



POLICY STATEMENT
Commonwealth of Pennsylvania • Department of Corrections

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| Policy Subject: Collection of Inmate Debts | | Policy Number: DC-ADM 005 |
| Date of Issue: October 17, 2007 | Authority: Signature on File Jeffrey A. Beard, Ph.D. | Effective Date: October 24, 2007 |

I. AUTHORITY

The Authority of the Secretary of Corrections to direct the operation of the Department of Corrections is established by Sections 201, 206, 506, and 901-B of the Administrative Code of 1929, 71 P.S. §§61, 66, 186, and 310-1, Act of April 9, 1929, P.L. 177, No. 175, as amended.

II. APPLICABILITY

This policy is applicable to all facilities operated under the jurisdiction of, or conducting business with the Department of Corrections.

III. POLICY

It is the policy of the Department to collect, consistent with current law, all inmate debts which is authorized to collect and to transmit the proceeds to the appropriate party(ies).

IV. PROCEDURES

All applicable procedures are contained in the procedures manual that accompanies this policy document.

V. SUSPENSION DURING AN EMERGENCY

In an emergency or extended disruption of normal facility operation, the Secretary/designee may suspend any provision or section of this policy for a specific period.

VI. RIGHTS UNDER THIS POLICY

This policy does not create rights in any person nor should it be interpreted or applied in such a manner as to abridge the rights of any individual. This policy should be interpreted to have sufficient flexibility to be consistent with law and to permit the accomplishment of the purpose(s) of the policies of the Department of Corrections.

VII. RELEASE OF INFORMATION AND DISSEMINATION OF POLICY

A. Release of Information

1. Policy

This policy document is public information and may be released upon request.

2. Confidential Procedures (if applicable)

Confidential procedures for this document, if any, are not public information and may not be released in its entirety or in part, without the approval of the Secretary of Corrections/designee. Confidential procedures may be released to any Department of Corrections employee on an as needed basis.

B. Distribution of Policy

1. General Distribution

The Department of Corrections' policy and procedures shall be distributed to the members of the Central Office Executive Staff, all Facility Managers, and Community Corrections Regional Directors on a routine basis. Distribution of confidential procedures to other individuals and/or agencies is subject to the approval of the Secretary of Corrections/designee.

2. Distribution to Staff

It is the responsibility of those individuals receiving policies and procedures, as indicated in the "General Distribution" section above, to ensure that each employee expected or required to perform the necessary procedures/duties is issued a copy of the policy and procedures either in hard copy or via email, whichever is most appropriate.

VIII. SUPERSEDED POLICY AND CROSS REFERENCE

A. Superseded Policy

1. Department Policy

DC-ADM 005, Collection of Inmate Debts policy issued March 8, 2004, by Secretary Jeffrey A. Beard, Ph.D.

2. Facility Policy and Procedures

This document supersedes all facility policy and procedures on this subject.

B. Cross Reference(s)

1. Administrative Manuals

- a. DC-ADM 801, Inmate Discipline; and
- b. DC-ADM 803, Inmate Mail and Incoming Publications.

2. ACA Standards

- a. Administration of Correctional Agencies: None
- b. Adult Correctional Institutions: None
- c. Adult Community Residential Services: None
- d. Correctional Training Academies: None



PROCEDURES MANUAL
Commonwealth of Pennsylvania • Department of Corrections

Policy Subject:

Collection of Inmate Debts

Policy Number:

DC-ADM 005

Date of Issue:

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Authority:

**Signature on File
John E. Wetzel**

Effective Date:

October 24, 2007

Release of Information:

Policy Document: This policy document is public information and may be released upon request.

Procedures Manual: The procedures manual for this policy may be released in its entirety or in part, with the prior approval of the Secretary/designee. Unless prior approval of the Secretary/designee has been obtained, this manual or parts thereof may be released to any Department employee on an as needed basis only.

**DC-ADM 005, Collection of Inmate Debts
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Section 1 – Responsibilities

A. Central Office

The Bureau of Information Technology (BIT) shall develop and maintain the automated system for the administration of inmate accounts. The inmate accounts system shall include features that enable each facility to electronically calculate and deduct inmate debt payments; produce checks and supporting vouchers, and reports.

