	ADMINISTRATIVE REGULATION STATE OF ARKANSAS BOARD OF CORRECTIONS	Section Number: ACC 2.8 ADC 109	Page Number: 1
		Board Approval Date: 2/17/94	
		Supersedes: DCC 2.8 EMERG. ADC 109	Dated: 1/19/94 11/21/85
		Reference: AD 88:02	Effective Date: 3/10/94
SUBJECT: FUNDS OF OFFENDERS			

I. AUTHORITY. The Board of Corrections (Board) is vested with the authority to promulgate Administrative Regulations by Act 50 of 1968, Extraordinary Session, as amended; Acts 548 and 549 of 1993, Regular Session (Ark. Code Ann. §§ 16-93-1203 and 12-27-105 of 1993).

II. PURPOSE. To ensure that proper and accurate accounting records for funds of offenders are maintained at each facility.

III. APPLICABILITY. To the warden, center supervisors, and accounting staff of each facility responsible for the establishment and maintenance of books of account.

IV. DEFINITIONS.


Offenders. Persons sentenced to the Arkansas Department of Correction (ADC), ADC for judicial transfer to the Arkansas Community Correction (ACC), or confined in a residential center as a condition of probation, suspended imposition of sentence, or post prison transfer.

V. POLICY. The policy of the Board of Corrections is to ensure that proper and accurate accounting records for funds of offenders are maintained at each facility.

VI. PROCEDURE.

A. Each warden/center supervisor ensures that appropriate staff members work within the guidelines established by the Department's Administrative Services Division which clearly and accurately depict receipts and disbursement transactions and balances for each offender's account. The responsibility of the warden/center supervisor for maintenance of offenders' accounts includes, but is not limited to:

1. Establishment and notification to offenders of procedures whereby monies are deposited to offender account(s).
2. Establishment and notification to offenders of procedures whereby the offender may disburse or otherwise use personal funds.

	ADMINISTRATIVE REGULATION STATE OF ARKANSAS BOARD OF CORRECTIONS	Section Number: ACC 2.8 ADC 109	Page Number: 2
		Board Approval Date: 2/17/94	
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- B. Personal funds of offenders will be given to the offender at the offender's release from custody. In the event of transfer to another facility of the Department or a corrections institution outside ADC and ACC, the funds will be sent to the receiving facility. In the event that an offender is no longer in the custody of the Department, and personal funds of the offender remain on the books of account of the facility, the monies in the account will be provided to the Administrative Services Division to be permanently held for subsequent claim by the offender or a duly authorized representative of the offender. The Administrative Services Division may release such funds only to individuals that are properly authorized to make the claim; to include adherence to the appropriate policy or directive in the event of death of the offender to whom the funds belong.
- C. In no event will money be maintained for more than seven (7) years. At that time, funds would be deposited into the Offender Assistance or Welfare Fund.