



Department of Corrections

FD12 - Inmate Funds		POLICY & PROCEDURE	
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01.00 GENERAL PROVISIONS

01.01 Purpose & Scope

The Utah Department of Corrections (UDC) Bureau of Finance is the custodian of inmate funds. This custody provides the ability to track incoming and outgoing inmate funds.

01.02 General Requirements

The UDC inmate funds accounting office shall perform funds accounting for inmates.

02.00 INMATE TRUST FUND ACCOUNTS

02.01 General

- A. The Bureau of Finance shall establish and maintain an independent checking account on behalf of inmates at a local financial institution that is federally insured.
- B. The inmate funds accounts shall require two authorized signatures for all checks issued against it.
- C. Inmates and staff outside of inmate accounting are expressly forbidden to contact the financial institution for services on an inmate's behalf.
- D. All transactions with the financial institution relative to the trust account shall be handled only by the inmate accounting office.
- E. Only U.S. currency shall be accepted and processed by inmate accounting.

03.00 ACCOUNT TRANSACTIONS/CASH RECEIPTS

03.01 General

- A. The inmate accounting office shall accept funds for those inmates incarcerated with UDC.
- B. Transactions and accounting involving inmate funds shall be done in accordance with applicable federal, state, and local laws, rules, and regulations.
- C. Inmate funds shall be:
 1. receipted;
 2. entered into the computer; and
 3. deposited in a financial institution within three business days of receipt by the inmate accounting office, in compliance with the Public Funds Act.

03.02 Money Receipts

- A. Money is collected:
 - 1. from the Receiving and Orientation (R&O) Units;
 - 2. from the mail room;
 - 3. electronically through a kiosk, where available;
 - 4. via the internet;
 - 5. over the phone; or
 - 6. through Access Corrections per contract.
- B. Monies Received in Intake:
 - 1. Funds collected during R&O shall be recorded on an R&O money receipt. Collection of funds from inmates requires two staff witnesses and shall be placed in a sealed pouch
 - 2. R&O money receipts are to be legibly completed.
 - 3. Funds received into R&O shall be delivered and secured at the warden's office.
 - 4. The sealed pouch shall be picked up by the courier for delivery to the cash management team within three working days.
- C. Monies Received through the Mail:
 - 1. Monetary instruments processed through the inmate accounting office via the U.S. postal system shall meet the following criteria.
 - a. No personal checks or cash shall be accepted.
 - b. Monetary instruments shall be legible and completed in ink.
 - c. Monetary instruments shall contain the sender's/depositor's full name and address.
 - d. Monetary instruments shall contain the inmate's full commitment name and offender number.
 - e. The sender's/depositor's name and address on each monetary instrument shall match the sender's/depositor's name and address on the corresponding envelope/receipt.
 - f. The envelope should not contain any additional items or documentation. Any additional items or documentation that could be considered inmate correspondence shall be considered contraband, and the entire envelope with all its contents shall be returned to the sender.
 - g. Monetary instruments shall not be altered.

03.03 Processing of Mailed Inmate Funds

- A. Each business day, the cash management team will receive, by courier, the envelopes from the DPO Mail Unit that contain inmate funds and the sealed pouch from the warden's office containing funds received through R&O.
- B. Once the sealed pouch has been received by the cash management team, they shall:
 - 1. verify the contents of the pouch by checking the log sheet with the actual envelopes received, and retain the log according to the record retention schedule;
 - 2. review the mail for accuracy and completeness;
 - 3. prepare a receivables log that will include the date, sender's name, the inmate's offender number, and the dollar amount of the monetary instrument; and
 - 4. the completed receivables log and the financial documents will then be given to the inmate accounting office.
- C. Accepted monetary instruments and receipts shall be prepared for data entry.
- D. Inmate accounting staff shall return rejected monetary instruments to the sender. Both the sender and the inmate shall be notified by means of a completed Notification of Denied Mail form, explaining the reason for rejection.

1. Rejected monetary instruments that cannot be returned to the sender (i.e., the receipt has no address, information is not legible) shall be held until the inmate is contacted and supplies the inmate accounting office with a return address for the sender.
 2. If the inmate cannot or does not supply inmate accounting with a return address for the sender, the rejected monetary instrument shall be held for one year and then forwarded to the State of Utah Unclaimed Property Division.
- E. The inmate accounting office shall enter the accepted monetary instruments on the computer and print the receipt report for deposit preparation.