B. Facility

1. Facility Business Office

Maintains financial accounts for all inmates. Collects monies owed in accordance with this procedures manual by assessing the inmates' accounts and transmitting the funds to all parties owed.

2. Inmate Records Office

Receives orders involving inmate debts, files original copies of the orders, sends photocopies to the facility business office, and serves as the point of coordination for all inmate information received and/or distributed.

Section 2 – Court Orders & Filing Fees

A. Federal Court Orders & Filing Fees

Each facility shall collect Federal Court costs and filing fees in accordance with the language contained in the order.

B. State Court Orders & Filing Fees

1. Pursuant to **42 Pa.C.S. §6602**, when an inmate intends to submit prison conditions litigation and claim indigence, the inmate must provide the court with an application and a certified copy of his/her account statement for the six month period immediately preceding the filing of a complaint or notice of appeal. The facility business office shall ensure that the necessary account statement is provided to the court.
2. If a court enters an order requiring the assessment of filing fees, the business office shall comply with the order.
3. Initial partial payment deductions shall be sent to the court immediately. Subsequent monthly deductions shall be paid in accordance with the court order accompanied by appropriate paperwork reflecting the correct case name and number, the inmate name and number, and the amount of payment.
4. Partial payments: Following the initial court ordered payment the business office will:
 - a. deduct from the inmate's account monthly payments for 20% of the preceding month's income provided the account balance exceeds \$10.00; and
 - b. send the payment to the prothonotary as directed by the court. The court may direct that payments be made monthly or that they be held until sufficient funds have been collected to satisfy the debt.

Section 3 – Collections

A. Collection of Restitution, Reparation, Fees, Costs, Fines, and Penalties 42 Pa.C.S. §9728, Act 84 of 1998 (Act 84)

1. When the County Clerk of Courts provides official court documents showing that restitution, reparation, fees, costs, fines, and/or penalties were assessed against the inmate, the Inmate Records Supervisor/designee shall file the original and forward a copy of the official court documents to the business office of the facility having custody of the inmate.
2. **The Business Manager/designee shall:**
 - a. ***If the Department is in possession of a court order or sentencing transcript, then the Business Manager/designee shall determine if the order that imposes financial obligations on the inmate defers the payment of those obligations to a later date or event (“delay language”). If so, collection of costs as a result of that court order must not begin until the date or event indicated in the court order. In all such cases, the specific terms of the court order will control the collection. Questions concerning the terms of a court order shall be referred to the Act 84 Coordinator.***
 - b. ***Determine the type of financial obligation and the amount to be entered into the Inmate Accounting System as set forth below.***
 - (1) ***Fines and restitution – if the official court documents show that the inmate was ordered to pay fines or restitution or both as part of his/her criminal sentence or prior adjudication of delinquency, then the amount of fines or restitution or both reflected on the official court documents shall be entered into the Inmate Accounting System. If the Department has physical possession of the court order, the court order should be consulted to verify that the fines or restitution or both were ordered. If the amount of fines or restitution listed on the court order is different than the amounts listed on the other official court documents, the lower amount shall control unless the higher amount was the result of a more recent court order.***
 - (2) ***Court costs – if the official court documents show that court costs were assessed against the inmate, then the Business Manager/designee shall determine the date the inmate was sentenced.***
 - (a) ***If the inmate was sentenced prior to December 26, 2010, court costs are not collectible unless they were specifically ordered as part of the inmate’s sentence. The Business Manager/designee shall examine all of the official court documents to determine whether costs were ordered as part of the sentence in the following manner:***

