

 <p>ARIZONA DEPARTMENT OF CORRECTIONS</p> <p>DEPARTMENT ORDER MANUAL</p>	<p>CHAPTER: 900</p> <p>INMATE PROGRAMS AND SERVICES</p>	<p>OPR:</p> <p>AS</p>
	<p>DEPARTMENT ORDER: 905</p> <p><i>INMATE TRUST ACCOUNT/MONEY SYSTEM</i></p>	<p>SUPERSEDES:</p> <p>DO 905 (3/03/11) DI 309 (2/14/12) DI 322 (10/15/14) DI 365 (3/1/18)</p>
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PURPOSE

This Department Order establishes procedures for the Arizona Department of Corrections (Department) to act as a fiduciary for all inmate monetary transactions. These include procedures for Inmate Funds, Discharge Funds, Health and Welfare Indigent allowances, and deductions from inmate wages and mail money.

PROCEDURES

905.01 INMATE FUNDS

- 1.1 The Department shall act as a custodian for all funds received for inmates and is limited to only inmates' Inmate Trust Accounts (ITA), as accounted for on the Inmate Trust Account System.
 - 1.1.1 Institutions shall not maintain existing bank accounts for inmates. Inmates are responsible for the safekeeping and maintenance of their savings account book(s) and/or financial records. Inmates are not permitted to establish new bank accounts with any financial institution while incarcerated.
- 1.2 Negotiable instruments shall be handled as outlined in Department Order #303, Bank Accounts.
- 1.3 Funds Acceptable for Deposit
 - 1.3.1 Funds acceptable to be received for deposit to an inmate's ITA shall be in the form of an electronic funds transfer, business check or government check, money orders and cashier's checks.
 - 1.3.1.1 Cash shall only be accepted for Community Supervision Violators at the time of their return to custody.
 - 1.3.1.2 Money orders and cashier's checks shall only be accepted for Escorted Leave and Interstate Compact disbursements, and may be accepted by mail or in person at any Department Business Office.
 - 1.3.1.2.1 Funds deposited for Escorted Leave and Interstate Compact shall be placed on suspense status until the actual amounts are presented for payment. No deductions shall be taken for Escorted Leave or Interstate Compact.
 - 1.3.1.3 Business and government checks shall be made payable to "inmate legal name and inmate identification number (ADC number)" and mailed directly to the inmate using the housing unit address. All negotiable instruments shall be stamped with a restrictive deposit only endorsement stamp for the institution upon receiving these funds by mail. A pre-numbered or individually identifiable receipt shall be issued for all negotiable instruments received except for electronic funds transfers.
 - 1.3.1.3.1 Business and government checks missing the inmate ADC number shall be researched by the appropriate ITA or Accounting area to ensure the funds are deposited to the correct inmate's account.

1.3.1.4 All checks as outlined in 1.3.1 above equal to or greater than \$25 shall be placed on suspense or hold for ten workdays from the date the deposit was sent to the bank or until they clear the financial institution on which they are drawn.

1.3.1.5 All checks must be in United States (U.S.) currency only. Out of country checks in U.S. currency shall be placed on suspense or hold for ten workdays from the date the deposit was sent to the bank or until they clear the financial institution on which they are drawn. All out of country checks received that are not U.S. currency shall be returned to the sender.

1.4 Funds Not Acceptable for Deposit

1.4.1 Funds received for deposit by mail to an inmate's ITA shall not be accepted in the form of personal checks, Traveler's checks, saving bonds or on-line Bill Payment checks, and shall be returned to the sender.

1.4.2 Cash received by mail for deposit into an inmate ITA shall be deposited into the institution's Revolving Fund. A Revolving Fund check shall be:

1.4.2.1 Made payable to the sender in the amount of the cash received and shall be written, mailed or given to the sender with notification that electronic fund transfers are required.

1.4.2.2 Issued for returned or stale-dated Revolving Fund checks originally issued for cash received. These checks shall be voided and the funds deposited with the Arizona State Treasurer as Abandoned Funds.

1.4.2.3 Cash not returnable due to no return address shall be classified as Abandoned Funds and shall be deposited into the Revolving Fund Account. A Revolving Fund check shall be issued for deposit into the Abandoned Funds Account.

1.5 All monies received shall be delivered to the appropriate ITA or Accounting area within one business day. Staff shall protect and secure these funds through processing to prevent loss and theft.

1.6 The Business Manager or designee shall, when the financial institution(s) requires a signature on the Pay To The Order Of line, ensure the inmate endorses the check. No endorsements are needed if the financial institution honors the check without the signature of the inmate.

1.7 All negotiable instruments received by the Business Manager after inmates are released from custody shall be returned to the sender with a letter explaining they are no longer at the address.

1.8 The Chief Financial Officer or designee may invest ITA funds with the Arizona State Treasurer. Interest earned on the investment of inmate trust funds shall be deposited in the Special Services Fund in accordance with Department Order #303, Bank Accounts.

1.9 ITA information is confidential and shall not be disclosed to the general public.

905.02 BALANCE OF ACCOUNTS

- 1.1 Checks issued to inmates upon discharge shall remain outstanding for a period of 180 calendar days from the date of issue or until cashed, whichever occurs first.
 - 1.1.1 Stale-dated checks (checks exceeding 180 calendar days from issue) shall be purged from the ITA System automatically and held in trust on behalf of the owner for a period of one year from the date the original check was written.
 - 1.1.1.1 A single check, drawn from the ITA shall be deposited to the Abandoned Funds Account annually for the total amount of all outstanding stale-dated checks.
 - 1.1.1.2 Attached to the above check shall be a report that includes the owner's full name, ADC number, if applicable, and issue date of the checks.
 - 1.1.1.3 When the bank has charged the ITA for a stale-dated check, the Business Manager or designee shall submit an Inmate Trust, Form 905-10, to the Central Office ITA to request a check from the Abandoned Funds Account as reimbursement for the paid check. The check shall include the owner's full name, ADC number (if applicable), the amount charged by the bank and the date paid.
 - 1.1.2 Release cards issued to inmates upon release shall contain the balance of account, which includes Spendable, Dedicated Discharge Account (DDA), Retention Accounts, and Discharge monies. Any wages due after release shall be loaded onto the same release card issued to the inmate upon release.
 - 1.1.2.1 A maximum amount of \$20,000 can be loaded onto a release card at a time.
 - 1.1.2.2 Each release card can be loaded up to 3 times for a total of \$60,000.
 - 1.1.2.3 Any account balances that exceed the maximum shall be issued on a check.
 - 1.1.2.4 Inmates shall be given an information packet upon release which will include instructions on activating and using the release card, and the fees involved.
 - 1.1.3 Inmates released to Immigration Customs Enforcement (ICE), county, federal or any other jurisdiction shall be issued a check upon discharge.
- 1.2 Central Office ITA staff shall deposit all returned and undeliverable checks into the Abandoned Funds Account, including discharge checks, received from Business Managers.
 - 1.2.1 Business Office staff receiving inquiries from ex-offenders regarding funds already forwarded to the Central Office ITA shall respond to the inquiries in accordance with the Inmate Trust Account Technical Manual.

- 1.3 Annually, on or before November 30, the ITA Manager or designee shall submit a report to the Arizona Department of Revenue (ADOR) for the preceding fiscal year in accordance with ADOR guidelines. The report shall include 1.1.1.2 of this section and information on all unclaimed funds on hand, including the owner's name, and the date the funds were payable.
- 1.4 The abandoned funds shall be delivered to the ADOR no later than six months after the filing date of the report. The ADOR assumes custody and responsibility for these funds. All inquiries and/or claims against the funds shall be referred to ADOR Unclaimed Property Unit for resolution.

