

January 26, 2010

Food Stamp Program Guide Letter #547

Subject **FINAL REGULATIONS ON STATE-FUNDED BENEFITS FOR VICTIMS OF HUMAN TRAFFICKING, DOMESTIC VIOLENCE OR OTHER SERIOUS CRIMES.**

Reference All County Information Notices (ACIN) I-27-09 and I-41-07
All County Letters (ACL) ACL 09-49 and 08-15 and 06-60.
Manual of Policies and Procedures (MPP) sections 30, 40, 42, 49, 63, and 69.

Effective Date Upon Receipt

Purpose The purpose of this letter is to inform staff of:

- Changes to the final regulations for victims of human trafficking and when continued presence of trafficking victim to remain in the country can be requested.
- Revisions to FSPG sections 63-155.15, .16.17 and 63-156.4, and
- CalWIN tracking of victim of human trafficking and other Serious Crimes.

Background SB 1569 became effective January 1, 2007 and created a new state program providing eligible, non-citizen victims of human trafficking and domestic violence or other serious crimes the same benefits and social services available to refugees.

- ACL 06-60 (issued as joint Food Stamps Special Notice 07-03 on March 5, 2007), contained detailed information about the new law and provided implementation instructions.
 - ACIN I-47-07 (issued as joint Food Stamps Special Notice 07-23) provides policy clarification and responses to questions regarding some of the issues pertaining to SB 1569.
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Changes As a result of public testimony, the California Department of Social Services (CDSS) amended the regulations on victims of human trafficking, domestic violence or other serious crimes. Changes to the final regulations include:

- Continued presence in the country can only be requested by federal law enforcement. Continued presence means authorization for a trafficking victim to remain in the country to assist in the investigation or prosecution of traffickers.
- Victims of human trafficking who are granted continued presence may assist local, state, and federal, law enforcement officials.

Refer to FSPG section 63-155.13 for detailed policy information regarding “U Visa Interim Relief” and 63-155.8 for “Victims of Serious Crimes”

Worker Actions For funding purposes, the worker is required to document in CalWIN case comments information regarding:

- Applicants with a “T Visa”, “U Visa” or “U Visa Interim Relief”, and
 - Verifications provided, and dates of service.
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Automation Impact These cases must be tracked in the CalWIN system. Tracking will be done by selecting **FS-Vict of Humn Traff/Sev Crms** from the Special Indicator field on the **Collect Case Special Indicators** window.

Note: Human Trafficking and Crime Victims who are eligible for CFAP benefits do not have to provide or apply for a Social Security Number. Refer to BENDS 4317 for CalWIN work around to:

- Change “Victims of Trafficking” from Federal to CFAP funding, and
 - Activate a person without a SSN (Pseudo SSN)
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Forms Imaging Impact None

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FSPG
Changes

FSPG Section	Title	Changes/Updates
63-155.15	Determination of Eligibility for Trafficking Victims under SB1569	Re-organized the three sections to add:
63-155.16	Termination of Eligibility for Trafficking Victims to State-funded (SB 1569)	Additional changes from final regulations are highlighted in blue.
63-155.17	Determination of Eligibility to SB 1569 for Other Serious Crimes Victims	
63-156.4	Senate Bill (SB) 1569 and CFAP Eligibility for Victims of Human Trafficking and Other Serious Crimes	Added note and the “U Visa” application document I-918 can be viewed at: http://www.uscis.gov/files/form/i-914.pdf

Quality
Control/Quality
Assurance
Impact

QC/QA will cite the appropriate error when the requirements in this material have not been followed.

Assistant Deputy
Director

(Original signed 01/15/10)

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Self-Sufficiency Programs
Strategic Planning & Operational Support

MB

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