

Susana Martinez, Governor Brent Earnest, Secretary Mary Brogdon, Director

## **General Information Memorandum**

ISD-GI 18-59

TO: ISD Employees

FROM: Mary Brogdon, Director, Income Support Division

**RE:** Determining Fleeing Felon Status

DATE: December 19, 2018

This GI rescinds GI 17-05 Determining Fleeing Felon Status.

The purpose of this GI is to give instruction on how to handle situations when a household reports there is a fleeing felon in the household and how to enter the information in ASPEN.

Final Rule issued on September 10, 2015, places the responsibility for verification of fleeing felon and probation on parole violation status on the State agency. (7 CFR 273.2 (f)(5)(i))

Individuals who are fleeing to avoid prosecution or custody for crime, or an attempt to commit a crime, that would be classified as a felony or who are violating a condition of probation or parole under a Federal or State law shall not be considered eligible household members for SNAP and Cash category of eligibilities (COE).

In the process of determining eligibility for all categories, staff should review the HSD 100 and ask the household during the interview, if anyone in the household is fleeing felon. If client statement identifies a fleeing felon, continue to process case. For your safety, DO NOT deviate from the interview process while the applicant is in the office. The following will outline the steps that will need to be taken.

## Field Responsibilities

- Complete interview
- Document the person who is the fleeing felon in case comments
- Send an email to Policy and Program Development Bureau (PPDB)
  - o Send email to HSD-ISD.PC@state.nm.us
  - o Subject line: Fleeing Felon
  - o Body of email: Include case number and name of the individual
- Determine eligibility for household without the consideration of the individual's fleeing felon status.

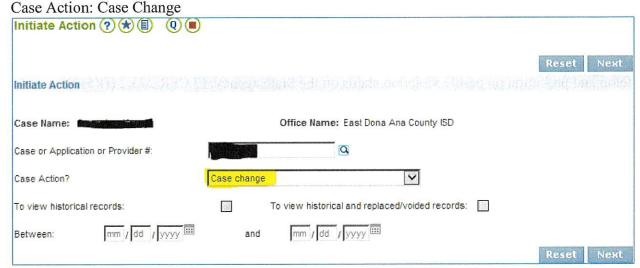
PO Box 2348 – Santa Fe, NM 87504 Phone: (505) 827-7250 Fax: (505) 827-7203

## **PPDB** Responsibilities

- Will contact law enforcement agency to verify status of the individual
- If PPDB confirms the information
  - o PPDB will document in case comments
  - o PPDB will respond to the field office to update the screens in ASPEN if law enforcement confirms the individual is a fleeing felon
  - o If law enforcement confirms that the individual is **not** a fleeing felon no action is needed
- If PPDB cannot confirm the information within 30 days
  - o PPDB will document in case comments and no action will be needed

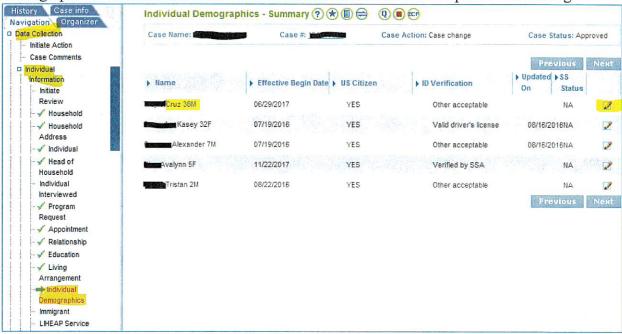
**NOTE**: Fleeing felon status does not affect the eligibility status of the household, only the individual who is fleeing.

