also apply online at www.apply.slsct.org. You can also go to ctlawhelp.org, which has a lot of information regarding the court process. Of particular interest would be the section on FAMILY AND SAFETY. This section discusses issues of domestic violence, child custody and visitation, child support, children's rights, divorce and separation, bullying, and problems with DCF.

For purposes of Child Custody and Visitation, there are also articles found on the CTLawHelp.org on How to Change your Custody and Visitation Order, What if the Other Parent Doesn't Obey a Court Order? How to File for a Motion for Contempt? Does your Child need a lawyer? There is also a Family Court Video series, which explains what Family Services is. This is a service provided by the court that assists families and the courts with child custody, visitation, and more. You will also find an article on Father's rights, and a video on how to get ready for court, how to fill out a financial affidavit and other useful links about family law in Connecticut.

A second place to get help is form the Court Services Center at your local family courthouse. The Court Service Centers are located in the courthouses and provide self-represented parties with answers to general questions regarding how the court process works. They can be very helpful in assisting you on how to navigate the family court. The staff are judicial branch employees and they usually are bilingual. They do not provide legal advice. The link to court services is https://www.jud.ct.gov/csc/default.htm.

STEP 2: Decide what type of case you are opening in Family Court—and fill out all the necessary forms. More information. If you have previously had a custody or visitation arrangement and it is not working now that you are reentering the community, you should contact the Family Services office in the courthouse where your case was first heard. They will be able to meet with you and the parent of your child and try to resolve the matter. If you are not able to reach an agreement through Family Services, then you will have to ask the court to change the custody/and or visitation order.

Petition for divorce or legal separation (JD-FM-159): If you were married and now want to be divorced from the other parent who has custody of your child, you can file for divorce in family court. There are also complaints available in Spanish, Polish, and Portuguese, see the Court Forms on the jud.ct.gov website for additional forms. Speak with Court Services to tell you what additional forms are required.

Petition for Dissolution of civil union (JD-FM-159A): If you were in a domestic partnership and now want to legally terminate that partnership from the other parent who has custody of your child, you can file for dissolution of domestic partnership in family court. Speak with Court Services to tell you if additional forms are required.

Petition for custody/visitation by parent (JD-FM-161): You must prove a legal relationship between the parent and child named in the application. Form must be submitted with Form (JD-FM-162) Order to

Attend Hearing; Form (JD-FM-158) Notice of Automatic Court Orders, and Form (JD-FM-164(Affidavit Concerning Children). Speak with Court Services to see if additional forms are required.

Petition for modifying custody or visitation order: Fill out a Motion for Modification (JD-FM-174); Affidavit Concerning Children (JD-FM-164); Financial Affidavit (JD-FM-6). You might need the following forms as well: Appearance (JD-CL-12) and/or Application for Waiver or fees (JD-FM-75).

Petition to establish parental relationship (JD-FM-187) if the parentage of your child has not been established in family court, you can file a petition to establish parental relationship.

HELPFUL HINTS
Assistance, Forms, & Fees in Family Court

- Family court forms for requesting custody and visitation are available on the Connecticut Courts' website at http://www.jud.ct.gov.
- If you have general questions or need assistance filling out your court forms, ask the Court Support Services Center to help you. If you have questions about your specific case or circumstances, you should talk to a lawyer.
- Filing the court papers to request custody or visitation can be very expensive. If you cannot afford to pay this, you can request a fee waiver from the court clerk when you file your papers (JD-FM-75).
- We suggest that you file the forms in person. Take them to the court clerk so he/she can look them over and make sure everything is complete. That means that you will know right away if you completed everything you need to in order for your custody/visitation case to proceed. In addition, if you are unable to pay the filing fee, you can ask for a fee waiver. This is a form that you fil out asking the court to let you be excused from paying the filing fees.

STEP 3: Once you receive notice from the family court that your forms were acceptable, you must serve a copy of the forms you filed as well as a response form on the person you are bringing a court case against in family court, usually here it will be your child's other parent.

When a case in family court is first filed, it must be personally served on the other party or parties. This means that you cannot mail the forms, but have to find someone to hand deliver the forms to whomever you are suing. This is called "service of process." There are state Marshals who you will serve the papers. The court will provide you with a list of Marshals. There is also a list on the judicial website. www.jud.ct.gov.

Make sure that you are aware of the specific deadlines when you need to serve the other party. If you are not able to pay the Marshal, you need to apply for a fee waiver with the Court Clerk. After the Marshal serves the papers, he/she will either file the forms with the court, or give them back to you to file. If you have to file the papers, make sure that you make a copy for yourself before you file the papers with the Court Clerk.