- i. *if the Department has physical possession of a court order, the court order shall control. The court order itself need not specify the amount of costs. If costs were not specifically ordered as part of the inmate’s sentence, they shall not be entered into the Inmate Accounting System;*
 - ii. *if the Department does not have physical possession of a court order, then a sentencing transcript shall be the controlling document to determine whether costs were imposed as part of the sentence. The judge does not need to specify the amount of the costs in the transcript;*
 - iii. *if the Department has neither a court order or a sentencing transcript, then the other official court documents shall be consulted to determine whether costs were ordered as part of the sentence; and*
 - iv. *in accordance with 42 Pa.C.S. §6352, court costs assessed as part of an adjudication of delinquency will be collectable only until the inmate reaches the age of 21. Restitution shall continue to be collectible even after the age of 21.*
- (b) *If the sentencing took place on or after December 26, 2010, then the costs reflected in the official court documents are collectible unless the court specifically waives the court costs. The business manager/designee shall examine all of the official court documents to determine whether costs were waived in the following manner:*
- i. *if the Department has physical possession of a court order, the court order shall control. If costs were specifically waived as part of the inmate’s sentence, they shall not be entered into the Inmate Accounting System;*
 - ii. *if the Department does not have physical possession of a court order, then a sentencing transcript shall be the controlling document to determine whether costs were waived as part of the sentence; and*
 - iii. *in the absence of either a court order or sentencing transcript reflecting that costs were specifically waived, the Business Manager/designee shall enter the amount of costs reflected on the official court documents into the Inmate Accounting System.*
- c. *Determine the amount of Crime Victims Compensation Fund (CVCF) and Victim/Witness Services Fund costs that are owed in accordance with Subsection B. below and enter them into the Inmate Accounting System.*

- d. ***If financial obligations are to be collected from the inmate, transmit to the inmate the Notification of Deductions Memo (Attachment 3-A) along with a copy of the official court documents relied upon to establish the deductions. The Business Manager/designee shall maintain a record of the date when the 15 working day period for the inmate to grieve the deductions expires. The Business Manager/designee shall also ensure that a copy of the Notice of Deductions Memo is placed in the inmate's DC-15.***
 - e. ***Upon expiration of the 15 working day grievance period or resolution of any grievance filed, including any appeals, collect the financial obligations determined to be owed by deducting from the inmate account.***
 - (1) ***An initial deduction of up to 100% of the total amount assessed for the CVCF and Victim/Witness Services Fund except that the inmate shall be permitted to retain an account balance not to exceed \$10.00.***
 - (2) ***An initial deduction of 20% of any remaining account balance exceeding \$10.00 to satisfy other financial obligations set forth in this policy in accordance with the priority set forth in Subsection F. below.***
 - (3) ***Deductions from the inmate's income thereafter in accordance with the percentages and priority set forth in Subsection F. below.***
3. ***An inmate who wishes to challenge the deduction of financial obligations from his/her inmate account must file a grievance within 15 working days of the date of the Notice of Deductions Memo.***
- a. ***The inmate must attach to his/her grievance, official court documents that show that the deductions are improper.***
 - b. ***The grievance should be sustained when the inmate produces a court order, sentencing transcript, or other official court record providing the following:***
 - (1) ***the inmate previously paid the financial obligation;***
 - (2) ***the information submitted on the official court documents by the Clerk was incorrect;***
 - (3) ***for a sentencing occurring prior to December 26, 2010, the sentencing judge did not impose court costs. The official documentation produced by the inmate should be evaluated in accordance with Subsection A.2.b(2)(a) above;***
 - (4) ***for a sentencing occurring on or after December 26, 2010, the sentencing judge specifically waived court costs. The official documentation produced by the inmate should be evaluated in accordance with Subsection A.2.b(2)(b) above;***

- (5) *that a more recent court order removed or postponed the financial obligations; and/or*
 - (6) *the court costs were incurred as a result of a juvenile adjudication of delinquency and the inmate has attained the age of 21.*
4. *If the County Clerk of Courts provides official court documents which reflect an increase/decrease in the total amount of money to be collected from an inmate's account, the following shall apply:*
- a. *a Notification of Amendment in Deductions Memo (Attachment 3-B) shall be transmitted to the inmate, along with a copy of the official court documents relied upon to increase/decrease the total amount of the deductions;*
 - b. *the Business Manager/designee shall maintain a record of the date when the 15 working day period for the inmate to grieve the increase in deductions expires. The Business Manager/designee shall also ensure that a copy of the Notification of Amendment in Deductions Memo is placed in the inmate's DC-15;*
 - c. *the grievance procedures in Subsection A.3. above shall apply to any grievance filed; and*
 - d. *upon expiration of the 15 working day grievance period or resolution of any grievance filed, including any appeals, the total amount to be deducted from an inmate's account may be changed to reflect the increased amount.*
5. *If deductions are suspended or stopped, a new Notification of Deductions Memo must be provided to the inmate prior to the deductions being restarted for any reason. The process described in Subsections A.2.d. - A.3. above shall apply.*

