



**CONSORTIUM FOR CITIZENS
WITH DISABILITIES**

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CCD Social Security Task Force – September 15, 2017

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Consortium for Citizens with Disabilities Social Security Task Force Statement on H.R. 2792

Washington, DC – On Wednesday, September 13, 2017, the House Ways and Means Committee passed an amended version of H.R. 2792, the Control Unlawful Fugitive Felons Act of 2017. This bill would cut off Supplemental Security Income (SSI) benefits entirely for certain people with disabilities, as well as seniors. The proposed cut would bar payment of SSI benefits to people with an outstanding arrest warrant for an alleged felony or for an alleged violation of probation or parole.

H.R. 2792 would revive an old, failed policy that had catastrophic effects for many people with disabilities and seniors, employing procedures that did not withstand judicial scrutiny. This proposal would not help law enforcement secure arrests. The Social Security Act already prohibits payments to people fleeing from law enforcement to avoid prosecution or imprisonment. The Social Security Administration (SSA) currently notifies law enforcement of the whereabouts of every person with a warrant for an alleged felony or an alleged violation of probation or parole who turns up in SSA's databases. This bill would not change these policies and procedures.

Based on prior experience with SSA's failed former policy, the people who would be affected are those whose cases are inactive and whom law enforcement is not pursuing. Most of the warrants in question are decades old and involve minor infractions, including warrants routinely issued when a person was unable to pay a fine or court fee, or a probation supervision fee. Many people are not even aware that a warrant was issued for them, as warrants are often not served on the individual. Some people will be swept up as a result of mistaken identity, or paperwork errors, which can take months or even years to resolve.

Resolving these warrants can be extremely hard and costly: people often must go before a judge in the issuing jurisdiction, and typically need counsel to assist them in navigating the process. Often, people have moved in the intervening years and live far from the issuing jurisdiction. Cutting off benefits will undermine their ability to resolve the warrant. SSI provides the only source of personal income for over half of beneficiaries.

Losing this income will cause many people to become homeless and unable to meet their basic needs – much less, resolve a warrant.

A very high percentage of people who would lose benefits have mental illness or intellectual disability. Many are unaware of the violation, may not have understood the terms of parole or probation, or may have other misunderstandings about their case. Over half of all Americans lack even \$500 to cover an emergency. With so many people struggling to make ends meet, it is no surprise that many warrants are issued for failure to pay fines or probation supervision fees, or for bouncing a bad check. H.R. 2792 would exact harsh punishment and leave people with little recourse to resolve the warrant – a step backward in bipartisan efforts towards criminal justice reform.

The Consortium for Citizens with Disabilities (CCD) is the largest coalition of national organizations working together to advocate for federal public policy that ensures the self-determination, independence, empowerment, integration and inclusion of children and adults with disabilities in all aspects of society. The CCD Social Security Task Force focuses on disability policy issues in the Social Security Act Title II disability programs and the Title XVI Supplemental Security Income (SSI) program.