Once the family court accepts your forms and you serve the papers on the other party or parties in the case, the judge in family court will order one, two or all three of the following:

- Schedule a hearing you must attend and/or
- Require you and the other parent to attend a mediation with Family Services.
- And/or order a custody evaluation.

IMPORTANT! Completing these steps means you are now involved in an active custody and/or visitation case involving your child. Family court cases, like all court cases, require a lot of paperwork, documents, and forms. Navigating all the court forms and processes can be, and often is, very confusing. We are trying to simplify this process for you by not bogging you down with details on each step mentioned above. As a result, we strongly recommend you get help from another person or legal aid organization that specializes in the family court process. They can and will help with all the specifics on forms, documents, paperwork, and processes. You should talk to a lawyer, the Court Services Center at your local family court, read the ctlawhelp.org website for an overview of the court process, and/or speak with a legal aid provider. See Guide Appendix on PG. 413 for a list of legal aid organizations.

APPENDIX D

PROTECTIVE ORDERS, RESTRAINING ORDERS & NO CONTACT CONDITIONS

I. Contact Information for Court Resources

I AM LOOKING FOR…	WEBSITE
Judicial District Directory for contact information for family or criminal court	https://www.jud.ct.gov/directory/directory/location/Default.htm
Court Service Centers	https://www.jud.ct.gov/csc/loc.htm
Family Services	https://www.jud.ct.gov/directory/directory/family.htm
Adult Probation	https://www.jud.ct.gov/directory/directory/adultprob.htm

II. What Happens When a Family Violence Restraining Order/Application is filed?[879]

Procedure

An application for a family violence restraining order is filed at the clerk's office of the court in the appropriate Judicial District.

A) On the same day, the judge can order an Ex Parte restraining order (meaning without a hearing or opportunity for the respondent to appear) that the respondent follow any or all of the conditions discussed in the family violence restraining orders section. The Court will also schedule a hearing within 14 days (7 days if there are claims involving firearms) to determine if the restraining order will be extended for up to 1 year. A respondent has the opportunity to be heard at the hearing.

B) If the court does not grant an Ex Parte order when the application is filed, a hearing will still be set within 14 days (7 if there are firearms) to determine if the restraining order will be granted at that time.

C) Service: The respondent must be served at least 3 days before the hearing. The documents are served by a marshal, either in hand (personally) or abode (leaving the documents at your home).

D) On the day of the hearing: both applicant and respondent must report to the courthouse and check in with Family Services. If only the applicant is present, the judge will hear the applicant and decide if the restraining order will be granted. If only the respondent appears, the application for a restraining order will be dismissed. If both parties are present, each side will meet with Family Services separately, and Family Services will work with parties to see if an agreement can be reached. Family Services does not represent either side. Family Services staff are mandated reporters, and if they are informed of abuse or neglect they must report it to DCF. Family Services will prepare a report that the judge can consider in deciding whether to grant the applicant's Application for Relief from Abuse. [880] The report will include any past criminal protective or family restraining orders between the same parties as well as protective and restraining orders with applicant and respondent and other parties. In addition, the report may include violence offenses of the respondent whether or not the applicant was involved, and an

[879] Conn. Gen. Stat. § 49b-15.

indication by Family Services whether the respondent is a high risk, moderate risk or low risk to the applicant.

If an agreement is reached, both parties (and their attorneys if applicable) will sign a document outlining the terms of the agreement. The respondent is not agreeing to allegations in the application, but only agreeing to the term of the agreement. The agreement will be presented to the judge to approve and make an official order of the Court. If an agreement cannot be reached, parties will testify in front of a judge and can present witnesses and other evidence. After listening to the testimony and weighing the evidence, the judge will grant the restraining order or dismiss the application.

If you (the respondent) are not present in court the day of the hearing, the judge may issue the restraining order without listening to your argument. Getting the order vacated or modified if you were served but did not attend the hearing may be difficult.

Helpful Hints:

A) Interpreter

If you need an interpreter at the hearing, it is a good idea to contact the clerk's office at the courthouse to let them know as far ahead of time as possible. If you are not able to do so, on the day of the hearing let Family Services know you will need an interpreter. Depending on the language you speak, the court may have an interpreter available that day or you may need to come back another day.