B. Act 96 of 1984, Act 87 of 1995, Act 35 of 1991, Act 86 of 2000, and Act 85 of 2002

1. Certain inmates are required to pay a fee to the CVCF and the Victim/Witness Services Fund. The fees are imposed as part of the court costs for convictions based on criminal acts occurring after June 30, 1984. The amount of the fees varies depending upon the date the inmate committed his/her criminal act. No fees are imposed for convictions based on criminal acts prior to June 30, 1984. These fees are mandatory, even if the inmate will not be paroled.
2. An inmate is required to pay the specified fees before he/she can be paroled.
3. While the total amount to be collected is reflected on the chart in **Subsection B.4. below**, it may be subdivided into these categories:
 - a. penalty assessment for the CVCF;

- b. penalty assessment for the Victim/Witness Services Fund; and
 - c. the judge may impose restitution owed to the CVCF.
4. The chart below provides the dates pursuant to the legislation that imposes the fees.

| Legislation | Beginning Date | Ending Date | Amount Due for each Sentencing Event |
|---|----------------|---------------|--------------------------------------|
| 71 P.S. §180-7.15 – Act 96 of 1984 | June 30, 1984 | Oct. 12, 1991 | \$15.00 |
| 71 P.S. §180-7.15 – Act 35 of 1991 18 P.S. §11.1101 – Act 27 of 1995 | Oct. 13, 1991 | Dec. 28, 2000 | \$30.00 |
| 18 P.S. §11.1101 – Act 86 of 2000 | Dec. 29, 2000 | Aug. 26, 2002 | \$40.00 |
| 18 P.S. §11.1101 – Act 85 of 2002 | Aug. 27, 2002 | Present | \$60.00 |

5. For Newly Committed Inmates
- a. ***The Diagnostic and Classification Center (DCC) business office staff shall first consult the DC-300B, Court Commitment to determine if the DC-300B indicates the amount of the CVCF and Victim/Witness Services Fund assessment.***
 - b. If the amount due for the CVCF and the Victim/Witness Services Fund is noted on the **DC-300B**, the DCC business office staff will input that amount into the Victim Crime Fund (VCF) automation system.
 - c. ***Each DC-300B which indicates the amount of the CVCF and Victim/Witness Services Fund assessment will be entered as a separate assessment.***
 - d. If the county does not indicate the amount owed on the **DC-300B**, staff at the receiving facility are responsible for determining the amount due, in accordance with **Subsections B.4. above and B.7. below.**
6. For an inmate incarcerated prior to the implementation date of this policy, the following shall apply:
- a. ***the facility business office is responsible to enter the amount due, for the CVCF and the Victim/Witness Services Fund, as indicated on the DC-300B, into the VCF automation system; and***

- b. If the amount due for the CVCF and the Victim/Witness Services Fund is not indicated on the **DC-300B** and is not included in the Sentencing Order or accompanying documents, staff shall contact the county of commitment to obtain the amount the inmate is required to pay. If the county is unable to provide this information:
 - (1) it will be determined in accordance with **Subsections B.4. above** and **B.7. below**, at the inmate’s initial reception, annual classification review, or parole review, whichever comes first. If staff cannot verify the date the crime was committed by reviewing the inmate’s record, by requesting this information from the county of conviction, or by consultation with facility parole staff (who often have access to the Facts of the Crime, Affidavit of Probable Cause, and/or Arrest Warrant), the sentencing date shall be used to determine the amount to be entered into the VCF automation system;
 - (2) the facility business office will deduct the amount that has been determined as owing from the total **Act 84** amount and adjust the amount due for **Act 84**; and
 - (3) ***the amount due for the CVCF and Victim/Witness Services Funds must be entered into the VCF automated system.***

7. Instructions for Determining the Number of Sentencing Events

This section shall apply only in the event that the amount of the CVCF and Victim/Witness Service Fund assessment is not indicated on the **DC-300B**.

