



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

APPLICABILITY
PRISON/WORK RELEASE
OFFENDER/SPANISH MANUALS

REVISION DATE
7/24/15

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1 of 9

NUMBER
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POLICY

TITLE
TRUST ACCOUNTS FOR OFFENDERS

REVIEW/REVISION HISTORY:

Effective: 12/8/93	Revised: 1/21/08
Revised: 2/28/97	Revised: 5/22/08 AB 08-010
Revised: 6/1/99	Revised: 7/23/09
Revised: 2/29/00	Revised: 12/1/10
Revised: 1/8/01	Revised: 6/20/11
Revised: 6/25/01	Revised: 11/1/11
Revised: 1/22/02	Revised: 2/1/12
Revised: 11/3/03	Revised: 5/26/14
Revised: 5/31/06 AB 06-004	Revised: 7/24/15

SUMMARY OF REVISION/REVIEW:

II.D. - Adjusted process for handling funds sent from a single sender to multiple offenders
Attachment 2 - Added a 20% civil judgment deduction for 42 U.S.C. 1983 lawsuit settlements, and moved postage subaccount to exempt section
Attachment 3 - Adjusted CVC fund title and added language regarding refunds of health care services co-payments
Attachment 6 - Removed 20 percent deduction for postage subaccount, and adjusted medical subaccount content throughout per RCW 72.09.480

APPROVED:

Signature on file

BERNARD WARNER, Secretary
Department of Corrections

7/23/15

Date Signed

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p>	APPLICABILITY PRISON/WORK RELEASE OFFENDER/SPANISH MANUALS		
	REVISION DATE 7/24/15	PAGE NUMBER 2 of 9	NUMBER DOC 200.000
	TITLE TRUST ACCOUNTS FOR OFFENDERS		

REFERENCES:

DOC 100.100 is hereby incorporated into this policy; [RCW 9.94A.030](#); [RCW 9.94A.760](#); [RCW 9.94A.780](#); [RCW 9.95.030](#); [RCW 10.64.120](#); [RCW 10.82.090](#); [RCW 51.32.080](#); [RCW 63.42.030](#); [RCW 72.04A.120](#); [RCW 72.09](#); [RCW 72.11](#); [RCW 72.65](#); [WAC 137-36-040](#); [ACA 4-4045](#); [ACA 4-4046](#); [ACA 4-4047](#); [ACA 4-4292](#); [ACA 4-4461-1](#); [ACA 7D-30](#); [ACA 7D-32](#); [ACA 7D-33](#); [DOC 200.200 Offender Betterment Fund \(OBF\)](#); [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 prudent 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. [4-4045]
 - 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. [4-4292]
- 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. Offender funds will be maintained in an authorized Federal Deposit Insurance Corporation (FDIC) financial institution checking account. All offender funds in Department custody will be consolidated into one account by facility/ region and deposited in an agency approved local bank by the Business Office.
 - B. The funds will be maintained in non-interest bearing accounts. [4-4046]

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p>	APPLICABILITY PRISON/WORK RELEASE OFFENDER/SPANISH MANUALS		
	REVISION DATE 7/24/15	PAGE NUMBER 3 of 9	NUMBER DOC 200.000
	TITLE TRUST ACCOUNTS FOR OFFENDERS		

- C. Offenders will not be allowed to maintain or make voluntary deposits to separate individual savings, checking, or investment accounts, or certificate of deposits for funds received by the Department.
- D. Offender funds will be maintained in the Trust Accounting System (TAS).
- E. Facility business office 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 or money order if the Business Office uses an endorsement stamp to deposit to the offender's trust account and the bank. 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 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.
 - 2. Funds will be deposited into the subaccount designated by the sender. If no subaccount is specified, the deposit will be posted to the spendable subaccount.
 - 3. Funeral/deathbed visit expenses will be processed through the savings subaccount, exempt from mandatory deductions, and posted to the general fund liability ledger.
- D. Family, friends, and/or other individuals may not deposit to more than one offender's trust account without the Superintendent's prior approval.
 - 1. The Superintendent may allow one offender to keep the funds, in which case the other offender will be notified in writing that his/her funds are being designated as contraband. The offender may submit a written request for Superintendent/designee(s) review within 10 calendar days following notice.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p>	APPLICABILITY PRISON/WORK RELEASE OFFENDER/SPANISH MANUALS		
	REVISION DATE 7/24/15	PAGE NUMBER 4 of 9	NUMBER DOC 200.000
	TITLE TRUST ACCOUNTS FOR OFFENDERS		

2. Contraband funds may be deposited in the Offender Betterment Fund 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.

