

# WHAT YOU NEED TO KNOW ABOUT CARES ACT RELIEF FOR INCARCERATED STIMULUS FUND RECIPIENTS IN WASHINGTON STATE

## POSTMARK DEADLINE NOVEMBER 4!

On October 8, 2020, a U.S. District Court Judge for the Northern District of California ruled that the U.S. Department of Treasury and the IRS could not withhold CARES Act stimulus funds from incarcerated folks on the sole basis of their incarcerated status. You can read more about the case here <https://www.lieffcabraser.com/cares-act-relief/>

**This means that incarcerated people serving a sentence in state or federal prison are eligible for a CARES Act stimulus check up to \$1200 per eligible person and an additional \$500 per qualifying child, if they meet these requirements:**

- They are a U.S. Citizen or Legal Permanent Resident
- They are not married to someone who lacks a social security number, or have a child who lacks one, UNLESS they or their spouse served in the Armed Forces in 2019
- They filed a tax return in 2018 or 2019 or were exempt from doing so because their income in 2019 was below \$12,200 a year or, if married and filing jointly, below \$24,400
- They were not claimed as a dependent on another person's tax return

**IF AN INCARCERATED PERSON MEETS THESE REQUIREMENTS, THEY CAN RECEIVE A STIMULUS CHECK, EVEN IF THEY ENTERED PRISON BEFORE EVER HOLDING A PAID JOB OR FILING TAXES, AND EVEN IF THEY HAD NO EARNINGS IN 2019.**

**HOW TO FILE:** If a 2018 or 2019 tax return was already filed, or they receive Social Security Benefits or Railroad Retirement Board Benefits, incarcerated folks do not need to file a claim and should receive a check in the mail to the address used for tax or benefit purposes.

However, if they did not file a 2018 or 2019 tax return and their income was below \$12,200 (or \$24,400 if filing jointly) in 2019, then they should submit a claim to the IRS by filing a 1040. It is free to file a claim with the IRS. Blank 1040 forms can be found here: [https://www.lieffcabraser.com/pdf/EIP\\_Form\\_1040.pdf](https://www.lieffcabraser.com/pdf/EIP_Form_1040.pdf)

**NOTE:** WA Department of Corrections does not allow internet access for the people incarcerated in their facilities. The IRS will not allow family members to electronically submit 1040 forms on behalf of an incarcerated loved one.

**THIS MEANS INMATES IN WASHINGTON MUST SUBMIT THEIR CLAIMS THROUGH THE MAIL TO MEET ANTICIPATED IRS GUIDELINES.**

# ALL FORMS MUST BE POSTMARKED BY NOVEMBER 4!

WA claims should be mailed to:

Department of the Treasury, Internal Revenue Service. Fresno, CA 93888-0002

Incarcerated folks are encouraged to provide bank info for direct deposit, if possible. The bank account provided for direct deposit must be in the name of the person filing. Stimulus checks sent to DOC facilities will be subject to the regular deductions.

**Instructions for submitting paper claims (a 1040 form) can be found here:**  
**<https://www.irs.gov/newsroom/file-a-simplified-paper-tax-return>**

## This is what's needed to file a 1040 form by mail:

- Full name
- Mailing address
- Email address
- Date of birth
- Valid Social Security number (unless you have an Individual Taxpayer Identification Number (ITIN) and are married to a military member)
- Bank account and routing number (if you are seeking direct deposit into your own account rather than a check)
- Your department of corrections ("DOC" or "Prison") number, to be added to your address line (if claimant is residing inside a correctional facility, to ensure check gets applied to the right person)

You can find answers to common questions here: <https://caresactprisoncase.org/faq/>

**KEEP IN MIND: The federal government sets these rules and timelines, and the IRS is continually changing the guidelines for submitting claims. You can stay up to date on changes from the IRS or the courts at: <https://www.lieffcabraser.com/cares-act-relief/> or <https://caresactprisoncase.org/updates/>**