- a. If an inmate was sentenced on the same date in the same county by the same judge, no matter how many sentences were imposed, only one amount is owed for the CVCF and Victim/Witness Services Fund.
- b. If there were two sentences on the same date in the same county by different judges, two amounts would be owed for those sentencing events. If there are two sentences on different days in the same county by the same judge, two fees are owed.
- c. A sentencing event is determined by reviewing **Section 2, Sentence Summary** of the **16E** as follows:

Example: 1

| Sentence Date: | County: | Judge: | Indictment: |
|----------------|---------|--------|-------------|
| 01/22/03 | Bucks | Defino | 001/03 |
| 01/22/03 | Bucks | Defino | 002/03 |

The above example would be one sentencing event.

Example: 2

| Sentence Date: | County: | Judge: | Indictment: |
|----------------|---------|--------|-------------|
|----------------|---------|--------|-------------|

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Section 3 – Collections

| | | | |
|----------|-------|--------|--------|
| 01/22/03 | Bucks | Defino | 001/03 |
| 01/22/03 | Bucks | Smith | 002/03 |

The above example would be two sentencing events. Indictment 001/03 would be the first event. Indictment 002/03 would be the second sentencing event.

Example: 3

| | | | |
|----------------|---------|--------|-------------|
| Sentence Date: | County: | Judge: | Indictment: |
| 01/22/03 | Bucks | Defino | 001/03 |
| 01/23/03 | Chester | Jones | 002/03 |

The above example would be two sentencing events. Indictment 001/03 and 002/03 would be the first event. Indictment 002/03 would be the second sentencing event.

Example: 4

| | | | |
|----------------|---------|--------|-------------|
| Sentence Date: | County: | Judge: | Indictment: |
| 01/22/03 | Bucks | Defino | 001/03 |
| 01/22/03 | Bucks | Defino | 002/03 |
| 01/22/03 | Bucks | Smith | 003/03 |
| 02/22/03 | Bucks | Smith | 004/03 |

The above example would be three sentencing events. Indictment 001/03 and 002/03 would be the first event. Indictment 003/03 would be the second sentencing event. Indictment 004/003 would be the third sentencing event.

8. **Funds for payment of the CVCF and Victim/Witness Service Fund fee shall be collected in accordance with Subsection F. below.**
9. After the initial determination, the amount due will be reviewed at any subsequent annual or parole staffing in case the sentencing structure was changed.
10. Status of the inmate’s CVCF and Victim/Witness Services Fund payments must be communicated to the Pennsylvania Board of Probation and Parole (PBPP) on the **DC-13A, Reclassification Summary**. If the PBPP determines that a different amount is owed, then that is the amount that will be collected.
11. If the inmate is being paroled before the fees have been paid in full, he/she is to sign a **DC-138A, Cash Slip** for the balance due. If he/she refuses to sign the **DC-138A**, a member of the Unit Management Team will indicate the inmate’s refusal to sign it on the **DC-14, Counselor File** and on the **DC-138A** before forwarding it to the business office. The money will subsequently be deducted from the inmate’s account.
12. **The Department has been informed that** the PBPP will not issue Release Orders until such payment is verified. When records office staff receives the Release Orders, the inmate is to be processed for release.

13. An inmate who is returned as a Parole Violator (PV) may owe additional fees to the CVCF. This is to be determined upon reception at the parent facility **or by the support facility if the PV is not returned to a Community Corrections Center (CCC)/Community Contract Facility (CCF) or Contracted County Jail (CCJ)** and the procedures for collection of the fees apply.

