

 <p style="text-align: center;"><b>KENTUCKY CORRECTIONS</b></p> <p style="text-align: center;">Policies and Procedures</p>	Policy Number	Total Pages
	Date Filed	Effective Date
Authority/References KRS 196.035, 197.020(1)(c), 197.110, KRS Chapter 393, 441.137 20 KAR Chapter 1 CPP 15.7	2.12	3
	April 12, 2018	June 1, 2018
	Subject  ABANDONED INMATE FUNDS	

## I. DEFINITIONS

“Abandoned property” means an inmate account abandoned by the inmate at the institution in which the inmate previously resided. Abandoned property also includes checks issued to inmates which were uncashed and inmate funds that were placed on debit cards which expired 90 days after issuance and the funds were returned to the institution upon expiration of the debit card.

“Inmate account” means an inmate’s account at an adult institution, halfway house or other facility that is maintained by the facility in which the inmate resides. “Inmate Account” does not refer to an inmate account or prisoner canteen account of a jail, unless the funds are inmate pay which have been returned as undeliverable.

“Unclaimed property” means the unclaimed property fund maintained and administered by the Kentucky State Treasurer.

## II. POLICY AND PROCEDURES

- A. Each institution shall maintain inmate accounts according to applicable Corrections Policy and Procedure (CPP) 15.7, Kentucky Revised Statute (KRS) 197.110, and Finance Administration Policy (FAP) 111-56-00.
- B. Upon the release of an inmate from an adult institution, halfway house or other institution, the facility shall remit the balance on the inmate’s account to the inmate.
- C. Upon the transfer of an inmate, the facility shall remit the balance of the inmate’s account to the facility the inmate is transferred to within a period of two weeks from the transfer date.
- D. If an inmate escapes, the facility from which the inmate escapes shall maintain the inmate’s account and remit the funds on his account to the assigned institution upon apprehension. If the inmate has not been apprehended within one year of escape,

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the facility shall consider the inmate's funds abandoned property and follow the procedures outlined in this policy.

- E. Each institution shall maintain an account within the Kentucky Offender Management System (KOMS) for abandoned property and the institution shall report and transmit abandoned property to the Kentucky State Treasurer on an annual basis. The abandoned property list shall reconcile with the appropriate account in KOMS.
- F. Annually, the facility shall remit to the Kentucky State Treasurer, the amount of abandoned property maintained by the institution. The facility may deposit funds via Cash Receipt (CR) to the Unclaimed Inmate Funds account (fund 721 L) or follow the procedures for transmitting Unclaimed Property through the Kentucky State Treasurer.
- G. Inmates whose account balances have been submitted to the Kentucky State Treasurer and wish to claim those funds shall contact the Unclaimed Property Division for remittance of their funds.
- H. An inmate may, at his discretion, donate the remaining funds on his inmate account upon separation from the institution to the institutional inmate canteen or club fund of his choice. The inmate shall sign a statement indicating his voluntary desire to make a donation. A staff member shall be present and sign as a witness to this statement.
- I. Funds remaining on a deceased inmate's account shall be held by the institution until the institution receives a request for the funds with a copy of the order of appointment from the executor or administrator of the inmate's estate. Funds released to an executor or administrator shall be made payable to the person in his official capacity as executor or administrator. If funds are held for a period of one (1) year without receiving a request from the executor or administrator, the funds shall be deposited into the Unclaimed Inmate Funds account or transferred to the Kentucky State Treasurer as unclaimed property.
- J. A former inmate may request the disbursement of funds deposited into the Unclaimed Inmate Funds account on his or her behalf. The request shall be made in writing to the institution which deposited the funds in the Unclaimed Inmate Funds account. The request shall be signed and dated and shall include the requestor's date of birth, social security number or inmate number, and current mailing address.
- K. Prior to disbursement of any funds from the Unclaimed Inmate Funds account, the institution shall:
  - 1. Verify in KOMS:

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- a. the amount of funds remitted on behalf of the inmate to the fund,
  - b. the inmate's date of birth, and
  - c. the inmate's social security number or inmate number.
2. Verify the amount remitted on behalf of the inmate to the fund and the amount matches KOMS.
  3. Prepare a GAX2 document in eMARS and attach to the document a copy of the inmate's written request and a copy of the KOMS inmate bank account record verifying the amount deposited.
  4. Prior to administering final approval of the GAX2 document to disburse the funds to the inmate, the Division of Administrative Services staff shall review the document attachments to verify the amount and shall review the inmate bank account record in KOMS as a second level of verification.
- L. The Director of the Division of Administrative Services or designee shall review a report of all disbursements issued from the Unclaimed Inmate Funds account annually.