January 19, 2022
Law and Justice Interim Committee
Travis Brown

SB 303 Study: Statutory Framework for Inmate Calling

Federal Law

47 CFR 64.6030 9 Effective October 23, 2020- July 28, 2021

Inmate Calling Services interim rate cap.

Link to an amendment published at 86 FR 40731, July 28, 2021.

No provider shall charge a rate for interstate Collect Calling in excess of $0.25 per minute, or a rate for interstate Debit Calling, Prepaid Calling, or Prepaid Collect Calling in excess of $0.21 per minute. These interim rate caps shall remain in effect until permanent rate caps are adopted and take effect.

[85 FR 67462, Oct. 23, 2020]

47 CFR 64.6030 Effective – July 28, 2021

Inmate Calling Services Interim Rate Caps

For all Jails with Average Daily Populations of less than 1,000 Inmates, no Provider shall charge a rate for interstate Collect Calling, Debit Calling, Prepaid Calling, or Prepaid Collect Calling in excess of $0.21 per minute.

(b) For all Jails with Average Daily Populations of Inmates of 1,000 or greater, no Provider shall charge a Provider-Related Rate Component for interstate Collect Calling, Debit Calling, Prepaid Calling, or Prepaid Collect Calling in excess of $0.14 per minute.

(c) For all Prisons, no Provider shall charge a Provider-Related Rate Component for interstate Collect Calling, Debit Calling, Prepaid Calling, or Prepaid Collect Calling in excess of $0.12 per minute.

(d) For all Jails with Average Daily Populations of Inmates of 1,000 or greater, and for all Prisons, Providers may recover the applicable Facility-Related Rate Component as follows:

(1) Providers subject to an obligation to pay Site Commissions by state statutes or laws and regulations that are adopted pursuant to state administrative procedure statutes where there is notice and an opportunity for public comment such as by a state public utility

commission or similar regulatory body with jurisdiction to establish inmate calling services rates, terms, and conditions and that operate independently of the contracting process between Correctional Institutions and Providers, may recover the full amount of such payments through the Legally Mandated Facility Rate Component subject to the limitation that the total rate (Provider-Related Rate Component plus Facility-Related Rate Component) does not exceed $0.21 per minute.

(2) Providers that pay Site Commissions pursuant to a contract with the Jail or Prison may recover up to $0.02 per minute through the Contractually Prescribed Facility Rate Component except where the Provider's total Contractually Prescribed Facility Rate Component results in a lower per-minute rate than $0.02 per minute of use. In that case, the Provider's Contractually Prescribed Facility Rate Component is limited to the actual amount of its per-minute Site Commission payment up to a maximum of $0.02 per minute. Providers shall calculate their Contractually Prescribed Facility Rate Component to three decimal places.

(e) No Provider shall charge, in any Prison or Jail it serves, a per-minute rate for an International Call in excess of the applicable interstate rate cap set forth in paragraphs (a), (b), (c), and (d) of this section plus the average amount that the provider paid its underlying international service providers for calls to the International Destination of that call, on a per-minute basis. A Provider shall determine the average amount paid for calls to each International Destination for each calendar quarter and shall adjust its maximum rates based on such determination within one month of the end of each calendar quarter.

[86 FR 40731, July 28, 2021]

Montana State Law

53-30-153. Telephone account requirements for state prisons -- protected accounts -- disclosure required -- rulemaking -- definitions. (1) A state prison that contracts with a telecommunications service provider to provide telecommunications services for inmates shall, to the extent feasible, contract with a telecommunications service provider to provide communications services for inmates that:

(a) provides public safety precautions required by the department of corrections;

(b) prohibits expiration of prepaid minutes or charges;

(c) does not charge additional usage or dormancy fees;

(d) does not charge excessive intrastate fees that are greater than 10 cents a minute;

(e) does not require monthly usage fees; and

(f) allows rollover of unused, prepaid minutes into the next month unless the inmate for whom the account was set up is no longer able to use the telephone account, whether for disciplinary reasons or other reasons specified by department rule. No refund is required for unexpired minutes subject to this subsection (1)(f).