C. Collection of Child Support Payments

1. The Department will make deductions from an inmate's account for the purpose of obeying lawful orders to collect child support payments.
2. Upon receipt of an order from the Domestic Relations Section of a County Court of this Commonwealth or another jurisdiction ordering the Department and/or facility to deduct a specified monthly amount from a custodial inmate's account in order to satisfy his/her child support obligation, the Inmate Accounts Office shall:
 - a. determine the terms of the order including whether the order: directs deductions from the inmate's income until further notice; and provides that the total withheld amount cannot exceed a certain percentage of the inmate's aggregate disposable weekly earnings;
 - b. notify the inmate that:
 - (1) "effective immediately, per the attached Court Order, we will be assessing your account each month, for the Child Support you are obligated to pay. The assessment for Child Support will only be based on the payroll that is earned at this facility, but will be collected from payroll even if your total account does not exceed \$10.00;"
 - (2) "unless and until the Department receives verifiable proof that the attached order has been suspended, modified, or terminated by the appropriate court, after action taken by you under Pa. R.Civ.P. 1910.19 or under a similar foreign jurisdiction rule or procedure, this money will be collected, in addition to other debts for which you are responsible. **The Department** will deduct 55% of your payroll for your child support, but we will not exceed the amount ordered on the attached Child Support Order."
 - c. ensure that an appropriate hold is placed on the inmate's wages to ensure that sufficient funds from wages (but not in an amount that will exceed the amount ordered in the Child Support Order) remain available for remittance to the appropriate county designee; and
 - d. remit the funds collected as child support to the Pennsylvania State Collection & Disbursement Unit (PA SCDU) or to the county or other entity specified to receive the funds in the documentation ordering the collection.

D. Monies Owed to the Department

1. Inmate Charges for Damages

Charges assessed for damages will be determined in accordance with Department policy **DC-ADM 801, “Inmate Discipline.”**

2. Fees for Costs Awarded by a Court

Any fees or costs awarded against an inmate in conjunction with a court case will be collected in accordance with **Subsection F. below.**

3. Postage Due

Money owed for postage will be collected in accordance with Department policy **DC-ADM 803, “Inmate Mail and Incoming Publications.”**

E. Payment of Damage Award or Settlement to an Inmate

1. When an inmate receives monetary damages or a settlement as a result of prison conditions litigation that are payable from funds appropriated by the General Assembly or an insurance policy purchased by the Commonwealth, the proceeds shall first be used to satisfy fines, costs, and restitution and any outstanding court ordered debt related to the criminal act. When an award or settlement occurs, the Chief Counsel’s Office will advise the Bureau of Administration. The Bureau of Administration will arrange to deduct the full amount owed from the proceeds.
2. When the amount of outstanding court ordered debt exceeds the monetary damage award or settlement, the Office of Chief Counsel will develop a plan for distributing the funds and notify the parties owed and the court of the proposed distribution. In accordance with **Act 84** of 1998, any of the owed parties may seek a court order compelling a change in the proposed distribution.
3. When the amount of monetary damages exceeds all court ordered obligations, the remainder shall be used to satisfy any amount owed to a government party, including a judgment or any other cost or fee assessed against the inmate. Implementation of this assessment will occur by deducting the funds directly from the awards/settlement payment and forwarding them to the appropriate parties.
4. Any funds remaining after payment of the preceding debt shall be credited to the inmate’s account.

F. Precedence of Collections

1. ***If an inmate owes any money as described in this section, other than a child support obligation, an initial deduction from the inmate’s account balance shall***

occur as described in Subsection A.2.e. above. Thereafter, a maximum of 50% of incoming funds shall be collected to satisfy the debts, provided the inmate's account balance exceeds \$10.00. If an inmate owes any money for a child support obligation in accordance with Subsection C. above, the maximum amount collected from the inmate may not exceed 55%. Child support may be deducted only from payroll earned at the facility even if doing so will reduce the inmate's account balance to less than \$10.00. Any payroll earned that is not used to pay an inmate's child support obligation will be considered part of the inmate's account for purposes of the deductions set forth in Subsections F.2.-6. Below.