03.04 Dishonored Deposited Monetary Instruments

- A. Funds received and then dishonored by the financial institution shall be deducted from the appropriate account.
- B. Pursuing the collection of the funds shall be the responsibility of the inmate.
- C. The inmate accounting office shall immediately remove the amount of a dishonored monetary instrument and any corresponding service charge from the affected account.

04.00 ACCOUNT TRANSACTIONS/MONEY TRANSFERS

04.01 Inmate Money Transfer Transactions

- A. Inmates requesting funds to be transferred from their accounts to a payee shall submit a properly completed money transfer form to the inmate accounting office. The money transfer form shall:
 1. be completed in ink and be legible;
 2. be dated by the inmate as to when it was completed;
 3. include the payee's complete name, i.e., first and last name or full business title. The payee on the money transfer form shall match the payee on the envelope;
 4. have the dollar amount both in numerals and written in words;
 5. be signed by the inmate in the presence of the witnessing staff. The signature shall be complete, legible, and contain the printed inmate's name and offender number;
 6. have a lieutenant/captain review and sign if the amount exceeds \$199.99;
 7. multiple money transfer forms from one offender, payable to the same recipient, that are under \$199.99 individually, but when combined, exceed the \$199.99 limit, will be returned to the offender;
 8. witnessing staff shall provide a legible printed name, signature, and ID number; and
 9. be accompanied by a properly addressed and stamped envelope.
- B. After witnessing the inmate's signature, the witnessing staff shall place it in a controlled area of the housing unit. Do not return the money transfer to the inmate.
- C. Housing unit staff shall log every money transfer form into the money transfer log. A copy of the log shall be sent to the inmate accounting office in conjunction with the money transfer forms submitted.
- D. The money transfer log and the original money transfer form shall be sent to inmate accounting within three days of being signed by the inmate.
- E. Incoming money transfer forms shall be date-stamped by the inmate accounting office and processed within three business days.
- F. Any money transfer form that has been received by the inmate accounting office that has not been properly processed shall be returned to the housing unit captain/designee.
- G. Inmates are not allowed to overdraw their account, defer payment to a vendor, or make payment to any UDC employee or volunteer.

- H. Inmates shall not make payments between each other. Inmate-to-inmate transactions are prohibited except in exigent circumstances as authorized by each inmate's warden/designee.
- I. Inmates shall not be permitted to engage in transactions for any purpose that violates state or federal law or any department policy.
- J. Inmates shall not be permitted a negative account balance.

04.02 Returned Checks

- A. Returned checks shall be placed back on the inmate's account within five working days.
- B. Any check that has not been processed by the financial institution within 210 days from the date the check was written will automatically be returned to the inmate's account.

04.03 Stale Dated Checks

- A. Any check that has not been processed by the financial institution within 210 days shall be returned to the inmate's account.
- B. If the bank processes any check 210 days or older, the inmate accounting office shall notify the bank that the check will not be honored.

04.04 Stop Payments

- A. An inmate shall request in writing and pay a fee of \$11.00 with a money transfer before any action is taken on a request to issue a stop payment order.
- B. The inmate shall cover all costs associated with a stop payment order, including mistakes made by the financial institution, should both the original and replacement checks be cashed.
- C. After an inmate requests a stop payment in writing and sends in a completed money transfer in an amount sufficient to cover the financial institution's charge, the inmate accounting office shall contact the financial institution to verify that the check has not been cashed. If the check has been cashed, the inmate accounting office shall notify the inmate and return the money transfer to the inmate.
- D. If the check has not been cashed, the inmate accounting office shall process the inmate's money transfer to pay for the stop payment.
 - 1. If the inmate does not have funds in their account to pay for the stop payment fee, the request and the money transfer forms shall be returned to the inmate with notification of insufficient funds and sent back to the captain.
 - 2. If the inmate has funds in their account to pay the stop payment fee, it will be deducted immediately from the inmate's account.