(2) Every contract entered into by a state prison for communications services under subsection (1) must require the telecommunications service provider to notify the purchaser of a prepaid telephone account of any

fees or refunds that are available for unused minutes on a prepaid telephone card and mail the refund to the purchaser's address of record.

(3) The department of corrections has rulemaking authority to implement this section and shall notify the public service commission of the allowable rate that a telecommunications service provider may charge for intrastate calls under contract with the department of corrections.

(4) For purposes of this section, the following definitions apply:

(a) "Prepaid telephone account" means a system, whether purchased as a calling card or set up as an account with a telecommunications service provider, to provide telephonic connections in which the purchaser pays for minutes prior to use. The term does not include a lifeline account, defined under 47 CFR 54.401, for which a telecommunications carrier receives universal service support.

(b) "State prison" has the meaning provided in **53-30-101**(3)(c)(i) through (3)(c)(iii) and (3)(c)(v).

(c) "Telecommunications service provider" has the meaning provided for "operator service provider" in 69-3-1102.

History: En. Sec. 1, Ch. 262, L. 2017.

7-32-2255. Inmate phone calls to attorney. As needed and subject to policies adopted by the local government that operates or contracts for the lease or operation of a detention center, the detention center administrator shall allow an inmate to speak on the telephone with the inmate's attorney without charge.

History: En. Sec. 1, Ch. 60, L. 2017.

Inmate Welfare Fund

53-1-109. Facility resident and prison inmate welfare account. (1) There is an account in the state special revenue fund. The net proceeds from Pine Hills correctional facility resident and state prison inmate canteen purchases and resident or inmate telephone use, cash proceeds from the disposition of confiscated contraband, and any public money held for the needs of residents or inmates and their families and not otherwise allocated must be deposited in the account. Money in an account established under 53-1-107 may not be deposited in the account established in this subsection.

(2) The money in the account is statutorily appropriated, as provided in **17-7-502**, to the department of corrections, which may allocate the money referred to in subsection (1) to the Pine Hills correctional facility and state prisons in proportion to the amount that each facility contributed to the fund. The superintendent of the Pine Hills correctional facility and the administrator of each state prison shall consult with the residents and inmates in the superintendent's or administrator's respective facility about the use of the money allocated to the Pine Hills correctional facility or the state prison and may use the money for the needs of that facility's residents or inmates and their families.

(3) For purposes of this section, "state prison" has the meaning provided in **53-30-101**(1), (2), and (4).

History: En. Sec. 3, Ch. 353, L. 2003; amd. Sec. 1, Ch. 2, L. 2019; amd. Sec. 45, Ch. 339, L. 2021.

53-1-109. Facility resident and prison inmate welfare account. (1) There is an account in the state special revenue fund. The net proceeds from Pine Hills correctional facility resident and state prison inmate canteen purchases and resident or inmate telephone use, cash proceeds from the disposition of confiscated contraband, and any public money held for the needs of residents or inmates and their families and not otherwise allocated must be deposited in the account. Money in an account established under 53-1-107 may not be deposited in the account established in this subsection.

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(3) For purposes of this section, "state prison" has the meaning provided in **53-30-101**(1), (2), and (4).

Additional Resources

Mont. Admin R. 20.28.137. Relates to cost calculations for regional prisons.

The most pertinent Department of Corrections policies are attached to this handout. The policies listed below are ancillary:

Department of Corrections Policy 1.2.15. Discharge/Parole Gate Money,

Department of Corrections Policy 3.1.17. Searches and Contraband Control that relates to MCA 53-1-105,

Department of Corrections Policy 3.1.30. Offender Escorted Leave covers the costs IWF may pay. (IV, G2),

Department of Corrections Policy 4.1.4. Indigent Status while this does not mention IWF, IWF funds are used to cover the costs of the indigent package.

Department of Corrections Policy 5.5.104. Inmate Housing Representatives.

