

# RHODE ISLAND DEPARTMENT OF CORRECTIONS POLICY AND PROCEDURE



<b>POLICY NUMBER:</b> 2.17-5 DOC	<b>EFFECTIVE DATE:</b> 03/03/14	<b>PAGE 1 OF 10</b>
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<b>SUPERCEDES:</b> 2.17-4 DOC	<b>DIRECTOR:</b>  <i>Ashtel T. Wall II</i>
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<b>SECTION:</b> FISCAL MANAGEMENT	<b>SUBJECT:</b> INMATE ACCOUNTS
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**AUTHORITY:** Rhode Island General Laws (RIGL) § 42-56-10 (22), Powers of the director

**REFERENCES:** ACA Standards #4-4044, Written policy governing any fund established for inmates; #4-4045, Inmate funds controlled by accepted accounting procedures; #4-4046, Inmates can deposit personal funds in interest-bearing accounts; 4-4047, Financial transactions permitted between inmates must be approved by staff; RIDOC policy #'s 2.09-1 DOC, Accountability of Inmate Money/Checks; 2.16-2 DOC, Inmate Commissary; *Young v. Wall*, 642 F.3d 49 (1<sup>st</sup>. CIR. 2011)

<b>INMATE / PUBLIC ACCESS?</b>	<b>X YES</b>
<b>AVAILABLE IN SPANISH?</b>	<b>X NO</b>

**I. PURPOSE:**

To provide a framework for the establishment, control and maintenance of inmate personal accounts.

**II. POLICY:**

- A. The Rhode Island Department of Corrections (RIDOC) maintains accounts for the deposit of inmates' personal funds. These accounts collectively are referred to as the Inmate Accounts Fund.
- B. Per RI General Law § 42-56-22: "...25% of the earnings of each prisoner up to a maximum of \$100.00 for those persons serving a sentence of life imprisonment without parole and up to a maximum of \$1,000.00 for all other prisoners is reserved in the inactive/frozen account; those funds to be turned over to the prisoner at the time of his or her release from the institution..."

- C. RIDOC adheres to generally accepted accounting principles in controlling inmates' personal funds.
- D. The Inmate Accounts Office is responsible for maintaining these accounts.
- E. Any earnings of these collective funds accrue to the State of Rhode Island.

III. **PROCEDURES:**

A. **Fiscal Controls:**

- 1. All deposits and expenses affecting the Inmate Accounts Fund are processed through the Inmate Accounts Office.
- 2. Inmate funds under the control of RIDOC are held in a custodial account in a financial institution approved by the State's General Treasurer.
- 3. Immediate fiscal control of all inmate funds rests with the Inmate Accounts Manager. The Inmate Accounts Manager uses accounting procedures approved by the Rhode Island Division of Accounts and Control in controlling inmates' personal funds.

B. **Reports:**

- 1. The Inmate Accounts Manager issues accounting reports regarding inmate funds to RIDOC management (i.e., Associate Director - Financial Resources and other appropriate persons) on an annual, quarterly or monthly basis.
- 2. By July 31 of each year, the Inmate Accounts Manager provides the documents listed in items a. - f. of this paragraph to RIDOC's Associate Director - Financial Resources, who reviews the report and forwards it to the State Controller, the Bureau of Audits and the Auditor General. This report contains:
  - a. Bank account numbers and the names of the account holders;
  - b. A statement of the total receipts and disbursements from the fund for the fiscal year;
  - c. The total balance of inmates' accounts at June 30<sup>th</sup>;

- d. The total amount of receivables (negative inmate account balances) at June 30<sup>th</sup>;
  - e. Other reports as directed by the Associate Director – Financial Management.
3. Accounting reports use generally accepted accounting principles and comply with applicable State laws and Departmental procedures.

C. Audits

1. External Audits: The Bureau of Audits or an authorized entity may periodically conduct audits of the annual financial statements of RIDOC's Inmate Accounts Fund. These audits adhere to generally accepted auditing standards and include tests of the accounting records and other auditing procedures the auditing entity considers necessary.
2. Internal Audits: The Department's Associate Director – Financial Management arranges for the Bureau of Audits to perform unannounced audits of the cash associated with the primary Inmate Accounts Fund and/or RIDOC's Imprest Cash Fund.

**NOTE:** These audits are requested at least semi-annually;

- a. The audit of the primary inmate accounts operation occurs after 3:00 p.m. so as not to interfere with daily window operations; and
- b. RIDOC's Imprest Cash Fund may be audited at any time of day.

