

	MARICOPA COUNTY SHERIFF'S OFFICE POLICY AND PROCEDURES	
	Subject INMATE FUND ACCOUNTS	Policy Number DC-4 Effective Date 12-14-21
Related Information DC-2, <i>Accountability of Monies & Negotiable Instruments</i> DO-1, <i>Intake Process</i> GC-17, <i>Employee Disciplinary Procedures</i> GD-12, <i>Collecting, Safeguarding, and Disbursing Cash</i>	Supersedes DC-4 (03-16-16)	

PURPOSE

The purpose of this Office Policy is to establish guidelines and procedures for accepting, handling, maintaining, collecting, safeguarding, and disbursing acceptable negotiable instruments that affect inmate fund accounts.

POLICY

It is the policy of the Office to process and record all financial transactions that affect inmate fund accounts in an accurate and timely manner.

DEFINITIONS

Acceptable Currency: United States (U.S.) currency which is presented in good condition. The Office reserves the right to refuse any altered, defaced, contaminated, damp, soiled, or otherwise damaged currency. Foreign currency shall not be accepted.

Acceptable Negotiable Instruments: Cash, any cashier's check, any government check, U.S. Postal Money Order, or Western Union Money Order, legally transferable by endorsement or delivery. Western Union may contract with one or more retail outlets or chains to issue Western Union logo imprinted money orders for them, and they are acceptable instruments. The Office reserves the right to refuse any altered, defaced, contaminated, damp, soiled, or otherwise damaged negotiable instruments. All money orders are required to include the full name and address of the purchaser.

Indigent Inmate: An inmate who has one dollar or less in their inmate funds account for at least seven consecutive days.

Inmate: A person who has been accepted for confinement into an Office jail facility.

Jail File: The file containing the inmate's custodial records pertaining only to jail-related information, exclusive of any judicial records.

Personal Property Storage Bag: A small clear plastic heat sealable bag, approximately 12 inches by 12 inches, used for the storage of an inmate's booked-in personal property, which does not include the inmates clothing. The clothing is stored in a clear plastic bag.

Prisoner: A person deprived of their freedom and kept under involuntary restraint, confinement, or custody, prior to being accepted into an Office jail facility.

PROCEDURES

1. **Accounting Procedures:** An inmate fund account shall be established and maintained for each full custody inmate assigned to a jail facility housing unit, even if the inmate is indigent or has a zero balance. Assigned Office personnel shall follow accounting procedures established by the Office and process all financial transactions that affect inmate fund accounts in an accurate and timely manner.
 - A. All incoming inmate cash will be accepted into a TouchPay kiosk machine. The information from the TouchPay kiosk machine will be automatically populated into the Inmate Fund Accounts. The TouchPay kiosk vendor is responsible for retrieving all monies from the TouchPay kiosk machines and ensuring that the Office bank deposits are made in a timely manner.
 - B. In the event any electronic or computerized system affecting cash receipts or disbursing operations become inoperable for any period of time, a shift supervisor or designee shall safeguard the funds in a secure location until the system becomes functional again.
 1. Once the systems are again functional, a shift supervisor or designee shall process the cash receipts or disbursements that were safeguarded into the electronic applications.
 2. Employees should not attempt to by-pass the appropriate procedures regarding cash handling for a short-term fix or solution unless stipulated by the Chief Financial Officer, Chief of Custody, or the Chief Deputy.
2. **Initiating an Inmate Fund Account:**
 - A. **Acceptable Currency:** At the time of booking, all acceptable United States currency shall be deposited into a TouchPay kiosk machine by the arresting agency. The information from the TouchPay kiosk will be automatically populated to initiate an Inmate Fund Account.
 - B. **Unacceptable Currency:** Foreign currency will not be accepted by the TouchPay kiosk system. Foreign currency shall be placed into the inmate's property bag. United States or foreign currency found to be contaminated, soiled, damp, defaced, or otherwise damaged, shall be placed into the inmate's property bag, and shall not be deposited to the inmate's fund account. The amount and description shall be noted on the *Inmate Property Inventory* form and documented in SHIELD.
 - C. **Rare or Collectible Currency:** During the booking process, detention personnel shall ensure the arresting officer asks each prisoner if they have any currency that may be considered rare or collectible, or to have intrinsic or sentimental value. All such currency shall be placed into the inmate's personal property bag by the arresting officer and shall not be deposited to the inmate's fund account.
 1. The rare, collectible or sentimentally valued currency shall be itemized on the *Inmate Property Inventory* form and documented in SHIELD.
 2. Office personnel shall not exchange any currency with personal currency, as specified in Office Policy DO-1, *Intake Process*. Employees found to be in violation of this Office Policy may be subject to disciplinary action up to and including dismissal, as specified in Office Policy GC-17, *Employee Disciplinary Procedures*.
 - D. **Documentation of Initial Deposit:** The inmate shall sign appropriate documentation indicating the accuracy of the initial amount. The shift supervisor shall be notified of any inmate refusing to sign the documentation because of an unresolved discrepancy regarding the listed amount. If the shift

