



# GENERAL ORDER

Loudoun County Sheriff's Office

<b>Chapter:</b> Correctional Services		<b>Section:</b> 509.9
<b>Subject:</b> Community Custody Program Operations	<b>Topic:</b> Community Custody Fiscal Management	
<b>Accreditation:</b> 6VAC15-40-210, 6VAC15-40-800		
	<b>Revised:</b> 09/23/2016	<b>Reaffirmed:</b>
<b>Enacted:</b> 08/02/2010	<b>Last Review:</b>	<b>Review:</b>

## I. PURPOSE

The purpose of this General Order is to establish a financial accounting procedure for the proper management of funds by the inmate Accounts Clerk for inmates participating in Community Custody Programs.

## II. POLICY

It shall be the policy of the Corrections/Court Services Division to provide a current and accurate accounting of all inmates' deposits and withdrawals from their Canteen and Community Custody Accounts.

## III. DEFINITIONS:

Expense Check: A fixed amount requested from the inmates account weekly by inmates to help defray the costs incurred by traveling to and from work or incidentals while on the Community Custody Program

## IV. PROCEDURE

### A. General

1. Inmates are required to surrender all earnings from employment including paychecks, tips and/or cash while assigned to the Community Custody Program.
2. The funds of Community Custody inmates shall be deposited into the Community Custody Account. The funds of Work Force inmates shall be deposited into the Canteen Account, if applicable.
3. All funds shall be immediately recorded in a receipt book and on the Loudoun County Community Custody Cash Transmittal Sheet. Staff members receiving such monies shall ensure that:
  - a. All entries are written legibly and all receipt forms are filled out completely. Care shall be taken to accurately record the following:
    - 1) Exact amount turned in.
    - 2) Inmate's name.

- 3) Inmate's Permanent Identification number
- 4) Employer's name
- 5) Name of Staff member receiving the funds.
- 6) Name of second staff member verifying the funds.
- b. Each inmate submitting money in any form shall receive a receipt for that amount at the time it is turned in. A copy of the receipt shall be placed with the money to be deposited and another copy shall be left in the receipt book. All inmate receipts and deposits shall be logged on the Loudoun County Community Custody Cash Transmittal Sheet to show what amounts were received and when they were forwarded to the Account Clerk.
- c. If the deposit is in the form of a check or money order, the inmate shall endorse the back of the check and the staff member shall stamp it with "For Deposit Only."
4. Staff members receiving funds from an inmate shall place all funds in a secured cash box for safekeeping immediately upon receipt. All funds placed in the secured cash box shall have a receipt attached.
5. The Account's Clerk or his/her designee shall retrieve the inmate funds each weekday (Monday - Friday) from the Community Custody Control Room.
6. The Account Clerk is responsible for making all bank deposits.
7. The Account Clerk shall keep a Monthly Balance Sheet. The Account Clerk shall prepare a statement each month detailing each participant's monthly balance, deposits, withdrawals, room and board costs, debts, and present balance. The statements are kept on file in the Account Clerk's office. A check for payment of total days of room and board collected for the month shall be made payable to the County of Loudoun and forwarded to the Treasurer's Office. This shall be completed by the last working day of the month. A copy of the above balance statement shall also be given to the Division Commander.
8. Upon written request to the Account Clerk through the Community Custody staff, an inmate may request a copy of his/her account ledger at any time.
9. Inmates participating in the Community Custody Program are allowed to keep up to eighty dollars (\$80.00) cash on their person each week. Any amount over eighty dollars shall be deposited in the inmate's Community Custody Account. All approved cash will be stored in the participant's assigned locker.

10. Inmates shall be prohibited from obtaining advance pay from employers or from borrowing money from employers without permission from the Community Custody Sergeant.

**B. Distribution of Wages**

1. Section 53.1-131 of the Code of Virginia regulates how the earnings of Community Custody inmates may be used.
2. These sections stipulate that after standard payroll deductions required by law have been made, other deductions shall be made for the following purposes (these are in no certain order):
  - a. To pay an amount to help defray the cost of the inmate's keep. This rate is established and set yearly by the Corrections/Court Services Division Commander.
  - b. To pay such expenses made necessary by the inmate's employment or participation in an educational or rehabilitation program.
  - c. To pay any fines, restitution or costs directed by the courts.
  - d. To provide support and maintenance for the inmate's dependents.
  - e. To close the inmate's account and pay any remaining balance to the inmate upon completion of sentence or release.

