

MICHIGAN DEPARTMENT OF CORRECTIONS POLICY DIRECTIVE	EFFECTIVE DATE 01/06/2020	NUMBER 04.02.140
	SUBJECT REPORTING OF OFFENDER ASSETS	
SUPERSEDES 04.02.140 (04/21/2014)		AUTHORITY MCL 791.235; The State Correctional Facility Reimbursement Act, 1935 PA 253, MCL 800.401 et seq.
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POLICY STATEMENT:

The Department shall obtain information from all prisoners and parolees regarding their assets and provide it to the Attorney General to assist in obtaining reimbursement to the State for expenses incurred, or to be incurred, by the State for the costs of care/incarceration in a state correctional facility.

RELATED POLICY:

06.02.105 Offender Reimbursement

POLICY:

DEFINITIONS

- A. Assets - Property, tangible or intangible, real or personal, belonging to or due a prisoner or parolee including income or payments from social security, worker's compensation, veteran's compensation, pension benefits, previously earned salary or wages, bonuses, annuities, retirement benefits, any lawsuit including a lawsuit against the Department or the State, or from any other source except the following:
 - 1. The prisoner or parolee's homestead up to \$50,000.00 in value.
 - 2. Money saved by the prisoner from wages and bonuses paid the prisoner while confined to a state correctional facility.

- B. Cost of Care - Cost to the Department for providing the following to a prisoner while incarcerated in a state correctional facility:
 - 1. Transportation;
 - 2. Room and board;
 - 3. Clothing;
 - 4. Security;
 - 5. Medical treatment;
 - 6. Normal living expenses or prisoners; and
 - 7. The cost to the Department for providing college-level classes or programs to prisoners, as determined by the Department.

OFFENDER FINANCIAL STATUS REPORT

- C. Each newly committed prisoner shall complete an Offender Financial Status Report form (CAJ-140) as part of the reception facility intake process set forth in PD 04.01.105 "Reception Facility Services." Any known or suspected discrepancies from what the prisoner has reported as assets shall be reported by reception center staff on the CAJ-140.

- D. Subject to Paragraph G, a prisoner or parolee may be required to complete an updated CAJ-140 if it becomes

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known or is reasonably believed that the prisoner or parolee has assets which were not previously reported on a CAJ-140.

- E. Prisoners and parolees are required to fully cooperate by providing complete and accurate financial information as requested. Failure to do so shall be noted on the CAJ-140. In addition, a prisoner's failure to fully cooperate shall be included in the prisoner's Parole Eligibility/Lifer Review Report (CSJ-123) and may be considered by the Parole Board when making a parole determination.

REPORTING ASSETS TO DEPARTMENT OF ATTORNEY GENERAL

- F. All completed CAJ-140 forms shall be sent to the Department of the Attorney General - Collections Division from the facility or field office at which the form was completed.
- G. Staff designated by the Warden or Field Operations Administration (FOA) Administrator shall contact the Office Of Legal Affairs (OLA) for direction on how to proceed whenever it is known or reasonably believed that a prisoner or parolee has assets with an estimated value of \$1,500 or more or is receiving assets on a recurring basis that were not previously reported on a CAJ-140.
- H. Information on prisoner or parolee assets may be received through verbal statements or written documentation. Examples of documents commonly containing such information are checks or money orders received by the facility for a prisoner, deeds, estate settlements, payroll statements, and bank statements.
- I. Upon request, the Deputy Director, Budget and Operations Administration (BOA), or designee shall provide the Department of Attorney General with an estimate of the total cost of care of a prisoner. If it is discovered that a prisoner is collecting social security benefits, staff shall notify the Social Security Administration in writing.
- J. The Department shall comply with all court orders issued to restrict a prisoner's use of funds in their prison account or issued to obtain reimbursement for the prisoner's or parolee's cost of care while incarcerated in a state correctional facility.

PROCEDURES

- K. If necessary, to implement requirements set forth in this policy directive, Wardens shall ensure that procedures are developed or updated.

AUDIT ELEMENTS

- L. A Primary Audit Elements List has been developed and is available on the Department's Document Access System to assist with self-audit of this policy pursuant to PD 01.05.100 "Self-Audits and Performance Audits."

APPROVED: HEW 12/05/2019