- 2. If an inmate owes any money under Subsection B. above, 50% of the inmate's account shall be collected until the debt is satisfied, provided the account balance exceeds \$10.00.*
- 3. If an inmate owes any money under Subsection A. above, 20% of the inmate's account shall be collected until the debt is satisfied, provided the account balance exceeds \$10.00.*
- 4. If an inmate owes any money under both Subsection A. above and Subsection B. above, the money owing under Subsection B. shall be collected first. A total of 50% shall be collected until the debts under Subsection B. are satisfied, provided the inmate's account balance exceeds \$10.00. Thereafter 20% shall be collected until the debts under Subsection A. are satisfied.*
- 5. If an inmate owes any money under Subsection A. above, and/or Subsection B. above, any additional monies owed for other categories, described in Subsections D. and E. above, shall be collected up to 20% of the inmate's account (for a total of 50%), and equally applied to all other debts provided the account balance exceeds \$10.00.*
- 6. If an inmate does not owe any money under Subsections D. & E. above, but he/she has other outstanding debt, excluding child support, up to 50% of the inmate's account shall be collected and equally applied to each debt, provided the account balance exceeds \$10.00.*

Date:
Inmate Name:
Location:
Subject: Collection of Inmate Debts
Re: DC-ADM 005

The Business Office has received the attached official court documentation showing that you owe the following financial obligations:

Case No: _____
Fines: \$ _____
Costs: \$ _____
Restitution: \$ _____
Crime Victim Compensation/Victim's Services Fee: \$ _____

The Department of Corrections will begin making deductions from your inmate account to satisfy the financial obligations in accordance with **42 Pa.C.S. §9728(b)(5)** ("Act 84") and **DC-ADM 005, "Collection of Inmate Debts."** All deducted funds will be forwarded appropriately.

Under **DC-ADM 005, provided that you have at least \$10 in your inmate account**, your inmate account will be subject to an initial deduction to pay the entire amount of your Crime Victim Compensation/Victim Services Fund fees, and an additional 20% of the remaining funds in your account may also be deducted. Thereafter, all incoming funds (except those specifically noted in the **DC-ADM 005**) will be subject to a deduction, provided that you have at least \$10 in your inmate account. 50% of incoming funds will be deducted to pay any remaining balance for the Crime Victim Compensation/Victim Services Fund fees. When the Crime Victim Compensation/Victim Services Fund fees are paid in full, then the deductions will be reduced to 20% and applied to any additional debts associated with your sentence. These deductions will continue until you have paid off your outstanding financial obligations.

To contest the accuracy of the attached documentation, you must file a grievance in accordance with **DC-ADM 804, "Inmate Grievance System,"** within 15 working days. You must attach to your grievance valid, official court documentation proving that:

- (1) You previously paid the financial obligation;
- (2) The information submitted on the official court documents by the Clerk of Courts was incorrect;
- (3) For a sentencing occurring prior to December 26, 2010, the sentencing judge did not impose court costs;
- (4) For a sentencing occurring on or after December 26, 2010, the sentencing judge specifically waived court costs;
- (5) In the case of an obligation for restitution, reparation, fines or penalties, the sentencing court did not specifically order you to pay such obligation regardless of the date of sentence;
- (6) A more recent court order removed or postponed the financial obligations;
- (7) The financial obligations are not currently due under the terms of the court order;
- (8) **The Crime Victim Compensation/Victim's Services Fee was not computed in accordance with law;**
- (9) The court costs are related to an adjudication of delinquency, and you have attained the age of 21. If you are not yet 21, and are paying these fees, you should notify the business office on your 21st birthday; or
- (10) **You do not owe the financial obligations for any other reason.**

If you do not file a grievance, you will be deemed to have not contested the accuracy of the documentation supplied by the Clerk of Courts and deductions from your account will commence 15 working days from the date of this notice.

Date:
Inmate Name:
Location:
Subject: Collection of Inmate Debts
RE: DC-ADM 005

NOTICE OF AMENDED DEDUCTIONS

The Business Office received the attached official court documentation showing that the financial obligations associated with your criminal sentence have increased or were higher than originally indicated. The Department of Corrections will therefore change the total amount to be deducted from your inmate account to satisfy these financial obligations in accordance with **42 Pa. C.S. §9728(b)(5) (“Act 84”)** and **DC-ADM 005, “Collection of Inmate Debts.”** All deducted funds will be forwarded appropriately.

