

<b>CHAPTER:</b>	1	Administration and Management	<b>1. 2. 3</b>
<b>SECTION:</b>	2	Fiscal Management	<b>EFFECTIVE DATE:</b> 7 / 21 / 2020
<b>SUBJECT:</b>	3	<b>Inmate Funds</b>	
<b>APPROVED:</b>  Dale Glass COMMISSIONER OF CORRECTIONS			<b>REVIEW DATE:</b> 7 / 21 / 20
			<b>REVISION DATE:</b> 7 / 30 / 20
Reviewed: 10/09 Rescind: Inmate Fund of 8/18/04.			

**I. POLICY**

It is the policy of the Division of Corrections to establish, and retain the control of inmate funds through the use of a fully accountable financial management system that allow inmates to purchase approved food items and other goods from the inmate commissary.

**II. PURPOSE**

To describe the procedures that-will be used to receive, deposit, account for, and distribute inmate funds.

**III. APPLICABILITY**

All Division of Corrections staff and contractors having responsibility for the receipt, accounting, and distribution of inmate funds.

**IV. STANDARDS**

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**7D-16**

Procedures govern the operation of any fund established for inmates. Any interest earned on monies, other than operating funds, accrues to the benefit of the inmates.

**V. DEFINITIONS**

None.

**VI. CANCELLATION**

This policy cancels all previous Division policies, statements, memorandums, directives, orders, notices, rules and regulations which are inconsistent with this policy.

**VII. GENERAL INFORMATION**

1. All inmate funds held by the Division of Corrections will be controlled and monitored in a manner consistent with generally accepted accounting principles and city laws and regulations.
2. Interest earned from the active Inmate Fund bank account less general operating expenses will be transferred to Inmate Improvement Fund for the benefit of inmates.
3. Bank expenses charged to the Active Inmate Fund bank account will be reimbursed by the Inmate Improvement Fund.
4. Each inmate having funds at the time of intake will have funds deposited with a separate accounting of such funds. Inmates may receive funds by money order, electronic transfer by telephone, or via Internet and by credit card or cash deposited at kiosks located at each facility. Inmates are not permitted to have cash in their possession at any time. Any confiscated cash or other legitimate money instruments will be deposited into the inmates' account.
5. Inmates are prohibited from transferring funds from their account to another inmate's account.
6. Staff must have the permission of the Commissioner to deposit funds on an inmate account and/or to have funds released to them by an inmate.
7. Money orders must be payable to the inmate under inmate's committed name.
8. All money orders being deposited in inmate's account must be drawn from a bank in the US only. All other instruments not US issued shall be returned to sender.
9. Money orders payable to two or more inmates will not be accepted for deposit and will be returned to sender.
11. Inmates will be charged a standard \$3.00 fee for the following transactions to their account:
  - a. Money order processing
  - b. Release of funds (including the issuing and mailing of a check to a payee),
  - c. Monthly account maintenance fee for an inactive account that remains unclaimed 30 days after the inmates release from custody.

## **VIII. PROCEDURES**

### **A. Indigent Inmates**

1. An inmate with an account balance of \$10 or less for thirty days or more will be considered indigent for the purposes of payment of postage by the facility and any other determination regarding personal solvency while in confinement. (See policy #5.7.1: Inmate Mail).

### **B. Restriction on Incoming Funds**

1. Any fund received from an inmate to another inmate will be returned to sender.
2. Money orders or other instruments that require the recipient to sign a signature in the presence of a bank teller at the time of presentation for deposit at the bank will not be accepted.
3. Gift Certificates, gift cards and vendor promotional checks will not be accepted and will be returned to the sender.
4. Personal checks and Cash will not be accepted.

### **C: Fund Receipt Documentation**

1. A designated business office staff will at the time of receipt of funds, shall document receipt of all money orders, and other financial instruments in a log book established, or Computer Spread Sheet created for that purpose (see Policy #5.7.1: Inmate Mail).
2. All money orders and other acceptable instruments will be endorsed prior to deposit in the bank.
3. Receipts shall be recorded in the log book/spread sheet in numerical order based on the chronological date funds are received.
4. The designated caseworker notifies the inmate whenever funds are received.
5. The following information will be recorded in the appropriate log book/Spread Sheet:
  - a. Date the fund was received,
  - b. The facility, housing unit where the inmate is located and the inmate's number (IMN).

- c. The Amount of funds received is recorded.
- d. The name of the person or entity from which the funds were received.
- e. Complete address of the person or business that sent the fund to the inmate.
- f. The initial or signature of the staff person completing the receipts.