905.03 DISBURSEMENT OF INMATE MONIES

- 1.1 The Business Manager or designee shall make deductions from monies deposited into an inmate's ITA for mandatory deductions, Department controlled deductions and inmate initiated deductions in accordance with Attachment A, Schedule of Deductions From Inmate Monies.
 - 1.1.1 Mandatory Deductions – Deductions shall be made based upon a percentage of the deposit made into the inmate's ITA. An Inmate Request for Withdrawal form (Inmate Request for Withdrawal – Internal, Form 905-1 or Inmate Request for Withdrawal – External, Form 905-15) is not required.
 - 1.1.2 Department Controlled Deductions – Deductions shall be made after all mandatory deductions have been taken. An Inmate Request for Withdrawal form is not required.
 - 1.1.3 Inmate Initiated Deductions – Deductions shall be completed as outlined in this section on a dollar-for-dollar basis from the balance of the deposit remaining, after mandatory and Department controlled deductions have been completed.
 - 1.1.4 If sufficient funds are available at the inception of the debt, deductions shall be made immediately. If sufficient funds are not available, deductions shall be made in accordance with Attachment A for each type of deduction until the debt is satisfied.
 - 1.1.4.1 Monies still owed for Department controlled deductions and holds for inmate initiated transactions when inmates are released from the Department's custody shall be recovered from their Spendable and Retention Accounts. All monies in an inmate's DDA shall be given to the inmate.
- 1.2 Inmate Initiated Deductions – Inmates shall submit the appropriate Inmate Request for Withdrawal form to their assigned Correctional Officer III for all inmate initiated deductions, with the exception of inmate store purchases, certified statements and health care fees.
 - 1.2.1 Inmates may request disbursements from their Spendable Accounts for the following purposes:
 - 1.2.1.1 Legal copies, services, postage and supplies, as outlined in Department Order #902, Inmate Legal Access to the Courts.
 - 1.2.1.2 Health care fee in accordance with Department Order #1101, Inmate Access to Health Care.

- 1.2.1.3 Replacement Inmate Identification Card, clip or lanyard, in accordance with Department Order #704, Inmate Regulations.
- 1.2.1.4 **SECTION DELETED**
- 1.2.1.5 Retesting for High School Equivalency (HSE).
- 1.2.1.6 Medical Records copies in accordance with Department Order #1104, Inmate Medical Records.
- 1.2.1.7 Lost/damaged Inmate Resource Center/library books and Department-issued clothing.
- 1.2.1.8 Inmate Store Purchases - With the exception of over-the-counter (OTC) medication, inmates shall not make purchases from the inmate store for any amount that exceeds the amount available in their Spendable Account. Credit shall not be extended to any inmate.
- 1.2.1.9 Bus tickets for transportation when they are released from Department custody.
- 1.2.1.10 Non-legal copies, in accordance with Department Order #919, Inmate Resource Center/Library Services.
- 1.2.1.11 Additional postage/shipping fees.
- 1.2.1.12 Reimbursement for long distance telephone calls inmates were authorized to make from Department phones. This does not include payment for collect calls made by the inmate.
- 1.2.1.13 Publications in accordance with Department Order #914, Inmate Mail.
- 1.2.1.14 Remit funds payable to a company or financial institution on behalf of immediate family, as defined in this Department Order. The commercial account number shall be included on the submitted Inmate Request for Withdrawal – External form.
- 1.2.1.15 Send funds to immediate family.
- 1.2.1.16 Legal fees paid to an attorney of record (the inmate's attorney registered with the courts). Only the attorney of record may have Power of Attorney over an inmate's ITA.
- 1.2.1.17 Contributions to charitable organizations, political parties and/or candidates and other recognized organizations.
- 1.2.1.18 Contributions to religious organizations payable to the organization, not the clergy.
- 1.2.1.19 Approved religious property in accordance with Department Order #904, Inmate Religious Activities/Marriage Requests.

- 1.2.1.20 Correspondence courses, colleges, college bookstores, course materials in accordance with Department Order #910, Inmate Education, and transcripts.
- 1.2.1.21 Photographs taken in an authorized photography program at the institution/unit, in accordance with Department Order #911, Inmate Visitation.
- 1.2.1.22 Storage rental, payable to the storage company only.
- 1.2.1.23 Purchasing items from recognized retail stores or established businesses that are not available at the inmate store for the inmate's personal use and/or as gifts for immediate family to be shipped directly to the family member.
- 1.2.1.24 Inmate Fundraisers in accordance with Department Orders #303, Bank Accounts and #924, Inmate Fundraisers.
- 1.2.1.25 Interstate Compact fee - Disbursements from the inmate's Spendable Account for Interstate Compact shall be requested through the Interstate Compact Coordinator.
- 1.2.1.26 Escorted Leave - Funds for Escorted Leave shall be withdrawn from the inmate's ITA in accordance with Department Order #1005, Escorted Inmate Leave for Family Serious Illness or Funeral. Any funds received from the inmate's family shall be placed in suspense in the inmate's ITA until the Escorted Leave is completed and the actual amounts are presented for payment.
- 1.2.1.27 Inmate Programs and Reentry workbook replacement.
- 1.2.2 Requested inmate initiated deductions not specified above shall be approved or denied in accordance with 1.2.4 and 1.2.5.2 through 1.2.5.3.2 of this section.
- 1.2.3 Allowable Expenditures With Insufficient Funds and Allowable Hold
 - 1.2.3.1 Allowable expenditures even when inmates have insufficient funds in their Spendable Account shall include:
 - 1.2.3.1.1 Utilities.
 - 1.2.3.1.2 OTC medication.
 - 1.2.3.1.3 Certified statements for State and federal filing fees in accordance with section 905.10 of this Department Order.
 - 1.2.3.1.4 1.2.1.1 through 1.2.1.7 of this section.
 - 1.2.3.2 ITAs of inmates allowed expenditures when they have had insufficient funds in their Spendable Account shall be placed on hold until there are enough funds in the account to cover the charges.
 - 1.2.3.2.1 The Director or designee shall be the authority for placing holds on an inmate's ITA.

- 1.2.4 Internal Disbursement Review and Disposition - When funds do not need to be mailed outside the Department (i.e., copies or postage), inmates shall submit an Inmate Request for Withdrawal – Internal, Form 905-1, to the Correctional Officer III or designee, who shall approve or deny the form.
- 1.2.5 External Disbursements
 - 1.2.5.1 Inmates shall submit the following to their assigned Correctional Officer III:
 - 1.2.5.1.1 The Inmate Request for Withdrawal - External form when monies need to be sent outside the Department.
 - 1.2.5.1.2 Documentation that substantiates the request for funds. When requesting funds to be sent to or on behalf of immediate family, documentation that substantiates the relationship may be requested.
 - 1.2.5.1.3 A stamped, addressed envelope to mail the check.
 - 1.2.5.2 The Correctional Officer III or designee shall complete his/her portion of the Inmate Request for Withdrawal – External form. Forms recommending the disbursement shall be forwarded to the Deputy Warden. Forms disapproving requested disbursements shall be returned to the inmate unprocessed.
 - 1.2.5.3 The Deputy Warden shall:
 - 1.2.5.3.1 If the requested disbursement is listed in 1.2.1 through 1.2.1.26 of this section, indicate the final disposition on the form.
 - 1.2.5.3.2 If the requested disbursement is not listed in 1.2.1 through 1.2.1.26 of this section, indicate disapproval or recommendation on the form and forward it to the appropriate ROD, who shall indicate the final disposition on the form.
- 1.2.6 When inmates receive products and services prior to the completion of an Inmate Request for Withdrawal form in error and refuse to sign the form, the Correctional Officer III or designee shall annotate the refusal on the form and forward it to the Deputy Warden for approval of the charge.
- 1.2.7 If inmates have not repaid the Department for holds on inmate initiated transactions prior to being released, their ITA shall remain on hold indefinitely. Funds shall be collected upon their return to incarceration if inmates are reincarcerated at a future date.