B) Continuances

If you need a continuance for a medical reason or some other type of emergency, call the clerk's office at the applicable courthouse and let them know as far ahead of time as possible. The clerk's office may give instructions to file a Motion for Continuance, form JD-CV-21. [881]

If you come to court on the day of the hearing and request a continuance for another reason, (such as time to get an attorney or additional time to get evidence or witnesses), the judge **may** grant your request at that time if there was an Ex Parte order (based on the application before the hearing). In that case, whatever orders are in place will continue to be in place until the next court date, at which time the judge will determine whether the order will be granted for up to 1 year. While it is possible that a judge will give you a continuance to get an attorney or for another good reason, there is no guarantee that your request for a continuance will be granted. If you think you want to consult with an attorney or have witnesses present at the hearing, you should make arrangements to do so in time for the court date indicated in the paperwork. If the Court did not previously grant an Ex Parte order when the application was originally filed and the case was scheduled for a hearing only, your case will likely not be continued.

C) Financial Orders

Some applicants may ask for financial/maintenance orders in their application. If you are the respondent, look through the paperwork you received carefully. When granting an Ex Parte order, the judge may have ordered certain conditions such as to stay away from the home and not to abuse, threaten abuse, harass, follow, interfere or stalk a protected person. However, at the hearing the applicant may remind the judge that in the applicant's application he/she requested financial orders to help support children that you may have in common or to pay spousal support. Both parties must file a financial affidavit with the Court. If you see that the application requests financial orders, you should fill out a Financial Affidavit (form JD-FM-006) prior to the hearing.[882] It may require you to report certain information—income, debts, liabilities that you may not have access to when you are already in court for the hearing. The affidavit has to be notarized, so do not sign it until you are in front of a public notary. The clerk's office in the courthouse can take your oath as long as you have an ID with you. You do not have to provide the financial affidavit if the applicant does not bring up financial orders on the day of the hearing.

D) Other helpful suggestions

On the day of the hearing, get to court earlier than your paperwork requires. Some courthouses have parking garages and some have metered parking. Give yourself extra time to park and get through the security line. Additionally, Family Services may start working on your case only when both parties to the

[881] https://www.jud.ct.gov/webforms/forms/CV021.pdf.
[882] https://www.jud.ct.gov/webforms/forms/FM006-SHORT.pdf.



case check in, so your timely arrival may help you to speak to Family Services and be heard by a judge sooner.

If you have a Criminal Protective Order against you, it is a good idea for you to bring a copy of it with you to the hearing on the family violence restraining order. The judge in the family case will likely want to know the conditions of the Criminal Protective Order—does the order extend to your children? Does it include a condition requiring you to stay 100 yards away from the protected person? The family court judge may consider conditions in the criminal protective order in deciding whether and what kind of restraining order to grant in the family case.

III. Criminal Offenses & Family Violence

If you were arrested for a (domestic) family violence offense, you will be interviewed by Family Services Counselor before appearing in front of a judge. The Family relations counselor may recommend to the Court the following:

- Level of Criminal Protective Order that may be placed against you
- Possible referral to Family Services for a more in-depth assessment
- Referral to additional programs and services, if appropriate

*If you are a victim of a family violence crime, a Family Relations counselor may have a court-based Family Violence Victim Advocate contact who can provide you with information on the arrest and criminal proceeding of the case. Advocates are located in each Judicial District. [883]

Programs for people arrested for family violence crimes:

The Court may require you to participate in various programs if you were arrested or convicted for a family violence crime.[884]

1. Family Violence Program: If you were arrested for a family violence crime, you may apply to participate in this program, and if completed successfully, criminal charges may be dismissed. This program requires you to complete 13.5 hours of classes with the goal of reducing re-offense.
2. Explore Program: This is a program for offenders who were convicted of a family violence crime. The program requires you to attend 26 weekly sessions. Participants are referred by the Court; or such classes can be a condition of Probation.
3. Evolve Program: This is a behavior modification group for offenders convicted of family violence offenses. This program requires participants to complete 52 sessions.

[883] https://www.jud.ct.gov/crimevictim/OVS_VSA_Contact_List.pdf.
[884] https://www.jud.ct.gov/CSSD/family-faq.htm#11.

GUIDE APPENDIX:

LEGAL AID PROVIDERS IN CONNECTICUT



INTRODUCTION

This Appendix includes a list of legal aid providers across the state of Connecticut-and even a few national ones-that may be able to help you with your legal issues for free.