04.05 Inmate Statements

- A. A monthly statement of all inmate accounting transactions will be available to offenders via the tablet or kiosk system.
 - 1. The tablet or kiosk system will only show transactions during the current month.
 - 2. The statement can be found under the commissary link, then "account balance."
- B. Offenders who do not have access to a tablet or kiosk may request a hard copy of the current or previous month's statement by sending a letter to the inmate accounting office.
 - 1. Requests for statements older than one month will require a GRAMA request.

05.00 REFUNDS

05.01 Commissary and Medical Refunds

- A. In the event that a refund is due to an inmate (e.g., commissary order never received, medical overbilling, etc.), UCI commissary or Correctional Health Services shall initiate the processing of a check.
- B. Refund checks shall be submitted to inmate accounting for posting on an inmate's account.
- C. Refunds may take up to six weeks to get processed and returned to an inmate's account.

05.02 Other Refunds

- A. In the event that an inmate is charged for a department service that they did not receive, a refund may be requested.
- B. Refunds for services shall be processed as per finance protocols.
- C. Refunds may take 60 days before they are credited back to an inmate's account.

06.00 UNPAID OBLIGATIONS

06.01 General

- A. UCA 64-13-23(5) allows the department to withhold part of the offender's funds for expenses of:
 - 1. supervision or treatment;
 - 2. restitution, reparation, fines, alimony, support payments, or similar court-ordered payments;
 - 3. obtaining the inmate's DNA specimen if the inmate is required under Section 53-10-404 to provide a specimen;
 - 4. department-ordered repayment of a fine that is incurred under Section 64-13-33;
 - 5. any other debt to the state; and
 - 6. in the event that gate money is granted and an offender is returned on a parole violation within 30 days or release, 100 percent of gate money will be recouped prior to any other fund withholding until gate money is paid in full.
- B. Sixty percent of an inmate's current balance, as well as 60% of all incoming funds, shall be deducted to satisfy all unpaid obligations due until payment is received in full. Deductions shall be taken from:
 - 1. current balances of the inmate account;
 - 2. payroll; and
 - 3. incoming cash receipts.
- C. Garnishments should be taken from money earned with the exception of an ORS Lien Levy.
- D. Inmate accounting shall notify the inmate of payments deducted from their accounts through the bi-weekly inmate statement.

06.02 Garnishment of Wages/ORS Lien Levy

- A. Upon receiving a court order for garnishment, inmate accounting shall begin the process to ensure the timely withholding of the garnishment.
- B. Garnishment of an inmate's wages shall take priority over all other withholdings except for federal and state taxes.
- C. Garnishment payments shall be taken on payday from the inmates' wages paid by UDC and/or Utah Correctional Industries (UCI) only.
- D. Garnishment checks issued from inmate accounts shall be mailed once a month in conjunction with inmate payroll.

- E. Inmate accounting shall provide a notice of payment to the inmate each time a garnishment payment is withheld from the inmate's account. This notice will be sent via the inmate statement sent out bi-weekly to the inmates.

06.03 DHO/Fines

- A. Upon receipt of an original DHO fine order, inmate accounting shall open a new obligation on the inmate's account.

06.04 Medical Co-Pay Fees

- A. Inmates will be charged fees for various medical-oriented services rendered by Correctional Health Services.
- B. Inmate accounting shall rely on the accuracy and completeness of the information supplied by Clinical Health Services.

06.05 In Forma Pauperis

- A. The inmate accounting office shall process each correctly completed In Forma Pauperis in a timely manner.
- B. For Federal and State Court requests only:
 - 1. requests for Inmate Accounting information for Federal and State Court purposes will be submitted by the Court directly to the inmate accounting office electronically from the Court;
 - 2. upon receipt, a copy of the offender's 6-month statement, the FFF Initial Payment report, and the completed financial certificate form will be returned to the Court electronically or by mail. A digital copy of the statement and the FFF report will be retained by inmate accounting; and
 - 3. any request made by the offender directly to the inmate accounting office will be rejected.
- C. Upon notification from the Court of the assessed partial initial filing fee due, inmate accounting will wait for the offender to authorize the payment of the initial filing fee. It is the responsibility of the offender to ensure that the initial filing fee is paid to the Court. Inmate money transfer forms can be used for this payment.
- D. After the initial filing fee has been paid, the inmate accounting office will follow the instructions received from the Court to collect the remaining filing fee until the fee is paid in full.