- 1.3 Retention Account - Inmates may gain access to their Retention Account for emergency purposes in accordance with this section. Refer to Attachment D, Retention Account Monies for additional information on commonly approved Retention Account disbursements.
 - 1.3.1 Inmates shall submit the following to their assigned Correctional Officer III:
 - 1.3.1.1 A completed Inmate Request for Retention Funds, Form 905-8, including the Nature of Emergency portion of the form.
 - 1.3.1.2 Supporting documentation that substantiates the request for funds. When requesting funds to be sent to or on behalf of immediate family, documentation that substantiates the relationship may be requested.
 - 1.3.1.3 A stamped, addressed envelope to mail the check.
 - 1.3.1.4 **SECTION DELETED**
 - 1.3.2 Review and Disposition Process
 - 1.3.2.1 The Correctional Officer III or designee, and the Warden or designee shall complete their portion of the Inmate Request for Retention Funds form, as appropriate.
 - 1.3.2.1.1 Forms recommending disbursements shall be forwarded to the next level of review listed on the form. Forms disapproving disbursements shall be returned to the inmate unprocessed.
 - 1.3.2.2 The Division Director for Offender Operations shall indicate the final disposition on the form unless disapproved at a lower level.
 - 1.3.3 Any checks returned to the inmate for funds originally disbursed from the Retention Account shall be returned to the inmate's Retention Account.
- 1.4 Inmates wishing to dispute disbursements from their ITA shall complete an Inmate Letter, Form 916-1, within six months of the posting date or the request shall be denied.
- 1.5 Inmates may request a stop payment of checks and copies of checks from their individual ITAs by submitting an Inmate Letter to the Business Office where they are housed, who shall email a completed Inmate Banking Stop Payment/Check Copy, Form 905-6, to the Central Office ITA for processing.
- 1.6 Inmates may request an ITA Monthly printout/statement by submitting an Inmate Letter to their assigned Correctional Officer III or Case Manager. Inmates shall only make this request every 30 calendar days.
 - 1.6.1 Within five calendar days of receipt of the Inmate Letter, the Correctional Officer III or designee shall provide the printout/statement to the inmate free of charge.

905.04 HEALTH AND WELFARE INDIGENT INMATE ALLOWANCES

1.1 Health and Welfare Indigent Status

1.1.1 Inmates who did not have \$12 available in their Spendable Account balance during the previous 30 calendar days may request Health and Welfare Indigent status by submitting an Application for Health and Welfare Indigent Status, Form 905-2, to their assigned Correctional Officer III, who shall ensure the form is complete.

1.2 Assigned ITA staff shall:

1.2.1 Determine eligibility by determining if the inmate's Spendable Account had \$12 available at any time during the previous 30 calendar days.

1.2.2 Indicate their approval or disapproval on the application.

1.2.3 Distribute approved applications.

1.2.4 Return the disapproved application to the inmate and retain a copy.

1.3 In order to maintain their status and receive Health and Welfare Indigent supplies, inmates shall submit a new application for each 30 calendar day period, and meet the eligibility requirements.

1.4 Inmates shall not be given Health and Welfare Indigent status automatically when transferred from one institution to another or from one custody level to another within the institution. A new application is required.

1.5 Health and Welfare Items

1.5.1 Health and Welfare Indigent inmates may request the following Health and Welfare items through the inmate store:

1.5.1.1 On a monthly basis:

1.5.1.1.1 Comb.

1.5.1.1.2 Toothpaste and toothbrush.

1.5.1.1.3 Shaving cream.

1.5.1.1.4 Denture cleaner tablets.

1.5.1.1.5 Denture cup and brush.

1.5.1.1.6 Denture adhesive pad or cream/paste.

1.5.1.1.7 Pre-stamped envelopes and Global stamps, in accordance with Department Order #914, Inmate Mail.

1.5.1.1.8 One writing tablet and one pencil.

1.5.1.1.9 Sanitary napkins and/or tampons.

1.5.1.2 On a weekly basis:

1.5.1.2.1 **SECTION DELETED**

- 1.5.1.2.2 Laundry detergent.
- 1.5.1.2.3 Bath soap.
- 1.5.1.2.4 Two disposable razors.
- 1.5.1.2.5 Shampoo.
- 1.5.1.2.6 Deodorant.

1.5.2 Staff shall:

- 1.5.2.1 Issue cleaning supplies and shower shoes (one initial pair) as necessary.
- 1.5.2.2 Ensure inmates are issued supplies within five workdays of receipt of an approved Application for Health and Welfare Indigent Status form.

1.5.3 Motor Vehicle Division (MVD) Credential – Inmates shall receive an MVD credential in accordance with Department Order #1001, Inmate Release System, free of charge if no DDA funds are available, and they are not eligible for a discharge allowance.

905.05 FORFEIT OF INMATE EARNINGS UPON ESCAPE

- 1.1 The senior correctional staff member on duty shall notify the Business Manager or designee upon verification of an escape or the following workday.
- 1.2 The Business Manager or designee shall:
 - 1.2.1 Ensure the inmate's ITA is immediately placed on "Frozen" status by contacting the Central Office ITA Manager or designee. The only time the "Bank Account Status" field shall be changed to "Frozen" status is when an inmate is under "Escape" status.
 - 1.2.2 Ensure the posting of receipts to the escapee's ITA is as follows:
 - 1.2.2.1 All pending inmate store purchases and other inmate initiated transactions for which the inmate has received goods or services shall be posted.
 - 1.2.2.2 All other pending inmate initiated transactions shall not be posted to the ITA. Inmate Request for Withdrawal forms shall be marked "VOID", with the escapee's ADC number and the escape date. A copy shall be made and retained by the Business Office.
 - 1.2.3 Use Attachment C, Example of Forfeiture of Inmate Monies Upon Escape, to calculate the amount to be forfeited to the Inmate Store Proceeds (ISP) Fund and the amount to be encumbered in the inmate's spendable balance.
 - 1.2.3.1 Calculations shall begin at a point in time where the inmate's ITA had a less than \$5 balance. If this less than \$5 balance has not occurred during the last six months, the lowest balance during the last six-month period shall be used.
 - 1.2.3.1.1 The beginning amount shall be considered unearned income.

- 1.2.3.1.2 Monies received by an inmate from Work Incentive Pay Plan (WIPP), Arizona Correctional Industries (ACI) contracted and/or associated jobs or any job at which an inmate earns monies while incarcerated is considered earned income.