The following screen shots will show how to enter the fleeing felon in ASPEN:

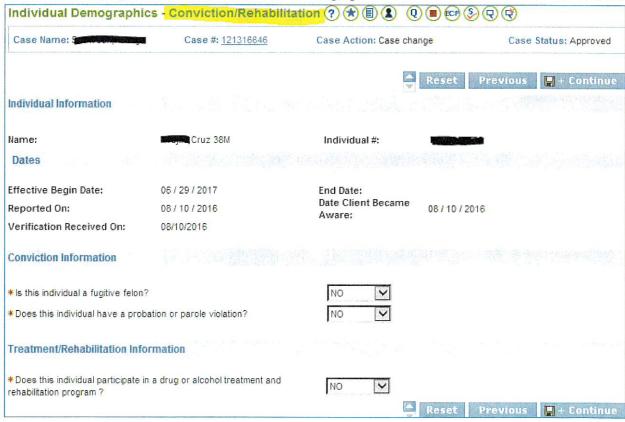


Click Next, and Yes to continue

While in the case, from Left Navigation > Data Collection > Individual Information > Individual Demographics. Click the Edit Pencil for the Individual who has been reported as a fleeing felon:

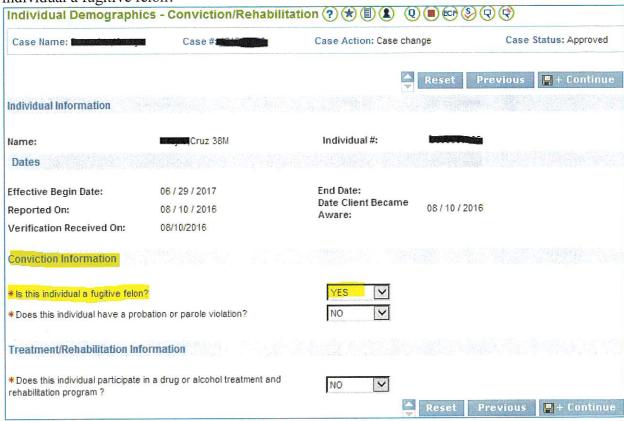


Click Next until you reach the Individual Demographics - Conviction/Rehabilitation screen:

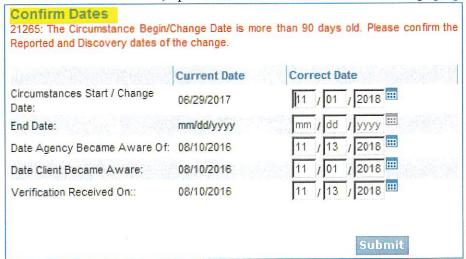


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Under the Conviction Information banner choose YES from the dropdown for question, "Is this individual a fugitive felon?"

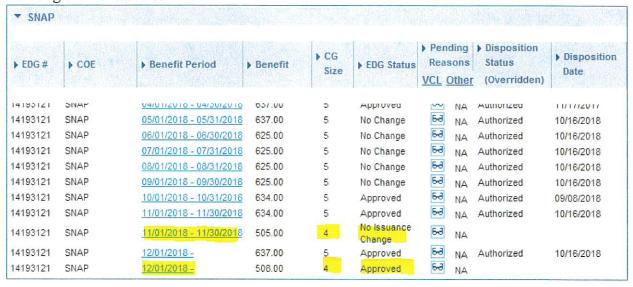


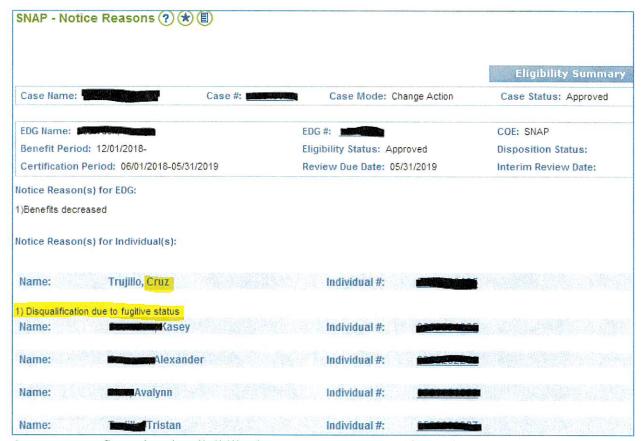
Click Save and Continue, update the dates on the Confirm Dates pop up:



Click Submit and then Save and Continue.

Run EDBC, review the appropriate EDG to review eligibility to ensure individual is made to be an ineligible individual:





Once user confirms that the eligibility is correct, user can certify results.

If you have any questions regarding this GI, please contact Suzanne Duran-Vigil at 505-827-7289 or SuzanneP.Duran-Vigi@state.nm.us.

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