To find a legal aid organization near you, try the following resources:

- First try Statewide Legal Services, Central Connecticut (860) 344-0380, the rest of CT (800) 453-3320, or visit https://www.ctlawhelp.org,
- Look at the Connecticut State Bar legal aid listings: https://www.ctbar.org/public/pro-bono-legal-aid-services,
- Contact the local bar association or ethnic bar association in your area,
- Call 2-1-1, or visit; https://www.211ct.org

Legal Aid Organizations by Region:

- **Connecticut Legal Services** - https://ctlegal.org
    - Stamford-(203) 348-9216, Toll-Free: (800) 541- 8909
    - Bridgeport-(203) 336-3851, Toll-Free: (800) 809-4434
    - Waterbury-(203) 756-8074, Toll-Free: (800) 413-7797
    - Middletown-(860) 344-0447
    - New Britain-(203) 225-8678, Toll-Free: (800) 233-7619
    - New London-(860) 447-0323, Toll-Free: (800) 413-7798
    - Willimantic: (860) 456-1761, Toll Free: (800) 413-7796
    - For help with a Pardon-(203) 399-5914

- **New Haven Legal Assistance Association** – https://nhlegal.org/
  (203) 946-4811

- **Greater Hartford Legal Aid** – https://ghla.org/
  (860) 541-5000

Legal Aid Organizations By Legal Issue:



LEGAL AID FOR HOUSING ISSUES

In addition to the resources listed above:

- CT Fair Housing Center - https://www.ctfairhousing.org

(860) 247-4400, Toll Free: (888) 247-4401

- Commission on Human Rights and Opportunities - https://www.ct.gov/chro/site/default.asp
  Toll Free: (800) 477-5737, TDD 860-541-3459
- ACLU of Connecticut - https://www.acluct.org
  (860) 523-9146
- Connecticut Legal Rights Project - http://www.clrp.org
  Toll Free: (877) 402-2299



LEGAL AID FOR PUBLIC BENEFITS

In addition to the resources listed above:

The Center for Medicare Advocacy - https://www.medicareadvocacy.org
(860) 456-7790



LEGAL AID FOR FAMILY ISSUES

In addition to the resources listed above:

- The Justice Legal Center –Free or reduced fee help for victims of domestic violence and sexual assault. Offices in Bridgeport, Fairfield, Monroe, Trumbull and Stratford.
  https://centerforfamilyjustice.org/get-help/services/the-justice-legal-center/
  (203) 334-6154
- Children's Law Center – http://www.clcct.org
  (860) 232-9993
- Lawyer's for Children America - http://www.lawyersforchildrenamerica.org
  (860) 273-0441

Other Resources:

Law School Clinics:

- Yale Re-entry Clinic -
  https://law.yale.edu/studying-law-yale/clinical-and-experiential-learning/our-clinics/legal-assistance-re-entry-clinic
  (203) 432-4800
- Yale Housing Clinic -
  https://law.yale.edu/studying-law-yale/clinical-and-experiential-learning/our-clinics/housing-clinic
  (203)432-4800
- Yale Immigrants Rights Clinic –
  https://law.yale.edu/studying-law-yale/clinical-and-experiential-learning/our-clinics/legal-assistance-immigrant-rights-clinic Clinic -
  (203) 432-4800
- Quinnipiac Civil Justice Clinic -
  https://www.qu.edu/schools/law/academics/clinics-externships.html
  (203) 582-3238. Handles, among other things, reentry matters and family matters.

- UCONN Legal Clinic -
  https://www.law.uconn.edu/academics/clinics-experiential-learning/clinics-field-placements
  (860) 570-5165

- UCONN Community Law Center -
  https://cclc.law.uconn.edu
  (860) 570-5400
  Reduced fee help in the areas of housing, family, consumer and immigration.

NATIONAL RESOURCES FOR IMMIGRANTS:

Immigration Advocates Network National Immigration Legal Services Directory
www.immigrationadvocates.org/nonprofit/legaldirectory
Immigrant Defense Project
www.immdefense.org
National Lawyer's Guild – National Immigration Project
www.nationalimmigrationproject.org
Immigrant Legal Resource Center (know-your-rights cards in case of contact with ICE!)
www.ilrc.org/red-cards
American Immigration Lawyer Search
www.ailalawyer.org
iAmerica
www.iamerica.org
Note: iAmerica's website includes "KNOW YOUR RIGHTS" fact sheets (including how to handle encounters with immigration or police) and "RESOURCES." Their newest resource www.immi.org helps you screen yourself and your immigration options.

You can also check out these free resources online:

- **National Immigration Law Center (NILC):** NILC is a national organization that defends and advances the rights of low-income immigrants and their families. http://www.nilc.org/calres.html
- **National Network for Immigrant and Refugee Rights (NNIRR):** NNIRR defends and works to grow the rights for both documented and undocumented immigrants. Website: http://www.nnirr.org/drupal/about-us