905.06 ESCAPEE APPREHENSION COSTS

- 1.1 The Incident Commander, Chief of Security or designee (for institution investigator and non-investigator staff), the Division Director for Offender Operations, Chief Financial Officer, and the Inspector General shall ensure:
 - 1.1.1 All escapee apprehension costs as defined in this Department Order are documented and provided to the Business Manager or designee where the escape occurred within five workdays of the termination of the pursuit/chase, as applicable. Documentation shall include:
 - 1.1.1.1 A mileage and operations log for each vehicle that reflects actual miles driven, the amount of fuels, oils and other lubricants used, and required tires, batteries and accessories.
 - 1.1.1.2 All staff food and expense receipts, which include the name, dates and costs for each.
 - 1.1.1.2.1 Meals provided from the institution Food Services Contractor shall be recorded based on the cost per meal allocation or Food Services Contractor costs and include the staff name(s) who would not have normally been on duty had it not been for the escape. Accurate counts shall be maintained for costs.
 - 1.1.2 Employee Time Entry (ETE)/Positive Attendance Reports (PAR) properly reflect all regular and overtime/compensatory hours worked by staff based solely on the escape.
 - 1.1.2.1 Regular hours shall be recorded as escapee apprehension costs as they are not working their regular assigned place of duty.
- 1.2 Every office involved in the escapee apprehension shall send all reproduction (copying) and publication costs incurred as a result of the escape to the Business Manager where the escape occurred within five workdays of the termination of the pursuit/chase.
- 1.3 The institution Business Manager or designee shall:
 - 1.3.1 Coordinate with county and/or city officials to obtain actual or estimated costs the Department will be required to pay due to the jail charges, if appropriate, based on the escapee(s) being held at facilities other than those of the Department.
 - 1.3.2 Prepare a consolidated report to show the total costs incurred in each area of staff time, food, lodging, etc., and use the documents received from all sources as back up.

- 1.3.3 Submit the consolidated report to the County Attorney's Office within three weeks after the apprehension.
 - 1.3.3.1 A copy of the report shall be provided to the Division Director for Offender Operations and the Chief Financial Officer.
- 1.3.4 Be available to the County Attorney to assist in and/or answer questions pertaining to the apprehension costs.
- 1.3.5 Maintain appropriate accounting records to reflect the payments made, dates, amounts and balances due.
- 1.4 Collection of escapee apprehension costs made in the same fiscal year in which the expenses were incurred shall be deposited in the institution's operating funds. Collections made from the inmate's ITA in subsequent fiscal year(s) shall be deposited into the Arizona State Treasurer, General Fund.

905.07 COURT-ORDERED, DISCIPLINARY AND RISK MANAGEMENT RESTITUTION

- 1.1 Court-Ordered Restitution - Upon receipt of a decision ordering inmates responsible for restitution, the Central Office ITA shall set up the deduction in accordance with Attachment A.
 - 1.1.1 Judicial proceedings or decisions of the Courts are not grievable in accordance with Department Order #802, Inmate Grievance Procedure.
- 1.2 Disciplinary Restitution
 - 1.2.1 Disciplinary restitution shall be determined in accordance with Department Orders #803, Inmate Disciplinary Procedure and #116, Employee Communicable Disease Exposure Control Plan.
 - 1.2.2 Upon determination of restitution amounts, Disciplinary Coordinators/Hearing Officers shall forward copies of final rulings to the institution Business Office.
 - 1.2.3 The Business Manager or designee shall make the deduction if funds are available or set up the deduction and provide written notification to the Central Office ITA.
- 1.3 Arizona Department of Administration (ADOA) Risk Management Charge
 - 1.3.1 Upon receipt of notification of the ADOA Risk Management Charge, Central Office ITA staff shall:
 - 1.3.1.1 Immediately make the deduction if funds are available or set up the deduction in accordance with Attachment A.
 - 1.3.1.2 Provide written notification to Business Office staff, where the inmate is housed, who shall provide notification to the inmate.
 - 1.3.2 Inmates may grieve the circumstances on which the charge is based in accordance with Department Order #802, Inmate Grievance Procedure, but not the validity of the amount of the claim.

I 905.08 DISCHARGED MONIES, MVD, CLOTHING AND TRANSPORTATION

- 1.1 Dedicated Discharge Accounts (DDA) shall be established for all inmates.
 - 1.1.1 The Department shall withhold 25% of gross wages earned by each inmate and deposit this amount into the inmate's DDA, until the balance of the account reaches \$50 for a natural life sentence and \$250 for all other inmates.
 - 1.1.2 The DDA shall be reserved (regardless of sentence length) until the inmate's discharge or release from the Department and shall not be considered available funds when computing Health and Welfare Indigent status.
 - 1.1.3 MVD credentials shall be deducted from the DDA, no later than 45 calendar days prior to release.
 - 1.1.4 Inmates shall be provided the balance of their DDA in accordance with Attachment B, Discharge Procedures: Inmate Funds and Discharge Allowance, upon discharge from the Department or release to Community Supervision.
 - 1.1.5 Any wages deposited after the inmate is discharged shall not be eligible for the dedicated discharge deduction. If a deduction is made, it shall be moved and included with the spendable amount.
- 1.2 Eligibility Criteria for Discharge Allowance and Clothing – An inmate may be entitled to a discharge allowance upon release or discharge, including a supervised release. Checks or cash shall not be issued in lieu of clothing.
 - 1.2.1 Inmates shall be provided gender appropriate clothing upon release or discharge, as follows:
 - 1.2.1.1 One pair of blue jeans.
 - 1.2.1.2 One shirt.
 - 1.2.1.3 One pair of underwear/panties.
 - 1.2.1.4 One bra.
 - 1.2.1.5 One pair of hosiery or socks.
 - 1.2.1.6 One pair of shoes or boots for inmates who do not own personal footwear (inmates wearing footwear that has been issued to them shall not be issued new footwear prior to their discharge).
 - 1.2.1.7 Female inmates may choose a dress, instead of jeans and a shirt or a skirt instead of jeans at facilities where donated clothing is available.
 - 1.2.2 An inmate with less than \$50 in a DDA shall receive the discharge allowance amount needed to make a total of \$50 from the discharge fund, if eligible. (See Attachment B)
- 1.3 Determination of Eligibility – Before an inmate is released or discharged, staff shall:
 - 1.3.1 Confirm the inmate's entitlement to a discharge allowance by examining the inmate's Adult Information Management System (AIMS) ITA Detail and Movement screen.

- 1.3.2 Ensure inmates who meet the eligibility criteria receive the discharge allowance, minus any MVD credential expenses, not to exceed \$50. If eligible, the discharge allowance shall be included in the amount loaded on the Discharge Card or in an Inmate Trust fund check if the inmate is not released to the community.
- 1.4 Transportation Assistance for Paroled/Discharged Inmates – When appropriate, Wardens may issue discharged inmates and/or paroled inmates, if consistent with the signed Conditions of Supervision a nontransferable bus or train ticket from the bus or train station closest to the first station beyond the State limits.
 - 1.4.1 Checks or cash shall not be issued in lieu of a ticket.
 - 1.4.2 Tickets shall be purchased from discharge appropriated monies. Tickets not used within three calendar days of an inmate’s discharge date shall be voided and the funds returned to the DDA, unless use of the ticket was precluded because of the inmate’s illness.
 - 1.4.3 All exceptions shall be approved by the Division Director for Offender Operations.
- 1.5 The Department shall reimburse any discharge expenses incurred by private prisons.