STATE OF MONTANA
DEPARTMENT OF CORRECTIONS
POLICY DIRECTIVE

Policy No. DOC 1.2.12	Subject: **INMATE WELFARE ACCOUNTS**
Chapter 1: ADMINISTRATION AND MANAGEMENT	Page 1 of 4 and Attachments
Section 2: Fiscal Management	Effective Date: 5/01/1996
Signature: /s/ Mike Batista, Director	Revised: 08/19/2016

I. POLICY

The Department of Corrections will establish, maintain, and manage inmate welfare accounts to enhance programs and services that directly impact inmates in secure facilities; funds may be allocated as release assistance to appropriate inmates. Accounts and revenues will be managed in compliance with generally accepted accounting principles and a system of checks and balances.

II. APPLICABILITY

All secure care facilities Department-owned and contracted, as specified in contract.

III. DEFINITIONS

Administrator – The official, regardless of local title (division or facility administrator, bureau chief, warden, superintendent), ultimately responsible for the division, facility or program operation and management.

Canteen Revenues – Net profits generated from the sale of canteen items at Department and contracted facilities.

Contraband – Any item possessed by an offender or found within the facility that is illegal by law, prohibited by policy or procedure, or unauthorized by those legally charged with the administration and operation of the facility.

Facility Fund – Funds within an inmate welfare account, funds may be reviewed by inmate representatives, and are utilized for the needs of inmates and inmate's families within a Department-owned or contracted facility.

Global Fund – Pooled annual contributions of inmate welfare accounts from each secure facility based on inmate population and funds available; funds will be used to provide release assistance to eligible inmates upon discharge, parole, or furlough and may be used as financial assistance to facilities for implementation of projects that benefit inmates directly; these funds may be reviewed by inmate representatives when appropriate.

Inmate Representatives – Inmates approved by the facility administrator to represent the offender population.

Indigent Status – The status applied to an offender whose previous month's and current financial activity indicates that he or she has insufficient funds to purchase hygiene or legal supplies from the facility canteen.

Miscellaneous Revenues – Revenue generated from food sales and cash proceeds from the sale of confiscated contraband.

Offender Organization – An organization recognized and approved by the facility administration as outlined in *DOC Policy 5.5.2, Offender Organizations*.

Prison Issues Board (PIB) – Administrators and staff from Department and contracted facilities and prisons who meet to discuss and coordinate the policy and operational functions of the facilities.

Telephone Revenues – Proceeds generated from offender collect calls and calling card sales.

IV. DEPARTMENT DIRECTIVES

A. Inmate Welfare Funds and Accounting

1. An inmate welfare (IWF) account in the state special revenue fund allocates money to each applicable facility in proportion to facility contributions to the account. IWF funds are utilized for the needs of inmates within secure facilities and may assist the release of inmates into the community.

2. The following monies will be deposited in the IWF:
   a. donations by individuals, organizations, or community groups, excluding inmate donations and donations from inmate families;
   b. public money held for the needs of inmates that has not been allocated elsewhere; and
   c. revenues generated from the following:
      1) inmate collect calls and calling card sales;
      2) food sales and cash proceeds from the sale of appropriate confiscated contraband pursuant to *53-1-105, MCA*; and
      3) sale of canteen items at Department and contracted facilities.

3. Each facility administrator, or designee, must submit the Inmate Welfare Estimated Budget Worksheet at the spring PIB meeting to outline prospective IWF revenues and expenditures; the budget should be developed with the input of inmate representatives.

4. Facility administrators, or designees, must meet with inmate representatives monthly to discuss IWF monies and to document expenditures and deposits of IWF monies. Facility staff must write checks to the Department and forward to the Department's accounting office if the funds are at the facility. The Department's accounting office will provide receipts for IWF monies deposited.

5. A Department budget analyst will provide a monthly report to facility administrators and recognized inmate representatives detailing income and expenditures.