III. Deductions From Deposits

- A. Deductions from deposits will be processed per the Deduction Matrix (Attachment 2) and Deductions (Attachment 3). [4-4461-1]

IV. Work Release

- A. Funds earned by an offender while participating in Work Release, less payroll deductions required by law, will be deposited to the offender's account in TAS.
 1. Work Releases will use DOC 06-072 Work Release Program Transmittal of Trust Funds, with the offender's DOC number on the front of the check/money order or Electronic Funds Transfer/Automated Clearinghouse (EFT/ACH) statement and an endorsement stamp, where appropriate.
 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 as defined in Attachment 1 and has repaid any Community Services Revolving Fund (CSRF) loan in full.
 - a. If the offender is still in Work Release, s/he must turn in the paycheck per local practice, and the check will be returned to the offender upon release.
 - b. If the check 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. [7D-32] [7D-33] 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 balance is less than his/her daily room and board obligation, the remainder will become a debt and collected in the priority order listed in Deductions (Attachment 3) according to the Deduction Matrix (Attachment 2).
 1. Violators will not be charged for Work Release room and board.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p>	<p>APPLICABILITY PRISON/WORK RELEASE OFFENDER/SPANISH MANUALS</p>		
	<p>REVISION DATE 7/24/15</p>	<p>PAGE NUMBER 5 of 9</p>	<p>NUMBER DOC 200.000</p>
	<p>TITLE TRUST ACCOUNTS FOR OFFENDERS</p>		

2. Rap House/Lincoln Park Work Release will not charge room and board.
- C. CSRF loans are available 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. Loan amounts for county placement offenders are based upon time of commitment per Subaccounts (Attachment 6).
1. A CSRF loan will be placed on an offender's Work Release 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. Savings subaccount
 - d. Spendable subaccount
 3. CSRF debt balances remaining will be collected as a percentage of deposits per the Deduction Matrix (Attachment 2).
 4. CSRF loans are not subject to deductions.
 5. If the offender is returned to Prison, CSRF debt owed to the Department will be collected.
 - a. 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
 - b. An offender's spendable subaccount will not be reduced below the level of indigency as defined by statute.
- V. Withdrawals
- A. Withdrawals from offender accounts include, but are not limited to:



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

APPLICABILITY
PRISON/WORK RELEASE
OFFENDER/SPANISH MANUALS

REVISION DATE
7/24/15

PAGE NUMBER
6 of 9

NUMBER
DOC 200.000

POLICY

TITLE
TRUST ACCOUNTS FOR OFFENDERS

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 IDs,
 9. User fees (e.g., TV fees and rentals),
 10. Education,
 11. Other purchases made in compliance with DOC 440.000 Personal Property for Offenders, and
 12. Withdrawals approved through the facility or Business Office approval process.
- B. Offenders will complete DOC 06-075 Offender Request to Transfer Funds to request withdrawals from their accounts.
- C. Withdrawals for fees, assessments, deposit corrections, commissary, and other transactions will be withdrawn from the offender's spendable balance. Current withdrawals from an offender's account may take the spendable balance below the indigency standard and draw the offender's account balance to zero.
- D. [4-4047] [7D-30] Offenders are not allowed to directly or indirectly transfer funds between other offenders' accounts or exchange funds or items of value with:
1. Employees, contract staff, volunteers, or sponsors, or
 2. Other offenders or their families, friends, or associates.
- E. Offenders may not withdraw money from their offender trust account to establish or deposit to outside accounts, investments, certificates of deposit, or credit accounts.
- F. Offenders may request payments to creditors, provided sufficient funds are available to cover the request and postage.
- G. When out to trial, an offender may request funds from his/her spendable balance be transferred to the county jail.
- H. 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.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p>	APPLICABILITY PRISON/WORK RELEASE OFFENDER/SPANISH MANUALS		
	REVISION DATE 7/24/15	PAGE NUMBER 7 of 9	NUMBER DOC 200.000
	TITLE TRUST ACCOUNTS FOR OFFENDERS		

