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 09.35.010
AS 09.38.030
AS 09.38.065
AS 33.30.011
AS 33.30.017
AS 33.30.028
AS 33.30.201
AS 43.23.065

Alaska Administrative Code
22 AAC 05.105
Standards for Adult Correctional Institutions, 3rd Edition 1990
3-4031, 3-4044, 3-4045
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 assets.

IV. Application

To all staff and prisoners.

V. Definitions

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

A. Prisoner Dependents

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

B. Prisoner Assets

All money held for a prisoner in the Offender Trust Account including wages remaining after disbursal per Policy 304.01, Prisoner Wage Disbursal.

VI. Policy

All prisoner assets will be disbursed for various needs as determined to be appropriate by the Commissioner.
VII. Procedures

A. Prisoner Asset Disbursal

Up to 100% of prisoner assets may be disbursed in the following priority order as set forth in AS 09.38.030(f):

1) Court-ordered support for dependents as required by AS 25.27.
2) Court-ordered restitution or fines.
3) Civil judgments resulting from that person’s criminal conduct.
4) State reimbursement for violent crime compensation awarded under AS 18.67.010 arising out of the prisoner’s criminal conduct.
5) Other judgments entered against a prisoner in litigation against the state (see meaning given in AS 09.19.100).

Any assets remaining after all applicable priorities have been satisfied may be allocated to pay for disciplinary restitution, medical co-payments, electrical fees, postage, photocopying, commissary, and other personal uses.

B. 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 807.07: Prisoner Responsibility for Health Care, and 808.12: Photocopying for Prisoners.

C. 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.

December 2, 2005
Date

Marc Antrim, Commissioner
Department of Corrections