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**State of Wisconsin  
Governor Scott Walker**

**TO: Income Maintenance Supervisors  
Income Maintenance Lead Workers  
Income Maintenance Staff  
W-2 Agencies  
Workforce Development Boards  
Job Center Leads and Managers  
Training Staff  
Child Care Coordinators**

**FROM:** Shawn Smith, Bureau Director  
Bureau of Enrollment Policy & Systems  
Division of Health Care Access and Accountability

<b>BEPS/DFS OPERATIONS MEMO</b>					
<b>No:</b> 12-46					
<b>Date:</b> 08/22/2012					
<b>FS</b>	<input checked="" type="checkbox"/>	<b>MA</b>	<input type="checkbox"/>	<b>BC+</b>	<input type="checkbox"/>
<b>SC</b>	<input type="checkbox"/>	<b>CTS</b>	<input type="checkbox"/>	<b>FSET</b>	<input type="checkbox"/>
<b>BC+ Basic</b>	<input type="checkbox"/>	<b>BC+ CORE</b>	<input type="checkbox"/>		
<b>CC</b>	<input checked="" type="checkbox"/>	<b>W-2</b>	<input checked="" type="checkbox"/>	<b>EA</b>	<input type="checkbox"/>
<b>CF</b>	<input type="checkbox"/>	<b>JAL</b>	<input type="checkbox"/>	<b>JC</b>	<input type="checkbox"/>
<b>RAP</b>	<input type="checkbox"/>	<b>WIA</b>	<input type="checkbox"/>	<b>Other</b>	<input type="checkbox"/> *
				<b>EP</b>	

**SUBJECT: FoodShare CARES Updates for Fleeing Felons and Probation/Parole Violators**

**CROSS REFERENCE:** [FSHB, Chapter 3.18.1](#)

**EFFECTIVE DATE:** August 27, 2012

**PURPOSE:**

The purpose of this memo is to announce CARES changes to accommodate the FoodShare (FS) policy for fleeing felons and probation/parole violators. Fugitive felon policies also apply for the Wisconsin Works (W-2) and Child Care Programs. The Department of Children and Families will issue CARES processing instructions for fugitive felons for those programs under a separate Operations Memo.

**BACKGROUND:**

Individuals that are pursued by law enforcement for outstanding felony charges, are actively evading arrest, or have been found to be in violation of probation or parole are not eligible for FS benefits. This is current policy for FoodShare. Currently there is no field in CARES to identify a fleeing felon or person in violation of his or her conditions of probation or parole. The CARES changes announced in this memo will accommodate data collection needs about this population.

**POLICY:**

FoodShare policy allows self-declaration of status as a fleeing felon or violator of probation or parole. Agencies are not required to investigate whether applicants or recipients might have an outstanding warrant, unpaid fine, or face other legal charges. However, if an agency becomes aware of a felony conviction or probation/parole violation through a data base, media or through other sources, the agency must take action to deny or terminate FS benefits when both of the following conditions are met:

1. The individual is intentionally fleeing to avoid being arrested, and
2. Law enforcement is actively pursuing the individual.

If an agency has reason to suspect that a person is deliberately fleeing active pursuit from law enforcement, the agency must contact the authorities to determine if law enforcement deems the legal infraction worth pursuing, or if a warrant was issued for a matter that is not being actively pursued.

**CARES:**

A new question: "Fleeing Felon Or In Violation of Probation/Parole" will be added to the Current Demographics page in CARES Worker Web (CWW). This question will be required for FS applications, person adds, and renewals. If "Yes" is selected, the "Source" field will be required. Answering "Yes" to this question will fail FoodShare for this individual. The Current Demographics Page will be scheduled for a FS renewal and this question will be "blanked out."

➤ **Please Note:** Disclosure of an applicant or household member being a fleeing felon will not automatically disqualify the assistance group from child care; the Department of Children and Families will investigate the circumstances in more detail and determine the disclosure's effects on eligibility.

The screenshot displays the CARES Worker Web interface. At the top, the user is identified as P. CHAMARTHY with User ID XCTP53. The primary person is DAVID LEE 34M PP, Case 4001732548, Status: Open, Mode: Ongoing. The date is 07/31/2012. The left navigation menu includes sections like RFA / Case, Application Entry (12), and Employment. The main content area is titled 'Current Demographics' and contains the following form fields:

- Individual Demographic Information:** Effective Period (Begin Month: 06 / 2012), Last Updated: 07/31/2012.
- Individual Details:**
  - Individual: DAVID LEE 34M PP
  - Identification Verification: BC - BIRTH CERTIFICATE
  - Identification MA Verification: GF - GOOD FAITH EFFORT - RECIPIENT
  - SSN Cooperation: No
  - Marital Status: MA - MARRIED (Verification: NQ - NOT QUESTIONABLE)
  - Resides In WI: Yes (Verification: BI - BILLS)
  - Intent To Reside In WI: Yes
  - Migrant Farm Worker: No (Verification: NQ - NOT QUESTIONABLE)
  - Special Needs Child: No (Verification: )
  - Fleeing Felon Or In Violation Of Probation / Parole: Yes (Source: LE - Law Enforcement)
- Physical Exam:**
  - Physical Exam Completed? ( )
  - Physical Exam Date: MM / DD / YYYY
  - Good Cause: ( )
  - Source: ( )
- Obsolete Information:**
  - Offender Working Without Pay: ( )
  - Verification: ( )

An individual ineligible for FoodShare because he or she is a fleeing felon or in violation of probation or parole conditions is a Gross Deemer if there are other eligible household members.

REASON CODE TEXT FOR FOODSHARE:

Reason code 685, has been added to CWW for individuals that are ineligible due to the fleeing felon/probation and parole violations policy. Text for reason code 685:

**Short Text:** Is a fleeing felon or is in violation of probation/parole.

**Long Text:** You are not able to receive FoodShare benefits because you are either fleeing from a felony or are in violation of probation or parole.

**CONTACTS:**

BEPS CARES Information & Problem Resolution Center

\*Program Categories – FS – FoodShare, MA – Medicaid, BC+ – BadgerCare Plus, SC – Senior Care, CTS – Caretaker Supplement, CC – Child Care, W-2 – Wisconsin Works, FSET – FoodShare Employment and Training, BC+ Core – BadgerCare Plus Core, CF – Children First, EA – Emergency Assistance, JAL – Job Access Loan, JC - Job Center Programs, RAP – Refugee Assistance Program, WIA – Workforce Investment Act, Other EP – Other Employment Programs.

DHS/DHCAA/BEPS/TJ