B. General Requirements for the use of Facility Funds

1. Facility Funds are utilized for the needs of inmates and inmate's families including, but not limited to the following expenses:
   a. purchase of facility-based services, supplies or equipment, fixtures for visiting rooms, inmate TV programming, or other inmate activities approved by a facility

administrator, or designee, including educational or library materials;

b. costs associated with providing assistance for inmates on indigent status in accordance with *DOC Policy 4.1.4, Indigent Status*;
c. costs associated with travel expenses for funeral or sick bed visits up to $400 in accordance with *DOC Policy 3.1.30, Offender Escorted Leave*;
d. pay for inmate representatives in the amount of one (1) dollar per day, up to five (5) days a week; and
e. pay for inmate assignments in accordance with *DOC Policy 5.1.1 Inmate Assignments*.

2. Facility funds may not be used to provide services, supplies, or equipment that the Department or facility is obligated to provide for the health, welfare, security of inmates, or the general operation of a prison.

4. Inmate organizations must submit a request for monies to the facility administrator who, prior to approving the use of money from the IWF or submitting a request to the PIB Board, must complete a Request for IWF Funding.

5. The facility administrator, or designee, may approve funding requests for less than $2,499 and must present requests for expenditures exceeding $2,499 to the PIB with the completed Request for IWF Funding. The board will approve or deny the request by majority vote.

C. General Requirements for the use of Global Funds

1. Allocations of Global Funds must be approved by the PIB during the annual approval process; any additional release assistance provided to inmates will be approved in accordance with the *DOC 1.2.12(A) Global Fund Release Assistance Operations Procedure Guide*.

2. An inmate may be provided financial assistance from the Global Fund based on the inmate's release plan, projected financial needs, and financial status. Release assistance funds may not exceed $500 and must be provided directly to an appropriate housing owner, treatment provider, or other verified service provider.

3. Decisions regarding release assistance will be determined in accordance with *DOC 1.2.12(A) Global Fund Release Assistance Operations Procedure Guide*, and based upon IWF monies available. Release assistance may be used for the following needs of inmates:
   a. housing costs, i.e. initial rent payment, deposit, or temporary lodging;
   b. aftercare treatment with approved providers; and
   c. continuation of prescription medication.

4. Inmates may request transportation costs upon discharge and release by filling out the Global Fund Request for Release Transportation. Funding received through other release assistance will not be considered when determining qualification. An inmate must request these funds through an IPPO or case manager.

5. Inmates applying for release assistance must complete and submit the Inmate Release

Assistance form to the appropriate case manager, supervising probation and parole officer, or member of the unit team, as applicable, at least 45 days prior to release and comply with all other provisions provide in *DOC 1.2.12(A) Global Fund Release Assistance Operations Procedure Guide*. In exceptional incidences, and approved on a case-by-case basis, inmates may request the use of release assistance after the inmate is released, but before the 31st day after the inmate's actual release.

6. To be eligible for release assistance inmates must meet the following general requirements:
   a. maintained inmate status in a facility that contributes to the IWF for a minimum of 12 consecutive months;
   b. completed, or in the process of completing, programming ordered by the court or the Board of Pardons and Parole (BOPP);
   c. completed, or in the process of completing, a high school equivalency certificate or received a high school diploma unless determined exempt by the facility administrator, or designee;
   d. inmate must be assigned to an inmate assignment unless determined exempt by the facility administrator, or designee;
   e. maintained a minimum of six (6) months conduct without a major rule infraction unless determined exempt by the facility administrator, or designee;
   f. inmate must not have received release assistance within the last five (5) years; and
   g. inmate may not have transferred more than $500 out of inmate's account for unapproved allocations within the previous 12 months.

7. The PIB may use discretion to award additional or non-traditional release assistance to inmates on a case-by-case basis.

V. CLOSING

Questions concerning this policy should be directed to the facility administrator, or designee.