The percentages of the deductions to your incoming funds will not be changed. However, the total amount collected will increase/decrease, and the deductions will continue until your obligations are paid in full.

The previous total amount to be deducted from your account was _____.
The new total amount, as reflected in the attached documentation, is _____.

To contest the accuracy of the attached documentation, you must file a grievance in accordance with **DC-ADM 804, “Inmate Grievance System”** within 15 working days. You must attach to your grievance valid, official court documentation proving that:

- (1) You previously paid the financial obligation;
- (2) The information submitted on the official court documents by the Clerk of Courts was incorrect;
- (3) For a sentencing occurring prior to December 26, 2010, the sentencing judge did not impose court costs;
- (4) For a sentencing occurring on or after December 26, 2010, the sentencing judge specifically waived court costs;
- (5) In the case of an obligation for restitution, reparation, fines or penalties, the sentencing court did not specifically order you to pay such obligation regardless of the date of sentence;
- (6) A more recent court order removed or postponed the financial obligations;
- (7) The financial obligations are not currently due under the terms of the court order;
- (8) **The Crime Victim Compensation/Victim’s Services Fee was not computed in accordance with law;**
- (9) The court costs are related to an adjudication of delinquency, and you have attained the age of 21. If you are not yet 21, and are paying these fees, you should notify the business office on your 21st birthday; or
- (10) **You do not owe the financial obligations for any other reason.**

If you do not file a grievance, you will be deemed to have not contested the accuracy of the documentation supplied by the Clerk of Courts and deductions from your account will commence 15 working days from the date of this notice. If you file a grievance that comports with the terms of this notice, your current deductions will continue, but there will be no increase in the total amount to be deducted until your grievance is decided and all grievance appeals are exhausted.

Section 4 – Financial Information Provided Upon Release

A. Release Prior to Sentence Complete

Prior to the release of an inmate to state parole supervision or to a Community Corrections Center (CCC), the Business Office provides a record of payments made, remaining account balances toward the satisfaction of court ordered restitution, and/or other court related financial obligations to the Pennsylvania Board of Probation and Parole (PBPP) or the Regional Office of the Bureau of Community Corrections (BCC) via the facility's records office.

B. Release at Expiration of Sentence Complete

Upon release of an inmate at the expiration of his/her Sentence Complete, the Business Office shall provide a record of payments made and remaining account balances toward the satisfaction of court ordered restitution or other court related financial obligations to the county probation department or other agent designated by the court order via the facility's Records Office.

*DC-ADM 005, Collection of Inmate Debts Procedures Manual
Glossary of Terms*

Court Order – *An official document that reflects the imposition or modification of a criminal sentence or an adjudication of delinquency.*

Crime Victim’s Compensation Fund – A special non-lapsing fund that is used by the Office of the Victim Advocate for payment to claimants and technical assistance.

Debt – An obligation or liability to pay or render money to another.

Income – “Income” for the purpose of child support obligations shall be governed solely by Section 3 of this procedures manual. In all other cases, “income” shall mean all funds credited to an inmate’s account regardless of source. The only exceptions are: refunds of commissary purchases, refunds of purchases initiated through the facility, money sent to the inmate for payment of a private viewing/deathbed visit, Social Security Disability payments, and Veterans Administration benefits.

Official Court Document – *A sentencing order, sentencing transcript, DC-300B Court Commitment Form, AOPC-2123 form, county sentencing sheet, or court order reflecting an adjudication of delinquency. The term also includes other official documentation transmitted, either physically or electronically, from the Court or from a government office which maintains custody of the official documentation. The documents need not contain a raised seal in order to be considered official.*

Sentencing Event – The conviction of an individual for a crime(s) before any judge in any court of the Commonwealth of Pennsylvania, or the subsequent conviction of an individual of a separate and distinct crime(s) before any judge in the Commonwealth of Pennsylvania.

Sentencing Transcript – *An official, verbatim transcription of an inmate’s sentencing hearing, prepared by a court reporter.*

Victim Witness Services Fund – A special non-lapsing fund used by the Pennsylvania Commission on Crime and Delinquency for victim-witness services and technical assistance in non-victim compensation-related areas.