905.09 UTILITY CHARGING

- 1.1 Inmates shall be allowed the number of electrical and other powered appliances as authorized in Department Order #909, Inmate Property. It is the responsibility of each unit’s Property Officer to notify the Business Manager of all inmates who possess electrical appliances by submitting a Utility Charging – Status Change Request, Form 905-12, for each inmate housed in the facility.
- 1.2 Except as identified in this section, inmates shall be charged a fee of \$2 per month for utility expenses for each month they possess one or more electrical appliances as defined in Department Order #909, Inmate Property. This includes any item previously authorized such as fans and radios, which use electrical current from the Physical Plant. The unit where the inmate is assigned on the third Saturday of the month shall be the unit charging the inmate.
 - 1.2.1 The inmate shall be charged the full amount of \$2 regardless of the number of days they possessed the appliance during the month. If the inmate does not have sufficient funds for the utility charge, a hold shall be placed on the inmate’s ITA.
 - 1.2.2 Inmates who lose the privilege to possess all electrical appliances through the disciplinary process shall request a refund of the utility charge using a Utility Charging – Status Change Request form. Refunds shall be authorized only if all appliances were physically out of the inmate’s possession for the entire month. The request shall be reviewed by the Correctional Officer III and Deputy Warden. If a refund is approved, the form shall be forwarded to the Business Office for processing.

1.3 Exemptions

1.3.1 Inmates assigned to the following locations are not required to pay a utility charge:

1.3.1.1 ASPC-Florence, Central Unit - Housing Unit 8.

1.3.1.2 ASPC-Eyman, Special Management Unit (SMU) I – Behavioral Management Unit.

1.3.1.3 ASPC–Perryville, Female Reception Center Intake and Women’s Treatment Unit.

1.3.1.4 ASPC–Phoenix, Alhambra Unit – Male Reception Center Intake and Baker Ward (Licensed Mental Health Facility).

1.3.1.5 ASPC–Phoenix, Flamenco Unit (Licensed Mental Health Facility) and Aspen Special Programs Unit.

1.3.1.6 Inpatient Component Units at ASPC–Florence, Lewis, Perryville and Tucson.

1.3.2 The following are exempt from paying utility charges:

1.3.2.1 Inmates classified as minors.

1.3.2.2 Inmates possessing only medically prescribed electrical appliances.

1.4 Inmate Property Room staff shall, by the 10th calendar day of the month, notify the Business Office of any changes (i.e., inmates who have received or sent out appliances during the preceding month) using a Utility Charging – Status Change Request form. The transfer of an inmate to a different unit or institution does not require a change to the utility charging status. The Business Office shall enter the data in the appropriate ITA screen.

1.5 The Financial Services Bureau shall initiate the utility charge batch run on AIMS on the third Saturday of the month. A system-generated deduction report by institution shall be used to prepare the deposit to the Arizona State Treasurer for amounts collected, to reduce the utility expenses for the appropriate institution. A copy of the deduction report shall be forwarded to each institution’s Business Manager.

1.5.1 Funds collected for inmates at private prison facilities shall be deposited as a reduction of per diem expense.

1.6 The Chief Financial Officer or designee shall prepare a report to the Director for the Joint Legislative Budget Committee and the Director of the Governor's Office of Strategic Planning and Budgeting by September 1 of each year detailing the collection and expenditure of monies collected from inmates as utility charges.

905.10 FILING LAWSUITS WITH STATE AND FEDERAL COURTS – In order to file lawsuits with the state and federal courts, inmates must provide a certified statement of account to the court.

- 1.1 To request a certified statement of account, inmates shall send an Inmate Letter, Form 916-1, to the Business Office where they are housed, who shall scan and email the Inmate Letter to Central Office ITA.
- 1.2 Within five workdays of receiving the Inmate Letter, Central Office ITA staff shall process the request and email the certified statement, Signature of Authorized Employee and a Memo of Instructions to the Business Office where the inmate is housed.
- 1.3 Business Office staff where the inmate is housed shall process and document the request in accordance with the Unit Certified Statement Procedure. The signed Inmate Letter is authorization to charge the inmate for the Certified Statement.
 - 1.3.1 Inmates shall be charged \$0.25 per page and a memo shall be sent to the Business Manager directing the collection of the fee. If funds are not available, the inmate's Spendable Account shall be placed on hold for the amount.
- 1.4 The inmate shall present the completed form "Application to Proceed in Forma Pauperis" and the certified statements to their assigned Correctional Officer III for certification. The certified application shall be returned to the inmate who is responsible for filing a petition with the court. The application shall not be certified by the unit's Business Office.

IMPLEMENTATION

The Chief Financial Officer and the Central Office ITA Manager shall update and maintain the Inmate Trust Account Technical Manual addressing at a minimum:

- Inmate Trust Accounts.
- Inmate Trust Funds.
- Disbursement of Inmate Monies.
- Forfeiture of Inmate Monies.

DEFINITIONS

ALCOHOL ABUSE TREATMENT FUND (AATF) – The Department's account for money that accrues from work performed by persons convicted for driving while intoxicated or driving under the influence of alcohol and/or drugs. Funds from this account are used to provide alcohol/substance abuse treatment for inmates incarcerated for Driving Under the Influence (DUI) offenses.

BUSINESS CHECKS – Checks received through the mail for deposit into the Spendable Account limited to Payroll (final payroll for new inmates), Vendor refunds (for purchases made while incarcerated), Annuity (issued by an insurance or investment company), and one-time Trust, Inheritance, and Settlement checks drawn on a business, estate, or trust account.

COMPENSATION – Any remuneration received for the performance of inmate work in Prison Industries Programs, private sector, prison contracts or WIPP.

COURT ORDERED CHILD SUPPORT – Payments made by the inmate to any person as ordered by a court for support or voluntary payments made by the inmate to any person for support that is verified to be a bona fide dependent of the inmate from documentation such as birth certificates, federal and state income tax records, marriage license, adoption or guardian records, etc.

DEDICATED DISCHARGE ACCOUNT – An account that is established from a percentage of an inmate's wages, which contains a maximum of \$50 for inmates serving a sentence of natural life sentence, and \$250 for all other inmates, and that is held for the inmate's discharge or release from prison. MVD credentials shall be deducted from the DDA.

DEPENDENT – A person who relies on another for support.

DISCHARGE ALLOWANCE – Funds issued to an eligible inmate upon the inmate's parole or discharge from the Department's custody. Discharge Allowance is expended from funds that are appropriated to the Department, not to exceed \$50. MVD credentials shall be deducted from discharge allowance if there is no DDA available.

ELECTRONIC FUNDS TRANSFER – The electronic movement of data between banks which results in a fund transfer between bank accounts. Additional information regarding the acceptance of electronic funds transfers is available on the Department's public website at <https://corrections.az.gov/>.

ESCAPE APPREHENSION COSTS – Expenses incurred by the Department in connection with the pursuit, investigation and/or capture of escapee(s), including staff time, food, lodging, travel, vehicle operation, materials, copying and publication, and costs that would not have been incurred if there was not an escape.

GOVERNMENT CHECKS – Checks received through the mail for deposit into the Spendable Account limited to city, county, state, federal, and tribal Checks.

HEALTH AND WELFARE INDIGENT – An inmate who has applied for, and been approved, to receive free health care supplies as a result of meeting established financial requirements.

IMMEDIATE FAMILY – For the purposes of this Department Order, family identified as an inmate's legal spouse, natural or adopted parents, natural or adopted children (or legal guardian of said children), stepchildren, grandparents, or person verified as being primarily responsible for raising the inmate in the absence of a parent.

INMATE TRUST ACCOUNTS – The Complex Business Office staff responsible for posting deposits and withdrawals to ITAs.

INMATE TRUST ACCOUNT FUNDS – Funds received from any source and held by the Department in trust for each inmate, comprised of the DDA, Retention Account and the Spendable Account.

INVESTMENT – Funds invested with the Arizona State Treasurer for the specific purpose of earning interest on the deposit(s).