- I. 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 office employees will verify the check has not cleared before canceling it.
 - b. Business office employees will place a hold on funds for 2 business days after the cancellation, and then reissue a check in the same amount to the same payee.

- VI. Contracts and Outside Vendor Credit Accounts
 - A. Offenders will not use credit cards, time payment plans, or any type of credit account while in total or partial confinement with the Department.
 - B. Offenders will not enter into any contract while in total or partial confinement with the Department without Secretary/designee approval.

- VII. Collecting Debt Upon Release
 - A. Debt owed to the Department will be collected at the time an offender is released from incarceration. When required by statute, debt collection will be calculated after deductions from subaccounts.
 1. A transfer to the Community Parenting Alternative (CPA) Program will be treated the same as a release, and all deductions will apply.
 2. Debts will be collected as follows:
 - a. When an offender's balance in all subaccounts combined is \$5.00 or less, the Department will collect debt before issuing release funds to the offender.
 - b. When an offender's balance in all subaccounts combined is between \$5.01 and \$100.00, the Department will not collect debt, and the full balance will be issued to the offender.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p>	APPLICABILITY PRISON/WORK RELEASE OFFENDER/SPANISH MANUALS		
	REVISION DATE 7/24/15	PAGE NUMBER 8 of 9	NUMBER DOC 200.000
	TITLE TRUST ACCOUNTS FOR OFFENDERS		

- 1) If a deposit(s) is made to the offender's account after release funds are drawn, additional release funds will be issued up to \$100.00 total for all release funds, plus any balance remaining after all Department debt has been paid.
- c. When an offender's balance in all subaccounts combined is greater than \$100.00, the balance above \$100.00 will be applied to Department debt before issuing release funds. Release funds will be \$100.00, plus any balance remaining after all Department debt has been paid.
- 1) At the discretion of the Superintendent/CCS or designee, \$50.00 maximum 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. Any balance remaining will be forwarded to the offender's release address no later than 30 days after release.
- d. All subaccounts are subject to debt collection at and after release from incarceration.
- 1) Any balance remaining from deposits subject to debt collection that may be posted to an offender's account after his/her release will be applied to outstanding Department debt before issuing additional release funds to an offender's release address.
 - 2) Based upon the offender's Custody Facility Plan, and with CCS/designee approval, debt collections from the Work Release savings subaccount may be waived so that the Work Release offender may be released 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 6 months. After 6 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.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p>	APPLICABILITY PRISON/WORK RELEASE OFFENDER/SPANISH MANUALS		
	REVISION DATE 7/24/15	PAGE NUMBER 9 of 9	NUMBER DOC 200.000
	TITLE TRUST ACCOUNTS FOR OFFENDERS		

- C. Property of deceased offenders will be handled per DOC 440.000 Personal Property for Offenders and 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 \(Attachment 2\)](#) [7D-32] [7D-33]
- [Deductions \(Attachment 3\)](#) [4-4461-1] [7D-32] [7D-33]
- [Life Expectancy Table \(Attachment 4\)](#)
- [Process to Request an Exemption to Mandatory Savings \(Attachment 5\)](#)
- [Subaccounts \(Attachment 6\)](#)

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 Offender Request to Transfer Funds](#)
- [DOC 06-076 Education Subaccount Withdrawal Request](#)
- [DOC 06-077 Offender Request to Reissue Banking System Check](#)
- [DOC 07-011 Request for Information Regarding Tribal Agency Disbursement of Funds](#)
- [DOC 09-012 Request for Unclaimed Property](#)