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Inmate/Offender Financial Responsibility Program	ACA Standards: 5-ACI-1B-24, 4-ACRS-6D-01, 4-ACRS-6D-02, 4-APPFS-2F-01, 4-APPFS-2F-02		
Scott Crow, Director Oklahoma Department of Corrections		Signature on File	

Inmate/Offender Financial Responsibility Program

The Inmate/Offender Financial Responsibility program requires inmates/offenders to address legitimate financial obligations while under Oklahoma Department of Corrections (ODOC) incarceration/supervision. ODOC assists inmates/offenders in developing suitable financial management plans that enable them to contribute toward their financial obligations while reinforcing responsible money management practices. ODOC will provide services and opportunities that encourage inmates/offenders to take responsibility for their actions and to make restitution to the victims of their crime(s) and/or to the community. (5-ACI-1B-24, 4-ACRS-6D-01, 4-ACRS-6D-02, 4-APPFS-2F-01, 4-APPFS-2F-02)

All inmates will be required to have ten percent (10%) of their earnings withheld each month for state court costs due in criminal cases, twenty percent (20%) of all funds received withheld for cases filed under the Prisoner Litigation Reform Act (PLRA), also known as 42 U.S.C. § 1997e, and an amount arranged through district court for court-ordered child support payments.

I. Development of a Financial Plan (4-APPFS 2F-01)

The inmate/offender financial plan process will begin at the first facility placement following reception or upon reception by a probation and parole region.

A. Initial Reception of Inmates

1. Following initial facility placement from the assessment and reception unit and prior to the new arrival review, the inmate's assigned case manager will complete the "Inmate/Offender Financial Responsibility Plan" ([DOC 090131A](#)) utilizing the assessment case history and any information subsequently received. According to P-

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120100, entitled "Management of State Funds and Assets," financial obligations will be listed and funds will be withheld in the order of priority listed in [Attachment A](#) entitled, "Inmate Obligation Deduction Matrix."

2. Staff will explain the mandatory deductions and will reinforce to the inmate their responsibility to make payments toward their financial obligations.
3. Subsequent new arrival, adjustment reviews and periodic contacts will include financial plan review or revisions in accordance with [OP-060203](#) entitled "Adjustment Review."

B. Initial Intake of Probation and Parole Offenders (4-APPFS 2F-01)

1. When conducting the orientation of offenders, the probation and parole officer will review the offender's obligations for court costs, fines, supervision fees and any other financial sanctions rendered by the court as provided in the Judgment and Sentence or other court documents. The officer will outline the offender's obligations utilizing the "Verification of General Orientation" form ([OP-160103, Attachment D](#)). (4-APPFS 2F-01)
2. A review of plan progress or modification of plan components will take place during the offender's regularly scheduled reviews and contacts with the probation and parole officer.
3. If the probation or parole offender fails to comply with the restitution payment schedule, the supervising officer will notify the releasing authority via a violation report as outlined in [OP-160701](#) entitled "Collection of Probation/Parole Fees, Restitution and Program Support Fees."
4. When a pre-release program inmate has agreed to a payment schedule with the courts and is removed from the program and returned to a facility, the officer will inform the court of the inmate's status.
5. If an inmate/offender is assigned to GPS, the probation and parole officer will direct the inmate/offender to report to the court clerk within thirty (30) days of placement in the community, to address the payment of any fines, costs, restitution and assessments owed (57 O.S. & § 510.9).

II. Mandatory Payment Procedures (5-ACI-1B-24, 4-ACRS-6D-02, 4-APPFS-2F-02)

In accordance with 57 O.S. § 549, payments of costs and expenses for criminal actions against the inmate/offender are mandatory. The inmate/offender is responsible for making all payments required by the financial responsibility plan or

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in accordance with the payment schedule as set forth by the court and for providing documentation of payment to staff.

Payments may be made in two ways:

A. Direct Payments (5-ACI-1B-24, 4-ACRS-6D-02, 4-APPFS-2F-02)

1. Outside payments may be made by the offender or the offender's family directly to the party to whom the obligation is to be paid.
2. Payments to victim restitution will be made to the agency restitution office as outlined in [OP-160701](#) entitled "Collection of Probation/Parole Fees, Restitution and Program Support Fees." (5-ACI-1B-24, 4-ACRS-6D-02, 4-APPFS-2F-02)

B. Payments by Inmates

1. Automatic withdrawals for each pay period will be initiated by completion of the "Inmate/Offender Financial Responsibility Plan" ([DOC 090131A](#)) as approved by unit staff and processed by the Trust Fund staff in accordance with [OP-120230](#) entitled "Offender Banking System." Deductions will be made through the Offender Banking System (OBS) from the inmate's net pay (work release or prison industries) or facility inmate pay and any funds deposited into the inmate's account. Settlement funds received by inmates will be processed in accordance with 57 O.S. § 566.1.
2. Additional payments may be made through a disbursement signed by the inmate, approved by unit/designated staff, and processed by the Trust Fund staff in accordance with [OP-120230](#) entitled "Offender Banking System."

III. Documentation

The OBS and Offender Management System (OMS) case notes will indicate financial obligations and the inmate's/offender's level of participation in the financial responsibility program.

IV. Quarterly Summary for Inmates

Business Services will forward a copy of the quarterly summary of court costs payments to the agency director and the chief financial officer or designee.

V. References

Policy Statement No. P-090100 entitled "Provisions of Programs"

Policy Statement No. P-120100 entitled "Management of State Funds and Assets"

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OP-060203 entitled "Adjustment Review"

OP-120230 entitled "Offender Banking System"

OP-160701 entitled "Collection of Probation/Parole Fees, Restitution and Program Support Fees"

12 O.S. § 397

22 O.S. § 18

57 O.S. § 510.9

57 O.S. § 549

57 O.S. § 566.1

Oklahoma Court of Criminal Appeals Rule 8.2

Prisoner Litigation Reform Act (PLRA); also known as 42 U.S.C. § 1997e

28 U.S.C. § 1915(b)(1)

VI. Action

The chief administrator of Institutions is responsible for compliance with this procedure.

The chief of Operations is responsible for the annual review and revisions.

Any exceptions to this procedure will require prior written approval from the agency director.

This procedure is effective as indicated.

Replaced: Operations Memorandum No. OP-090131 entitled "Inmate/Offender Financial Responsibility Program" dated May 28, 2020

Distribution: Policy and Operations Manual
Agency Website

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<u>Referenced Forms</u>	<u>Title</u>	<u>Location</u>
DOC 090131A	"Inmate/Offender Financial Responsibility Plan"	Attached
<u>Attachments</u>	<u>Title</u>	<u>Location</u>
Attachment A	"Inmate Obligation Deduction Matrix"	OP-120100
Attachment D	"Verification of General Orientation"	OP-160103