D. Inmate Accounts Fund Transactions

1. Deposits into the Inmate Accounts Fund are made with cash, checks or money orders received from the following sources:
  - a. Cash on the person of an offender at the time of his/her commitment:
    - (1) Commitment Units at the Intake Service Center (ISC, men's facility), and the Gloria McDonald Women's Facility (GM) send this cash to the Inmate Accounts Office accompanied by a Commitment Deposit slip (Attachment 1, form MS-44).

- (2) The Commitment Officer sends any checks, along with other personal effects found in the possession of offenders at the time of their commitment, to the offenders' home address.
  - b. Inmate's pay for employment at RIDOC or while on Work Release;
  - c. Individuals whose names appear on an inmate's visitor list may deposit funds into an inmate's account in person, through a pre-approved wire or electronic fund transfer service agency, or by a check;
    - (1) Awaiting trial inmates are given a 30-day grace period to compile visitor lists. During this time, deposits are accepted from persons not currently on the inmates' visitor lists;
    - (2) Depositors are required to show proof of identity and to complete an Inmate Account Deposit slip (Attachment 2, form S-43).
  - d. Return of unspent funds that were withdrawn for furlough;
  - e. Return of expense money;
  - f. Transfer of funds from an inmate's bank account at an outside commercial bank or third party entity;
  - g. Other sources with the approval of the Warden, Deputy Warden or designee of the facility where the inmate is housed.
2. Inmates are allowed to make expenditures from the Inmate Accounts Fund for:
- a. Commissary purchases;
  - b. Telephone debit system purchases;
  - c. Expense money for Work Release inmates;
  - d. Furlough expenses;

- e. Disbursement of cash to Minimum Security Facility and unemployed Work Release inmates. They are allowed a maximum of ten dollars (\$10.00) bi-weekly;
  - f. Bail for self;
  - g. Court costs;
  - h. Legal costs;
  - i. Transfer of an inmate's funds to an account in his/her name at a commercial bank or other third party entity account.
3. With the approval of the Warden, Deputy Warden or designee, as evidenced by his/her signature on the Inmate Account Transfer slip, (Attachment 3, form S-14), inmates are allowed to make withdrawals from the Inmate Accounts Fund for:
- a. Purchase of approved magazines, periodicals, newspapers and books;
  - b. Transfer of funds from one inmate account to another inmate account (only allowed if both inmates are immediate family members) at the discretion of the Warden or designee;
  - c. Subsistence of members of an inmate's immediate family (including common-law spouse) or to a person on the inmate's visitor list;
  - d. Other entities or exceptions if approved by the Warden, Deputy Warden or designee of the facility where the inmate is housed.
4. Whenever an inmate requests to expend funds from his/her account, s/he completes an Inmate Account Transfer slip (Attachment 3, form S-14). The inmate must provide the following information:
- a. His/her Identification (ID) Number;
  - b. Date;
  - c. His/her name;

- d. Facility where s/he is housed;
  - e. Reason for the transfer;
  - f. Amount of the transfer;
  - g. Payee;
  - h. His/her signature;
  - i. Verification
5. The inmate must supply a stamped envelope addressed to the payee with the Inmate Account Transfer Slip.
6. Purchases from the inmate commissary:
- a. The contracted inmate commissary provider enters charges directly into the Inmate Accounts Banking System (IABS) using electronic scanning procedures.
  - b. The Inmate Accounts Manager compares aggregate invoices for inmate commissary orders against summary reports from the IABS to confirm accuracy. The Inmate Accounts Manager then authorizes a single check to be drawn against the Inmate Accounts Fund checking account on behalf of all the purchasing inmates.
7. Inmates paroled or released from RIDOC may obtain their funds in one of the following ways:
- a. Present themselves at the Inmate Accounts Office during business hours.
    - (1) A released inmate completes an Inmate Account Withdrawal Slip (Attachment 4, form MS-12).
    - (2) Released inmates must present identification in order to obtain their funds. The following items are acceptable forms of identification:

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- (a) Official RIDOC inmate identification badge or a photocopy of same;
  - (b) Driver's license (with photo);
  - (c) Picture bus pass;
  - (d) Court or parole release papers.
- (3) If a released inmate does not have an inmate identification badge, s/he must present his/her release papers to the Inmate Accounts teller who must obtain independent confirmation of the inmate's release before disbursing any funds.
- (4) A released inmate receives the funds remaining in his/her account in cash or in cash and a check as follows:
- (a) For balances up to \$75.00 the Teller may disburse the entire amount (\$75.00) in cash.
  - (b) For balances of more than \$75.00 (e.g. >\$75.01) the Teller may disburse up to \$50.00 in cash and issues a check for the remainder.
- b. Request in writing that their funds (in the form of a check) be mailed to them at their residence.
- c. If an inmate is scheduled to be released on a day when the Inmate Accounts Office will be closed, s/he may request his/her funds be sent to the facility from which s/he is being discharged. The inmate completes a Request Slip, including required signatures, and sends the slip to the Inmate Accounts Office (Attachment 5, sample Minimum Security Request Slip).
- d. In the event of an inmate's death:
- (1) the balance of his/her account may be used to offset burial/funeral expenses;
  - (2) the balance of the inmate's account is sent to the person the inmate designated in the description section of the INFACTS

database: "I understand the person named here will be the one to whom the RI Department of Corrections will release my personal possessions and the balance of my inmate account in the event of my death".

E. Inmates with Commercial Bank Accounts

1. Inmates are allowed to establish bank accounts with commercial banks.
2. Inmates' family members handle the paperwork and provide all required identification to establish commercial bank accounts.
3. Inmates are allowed to transfer funds from their RIDOC account to their commercial bank account, except for those funds that are required to be held in escrow for release per statute (as stated in II.B), by means of an Inmate Accounts Transfer slip (Attachment 3, form S-14).
4. Interest that accrues on an inmate's commercial bank account is his/her property.

F. Escheated Funds

At the end of each fiscal year, the Senior Accountant purges the IABS, archiving those records of account holders who have been released for a period of more than three (3) years. All monies in those purged accounts, along with the inmates' names and ID numbers, escheat to the General Treasurer.

G. Earnings of Inmate Accounts Funds

1. The collective funds from inmates' accounts are either held in a commercial savings account or in a state custodial account. Interest or other earnings from these funds are utilized to offset:
  - a. Any banking costs associated with the Inmate Accounts Fund checking or savings accounts.
  - b. Any negative balances in released inmates' accounts the State's Uncollectibles Committee has approved to "write-off" as uncollectible.
2. The Inmate Accounts Manager annually calculates the amount of earned interest in excess of that required for offsetting banking costs and/or

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negative balances as specified above, and prepares the appropriate documents for the transfer of such funds to the State's General Treasury. Such documentation is approved by the Associate Director - Financial Management.

H. Internal Controls

1. Receipt of Funds

- a. All receipts are deposited intact.
- b. All receipts are substantiated by supporting documents.
- c. All supporting documents are batched and filed at the Inmate Accounts Office.
- d. Funds consisting of cash, checks or money orders are deposited daily by a private armored car service.
- e. All funds at the Inmate Accounts Office that are not deposited are secured at the end of the workday in the office safe.

2. Disbursement of Funds

- a. No checks are made payable to cash.
- b. All checks are pre-numbered.
- c. The Inmate Accounts employee preparing a check must obtain verification from another Inmate Accounts employee, with such verification evidenced by initialing the source document or register.
- d. All disbursements are substantiated by supporting documents.
- e. All supporting documents are batched and filed at the Inmate Accounts Office.
- f. The Senior Accountant makes monthly bank reconciliations of the Inmate Accounts Fund.

- g. Inmates are able to view account statements on the kiosks. These statements show the transaction(s) that occurred in each inmate's account the previous month.

**NOTE:** Inmate Accounts will only provide a hard copy of the account statement if it is necessary for a legal proceeding.

- h. The signing of checks in advance of the actual need for them is prohibited.
- i. Inmate review of his/her monthly account history statement is considered an additional method for verifying the accuracy of account balances, especially as it relates to charges for commissary purchases.

-- SAMPLE --

COMMITMENT DEPOSIT		# 000001
<b>PLEASE PRINT</b>		
DATE	INMATE ID #	AMOUNT OF DEPOSIT \$
INMATE'S NAME		CHECK ONE: CASH      PAYROLL CHECK
FACILITY		INMATE / DEPOSITOR'S SIGNATURE
INMATE'S DATE OF BIRTH		CORRECTIONAL OFFICER'S SIGNATURE
<b>These funds will be deposited into an account in your name at the Inmate Accounts Office.</b>		
<ol style="list-style-type: none"><li>1. White - Place in envelope w/ money</li><li>2. Yellow - Inmate's copy</li><li>3. Pink - Attach to inmate's trap record</li></ol>		