07.00 INMATE PAYROLL

07.01 General

- A. Inmates may be paid for working in the institution.
- B. Inmates should keep track of their hours worked.
- C. The inmate accounting office shall rely on the accuracy and completeness of the information supplied by the work crew supervisor.
- D. Inmate work supervisors have the responsibility of tracking inmate labor hours and entering those hours into O-Track by the third working day of the following month being reported.
- E. Inmate payroll shall be posted on the second Thursday of each month.
- F. The accounting process may be adjusted to account for holidays.

07.02 Utah Correctional Industries Payroll

- A. UCI shall forward their payroll information to inmate accounting.
- B. The information shall include:

1. offender number;
 2. inmate commitment name;
 3. location code; and
 4. net amount.
- C. It shall be the responsibility of the supervising UCI officer to ensure that the correct information is supplied.
- D. The UCI financial office prepares the necessary tax information on each inmate and subtracts the tax withheld from the wages before sending the information to inmate accounting.
- E. The net money is added to each inmate's account and is billed back to UCI by invoice.
1. UCI processes the invoice through the system;
 2. a reimbursement check is received by the inmate accounting office for deposit; and
 3. UCI payroll is paid on the 15th day of each month. If the 15th is on a Saturday, it will be paid on Friday the 14th. If the 15th is on a Sunday, it will be paid on Monday the 16th.

08.00 JAIL TRANSFERS

08.01 Transfer of Funds to County Jails

- A. Upon notification of an inmate transfer to a county jail, if the UDC has a signed ACH agreement from a participating county jail, the transfer of all inmate funds to and from the county jail will be done electronically.
- B. Each Wednesday, inmate accounting will provide a list to the county jail of any offender funds that will be transferred to the jail and electronically credited to the county jail's bank account. The electronic transfer will be effective the following business day.
- C. If the county jail does not have a signed ACH agreement, transfer checks shall be processed each Wednesday by inmate accounting and mailed to the county jails.

08.02 Return of Funds from County Jails

- A. If the county jail does not have a signed ACH agreement, the county jail shall initiate a check for inmates being returned to the Utah State Prison either for housing or for release.
- B. The checks are given to the transportation officer, who logs them onto the travel form.
- C. CUCF Intake staff shall ensure that checks received from county jail transports to the CUCF for housing shall follow intake protocols.
- D. Inmate accounting shall pick up county jail checks each week from the transportation office for inmates being transported to the USCF prison for housing or parole.
1. County jail checks received by the transportation office prior to the weekly pick-up day shall be logged and secured until pick-up/delivery to inmate accounting.
- E. In the event an inmate is moved from a county jail to the prison for housing, and the check is not sent with the transporting officer, the county jail shall mail the check directly to inmate accounting.
- F. If the county jail has a signed ACH agreement, once a week, the county jail will provide a list to the inmate accounting office of any inmate funds to be transferred to the DOC offender trust account. Inmate accounting will electronically debit the county jail's bank account. The transactions will be effective the following business day.
- G. The inmate accounting office will deposit the funds into the offender's account according to the regular deposit procedures.

09.00 RELEASES

09.01 Release Process

- A. Each week, the inmate accounting office shall print a list of inmates who are expected to parole the following week.
- B. Release Checks or Release Debit cards
 - 1. Prior to each parole date, inmate accounting staff shall determine if an inmate has money owed, either gate money or a balance of account.
 - 2. Checks or debit cards shall then be processed and issued to the inmate on the date of release.
 - a. Checks or debit cards shall not be issued for balances of less than \$5.00 unless requested by the inmate.
 - b. If the inmate has \$5.00 or less left in their account, it shall remain on their account and will be available to them if they return to the custody of the department within one year.
 - c. If the inmate does not return to the custody of the department within one year, the money will then be sent to the State of Utah Unclaimed Property Division.
 - 3. If the offender does not have funds upon release but anticipates money to be deposited after the offender has been released, the inmate accounting staff shall ensure that the inmate signs and completes an Inmate Funds Release Form.
 - 4. Approximately 45 days after the inmate has been released from the institution, the inmate's account shall be reviewed.
 - a. If any funds are on the inmate's account, the amount of gratuity that may have been paid to the inmate at the time of release shall be deducted from the account balance before any funds are submitted to the inmate.
 - b. The remaining balance shall be sent to the inmate.
 - 5. Immediate releases or inmates released during non-business hours shall receive a release check by mail if appropriate.

