

Department of Social and Health Services  
Olympia, Washington  
**EAZ Manual**

Revision 1184  
Category Benefits for Survivors of Certain Crimes  
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**Summary**

See below for edited text:



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**Purpose:**

This section provides clarifying information to support benefit determination and issuance for *survivors of certain crimes*. Relevant WAC sections include -

- [WAC 388-424-0001](#) Citizenship and immigration status—Definitions.
- [WAC 388-400-0010](#) Who is eligible for state family assistance?
- [WAC 388-424-0009](#) Citizenship and immigration status—Social Security number (SSN) requirements.
- [WAC 388-424-0010](#) Citizenship and immigration status—Eligibility for TANF.
- [WAC 388-424-0015](#) Immigrant eligibility restrictions for the state family assistance, ABD cash, and PWA programs.

- [WAC 388-424-0030](#) How does my immigration status impact my eligibility for state-funded benefits under the food assistance program?
  - [WAC 388-424-0035](#) Verifications—Survivors of certain crimes.
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## Clarifying Information

### 1. Who are *survivors of certain crimes*?

Survivors of certain crimes are noncitizens and their qualifying family members, who have been harmed by a crime, and have filed, or are preparing to file an application with U.S. Citizenship and Immigration Services (USCIS) for:

- T-Visa (for trafficking victims),
- U-Visa (for victims of qualifying crimes), or
- Asylum status.

For full term definition, see [WAC 388-424-0001](#)(4).

Survivor of certain crimes is not an immigration status; it is a benefits eligibility category.

### 2. What does *preparing to file* mean?

“Preparing to file” means a survivor is preparing to request a T-Visa (for trafficking victims), a U-Visa (for victims of qualifying crimes), or asylum, but has not yet submitted an application to the U.S. Citizenship and Immigration Services (USCIS). This may be for a number of reasons, including the need to gather information for their application, or because the survivor needs to recover from physical, mental, and/or emotional abuse.

### 3. Who are *victims of human trafficking*?

Human trafficking is a form of modern-day slavery in which traffickers lure individuals with false promises of a better life. Traffickers force their victims into prostitution, slavery, or forced labor through coercion, threats, psychological abuse, torture, and imprisonment. Trafficked persons have been intimidated, both psychologically and physically, into submission. Trafficked noncitizens may be eligible for a T-Visa through USCIS.

**Note:** People who assist trafficked persons must be extremely sensitive to the psychological, cultural, and gender aspects of their trauma in order to prevent re-victimization.

### 4. Who are *victims of qualifying crimes*?

Victims of qualifying crimes are noncitizens who suffered substantial mental or physical abuse as a result of the crime, and are applying for a U-Visa. To be eligible for U-Visa, victims must:

- Possess credible information about the qualifying crime,
- Establish with USCIS that they suffered substantial physical or mental abuse as a result of the crime, and

- Are willing or assisting law enforcement in the investigation or prosecution of the criminal activity.

#### 5. Who are applicants for asylum?

Applicants for asylum are persons who flee their country and are unable, or unwilling to return due to persecution or a well-founded fear of persecution. The persecution may be on the basis of race, religion, nationality, political opinion, or membership in a social group. For the full definition, see [EA-Z Manual - Definitions, Clarifying Information](#), #16.

#### 6. What verifies an applicant meets the definition of a *survivor of certain crimes*?

An applicant's verbal self-attestation is sufficient evidence for program eligibility determination. This verbal self-attestation must include the applicant stating:

- *They were harmed by a crime*
- *That they have filed or are preparing to file an application with the U.S. Citizen and Immigration Services for [T Visa, U Visa, or Asylum].*

**Reminder:** Do to ask applicants for additional details regarding their experience – **this includes what the crime was or details of the trafficking event.**

Alternative evidence may also be provided in lieu of a verbal self-attestation, **if preferred by the applicant.** This may include but isn't limited to:

- Police, government agency, or court records or files,
- Documentation from a social services, trafficking, or domestic violence program,
- A legal, clinical, medical, or other statement from a professional, from whom the applicant has sought assistance in dealing with the crime, or
- A statement from an individual with knowledge of the circumstances that provides the basis for the survivor's claim (including signed sworn statement by survivor's advocate).