DOC-MS44

SAMPLE

RHODE ISLAND DEPARTMENT OF CORRECTIONS - INMATE ACCOUNT DEPOSIT

S - 43  
DOC-MS002

PLEASE PRINT

White - Inmate Accounts    Yellow - Inmate    Pink - Depositor

DATE
INMATE'S NAME
INMATE'S ID #
INMATE'S LOCATION
INMATES' DATE OF BIRTH

AMOUNT	CASH <input type="checkbox"/>
	CHECK <input type="checkbox"/>
	MONEY ORDER <input type="checkbox"/>
DEPOSITOR'S NAME - PRINT.	
DEPOSITOR'S SIGNATURE	
DO NOT WRITE IN SHADED AREA	
TR#	ID

If banking by mail, detach part three and retain; mail part one and two with deposit to:  
RI DEPARTMENT OF CORRECTIONS, INMATE ACCOUNTS OFFICE, 51 WEST ROAD, BLDG. 138 CRANSTON, RI 02920  
Completion of the above inmate information will insure that funds are deposited in the right account. This deposit is accepted subject to verification, and under the provisions of the uniform commercial code and rules and regulations of this institution. Deposits may not be available for immediate withdrawal.

REV. 3/09

Adult Correctional Institutions  
Inmate Account Transfer

ID # \_\_\_\_\_ DATE \_\_\_\_\_

NAME: \_\_\_\_\_  
LAST FIRST MIDDLE

LOCATION: \_\_\_\_\_  
FACILITY AREA CELL

CHARGE MY ACCOUNT FOR THE FOLLOWING EXPENSE

I.  POSTAGE AMOUNT IV.  WORK RELEASE

1. LETTER/LETTERS \_\_\_\_\_ RENT FOR WEEK AMOUNT

2. CARD/CARDS \_\_\_\_\_ OF \_\_\_\_ TO \_\_\_\_ \$ \_\_\_\_\_

3. CERTIFIED MAIL \_\_\_\_\_ EXPENSE PAYMENT FOR WEEK

4. OTHER \_\_\_\_\_ OF \_\_\_\_ TO \_\_\_\_ \$ \_\_\_\_\_

TOTAL \$ \_\_\_\_\_ TOTAL \$ \_\_\_\_\_

II.  DRAW CHECK/CASH FOR \$ \_\_\_\_\_ V.  PAYMENT OF FINE

NAME \_\_\_\_\_ TO \_\_\_\_\_ COURT

ADDRESS \_\_\_\_\_ FOR AMOUNT \$ \_\_\_\_\_

CITY OR TOWN \_\_\_\_\_

RELATIONSHIP \_\_\_\_\_

PERSON ON VISITING LIST  YES  NO VERIFIED \_\_\_\_\_

ASSOCIATE DIRECTOR

REASONS FOR TRANSFERRING MONIES \_\_\_\_\_

APPROVED  DENIED ASSOCIATE DIRECTOR DATE

III. CLOSING OF INMATE ACCOUNT  OTHER \$ \_\_\_\_\_

I HAVE RECEIVED THE FOLLOWING AMOUNT \_\_\_\_\_

\$ \_\_\_\_\_ FROM THE ADULT COR- \_\_\_\_\_

RECTIONAL INSTITUTIONS BUSINESS OFFICE \_\_\_\_\_

INMATE SIGNATURE RECEIVED ABOVE PAYMENT

S-14 OFFICE COPY - WHITE

INMATE COPY - CANARY

Adult Correctional Institutions  
**Inmate Account Withdrawal Slip**

ID#: \_\_\_\_\_ DATE: \_\_\_\_\_

NAME:

\_\_\_\_\_

Last

First

Middle

AMOUNT: \_\_\_\_\_

CHECK: \_\_\_\_\_

CASH: \_\_\_\_\_

REASON: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Inmate's Signature: \_\_\_\_\_

White - Inmate Accounts  
Yellow - Inmate

DOC - MS12

## MINIMUM SECURITY REQUEST SLIP

<input type="checkbox"/> EDUCATION	FROM: _____	ID#: _____
<input type="checkbox"/> COUNSELOR		
<input type="checkbox"/> COMMITTING	DORM/BUNK: _____	JOB: _____
<input type="checkbox"/> BUNK CHANGE		
<input type="checkbox"/> JOB OFFICER	TO: _____	DATE: _____
<input type="checkbox"/> PAY OFFICER		
<input type="checkbox"/> OTHER:	_____	

**REASON:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**REPLY:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SIGNATURES:**

\_\_\_\_\_  
Officer (Required)

\_\_\_\_\_  
Responding Staff