

POLICY TITLE: PRISONER SAVINGS PLAN		PAGE <u>1</u> OF <u>3</u>
POLICY NUMBER: 25.4		
CHAPTER 25: WORK OPPORTUNITIES & INDUSTRIES		
	STATE of MAINE DEPARTMENT OF CORRECTIONS Approved by Commissioner: <i>DR. Joseph R. Filypol</i>	PROFESSIONAL STANDARDS: See Section VII
EFFECTIVE DATE: June 17, 2011	LATEST REVISION: November 13, 2014	CHECK ONLY IF APA [<input type="checkbox"/>]

I. AUTHORITY

The Commissioner of Corrections adopts this policy pursuant to the authority contained in 34-A M.R.S.A. Section 1403.

II. APPLICABILITY

All Adult Correctional Facilities

III. POLICY

It is the policy of the Department of Corrections that those prisoners who receive wages or stipends shall participate in a plan to accumulate savings in preparation for release and for other authorized purposes.

IV. CONTENTS

Procedure A: Savings Plan

V. ATTACHMENTS

None

VI. PROCEDURES

Procedure A: Savings Plan

1. Any prisoner who earns a wage or stipend for work performed in any job in a facility or the community shall be subject to a requirement to save a

percentage of earnings in a personal savings escrow account at the facility, unless exempted from this requirement as set out in A.15 below.

2. The personal savings escrow account is a part of the general trust account.
3. The minimum percentage that shall be collected by the facility for the account shall be 10% of earnings, except as set out in A.4 below.
4. The Chief Administrative Officer, or designee, may waive or reduce the minimum percentage when more than 80% of a prisoner's earnings are already being collected for other obligations. The waiver or reduction shall be terminated when other collections fall to 80% or below.
5. A prisoner may request that more than the minimum percentage be deposited into his or her savings escrow account.
6. Once the amount in his or her savings escrow account reaches \$1,000, a prisoner may request that there be no further deposits made into that account by notifying the facility Business Office in writing.
7. A prisoner may fulfill the obligation with respect to his or her savings escrow account by requesting that \$1,000 be withheld from his or her general trust account and applied to his or her savings escrow account in a lump sum.
8. A prisoner may request the withholding of an amount less than the \$1,000 lump sum with the understanding that the requirement to save a percentage of earnings shall continue until the \$1,000 threshold is reached. The minimum of each withholding amount is \$10.00.
9. A prisoner who is not earning a wage or stipend may request that the facility establish a personal savings escrow account and withhold from his or her general trust account funds for deposit into his or her escrow savings account. The minimum of each withholding amount is \$10.00.
10. Any prisoner may accumulate more than \$1,000 in his or her savings escrow account.
11. Any interest accrued shall be handled as set out in Departmental policy 2.12, Prisoner/Resident Accounts.
12. Monies held in a prisoner's savings escrow account above \$1,000 may be disbursed prior to a prisoner's release from Department custody upon the prisoner's written request to the facility Business Office for a transfer of funds from his or her personal savings escrow account. A prisoner may make a request for disbursement only once per quarter. The disbursement of monies

POLICY NUMBER/TITLE	CHAPTER NUMBER/TITLE	PAGE NUMBER
25.4 Prisoner Savings Plans	25. Work Opportunities & Industries	Page 2 of 3 11/13/14R

under this provision shall not result in a balance of less than \$1,000 in the prisoner's savings escrow account. Monies disbursed under this provision are not required to be paid back.

13. In addition to A.12 above, monies held in a prisoner's savings escrow account, regardless of balance, may be disbursed prior to a prisoner's release from Department custody upon the prisoner's written request to the Chief Administrative Officer, or designee, provided it is for a documented educational or family need as determined by the Chief Administrative Officer, or designee.
14. Monies disbursed from a prisoner's savings escrow account for a purpose set forth in A.13 above shall be paid back up to the minimum requirement of \$1,000 by collecting from the prisoner a minimum percentage of 50% of all future deposits in his or her general trust account and phone account, as set forth in Departmental policy 11.4, Prisoner Financial Records and Attachment A to that policy, except for prisoners who have established a voluntary savings escrow account as set out in A.9.above.
15. A prisoner may opt out of the requirement to save a percentage of his or her earnings in a personal savings escrow account or may have any funds already saved disbursed upon the prisoner's written request to the Chief Administrative Officer, or designee, if he or she has no realistic expectation of release because he or she is serving a life sentence without parole or a sentence that would put the prisoner's age at 90 years or older at his or her earliest possible release date or has been determined by the facility physician to be terminally ill and unlikely to be alive at his or her earliest possible release date.
16. Upon discharge, parole or other release from Department custody, any funds in his or her savings escrow account shall be disbursed to the prisoner. Upon death, funds in the prisoner's accounts, including a savings escrow account, shall be handled in accordance with Title 34-A Section 3040-A, including use for payment of funeral expenses.
17. All prisoner funds held by the Department are to be safeguarded and accounted for in accordance with generally accepted accounting principles.

VII. PROFESSIONAL STANDARDS

None

POLICY NUMBER/TITLE	CHAPTER NUMBER/TITLE	PAGE NUMBER
25.4 Prisoner Savings Plans	25. Work Opportunities & Industries	Page 3 of 3 11/13/14R