



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

APPLICABILITY
PRISON/WORK RELEASE
OFFENDER/SPANISH MANUALS

REVISION DATE
1/9/19

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POLICY

TITLE
TRUST ACCOUNTS FOR OFFENDERS

REVIEW/REVISION HISTORY:

Effective: 12/8/93	Revised: 5/22/08 AB 08-010
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SUMMARY OF REVISION/REVIEW:

II.E. - Added accounts maintained by approved vendors
 II.E.1. - Adjusted language for clarification
 II.E.2. - Added language for deposits to multiple vendor accounts
 Attachments 2 & 5 - Removed mentions of the death penalty


APPROVED:

Signature on file

STEPHEN SINCLAIR, Secretary
 Department of Corrections

1/3/19

 Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 9.94A.760](#); [RCW 9.94A.780](#); [RCW 10.82.090](#); [RCW 51.32.080](#); [RCW 63.42.030](#); [RCW 72.09](#); [RCW 72.11](#); [RCW 72.65](#); [WAC 137-36-040](#); [DOC 380.605 Interstate Compact](#); [DOC 420.110 Escorted Leaves, Furloughs, and Special Transports for Offenders](#); [DOC 440.000 Personal Property for Offenders](#); [DOC 600.020 Offender-Paid Health Care](#); [DOC 620.200 Death of Offenders](#); [25 U.S.C. § 16](#); [28 U.S.C. § 1915](#); [42 U.S.C. § 1983](#)

POLICY:

- I. The Department will provide for the judicious management of state resources, be accountable to the citizens of the state, and recognize that offenders share a fiscal obligation with the Department.
- II. The Department will provide criteria for offender trust account operations, deposits, withdrawals, and transfers for offenders in Prison and Work Release to ensure fiscal accountability and safeguarding of state assets. Criteria will include orderly, consistent, and timely collection of an offender’s Legal Financial Obligations (LFOs), child support, current liabilities, and debt.
- III. Accounting and reporting will comply with policies, regulations, and procedures published by the Office of Financial Management (OFM) and any supplemental instructions in the form of memos and/or manuals issued by Business Services.
 - A. Department policies and procedures governing offender funds will be reviewed regularly and updated as needed, and will be made available to offenders upon admission and when updated.
- IV. This policy applies to any person committed to the custody of the Department who resides in a correctional facility, including individuals received from another state, state agency, county, or federal jurisdiction.

DIRECTIVE:

- I. Bank Accounts
 - A. All funds of offenders in Department custody will be consolidated into one account by facility/region and deposited in an agency approved local bank by the Business Office. Offender funds will be maintained in:
 1. An authorized Federal Deposit Insurance Corporation (FDIC) financial institution checking account.

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2. Non-interest bearing accounts.

3. The Trust Accounting System (TAS).

B. Business Services employees will prepare bank account reconciliations monthly. A signed copy of the reconciliation will be forwarded to Headquarters on a monthly basis.

II. Deposits

A. Funds will be deposited to the bank on a daily basis. Deposits posted by the bank will be reconciled to the deposit recorded in TAS.

B. An offender's signature is not required on the back of a check/money order. Personal checks are only accepted at Headquarters and designated Work Releases.

C. Funds received for deposit must be drawn on a U.S. financial institution. All funds will be deposited to an offender's trust account in total. No deductions may be made from an offender's funds until posting to TAS is complete.


1. No international currency or wires, including Canadian, will be processed, and funds/items received will be returned to the sender at the offender's expense. Offenders will be notified using DOC 06-080 Electronic Deposit Rejection Notice.

2. Funds will be deposited into a subaccount, as defined per Attachment 5, designated by the sender. If no subaccount is specified, the deposit will be posted to the spendable subaccount.

3. Escorted leaves/funeral/deathbed visit expenses per DOC 420.110 Escorted Leaves, Furloughs, and Special Transports for Offenders paid for by an outside party will be processed through the savings subaccount, exempt from mandatory deductions. A withdrawal will then be made to reimburse the costs of the escorted leave/furlough to the general fund liability ledger.

D. Offenders, including those on active community supervision, may not deposit to the trust account of another offender in total or partial confinement.

E. Family, friends, and/or other individuals may not deposit to more than one offender's trust account or to any other account maintained by an approved vendor (e.g., media account) without Superintendent/designee prior approval.