When verifying an individual is a survivor, workers are to document the following in ACES case narrative:

- That the applicant verbally self-attested to being a survivor of certain crimes, or what form of alternative proof was provided
- Date information was provided

#### 7. Who are qualifying family members?

"Qualifying family members" are defined in [WAC 388-424-0001\(5\)](#). They don't include a family member charged with or convicted of a crime committed against the survivor spouse or a child of the spouse.

#### 8. What benefits could *survivors of certain crimes* be eligible for?

Certain state-funded benefits are *available to* survivors of certain crimes, *who* aren't already eligible for assistance under other citizenship and immigration rules.

To receive cash assistance and/or food assistance benefits, survivors of certain crimes must meet all other eligibility requirements, with the exception of immigration status (see [WAC 388-424-0010](#) for cash assistance and [WAC 388-400-0050](#) for food assistance). All survivors of certain crimes (and their qualifying family members) who are eligible for cash assistance become automatically eligible for state-funded medical if not already eligible for federal-funded medical programs.

#### 9. **Are survivors of certain crimes eligible for services?**

All State Family Assistance (SFA) recipients are required to participate in WorkFirst services. For survivors of certain crimes, who are not eligible to work, these services may be geared towards preparing for future employment. This includes English language training, job skills development, job-specific training, etc. Please see [WorkFirst Handbook 5.2](#) for more information.

## **Worker Responsibilities**

Benefit applications from survivors of certain crimes should be handled the same as all other applications for cash or food assistance, with the exception of the verification policy below.

**Note:** Please be extremely sensitive to the trauma this population has faced in order to prevent re-victimization.

**Note:** Some victims of trafficking cooperate with the Department of Justice (DOJ) on the prosecution of their traffickers. All details of the case are confidential and they can't talk about it, nor should they be asked to discuss the details of their case.

#### 1. **What kind of documents are not required for eligibility determination?**

An applicant might not possess:

- Passport,
- Regular or non-work SSN,
- Alien Registration number, or
- Any USCIS documentation.

Absence of these documents does not affect an applicant's eligibility for benefits. Don't run applicants' information through SAVE because the majority of applicants don't have an immigration status, or may have an expired immigration status.

#### 2. **What can be provided to verify the relationship between a survivor and their qualified family member(s)?**

A statement from the survivor that speaks to how they are related to a qualified family member may be accepted as verification of relationship.

#### 3. **When does a recipient stop being eligible for benefits as a survivor of certain crimes?**

Once the recipient obtains a receipt from USCIS that their application for T-Visa, or U-Visa, or asylum has been received, the recipient becomes a lawfully present non-qualified alien and remains eligible for state-funded assistance, if they meet all other eligibility requirements.

If the recipient gets a certification from the Office of Trafficking in Person, and if all other eligibility requirements for Refugee Cash Assistance (RCA) ([WAC 388-466-0120](#)), TANF ([WAC 388-400-0030](#)) and/or Basic Food ([WAC 388-424-0020](#)) are met, update the client's Citizenship status information to stop state-funded survivor of certain crimes assistance and establish eligibility for normal state or federally funded benefits (RCA, TANF, Basic Food or Apple Health programs coverage).

Per [WAC 388-484-0005](#) the lifetime sixty-month time limit applies to any month in which a client receives TANF/SFA cash assistance.

4. **The following ACES coding is used to issue benefits to survivors of certain crimes:**

- Citizen Status - *Undocumented Alien (U)*
- Citizenship Verification Code – *Preparing to File/Survivor of Certain Crimes (PF)*
- SSA/SSN Referral – *Undocumented Alien*
  - This will allow the worker to bypass entering a SSN. The worker can still enter an SSN if the applicant has one to work under.

**Note:** This coding will bypass the SAVE requirement. Only use this coding when the noncitizen is in the process of filing an application with the USCIS. If they have already filed, they may otherwise be eligible for normal state or federally funded benefits.