09.03 Gate Money

- A. Gate money shall be assessed by the UDC Correctional Case Manager (CCM) based on established criteria.
- B. The inmate accounting office shall process gate money, loaded onto a debit card, based on the list generated by the DPO records office.

09.04 Discharged/Terminated Status

- A. Once an inmate's legal status has been changed to "terminated" or "discharged," outstanding UDC obligations should be transferred to the Utah Office of State Debt Collection (OSDC) for final collection.
- B. If the obligation is a court-ordered or BOPP-ordered obligation, notification must be obtained from these agencies before taking any further action on the obligation.

10.00 COMPASSIONATE TRANSFER/TRANSPORTATION AGREEMENT10.01 Compassionate Transfer Special Accounts

- A. The inmate must fund any costs associated with a requested compassionate transfer.
- B. The inmate accounting office shall be informed by the Inmate placement program coordinator of a planned compassionate transfer and the estimated costs.
- C. The inmate shall complete and send the Transportation Trust Agreement to inmate accounting.

1. A special account shall be established to collect funds for the inmate's compassionate transfer.
2. Inmate accounting shall deposit funds into this trust in accordance with the inmate's request.
3. Other requirements of the transportation trust include the statements listed below.
 - a. The funds in the trust are dedicated to transportation only (no withdrawals are allowed).
 - b. If the request is withdrawn by the inmate, funds in the trust account shall be refunded within ten days, and the inmate may not reapply for a compassionate transfer for two years.
 - c. The Transportation Agreement shall expire two years from the signature date of the agreement.
- D. When the amount of the funds in the transportation trust is equal to the estimated costs, inmate accounting shall inform the Inmate Placement Program (IPP) coordinator that a sufficient amount has been deposited into the account.
- E. If there is a change in the estimate of the transport costs from the time of preparation to final authorization, the transportation unit shall inform inmate accounting.
 1. IPP shall notify the inmate of the difference in transportation costs
 2. The inmate shall be required to make up the difference before final authorization is issued.
- F. Upon notification of the inmate's pending transfer, it will be determined if the inmate has any unpaid fines or restitution. All fines and restitution owing shall be paid prior to approval of a transfer.
- G. Upon the notification of the transfer, the UDC shall disburse the transfer funds to the appropriate agencies involved upon receiving a statement of charges.
- H. If:
 1. a balance exists in the special account after the transportation costs have been paid;
 2. the Transportation Agreement expires; and/or
 3. other sequence of events occur that leave a balance of funds in the special account; then
 4. funds remaining in the special account shall be kept in the special account until the inmate paroles/releases in the receiving state or authorization for refund is given by IPP.
 5. Inmates paroling/releasing in the receiving state shall write the IPP giving authorization and instructions as to where the remaining funds should be sent.

11.00 DECEASED INMATES

11.01 Closure of Account

- A. No funds in a deceased inmate's account shall be removed from the inmate trust fund without:
 1. an affidavit;
 2. waiting the appropriate 30 days after the death;
 3. showing appropriate identification; and
 4. direction from the Utah Attorney General's Office may supersede either of the above.
- B. Any unpaid obligations shall be deducted from the inmate's balance of the account after the 30-day waiting period, prior to any other disbursement.
- C. If no one steps forward to claim the funds of a deceased inmate, the funds shall fall under the Utah Uniform Unclaimed Property Act.

12.00 UNCLAIMED PROPERTY

12.01 General

- A. Inmates who leave the institution with funds due to them shall be required to provide a written request for their funds and a current mailing address.
- B. Unclaimed funds left on accounts shall be classified as dormant after one year from the last transaction on file.
- C. Per the Utah Uniform Unclaimed Property Act, a review of all records shall be completed each year to determine if any funds have been unclaimed for the required dormancy period, and an annual report shall be prepared.
- D. Unclaimed property funds shall be remitted to the Utah State Treasurer's office at the time of the annual report.