supervisor is unable to resolve the issue, they shall investigate the discrepancy, as specified in Office Policy GD-12, *Collecting, Safeguarding, and Disbursing Cash*.

- E. Money Releases: Money releases shall only be initiated during the first 72 hours of incarceration. This limitation shall not apply to the payment of fines, the posting of bonds, purchases of canteen items or subscriptions, or when the jail commander or designee has approved a money release due to exigent circumstances. During the booking process, Office personnel shall advise each inmate that they may only release money to persons who are not in custody, with the exception of the inmate's spouse.
 - 1. An inmate fund release shall only be submitted in paper form using an *Inmate Request Form*. An *Inmate Request Form* submitted for a funds release through a tablet will not be accepted.
 - 2. A request to release funds to a specific person shall require an inmate to complete and submit an *Inmate Request Form* which shall include a thumb print of the inmate making the request, the amount to be released, and the recipient's name, address, and phone number. This form shall be signed and dated by MCSO personnel for approval.
 - a. The recipient shall be required to provide proper identification and sign the *Inmate Request Form*, indicating receipt of the money if picking up in person; or
 - b. If the inmate is unable to provide an in-person recipient for the release of their funds, the inmate may provide a recipient's name and address and request that the funds be mailed. Funds shall be mailed by the Financial Services Division to the recipient's provided address with the approval of the jail commander or designee.
 - c. After the inmate funds have been released, the transaction shall be documented in SHIELD.
- 3. **Acceptable/Unacceptable Deposits:** Subsequent deposits to an inmate fund account may be made through the TouchPay Kiosk system. Unacceptable money or negotiable instruments received through the U.S. mail will be returned to the sender.
 - A. Deposit TouchPay kiosks are at designated jail facilities' lobby locations allowing members of the public to deposit money on inmate accounts. These TouchPay kiosks will accept cash, debit, and credit cards. In addition, members of the public can deposit money on an inmate's account using the TouchPay kiosk system's website or phone line. The deposit to an inmate's account from the TouchPay kiosk system will show the user as "KIOSK" in the Inmate Fund Accounts. Questions from members of the public, including but not limited to, how to use the TouchPay kiosk, should be directed to the customer service for the TouchPay kiosk system vendor.
 - B. Employees should not answer questions from members of the public about any transactions that have been made on the TouchPay kiosk system. Questions from members of the public, including but not limited to, how to use the TouchPay kiosk, should be directed to the customer service for the TouchPay kiosk system vendor. The TouchPay kiosk system vendor will work with the Inmate Accounting Unit of the Financial Services Division for an authorized agreeable resolution.
 - C. If a jail facility receives a government agency official check (in paper form), these checks shall be forwarded to the Office Central Mailroom to be deposited into the designated inmate's fund account.