VI. REFERENCES

A. 17-7-502, MCA; 53-1-105, MCA; 53-1-109, MCA; 53-1-203, MCA; 53-30-101, MCA
B. 4-4031, 4-4044, ACA Standards for Adult Correctional Institutions, 4th Edition
C. DOC Policies 3.1.17 Searches and Contraband Control; 3.1.30 Offender Escorted Leave; 4.1.4 Indigent Status; 5.5.2 Offender Organizations
D. DOC 1.2.12(A) Global Fund Release Assistance Operations Procedure Guide

VII. ATTACHMENTS

A. Global Fund Request for Release Transportation
B. Request for IWF Funding
C. Inmate Welfare Estimated Budget Worksheet
D. Inmate Release Assistance

Procedure No. DOC 1.2.12A	Effective Date: 10/28/2013	Revised: 08/19/2016
Signature: /s/ Pat Schlauch		Position Title: Administrator, BMS

GLOBAL FUND RELEASE ASSISTANCE OPERATIONS PROCEDURE GUIDE

APPLICABILITY

All adult secure facilities Department-owned and contracted, as specified in the contract.

GLOBAL FUND OPERATIONS PROCEDURE GUIDE
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I. Introduction to Inmate Welfare Account's Global Fund

A. Inmate Welfare Account

The Department of Corrections (Department) will establish, maintain, and manage inmate welfare accounts to enhance programs and services that directly affect inmates in secure facilities; funds may be allocated as release assistance to appropriate inmates. Accounts and revenues will be managed in compliance with generally accepted accounting principles and a system of checks and balances.

The following monies will be deposited in the IWF:

a. donations by individuals, organizations, or community groups, excluding inmate donations and donations from inmate families;
b. public money held for the needs of inmates that has not been allocated elsewhere; and
c. revenues generated from the following:
    1) inmate collect calls and calling card sales;
    2) food sales and cash proceeds from the sale of appropriate confiscated contraband pursuant to *53-1-105, MCA*; and
    3) the sale of canteen items at Department and contracted facilities.

B. Inmate Welfare Account's Global Fund

The Global Fund is comprised of pooled annual contributions of inmate welfare accounts from each secure facility based on inmate population and funds available; funds will be used to provide release assistance to eligible inmates upon discharge, parole, or furlough and may be used as financial assistance to facilities for implementation of projects that benefit inmates directly.

Inmates may review Global Fund contributions through the annual budget process and inmate representatives may be provided monthly financial reports.

C. Release Assistance at a Glance

After extended periods of incarceration many inmates reaching the end of their confinement struggle to afford housing upon release, continue to pay for needed medication, or to cover the costs of treatment programs required as a condition of parole by the Board of Pardons and Parole (BOPP). As a result of these financial difficulties large proportions of inmates released from incarceration return to confinement within three years. In an effort to mitigate these restraints, and achieve the mission of the Department, the Department administers release assistance funds to eligible inmates from the IWF.

Inmates that meet the criteria below are eligible to receive release assistance up to $500 out of the Global Fund of the Inmate Welfare Account. Release assistance will only be paid from the Department and directly to the approved vender. The vendor must fill out a W-9 tax form and/or have a proper and appropriate Tax Identification Number (TIN). Release assistance funds may be used for:

a. rent or housing costs, under the guidelines provided below;
b. continuation of medication and/or medical supplies; and

c. treatment and/or programming.

The use of global funds for rent or housing costs will only be provided to bona fide landlords. To be considered a landlord the person or entity must rent a room or a housing unit that may be available to any person as deemed appropriate under generally accepted rental practices. The renting of a room or space in an immediate family member's home is not considered a legitimate landlord/tenant agreement and the use of global funds will not be permitted without the express written approval from the facility warden or administrator. The use of regionally appropriate Probation and Parole officers may be required to determine landlord and rental status.

E. **Release Transportation Costs**

Inmates may request transportation costs upon discharge and release by filling out the Global Fund Request for Release Transportation. Funding received through other release assistance will not be considered when determining qualification. An inmate must request these funds through an IPPO or case manager.

II. Global Fund Release Assistance Process

A. Responsibility of the Case Manager

The case manager will receive the request for release assistance from the Global Fund by the inmate at least 45 days in advance of the inmate's discharge or release; exceptions may be granted for short notice releases granted by the BOPP, to include parole, furloughs, and ISP. In exceptional incidences, and approved on a case-by-case basis, inmates may request the use of release assistance after the inmate is released, but before the 31st day after the inmate's actual release from custody.