**D. Deposits to the Inmate Account**

- 1. All cash or other money instruments will be surrendered upon incarceration to the intake staff. A receipt will be provided to the inmate for the funds in their possession at the time of intake. The intake staff will enter funds into the accounting system computer and submit all funds along with an itemized listing of funds received and inmate names to designated Business Office staff.
- 2. The intake staff and business office staff receiving the funds will jointly prepare the bank deposit counting all cash received with a copies maintained by both staff.
- 3. All money orders and other money instruments received through the mail for inmates (see policy #5.7.1: Inmate Mail), from authorized sources will be deposited in the Active Inmate Fund bank account in accordance with policy and procedures.
- 4. Prior to bank deposits, a designated business office staff will make one copy of each money order to be deposited and file the copies for future reference.
- 5. A minimum of two designated staff are required to verify all inmate names on money orders/checks and ensure inmate active status and that the money order or check is credited to appropriate inmate recipient. Each staff will record their name and the date and time of such verification and the dollar amount in the Batch List. The Business Office Supervisor will have 10 official business days to verify the correctness of the deposits.
- 6. All inmate monies received by the Business Office will be deposited in the Active Inmate Fund bank account daily.
- 7. All monies received while inmate is no longer incarcerated in the Division will be returned to sender. A reason for the return will be attached and mailed to the sender.

**E. Fund Withdrawals**

- 1. Commissary

- a. Inmates may only purchase from the division or the commissary vendor.
  - b. Once a week an inmate may purchase items from the commissary vendor.
  - c. Weekly spending limits of \$100.00 worth of purchases will be established for commissary items, for all inmates. A list will be posted in each housing unit of all items available from the commissary, the price of each item, and the commissary delivery schedule. Inmates must place orders by 8:00 a.m. each Monday. Telephone cards may be purchased any time from the division. (See policy #5.7.2: Inmate Telephone Use).
  - d. All charges for commissary purchases or telephone cards are deducted from the inmate's account. No credit or advance of funds will be permitted.
  - e. The Commissary vendor will deliver purchased commissary items for the various housing units throughout the week according to a pre-approved institutional delivery schedule. (See policy # 5.2.1: Commissary).
  - f. The inmate will sign a receipt for the delivered goods before receiving their purchase. The receipts will be maintained on file in the Business Office.
  - g. The Supply Commissioner will consult with the contracted provider and will ensure that inmates are charged fair market value for their commissary purchases and no rate increases will go into effect without the expressed permission of the Supply Commissioner.
  - h. Profits resulting from the sale of commissary items and telephone cards will be transferred to the Inmate Improvement Fund by the Business Office supervisor/designee.
2. Check approvals
- a. Inmates may request a release of funds for a check to be written with their funds with the administration approval.
  - b. Two authorized signatures must be obtained by business office staff for all checks in excess of \$300 written on inmate accounts. Release of funds by the inmate to another person outside of the facility will be in the form of a check and will be mailed to the recipient. No one will be permitted to appear in person to receive the released funds.
  - c. Upon being released from custody an inmate may request the balance of their funds on hand.

**F. Inmate Fund and Restitution**

1. When an inmate appears for a disciplinary hearing and the inmate is assessed a restitution, the assessment will be listed on the inmate's fund with the occurrence date, description of damage(s) and amount assessed.
2. The Business Office Supervisor will obtain authorization from the Commissioner /designee and will cause the amount assessed to be deducted from the inmate's account to satisfy the assessment.
3. The Accounting Supervisor will issue the inmate a receipt of payment, and retains a copy of the payment receipt in the appropriate folder.

**G. Inmate Release from Custody**

1. Inmates who are released from the facility to the free community, or who are released in court can come to the City Justice Center business window between 10:00 A.M. and 4:00 P.M., Monday thru Friday except on holidays, to claim their funds. Inmates must present their arm band or any official valid picture ID. All payment is by check.
2. If an inmate is transferred to another jurisdiction, the Division will forward the inmate's fund balance to that jurisdiction when the business Office receives a written request to transfer such funds.
3. **The Division will honor official check issued by another jurisdiction, to an inmate who is transferred into Divisional custody.**

**H. Fiscal Management**

1. Account reconciliations will be performed by the designated Business Office staff to ensure the accuracy and completeness of data entered into the accounting system, of all checks written and the daily bank deposit. The Business Office Supervisor will inspect and ensure the accuracy and completeness of all data entered into the accounting system at least once each month.
2. The Active Inmate Fund bank account will be reconciled monthly by the Business Office Supervisor/designee.

**IX. FORMS**

The following forms are included within this policy and procedure:

None.

**X. SEVERABILITY CLAUSE**

If any part of this policy is, for any reason, held to be in excess of the authority of the appointing authority, such decisions will not affect any other part of this policy.

**XI. TRAINING**

This policy and procedure will be included in the First-Year Training and subsequent In-Service Training for business office staff having direct responsibility for inmate funds.