MAIL MONEY – Monies received through the mail, County Intake, or electronic fund transaction for deposit into the Spendable Account (does not include refunds).

NEGOTIABLE INSTRUMENTS – A document guaranteeing the payment of a specific amount of money, either on demand, or at a set time, with the payer named on the document.

PRISON INDUSTRIES PROGRAM – Any work activity engaged in by adult inmates assigned to an institution, including ACI, Prison Industry Enhancement (PIE) program, and ACI Work Contracts. This program excludes WIPP and ISP paid inmate income.

RESTITUTION – Court-ordered restitution is payment by the inmate to a victim as ordered by the court. Disciplinary restitution is payment by the inmate to the Department as ordered in a disciplinary hearing.

RETENTION – Monies accrued from wage compensation in accordance with Attachment A.

TAXATION/RISK MANAGEMENT – Deducting monies in any ITA managed by the Department on behalf of an inmate after a decision is received that orders the inmate to pay court costs, attorney fees and/or punitive damages. All funds in the inmate's ITA that are not otherwise designated for dependent care, room and board, court-ordered restitution or prior disciplinary restitution are subject to taxation.

SPENDABLE BALANCE – Remaining balance in the inmate's ITA after expenditures have been deducted. This balance is sometimes referred to as Spendable Account.

{Original Signature on File}

Charles L. Ryan
Director

ATTACHMENTS

- Attachment A, Schedule of Deductions From Inmate Monies
- Attachment B, Discharge Procedures: Inmate Funds and Discharge Allowance
- Attachment C, Example of Forfeiture of Inmate Monies Upon Escape
- Attachment D, Inmate Retention Monies
- Attachment E, Schedule of Deductions From Mail Monies

FORMS LIST

- 905-1, Inmate Request for Withdrawal - Internal
- 905-2, Application for Health and Welfare Indigent Status
- 905-6, Inmate Banking Stop Payment/Check Copy
- 905-8, Inmate Request for Retention Funds
- 905-10, Inmate Trust
- 905-12, Utility Charging - Status Change Request
- 905-15, Inmate Request for Withdrawal – External

CROSS-REFERENCE INDEX

- Department Order #106, Contract Beds
- Department Order #116, Employee Communicable Disease Exposure Control Plan
- Department Order #301, Fiscal Management
- Department Order #303, Bank Accounts
- Department Order #526, Victim Services
- Department Order #704, Inmate Regulations
- Department Order #707, Inmate Escape Prevention/Response
- Department Order #803, Inmate Disciplinary Procedure
- Department Order #902, Inmate Legal Access to the Courts
- Department Order #904, Inmate Religious Activities/Marriage Requests
- Department Order #909, Inmate Property
- Department Order #910, Inmate Education
- Department Order #914, Inmate Mail
- Department Order #919, Inmate Resource Center/Library Services
- Department Order #921, Tribal Government Relations
- Department Order #1001, Inmate Release System
- Department Order #1005, Emergency Escorted Inmate Leave for Family Serious Illness or Funeral

AUTHORITY

A.R.S. § 12-302, Extensions of Time for Payment of Fees and Costs; Relief from Default for Nonpayment; Deferral or Waiver of Court Fees and Costs; Definitions
A.R.S. § 13-4401, Definitions
A.R.S. § 23-1023, Liability of Third Person to Injured Employee; Election of Remedies
A.R.S. § 28-1383, Aggravated Driving or Actual Physical Control While Under the Influence; Violation; Classification; Definition
A.R.S. § 31-201.01, Duties of the Director; Tort Actions; Medical Treatment Costs; State Immunity; Definitions
A.R.S. § 31-228, Procedure for Discharge of Prisoner, Return of Property; Furnishing Money, Clothing and Transportation Ticket; Allowing Hair to Grow Before Discharge
A.R.S. § 31-230, Prisoner Spendable Accounts; Fees
A.R.S. § 31-237, Dedicated Discharge Accounts
A.R.S. § 31-239, Utility Fees
A.R.S. § 31-254, Compensation for Labor Performed; Price of Prison Made Articles; Distribution of Earnings; Workers' Compensation
A.R.S. § 31-255, Alcohol Abuse Treatment Fund
A.R.S. § 31-323, Compensation for Prisoner Participation in Approved Programs; Trust Fund or Retention Account
A.R.S. § 31-342, Escape; Liability For Costs Incurred In Apprehension
A.R.S. § 41-1604.02, Inmate Stores; Establishment; Privatization; Prices; Goods; Inmate Store Proceeds Fund
A.R.S. § 41-1604.03, Special Services Fund; Uses; Report
A.R.S. § 41-1604.04, Investment of Special Service Funds Monies; Approval; Deposit of Proceeds
A.R.S. § 41-1604.05, Investment of Offenders' Funds; Deposit of Proceeds; Commingling Permitted
A.R.S. § 41-1613, Community Correctional Centers; Powers and Duties; Allocation of Compensation; Absence Without Leave; Classification; Notice, Hearing; Location
A.R.S. § 41-1674, Compensation of Employed Prisoners; Payment and Disposition

SCHEDULE OF DEDUCTIONS FROM INMATE MONIES

INMATE WAGES LESS THAN \$2.00

Deduction (Code)	Statute	Basis For Deduction
MANDATORY DEDUCTIONS		
ALCOHOL ABUSE TREATMENT FUND (51)	A.R.S. § 31-255, Alcohol Abuse Treatment Fund	For a DUI offense, in accordance with A.R.S. § 31-255, 67% of gross wages or \$.50 per hour, whichever is less.
DEDICATED DISCHARGE ACCOUNT (13)	A.R.S. § 31-237, Dedicated Discharge Accounts and A.R.S. § 31-254, Compensation For Labor Performed; Price of Prison Made Articles; Distribution of Earnings; Workers' Compensation	25% of gross wages until \$50 is accumulated for inmates serving a natural life sentence and \$250 for all other inmates.
TRANSITION FEES (54)	A.R.S. § 31-254, Compensation For Labor Performed; Price of Prison Made Articles; Distribution of Earnings; Workers' Compensation	5% of gross wages (Inmates with DUI offenses are exempt.)
COURT ORDERED CHILD SUPPORT (32)	A.R.S. § 31-254, Compensation For Labor Performed; Price of Prison Made Articles; Distribution of Earnings; Workers' Compensation	30% of gross wages
**SPENDABLE BALANCE	Gross wages minus mandatory deductions = spendable balance	
DEPARTMENT CONTROLLED DEDUCTIONS		
ITA FEES (58)	A.R.S. § 31-254, Compensation For Labor Performed; Price of Prison Made Articles; Distribution of Earnings; Workers' Compensation	**1% of deposits to spendable
COURT ORDERED RESTITUTION (24)	A.R.S. § 31-230, Prisoner Spendable Accounts; Fees	**20% of deposits to spendable
STATE FILING FEES (37)	A.R.S. § 31-254, Compensation For Labor Performed; Price of Prison Made Articles; Distribution of Earnings; Workers' Compensation	**20% of deposits to spendable
FEDERAL FILING FEES (35)	A.R.S. § 31-254, Compensation For Labor Performed; Price of Prison Made Articles; Distribution of Earnings; Workers' Compensation	**20% of deposits to spendable
DISCIPLINARY RESTITUTION (41)	A.R.S. § 31-201.01, Duties of the Director; Tort Actions; Medical Treatment Costs; State Immunity; Definitions	**10% of deposits to spendable
TAXATION/RISK MANAGEMENT (34)	A.R.S. § 23-1023, Liability of Third Person to Injured Employee; Election of Remedies	**10% of deposits to spendable
ESCAPEE APPREHENSION (33)	A.R.S. § 31-342, Escape; Liability For Costs Incurred In Apprehension and A.R.S § 31-254, Compensation For Labor Performed; Price of Prison Made Articles; Distribution of Earnings; Workers' Compensation	**10% of deposits to spendable
REMAINING TO SPENDABLE	Gross wages minus mandatory & Department controlled deductions equal – REMAINING TO SPENDABLE BALANCE	
UTILITY CHARGES (36)	A.R.S. § 31-239, Utility Fees	\$2.00 collected from existing spendable balance the third Saturday of each month
HOLDS (NSF items)	Can be collected in FULL from existing encumbered balances	
ERROR CORRECTION	To correct overpayments. Can be processed without inmate authorization with documentation.	