The case manager will initiate the preliminary screen for inmate eligibility for release assistance, Inmate Release Assistance form. The screen for eligibility includes the following seven (7) mandatory screening criteria.

1. **Has the inmate remained incarcerated at a secure facility for at least 12 months prior to the issuance of release assistance?**

   If the inmate has not been incarcerated at MSP, MWP, Crossroads Correctional Center, Dawson County Regional Prison, or Cascade County Regional Prison for 12 continuous and consecutive months they are not eligible for release assistance.

2. **Did the inmate previously receive release assistance within the past five (5) years?**

   If the inmate received release assistance at any time within the previous five years of the date the current release assistance would be allocated, the inmate is not eligible to receive release assistance.

3. **Has the inmate completed or in the process of completing all programming required by the DOC, the sentencing court, or the BOPP?**

   If the inmate is on the waiting list, but not currently enrolled in programming, this will qualify as compliant and will not deter eligibility for release assistance.

4. **Does the inmate have any major conduct violations within the previous six (6) months of the issue date for release assistance?**

   A major rule infraction within the preceding six months of receiving release assistance will disqualify an inmate from eligibility.

   The case manager or IPPO may consider the nature of the infraction and the disciplinary history of the inmate to grant objections to this requirement.

   The inmate may request a review of the case manager decision to the facility administrator, or designee, by checking the box provided on the Inmate Release Assistance.

   The administrator, or designee, will respond to the review request normally within 10 business days. The decision is final and exhausts the review process.

5. **Does the inmate have, or has the inmate had a job assignment for a majority of their incarceration?**

   Inmates are required to work and contribute to receive release assistance. Inmates may be exempt from this requirement due to an Americans with Disabilities Act (ADA) accommodation, or for other approved reasons on a case-by-case basis.

   The inmate may request a review of the case manager decision to the facility administrator, or designee, by checking the box provided on the Inmate Release Assistance.

   The administrator, or designee, will respond to the review request normally within 10 business days. The decision is final and exhausts the review process.

6. **Does the inmate have a high school equivalency certificate, in the process of completing a high school equivalency program, enrolled and waiting for a high school equivalency program, or has a high school diploma?**

   Inmates are required to be at least enrolled and waiting to receive a high school equivalency certificate unless previously ruled exempt by the facility administrator, or designee, to qualify for release assistance.

   If not exempt and the inmate does not qualify under the requirement the inmate may attempt to become exempt by petitioning the facility administrator, or designee; this is not reviewable through the inmate release assistance application process.

7. **Has the inmate transferred $500 or more out of the inmate's account within the 12 previous months of the release assistance date?**

   This is to exclude funds used to purchase items at the facility including, but not limited to, canteen, phone cards, and hobby items.

   This money excludes funds used to cover restitution and court ordered fines and fees.

Inmate accounts may be required to review the inmate account during the initial investigation to determine inmate eligibility for release assistance.

The IPPO may complete this process in place of the case manager when appropriate or needed.

If the initial screen for inmate release assistance is approved the case manager will begin working with the inmate and the inmate's parole plan to identify amount(s) needed and the vendor(s) that will receive release assistance.

The case manager will then forward the release assistance application to the IPPO for continuation in the process.

B. Responsibility of Institutional Probation and Parole Officer (IPPO)

The IPPO will work with the eligible inmate to identify vendors to receive the release assistance if the case manager did not complete this process.

It is the responsibility of the IPPO to approve all identified vendors.

If release assistance is for housing, the IPPO will contact local probation and parole officers located in the area and region of the proposed housing location; local officers will check the residence and determine if it is suitable for habitation by the inmate upon release and if the residence meets the requirements for appropriate use of Release Assistance. If the location is not approved the IPPO and the inmate will determine a different suitable location and the probation and parole officer will again investigate the location in order to determine the locations appropriateness for habitation and rehabilitation.