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1. Deposits to trust accounts will be placed on hold and the offenders will be notified using DOC 06-080 Electronic Deposit Rejection Notice of their right to request review. The request must be submitted in writing to the Superintendent/designee(s) within 10 days following notice. The Superintendent/designee may:
 - a. Allow some or all of the funds to be returned to the sender at the offenders' expense.
 - b. Release the funds to one or more of the offenders.
 - c. Declare some or all of the funds as contraband for deposit to the Offender Betterment Fund (OBF).
2. If deposits are made to multiple accounts maintained by an approved vendor, the Department may suspend/terminate the sender's ability to access those accounts.
3. Contraband funds will be deposited in the OBF if:
 - a. The offender does not request Superintendent/designee review within the established timeframe.
 - b. Upon review, the Superintendent/designee determines the funds will not be granted to the offender or returned to the sender.
4. The offender is responsible for informing the sender about deposit restrictions. At the Superintendent/designee's discretion, the sender may be contacted by an employee, provided the offender has been informed of the right to request review.
 - a. The sender has no rights concerning the disposition of the funds. The Superintendent/designee will make the final decision and may consider the sender's recommendation.
5. The Superintendent/designee will forward the completed DOC 06-080 Electronic Deposit Rejection Notice to the Business Office for disposition.

III. Deductions From Deposits

- A. Deductions from deposits will be processed per the Deduction Matrix (Attachment 2) and Deductions (Attachment 3).


1. An offender's spendable subaccount balance will not be reduced to less than the indigence level per RCW 72.09.015.

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- B. Per RCW 72.09.480(10), an offender may be exempt from the requirement to have a savings subaccount and the associated savings deduction.
1. The offender must be diagnosed with a terminal illness, verified by Health Services, and subsequently the Earned Release Date (ERD) is beyond his/her life expectancy, or the ERD, verified by the local records office, is beyond his/her life expectancy based on the Life Expectancy Table (Attachment 4).
 2. The request will be completed on DOC 06-070 Mandatory Savings Account Exemption and submitted to his/her Classification Counselor.
 3. The savings deduction will be reinstated if the offender's sentence is reduced and no longer supports the exemption.

IV. Work Release

- A. Funds earned by an offender while participating in Work Release, less payroll deductions required by law, will be posted to the offender's trust account in TAS.
1. Work Release employees will deposit the offender's paychecks in the local bank and use DOC 06-072 Work Release Program Transmittal of Trust Funds to report the earnings to the appropriate Business Office for posting.
 2. With Community Corrections Supervisor (CCS) approval, an offender's final paycheck may be withheld from TAS if s/he has reentry and/or emergency expenses per Attachment 1, and has repaid any Community Services Revolving Fund (CSRF) loan per Attachment 5, in full.
 - a. If the offender is still in Work Release, s/he must turn in the paycheck per local practice, and the paycheck will be returned to the offender upon release.
 - b. If the paycheck arrives at the facility after the offender's release, it will be forwarded to the offender's release address.
 3. Work Release offender earnings will be subject to court-ordered LFOs.
- B. Room and board charges for Work Release offenders will be withdrawn daily at the average cost to house an offender as approved by the Secretary. In the event that an offender's daily spendable account balance is less than his/her daily room and board obligation, the remainder will become a debt and collected

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in the priority order listed in Deductions (Attachment 3) per the Deduction Matrix (Attachment 2).

1. Offenders who have violated a condition of their supervision and placed in a Work Release facility will not be charged for room and board.

C. CSRF loans are available per Attachment 5 to supplement an offender's trust account for participation in a Work Release program. All offenders transferred, paroled, or released to Work Release, including county placement offenders, are eligible.

1. A CSRF loan will be placed on an offender's trust account in an amount established by the CCS, and forwarded to the Work Release for the offender's use upon arrival.
2. Offender funds transferred from a Prison to a Work Release will be applied to an offender's outstanding CSRF loan balance upon receipt at the Work Release. Funds will only be transferred from the following subaccounts, in the order listed:
 - a. Work Release savings subaccount
 - b. Education subaccount
 - c. Spendable subaccount
3. CSRF debt balances remaining will be collected as a percentage of deposits per the Deduction Matrix (Attachment 2).
 - a. If an offender is returned to Prison from Work Release, CSRF and room and board debt owing to the Department will be collected. Funds will only be used from the following subaccounts, in the order listed:
 - 1) CSRF subaccount
 - 2) Work Release savings subaccount
 - 3) Education subaccount
 - 4) Spendable subaccount
4. An offender's spendable subaccount balance will not be reduced to less than the indigence level per RCW 72.09.015.

