

GEORGIA DEPARTMENT OF CORRECTIONS		
Standard Operating Procedures		
Functional Area: FACILITY OPERATIONS	Reference Number: IID06-0005	Revises Previous Effective Date: 5/15/05
Subject: TRANSITIONAL CENTER RESIDENT PAYCHECK PROCEDURE, SEARCH FEE, AND <u>POSTIVE ALCOHOL/DRUG TEST FEE AGREEMENT</u>		
Authority: OWENS / HODGES	Effective Date: 8/01/09	Page 1 of 3

I. POLICY:

GDC will collect a search fee from any Transitional Center resident who either enters unauthorized absence, as defined by procedure or escapes. In addition, GDC will collect a fee from any TC resident who shows a positive out come on an alcohol or drug test. GDC will also exercise strict control over pay received by Transitional Center residents for work performed for an employer as part of the Transitional Center program. A condition of participation in the Transitional Center program will be that the resident will be informed of the search fee, the positive (+) alcohol/drug test fee, and the authorized procedures for receiving paychecks from the resident's employer. He/she will sign a form acknowledging awareness of the above fees. The search fee, and the positive alcohol/drug test fee are not disciplinary sanctions, nor are they part of the disciplinary process. However, the Business Manager will not deduct funds until the disciplinary process has been completed. The policy of collecting a search fee upon escape and/or unauthorized absence, or a fee for a positive (+) alcohol/drug test will not exclude indigent inmates from full participation in the Transitional Center program.

II. APPLICABILITY:

All Transitional Centers, and state and county prisons. (Paragraphs VI. B, E, F, G, H apply to inmates, wherever they are.)

III. RELATED DIRECTIVES:

A. GDC Rules: 125-2-1-.01(d) and 125-3-3-.05

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B. Standard Operating Procedures: IIA04-0002, IIA04-0004, IIB01-0014, IIB02-0002, IIB04-0001, IIB06-0001, IIB06-0002, IID03-0001, IID06-0005

IV. DEFINITIONS:

Net Pay -- Gross pay, less federal tax, state tax, FICA, and any other non-voluntary payroll deduction.

V. ATTACHMENTS:

Attachment 1 -- Paycheck Procedure and Search Fee Agreement

VI. PROCEDURE:

A. The search fee and positive drug test fee will be two hundred dollars (\$200.00) and a positive (+) alcohol test fee will be one hundred dollars (\$100.00). They will be assessed against the resident's trust account if the resident enters either unauthorized absence or escape status, or has a positive outcome on an alcohol or drug test. These fees are not disciplinary sanctions. They are a separate and distinct condition of the program. However, the above mentioned fees will not be deducted from the assets until the disciplinary report has been processed. This allows for the finding of fact and due process.

B. Indigent Inmates will be given the opportunity to accumulate the search or positive alcohol/drug test fee in their trust accounts by participating in the program if all other requirements are met.

C. In cases of unauthorized absence or escape, or a positive alcohol or drug test, Transitional Center Business Managers are authorized to freeze said accounts that do not contain the full fee amount. In the case where a resident will remain at the Center the Superintendent may authorize the resident to withdraw money from his/her account to maintain transportation for employment and purchase necessary hygiene items.

D. A recaptured escapee that is sent to a prison will have his/her account remain frozen until the full \$100 or \$200 fee has been accumulated. The Transitional Center

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Business Manager will identify the escapee's account as being frozen before sending it to the receiving prison.

- E. The amount of existing funds frozen in the account will remain inaccessible to the inmate until the full \$100 or \$200 fee is accumulated and paid, or until the inmate is discharged. If the inmate discharges before accumulating the full \$100 or \$200, the department will confiscate whatever amount exists in the account, as partial payment for the search fee or positive alcohol/drug test fee.
- F. Should an inmate accumulate the full fee in his account after being reassigned from the Transitional Center, the Business Manager of the existing assigned prison will ensure that the \$100 or \$200 fee is sent to the identified Transitional Center.
- G. Inmates with accounts frozen because of this procedure are eligible to claim indigent status for postage purposes. Refer to SOP IIB04-0001, "Inmate Mail and Receipt of Funds," for applicable guidance.
- H. All inmates desiring to participate in a Transitional Center program must sign the Paycheck Procedure, Search Fee, and Positive (+) Alcohol/Drug Test Fee Agreement (Attachment 1) upon arriving at the Transitional Center. Residents will have the fee payment conditions read to them and a staff member will thoroughly explain the consequences of escape.
 - 1. The original agreement, signed by the resident, will be placed in the resident's administrative file.
 - 2. The Business Manager will remit all forfeited funds as required.

VII. RECORD RETENTION:

Once completed, attachment 1 of this SOP will be placed in the resident's case history file and will be maintained according to the official retention schedule for Resident's Case History Files.