

	<b>State of Alaska Department of Corrections Policies and Procedures</b>		<b>Index #:</b> 304.01	<b>Page 1 of 3</b>	
			<b>Effective:</b> 7/24/07		
			<b>Distribution:</b> Public	<b>Due for Rev:</b> 7/09	
	<b>Chapter:</b>	Fiscal Management and Prisoner Accounts			
<b>Subject:</b>	Prisoner Wage Disbursal				

I. Authority

In accordance with 22 AAC 05.155, the Department will maintain a manual comprised of policies and procedures established by the Commissioner to interpret and implement relevant sections of the Alaska Statutes and 22 AAC.

II. References

Alaska Statutes

AS 33.30.201

Alaska Rules of Court

Criminal Rule 32.6(f)

Alaska Administrative Code

22 AAC 05.105

22 AAC 05.106

22 AAC 05.110

Standards for Adult Correctional Institutions, 4th Edition 2003

4-4031, 4-4034

Standards for Adult Local Detention Facilities, 3rd Edition 1991

3-ALDF-1B-04, 1B-18, 1B-19

III. Purpose

To establish uniform procedures within the Department for an equitable system for the disbursal of prisoner wages and gratuities.

IV. Application

To all staff and prisoners.

V. Definitions

As used in this policy, the following definitions shall apply:

A. Mandatory Savings

Money credited to a prisoner for the primary purpose of being available to the prisoner at the time of release.

B. Prisoner Dependents

Anyone who is entitled to receive support based upon a court order.

C. Prisoner Wages

Money given to a prisoner in exchange for work performed for the Department or at the Department's behest. "Wages" include all earnings and gratuities paid to a prisoner.

VI. Policy

All prisoner wages will be disbursed in the percentages and priorities determined to be appropriate by statute, AS 33.30.201 (c).

VII. Procedures

A. Prisoner Wage Disbursal

Prisoner wages shall be disbursed according to the following procedures and order of priority:

Priority of Allocation	Nature of Priority	Percent of Wages Available for Monthly Allocation
Priority One	Court-ordered support for prisoner's dependents.	Up to 40% of wages.
Priority Two	State reimbursement for violent crime compensation awarded under AS 18.67.010 arising out of the prisoner's criminal conduct.	Up to 5% of wages.
Priority Three	Civil Judgments resulting from the prisoner's criminal conduct.	Up to 5% of wages.
Priority Four	Restitution ordered by the sentencing court.	Up to 10% of wages.
Priority Five	Fines ordered by the sentencing court.	Up to 10% of wages.
Priority Six	For the payment of fees for the prisoner's utility services under AS 33.30.017.	\$3.00 Maximum monthly fee.
Priority Seven	Personal use including clothing, commissary, and photocopying.	Up to 25% of wages.
Priority Eight	Mandatory Savings account.	35% of wages until \$250 has been accrued, then 5% of wages monthly. Inmates serving 8 years or more are exempt from Mandatory Savings.

Any wages remaining after all applicable priorities have been satisfied will be equally allocated to personal use (Priority Seven) and mandatory savings (Priority Eight).

#### B. Mandatory Savings

1. Funds designated for placement in a mandatory savings account for a prisoner (Priority Eight), will be retained by the Commissioner for the primary purpose of being available to the prisoner at the time of release. Mandatory savings funds are to be retained in the Offender Trust Account. Mandatory savings funds held in trust will be deposited in this non-interest bearing account and held for the purpose of inmate use upon release.
2. In cases of extreme hardship monies may be disbursed from a prisoner's mandatory savings account prior to release. Disbursements due to hardship will be at the sole discretion of the Deputy Commissioner. Mandatory savings may not be used to either calculate or pay court-ordered filing fees as determined by AS 09.19.010. This applies to Federal as well as State court.
3. The Superintendent shall have the discretion to exempt prisoners from the requirement for mandatory savings on a case-by-case basis due to the length of sentence, age of the prisoner, and other relevant factors.
4. Prisoners who have more than 8 years to serve before their release dates will automatically receive an exemption from the mandatory savings deduction.

#### C. Prisoner Health Care and Photocopying Expenses

Prisoner health care and photocopying expenses will be deducted from the prisoner's account at least once a month. See Policies 304.02: Prisoner Assets Disbursal, 807.07:

Prisoner Responsibility for Health Care, and 808.12: Photocopying for Prisoners.

D. Escape Forfeiture

If a prisoner escapes, all of the prisoner's money in the prisoner's account may be forfeited by the Deputy Commissioner, for deposit into the General Fund. A prisoner may appeal this forfeiture to the Commissioner.

VIII. Implementation

This policy and procedure is effective as of the date signed by the Commissioner. Each Manager shall incorporate the contents of this document into local policy and procedure. All local policies and procedures must conform to the contents of this document. Any deviation from the contents of this document must be approved in writing by the Division Director.

7/24/07  
Date



Joseph D. Schmidt, Commissioner  
Department of Corrections