V. Withdrawals

A. Withdrawals from offender accounts include, but are not limited to:



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1. Internal Revenue Service (IRS) tax levies,
 2. Non-LFO court orders,
 3. Office of Support Enforcement Orders to Withhold and Deliver,
 4. Cost Sanctions and Attorney Fees (CSAF),
 5. Commissary purchases,
 6. Fees for health services per DOC 600.020 Offender-Paid Health Care,
 7. Postage,
 8. Lost or damaged keys and Identifications (IDs),
 9. User fees (e.g., TV fees and rentals),
 10. Education,
 11. Purchases made in compliance with DOC 440.000 Personal Property for Offenders, and
 12. Withdrawals approved through the facility or Business Office (e.g., deposit corrections).
- B. Offenders will complete DOC 06-075 Request to Transfer Funds to request withdrawals from their accounts.
- C. Withdrawals in process from an offender's account may reduce the spendable subaccount balance below the indigence standard and/or to zero.
- D. When out to trial, an offender may request funds from his/her spendable subaccount balance be transferred to the county jail.
- E. If a withdrawal check remains uncashed after 180 days, the funds will be returned to the subaccount from which it was drawn or transferred to the CSRF as unclaimed property.
- F. Offenders will use DOC 06-077 Offender Request to Reissue Banking System Check to request a stop payment be issued or a check cancelled.
1. A stop payment may be requested at any time.
 - a. Funds must be available in the spendable subaccount to cover the stop payment charge before one will be processed.
 2. If a stop payment is not issued, a check must be outstanding for at least one month before it will be cancelled and reissued.
 - a. Business Services employees will verify the check has not cleared before cancelling it. A hold will be placed on the funds for 2 business days after the cancellation and then a check will be reissued in the same amount to the same payee.


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VI. Contracts and Outside Accounts

- A. Offenders retain the right to maintain their lawful financial and/or business interests held outside of Prison and Work Release provided that safety/security is not compromised. Offenders may:
1. Sign documentation related to their outside financial/business interests.
 2. Request funds from an outside account be forwarded to their trust account. Funds received are subject to the deductions detailed in the Deduction Matrix (Attachment 2).
 3. Request payments to creditors, provided sufficient funds are available to cover the request and postage.
 4. Not withdraw money from their trust account to establish or deposit to outside accounts, investments, or certificates of deposit.
 5. Not use credit cards while in total/partial confinement with the Department.
- B. Offenders retain the right to enter into a lawful contract while in total/partial confinement with the Department. The Department is not obligated to honor or comply with any offender contract.

VII. Debt Collection and Release Funds

- A. Debt owed to the Department will be collected at the time an offender is released from incarceration and calculated after deductions required by statute are withdrawn from subaccounts.
- B. The savings subaccount is not subject to debt collection at release, except when an offender's combined subaccount balance is \$5.00 or less, then the Department will collect debt before issuing release funds.
1. When the savings subaccount balance is less than \$100.00, the remaining subaccount balances will be used to ensure the offender receives a minimum of \$100.00 in release funds, provided the funds are available.
 - a. Remaining subaccount balances will be applied to debt collection prior to issuing release funds.
 - b. Additional deposits to the offender's account after release funds are drawn in an amount less than \$100, but prior to the offender's release date, will be subject to the above criteria.

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- C. A transfer to the Community Parenting Alternative/Graduated Reentry Program will be treated the same as a release, and all deductions will apply.
- D. At the discretion of the Superintendent/CCS or designee, a maximum of \$50.00 may be placed on hold to cover costs not yet received by the Business Office, provided the offender is released with at least \$100.00 of his/her own funds.
- E. Remaining balances from funds held or deposits posted to an offender's trust account after his/her release will be applied to outstanding Department debt before mailing the remaining funds to the offender's release address no later than 30 days after release.
- F. Based upon the offender's Custody Facility Plan and with CCS/designee approval, debt collections from the Work Release savings subaccount may be waived to release the offender with sufficient funds for adequate community placement, provided funds are available in the subaccount.

VIII. Unclaimed Property


- A. Accounts/funds of offenders who are on escape status or whose address is unknown will be forwarded to Headquarters and held for 3 months. After 3 months, debt owed to the Department will be paid, the account will be closed, and the balance of funds will be deposited to the CSRF as unclaimed property.
- B. Within 5 years of deposit to the CSRF, an offender may request funds held in the CSRF be returned by completing DOC 09-012 Request for Unclaimed Property.
- C. Property of deceased offenders will be handled per DOC 620.200 Death of Offenders.
 - 1. All deductions will apply when funds are released to any person authorized as the successor.

DEFINITIONS:

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

ATTACHMENTS:

- [Access to Mandatory Savings for Reentry/Emergency Expenses \(Attachment 1\)](#)
- [Deduction Matrix \(Attachment 2\)](#)
- [Deductions \(Attachment 3\)](#)
- [Life Expectancy Table \(Attachment 4\)](#)

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[Subaccounts \(Attachment 5\)](#)

DOC FORMS:

[DOC 06-070 Mandatory Savings Account Exemption](#)

[DOC 06-071 Mandatory Savings Account Access](#)

[DOC 06-072 Work Release Program Transmittal of Trust Funds](#)

[DOC 06-073 Offender Banking System Request for Advance and Promissory Note](#)

[DOC 06-074 Offender Banking System Check Request](#)

[DOC 06-075 Request to Transfer Funds](#)

[DOC 06-076 Education Subaccount Withdrawal Request](#)

[DOC 06-077 Offender Request to Reissue Banking System Check](#)

[DOC 06-080 Electronic Deposit Rejection Notice](#)

[DOC 07-011 Request for Information Regarding Tribal Deposits](#)

[DOC 09-012 Request for Unclaimed Property](#)