INMATE WAGES \$2.00 OR MORE (NOT P.I.E.)

Deduction (Code)	Statute	Basis For Deduction
MANDATORY DEDUCTIONS		
*** SPENDABLE	A.R.S. § 31-254, Compensation For Labor Performed; Price of Prison Made Articles; Distribution of Earnings; Workers' Compensation	Hours Worked x \$0.50
ALCOHOL ABUSE TREATMENT FUND (51)	A.R.S. § 31-255, Alcohol Abuse Treatment Fund	Hours Worked x \$0.50 (Inmates with DUI offenses only)
DEDICATED DISCHARGE ACCOUNT (13)	A.R.S. § 31-237, Dedicated Discharge Accounts and A.R.S. § 31-254, Compensation For Labor Performed; Price of Prison Made Articles; Distribution of Earnings; Workers' Compensation	25% of gross wages until \$50 is accumulated for inmates serving a natural life sentence and \$250 for all other inmates.
TRANSITION FEES (54)	A.R.S. § 31-237, Dedicated Discharge Accounts and A.R.S. § 31-254, Compensation For Labor Performed; Price of Prison Made Articles; Distribution of Earnings; Workers' Compensation	5% of gross wages (Inmates with DUI offenses are exempt.)
ROOM AND BOARD (21)	A.R.S. § 31-237, Dedicated Discharge Accounts and A.R.S. § 31-254, Compensation For Labor Performed; Price of Prison Made Articles; Distribution of Earnings; Workers' Compensation	30% of gross wages
COURT ORDERED CHILD SUPPORT (32)	A.R.S. § 31-254, Compensation For Labor Performed; Price of Prison Made Articles; Distribution of Earnings; Workers' Compensation	30% of gross wages
** PLUS 10% TO SPENDABLE	A.R.S. § 31-254, Compensation For Labor Performed; Price of Prison Made Articles; Distribution of Earnings; Workers' Compensation	10% of balance = Gross minus mandatory deductions
BALANCE TO RETENTION	A.R.S. § 31-254, Compensation For Labor Performed; Price of Prison Made Articles; Distribution of Earnings; Workers' Compensation	Gross minus mandatory and spendable deductions goes to retention
DEPARTMENT CONTROLLED DEDUCTIONS		
ITA FEES (58)	A.R.S. § 31-254, Compensation For Labor Performed; Price of Prison Made Articles; Distribution of Earnings; Workers' Compensation	**1% of deposits to spendable
COURT ORDERED RESTITUTION (24)	A.R.S. § 31-230, Prisoner Spendable Accounts; Fees	**20% of deposits to spendable
STATE FILING FEES (37)	A.R.S. § 31-254, Compensation For Labor Performed; Price of Prison Made Articles; Distribution of Earnings; Workers' Compensation	**20% of deposits to spendable
FEDERAL FILING FEES (35)	A.R.S. § 31-254, Compensation For Labor Performed; Price of Prison Made Articles; Distribution of Earnings; Workers' Compensation	**20% of deposits to spendable

INMATE WAGES \$2.00 OR MORE (NOT P.I.E.), CONTINUED

Deduction (Code)	Statute	Basis For Deduction
DISCIPLINARY RESTITUTION (41)	A.R.S. § 31-201.01, Duties of the Director; Tort Actions; Medical Treatment Costs; State Immunity; Definitions	**10% of deposits to spendable
TAXATION/RISK MANAGEMENT (34)	A.R.S. § 23-1023, Liability of Third Person to Injured Employee; Election of Remedies	**10% of deposits to spendable
ESCAPEE APPREHENSION (33)	A.R.S. § 31-342, Escape; Liability For Costs Incurred In Apprehension and A.R.S § 31-254, Compensation For Labor Performed; Price of Prison Made Articles; Distribution of Earnings; Workers' Compensation	**10% of deposits to spendable
REMAINING TO SPENDABLE	Gross wages minus mandatory & Department controlled deductions equal – REMAINING TO SPENDABLE BALANCE	
UTILITY CHARGES (36)	A.R.S. § 31-239, Utility Fees	\$2.00 to be collected from existing spendable balance the third Saturday of each month
HOLDS (NSF items)	Can be collected in FULL from existing encumbered balances	
ERROR CORRECTION	To correct overpayments. Can be processed without inmate authorization with documentation.	

P.I.E. INMATE WAGES GREATER THAN \$2.00

Deduction (Code)	Statute	Basis For Deduction
MANDATORY DEDUCTIONS		
** SPENDABLE	A.R.S. § 41-1674, Compensation of Employed Prisoners; Payment and Disposition	20% of gross wages (prior to tax deduction)
DEDICATED DISCHARGE ACCOUNT (13)	A.R.S. § 31-237, Dedicated Discharge Accounts and A.R.S. § 31-254, Compensation For Labor Performed; Price of Prison Made Articles; Distribution of Earnings; Workers' Compensation	25% of net wages until \$50 is accumulated for inmates serving a natural life sentence and \$250 for all other inmates.
VICTIMS COMPENSATION (30)	A.R.S. § 31-254, Compensation for Labor Performed; Price of Prison Made Articles; Distribution of Earnings; Workers' Compensation	10% of gross wages
ROOM AND BOARD (21)	A.R.S. § 31-254, Compensation for Labor Performed; Price of Prison Made Articles; Distribution of Earnings; Workers' Compensation	30% of gross wages
COURT ORDERED CHILD SUPPORT (32)	A.R.S. § 31-254, Compensation for Labor Performed; Price of Prison Made Articles; Distribution of Earnings; Workers' Compensation	30% of gross wages
TRANSITION FEES (54)	A.R.S. § 31-237, Dedicated Discharge Accounts and A.R.S. § 31-254, Compensation For Labor Performed; Price of Prison Made Articles; Distribution of Earnings; Workers' Compensation	5% of net wages (Inmates with DUI offenses are exempt)
ALCOHOL ABUSE TREATMENT FUND (51)	A.R.S. § 31-255, Alcohol Abuse Treatment Fund	67% or \$0.50 per hour, whichever is less (Inmates with DUI offenses only)

