

# Incarceration and Social Security disability programs

For people who receive benefits from a Social Security program, being charged with a crime often makes them think about what will happen to their benefits if they end up having to go to jail or prison. The simplest answer to that is that the benefits will stop during the period of incarceration.

People who are receiving benefits from the Supplemental Security Income or Social Security programs can't receive benefits if they are incarcerated. Generally, the period of incarceration must be at least 30 days in order for benefits to stop. In many cases, benefits can be restarted when you get out of jail or prison.

Some prisons have an agreement with the Social Security Administration that allows people who are incarcerated to start the process of getting benefits again 90 days before the person is released. In those cases, benefits might be restarted for the month following the month of release.

When there isn't a prerelease agreement in place, the person would have to make an appointment to apply for benefits when they are released. In that case, the official prison release documents are required at the appointment.

It is important to note that being released into halfway house doesn't mean that Social Security benefits will be issued. Halfway houses that are run by the Department of Corrections are still considered a place under the control of the state, which prevents payment of Social Security benefits.

There are various factors that people who are getting out of jail or prison should consider. Receiving Social Security benefits upon release isn't something that is guaranteed. Our Pennsylvania neighbors who have a loved in prison should work

to understand how the incarceration will affect benefits and how to have benefits reinstated upon release.

**Source:** United States Social Security Administration, "[Benefits After Incarceration: What You Need To Know](#)" accessed Mar. 19, 2015