- D. If a jail facility receives a government agency official check (in debit card form), it shall **not** be deposited into the designated inmate's fund account. These debit cards shall be sent to the Office Central Mailroom for processing as personal property.
 - E. Mailroom personnel shall initiate the inmate notification for release of their government agency official check (in debit card form). The inmate shall be directed to complete and submit an *Inmate Request Form* identifying a specific recipient, their mailing address and any other pertinent information. The *Inmate Request Form* shall include a name, booking number, and thumb print. The completed inmate request shall be immediately returned to the Central Mailroom. The government agency official check (in debit card form) and a copy of the inmate request shall be mailed to the recipient by Mailroom personnel and documented in SHIELD.
 - F. In the event an inmate cannot provide a recipient's name or mailing address, detention personnel shall direct the inmate to complete and submit an *Inmate Request Form* requesting that the government agency official check (in debit card form) be placed into their inmate personal property. The *Inmate Request Form* shall include a name, booking number, and thumb print. A copy of the completed *Inmate Request Form* shall be immediately forwarded to the Central Mailroom. Mailroom personnel shall forward the debit card and a copy of the inmate request to the Intake, Transfer and Release (ITR) facility for the property insertion and documented in SHIELD.
 - G. A government agency official check (in debit card form) is to be placed into an inmate's personal property at the direction of the ITR shift supervisor and shall be documented in SHIELD.
 - H. A copy of the inmate request shall be placed into the inmate's jail file and documented in SHIELD upon completion of the process.
4. **Use of Money in Inmate Fund Accounts:** Inmates may use the money in their fund accounts to purchase items from the Inmate Canteen, pay bonds or fines, or purchase subscriptions.
- A. An inmate fund release to purchase a publication by subscription shall be submitted in paper form only using an *Inmate Request Form*. An *Inmate Request Form* submitted for a funds release to purchase a publication through a tablet will not be accepted. The *Inmate Request Form* shall be signed and dated by detention personnel. The form must also include the following:
 - 1. Name and booking number;
 - 2. A thumb print;
 - 3. The name of the publication;
 - 4. The name and address of the publisher or that publisher's authorized distributor;
 - 5. The amount to be released;
 - 6. The inmate shall further be required to include a stamped, properly addressed envelope with the *Inmate Request Form*; and
 - 7. Detention personnel shall attach the envelope to the *Inmate Request Form* and forward all items to the Financial Services Division for further processing.
 - B. A request to pay an inmate's own bond or fine shall be processed by the Sheriff's Information Management Services (SIMS). SIMS shall require that the inmate appropriately complete and

submit an *Inmate Request Form* indicating the reason for the release as a self-bond or self-fine, and the amount to be paid. One *Inmate Request Form* may be used for multiple bonds or fines; however, the inmate shall be required to specify each bond or fine amount to be paid. Bonds or fines being paid to satisfy charges or sentences from multiple courts will require Office personnel to provide a separate bond or fine receipt for each court. The *Inmate Request Form* shall be signed and dated by detention personnel.

- C. An inmate shall not be permitted to make deposits to or have amounts deducted from another inmate's fund account, unless the inmates are spouses. A transfer of funds between spouses may be conducted upon written requests from both individuals.
- 5. **Withdrawals by Designated Personnel:** Division commanders or designees at the ITR and Lower Buckeye Jail (LBJ) facilities shall designate personnel, such as cashiers to make withdrawals on an inmate's fund account with the inmate's written authorization.
- 6. **Deceased Inmate's Account:** In the event of an inmate's death, a copy of the inmate's Inmate Fund Accounts record and the cash amount remaining in the inmate's fund account shall be given to, and receipted by, the investigating officer. The investigating officer shall ensure that the money is returned to and received by the inmate's next-of-kin. Once next-of-kin is located, instructions should be given for them to pick up a money release card containing the remaining balance of the deceased inmates' account. If no next-of-kin is located, the funds will remain in the account and be considered unclaimed property. Funds which have remained unclaimed for over one year will be transferred by the Financial Services Division to the Arizona Department of Revenue.
- 7. **Funds Belonging to Escaped or Released Inmates:** If it is discovered that an inmate has escaped, or was released without receiving all the inmate's funds, the amount owed will remain in their closed Inmate Fund Accounts, pending receipt of the funds by the inmate. Funds which have remained unclaimed for over one year will be transferred by the Financial Services Division to the Arizona Department of Revenue.