**C. Individual Community Custody Account Disbursement**

1. All disbursements shall be made:
  - a. In accordance with the inmate's written financial agreement (this form is prepared by staff members of the Community Custody upon inmate orientation).
  - b. Based upon a weekly written request to the Community Custody Sergeant by an inmate. All requests for funds shall be made as follows:
    - 1) Community Custody inmates shall request an expense check each week, not to exceed eighty dollars (\$80.00), by midnight of every Sunday.
    - 2) Community Custody inmates must request any funds beyond \$80.00 by submitting a written explanation to the Community Custody Sergeant.
    - 3) All requests shall be submitted on an Inmate Financial Request Form.
    - 4) Checks shall be distributed each Wednesday night after 1800 hours to the participants, to be mailed out. Fund distribution to inmate

- 5) The Account Clerk shall combine all written requests for expense checks into one check to be disbursed as cash payments to inmates that requested an expense check. The Community Custody Supervisor or designee will cash this combined check to make the above disbursements each Thursday or when the inmate is released on his next scheduled day of work. Funds will remain in a locked safe, secured in the Community Custody control room until release of these funds to the approved inmate.
- 6) Inmates may request emergency draws against their available funds as approved by the Community Custody Sergeant.
2. Family Support Payments: Unless a court order is in effect for child, spousal or other family member support, all support payments shall be made in the following manner:
  - a. It shall be the responsibility of all inmates to present copies of outstanding bills and/or payments needed for disbursement to an outside source.
  - b. If these funds are to be distributed to a spouse or other person for the purpose of maintaining a household or other property, then the Accounts Clerk shall distribute these funds in the form of one check. This shall only be done with the approval of the Community Custody Sergeant.

#### D. Room and Board

1. Each Community Custody inmate is required to pay a daily fee to help offset the cost of running the Community Custody Program. Inmates must retain an amount equal to one month's room and board in their account at all times.
2. The Division Commander, with approval from the Sheriff, shall establish room and board fees at the beginning of each fiscal year.
3. The Community Custody Sergeant shall determine the amount to be withdrawn from the inmate's account each week.
4. The Accounts Clerk shall be responsible for making the withdrawal.

#### V. DOC STANDARD #

##### 6VAC15-40-210: Earnings

Written procedures shall be developed to ensure the accountability of all earnings received, disbursed, to whom and reason on behalf of the participant. Procedures shall be in accordance with §53.1-131 of the Code of Virginia.

Compliance Documentation:

- Review written accountability procedures
- Review financial records and/or inmate accounts
- Interview staff/inmates

In accordance with §53.1-131 of the Code of Virginia, any wages earned pursuant to this section by an offender may, upon order of the court, be paid to the director or administrator of the program after standard payroll deduction required by law. Distribution of such wages shall be made for the following purposes: (1) To pay an amount to defray the cost of his/her keep, (2) To pay travel and other such expenses made necessary by his/her work release employment or participation in an educational release, (3) To provide support and maintenance of welfare or social services or the Commission of Social Services as appropriate, on behalf of dependents who are receiving public assistance, (4) To pay any fines, restitution or costs as ordered by the court.

#### 6VAC15-40-800: Accounting of Inmate Expenditures and Receipts of Money

Inmates' personal funds held by the facility are controlled by accepted accounting procedure. The facility shall provide the inmate with a copy of his/her itemized account upon reasonable request.

#### Compliance Documentation:

- Review inmate requests and documentation that the facility responded to the request
- Review of audit reports (if available)
- Interview staff/inmates

The collection, safeguarding and disbursement of inmate funds should be in compliance with proper accounting procedures, which includes receipts for all transactions and maintenance of appropriate fiscal records (i.e., credits, debits, disbursements, etc.)

This General Order becomes effective September 23, 2016, and rescinds all previous rules and regulations pertaining to the subject.