If release assistance is used to continue medication or medical supplies, the IPPO will work with medical staff to determine medication needs, vendors, and cost.

The IPPO will use the parole plan and the release conditions by the BOPP to determine appropriate treatment and program vendors if release assistance is used for treatment or programing as directed by the BOPP; or when the inmate desires to pursue treatment services independently.

After the vendor(s) have been identified and approved the IPPO will forward the application for inmate release assistance to the applicable budget analyst usually within 10 days of the release date. The IPPO will route copies of the form to all applicable divisions noted at the bottom of the Application for Release Assistance form.

C. Responsibility of the Budget Analyst

The budget analyst will forward all necessary paper work to the accounting bureau so a warrant(s) may be issued and sent to the approved vendor(s).

The budget analyst will record all approved request and reconcile monthly with the State Accounting Budget Human Resource System (SABHRS). The budget analyst will provide each facility a copy of the SABHRS release assistance report monthly.

The budget analyst will record each use of funds and report the usage of funds at each PIB meeting along with all other necessary documents to facility administrators. The budget analyst will also provide facility administrators IWF fiscal data for use in the annual budget process.

D. Responsibility of the Accounting Bureau

A representative of the accounting bureau may be requested to review inmate account history to verify if the inmate initially qualifies for release assistance.

After the accounting bureau receives the release assistance paper work from the budget analyst, they will begin the process of issuing the warrant(s)

The accounting bureau will send the warrant(s) directly to the approved vendor(s) and notify the case manage, IPPO, and budget analyst when the warrant(s) are mailed out.

III. Duties of the Facility Administrator, or Designee

A. Review Process

The facility administrator, or designee, will have final authority to approve inmate release assistance in situations that the inmate requests a review of the case manager or IPPO's decision to deny release assistance because of misconduct violations or inmate work inadequacies.

The facility administrator, or designee, may not review a denial of release assistance because the length of incarceration was less than 12 consecutive months, payment of release assistance was provided within the previous five (5) years, or because an inmate transferred more than $500 out of the inmate account for unapproved allocations during the previous 12-month period.

IV. References

A. 17-7-502, MCA; 53-1-105, MCA; 53-1-109, MCA; 53-1-203, MCA; 53-30-101, MCA
B. DOC Policy 1.2.12 Inmate Welfare Account

V. Definitions

Administrator – The official, regardless of local title (division or facility administrator, bureau chief, warden, superintendent), ultimately responsible for the division, facility or program operation and management.

Adult Secure Facilities – Department and contract facilities to include Montana State Prison, Montana Women's Prison, Crossroads Correctional Facility, Dawson County Correctional Facility, and Cascade County Correctional Facility.

Canteen Revenues – Net profits generated from the sale of canteen items at Department and contracted facilities.

Contraband – Any item possessed by an offender or found within the facility that is illegal by law, prohibited by policy or procedure, or unauthorized by those legally charged with the administration and operation of the facility.

Facility Fund – Funds within an inmate welfare account, reviewed by inmates and utilized for the needs of inmates and inmate's families within a Department-owned or contracted facility.

Global Funds – Pooled annual contributions of inmate welfare accounts from each secure facility based on inmate population and funds available; funds will be used to provide release assistance to eligible inmates upon discharge, parole, or furlough and may be used as financial assistance to facilities for implementation of projects that benefit inmates directly and are reviewed by inmate representatives.

Inmate Representatives – Inmates approved by the facility administrator to represent the offender population.

Miscellaneous Revenues - Revenue generated from food sales and cash proceeds from the sale of confiscated contraband.
Prison Issues Board – Administrators and staff from Department and contracted facilities and prisons who meet to discuss and coordinate the policy and operational functions of the facilities.

Telephone Revenues - Proceeds generated from offender collect calls and calling card sales.

VI. Attachments

A. Global Fund Request for Release Transportation
B. Request for IWF Funding
C. Inmate Welfare Estimated Budget Worksheet
D. Inmate Release Assistance