P.I.E. INMATE WAGES GREATER THAN \$2.00, CONTINUED

Deduction (Code)	Statute	Basis For Deduction
BALANCE TO RETENTION	A.R.S. § 31-254, Compensation for Labor Performed; Price of Prison Made Articles; Distribution of Earnings; Workers' Compensation	Gross minus mandatory & spendable deductions goes to retention
DEPARTMENT CONTROLLED DEDUCTIONS		
ITA FEES (58)	A.R.S. § 31-254, Compensation For Labor Performed; Price of Prison Made Articles; Distribution of Earnings; Workers' Compensation	**1% of deposits to spendable
COURT ORDERED RESTITUTION (24)	A.R.S. § 31-230, Prisoner Spendable Accounts; Fees	**20% of deposits to spendable
STATE FILING FEES (37)	A.R.S § 31-254, Compensation For Labor Performed; Price of Prison Made Articles; Distribution of Earnings; Workers' Compensation	**20% of deposits to spendable
FEDERAL FILING FEES (35)	A.R.S § 31-254, Compensation For Labor Performed; Price of Prison Made Articles; Distribution of Earnings; Workers' Compensation	**20% of deposits to spendable
DISCIPLINARY RESTITUTION (41)	A.R.S. §31-201.01, Duties of the Director; Tort Actions; Medical Treatment Costs; State Immunity; Definitions	**10% of deposits to spendable
TAXATION/RISK MANAGEMENT (34)	A.R.S. § 23-1023, Liability of Third Person to Injured Employee; Election of Remedies	**10% of deposits to spendable
ESCAPEE APPREHENSION (33)	A.R.S. § 31-342, Escape; Liability For Costs Incurred In Apprehension and A.R.S. § 31-254, Compensation For Labor Performed; Price of Prison Made Articles; Distribution of Earnings; Workers' Compensation	**10% of deposits to spendable
REMAINING TO SPENDABLE	Gross wages minus mandatory & Department controlled deductions equal – REMAINING TO SPENDABLE BALANCE	
UTILITY CHARGES (36)	A.R.S. § 31-239, Utility Fees	\$2.00 to be collected from existing spendable balance the third Saturday of each month
HOLDS (NSF items)	Can be collected in FULL from existing encumbered balances	
ERROR CORRECTION	To correct overpayments. Can be processed without inmate authorization with documentation.	

**ATTACHMENT B
DEPARTMENT ORDER #905**

DISCHARGE PROCEDURES: INMATE FUNDS AND DISCHARGE ALLOWANCE

SITUATION	CASH ELIGIBILITY	
	Dedicated Discharge Account	Discharge Allowance
1. Inmate previously paroled or discharged.	Balance in Account	None
2. Inmate <u>not</u> previously paroled or discharged. <ul style="list-style-type: none"> • \$50 accumulated in DDA. • Discharged, released or transferred to a community release status other than Home Arrest or Work Furlough. 	Balance in Account	None
3. Inmate <u>not</u> previously paroled or discharged. <ul style="list-style-type: none"> • Less than \$50 accumulated in DDA. • \$250 or more in spendable and retention accounts combined. • Discharged, released or transferred to a community release status other than Home Arrest or Work Furlough. 	Balance in Account	None
4. Inmate <u>not</u> previously paroled or discharged. <ul style="list-style-type: none"> • Less than \$50 accumulated in DDA. • Less than \$250 in spendable and retention accounts combined. • Discharged, released or transferred to a community release status other than Home Arrest or Work Furlough. 	Balance in Account	An amount equal to \$50 minus balance in DDA and MVD credential deduction if applicable
5. Inmate transferred to Home Arrest or Work Furlough.	Balance in Account	None
6. Inmate remanded to the Department as a Condition of Probation (DUI) (Code 18).	Balance in Account	None
7. Interstate Compact Inmates <ul style="list-style-type: none"> • ADC Inmate Compact Inmates • Out-of-state inmate housed at ADC 	Balance in Account Balance in Account	Same as (4) None
8. Death Row Inmates	Balance in Account	None

**ATTACHMENT C
DEPARTMENT ORDER #905**

EXAMPLE OF FORFEITURE OF INMATE MONIES UPON ESCAPE

DATE	SOURCE	EARNED	UNEARNED	EXPEND	BALANCE
1-May	Start Calculations				
1-May	\$20.00 Mail Money		\$20.00		\$20.00
6-May	\$40.00 WIPP	\$25.00			\$45.00
7-May	Store Purchase			\$35.00	\$10.00
8-May	\$30.00 Mail Money		\$30.00		\$40.00
11-May	Catalogue Purchase			\$10.00	\$30.00
18-May	\$20.00 Mail Money		\$20.00		\$50.00
21-May	Store Purchase			\$25.00	\$25.00
21-May	ACI wages (spendable)	\$66.00			\$91.00
25-May	\$20.00 Mail Money		\$20.00		\$111.00
27-May	INMATE ESCAPED				
SUBTOTAL:		\$91.00	\$90.00	\$70.00	\$111.00

UNEARNED INCOME:	\$90.00
EXPENSES:	(\$70.00)
DIFFERENCE:	<u>\$20.00</u>

SPENDABLE/ENCUMBERED AMOUNT TO REMAIN IN INMATE'S ACCOUNT	\$20.00
AMOUNT FORFEITED TO ISP	\$91.00

Amount to remain in spendable or encumbered in the inmate's account = unearned income minus expenses, if the amount is less than \$0.00, the amount to remain in spendable or encumbered in the inmate's account is \$0.00.

Amount to be forfeited to ISP = total of earned income. If the amount to remain in spendable or encumbered = \$0.00, then the entire balance of the account is forfeited. If the amount to remain in spendable or encumbered is greater than \$0.00, subtract amount to remain in spendable or encumbered from the balance of the account.

- Monies received from other sources which shall remain in the spendable or encumbered account pending payments toward apprehension costs with the escape.
- The earnings of \$91.00 in the Spendable/encumbered balance shall be forfeited to the local ISP Fund. Also, any earnings in the inmate's Retention Account is forfeited.

Questions concerning any calculations shall be directed to the Chief Financial Officer or designee.

**ATTACHMENT D
DEPARTMENT ORDER #905**

INMATE RETENTION MONIES

Disbursement for:	Make Checks Payable To
Release Clothing, Clothing (for spouse or minor child/children)	Store name
Funeral costs (for immediate family)	Company name
Installment Loans (for spouse/legal guardian of minor child/children)	Financial Institution name
Insurance (for spouse/legal guardian of minor child/children)	Insurance company name
Legal Costs	Company name
Medical (for spouse/legal guardian of minor child/children)	Doctor/Dentist/etc.
Rent/Mortgage (for spouse/legal guardian of minor child/children or parents)	Rental/Mortgage Company name
Repair Services (for spouse/legal guardian of minor child/children)	Company name
Taxes	Government Agency name
Utilities (for spouse/legal guardian of minor child/children or parents)	Utility Company name
Retesting for High School Equivalency (HSE)	State of Arizona

**ATTACHMENT E
DEPARTMENT ORDER #905**

SCHEDULE OF DEDUCTIONS FROM MAIL MONEY

DEDUCTION (code)	BASIS FOR DEDUCTION
ITA FEES (58)	1% of gross amount per negotiable instrument
COURT ORDERED RESTITUTION (24)	20% of gross amount per negotiable instrument
STATE FILING FEES (37)	20% of gross amount per negotiable instrument
FEDERAL FILING FEES (35)	20% of gross amount per negotiable instrument
DISCIPLINARY RESTITUTION (41)	10% of gross amount per negotiable instrument
TAXATION/RISK MANAGEMENT (34)	10% of gross amount per negotiable instrument
ESCAPEE APPREHENSION (33)	10% of gross amount per negotiable instrument
REMAINING TO SPENDABLE	Gross amount minus Department controlled deductions equal – REMAINING TO SPENDABLE BALANCE
UTILITY CHARGES (36)	\$2.00 collected from existing spendable balance the third Saturday of each month
HOLDS (NSF items)	Can be collected in FULL from existing encumbered balances