

**CHAPTER 2  
FISCAL MANAGEMENT**

**Authority**

N.J.S.A. 2C:43-3.1 through 2C:43-3.3, 2C:44-6, 2C:46-1, 2C:46-4, 30:1B-6, 30:1B-10, 30:4-15.1, 30:4-16.2, 30:4-16.4, 30:4-91.4, 30:4-92 and 30:7E-1 et seq., and the Prison Litigation Reform Act of 1995, 18 U.S.C. § 3626.

**Source and Effective Date**

R.2000 d.375, effective September 18, 2000.  
See: 32 N.J.R. 2363(a), 32 N.J.R. 3436(a).

**Executive Order No. 66(1978) Expiration Date**

Chapter 2, Fiscal Management, expires on September 18, 2005.

**Chapter Historical Note**

Chapter 2, Fiscal Management, was adopted as R.1990 d.75, effective February 5, 1990. See: 21 N.J.R. 3408(b), 22 N.J.R. 355(b).

Subchapter 10, Grants, was adopted as R.1990 d.183, effective April 2, 1990. See: 22 N.J.R. 14(a), 22 N.J.R. 1142(a).

Subchapter 6, Inmate Reimbursement for Lost, Damaged or Destroyed Personal Property, was adopted as R.1990 d.363, effective August 6, 1990. See: 22 N.J.R. 1320(a), 22 N.J.R. 2321(a).

Subchapter 3, Expenditure of Inmate Welfare Funds, was adopted as R.1991 d.188, effective April 1, 1991. See: 23 N.J.R. 155(a), 23 N.J.R. 1008(b).

Subchapter 8, Financial Aid upon Release from Correctional Facilities, was adopted as R.1991 d.372, effective August 5, 1991. See: 23 N.J.R. 1511(a), 23 N.J.R. 2310(b).

Subchapter 5, Reporting Loss of Funds, was adopted as R.1991 d.373, effective August 5, 1991. See: 23 N.J.R. 1510(a), 23 N.J.R. 2310(a).

Subchapter 9, Gifts, was adopted as R.1991 d.449, effective August 19, 1991. See: 23 N.J.R. 1754(a), 23 N.J.R. 2509(a).

Subchapter 2, Inmate Accounts, was adopted as R.1991 d.494, effective October 7, 1991. See: 23 N.J.R. 1992(b), 23 N.J.R. 3031(a).

Pursuant to Executive Order No. 66(1978), Chapter 2, Fiscal Management, was readopted by R.1995 d.21, effective December 9, 1994, and Subchapter 1, Introduction, was adopted by R.1995 d.21, effective January 3, 1995. See: 26 N.J.R. 4299(a), 27 N.J.R. 118(a). Pursuant to Executive Order No. 66(1978), Chapter 2 expired on December 9, 1999.

Chapter 2, Fiscal Management, was adopted as new rules by R.2000 d.375, effective September 18, 2000. See: Source and Effective Date.

**CHAPTER TABLE OF CONTENTS**

**SUBCHAPTER 1. GENERAL PROVISIONS**

- 10A:2-1.1 Purpose
- 10A:2-1.2 Scope
- 10A:2-1.3 Definitions
- 10A:2-1.4 Forms

**SUBCHAPTER 2. INMATE ACCOUNTS**

- 10A:2-2.1 Responsibility for inmate accounts
- 10A:2-2.2 Deposits and deductions
- 10A:2-2.3 Individual savings accounts

10A:2-2.4 Written procedures

**SUBCHAPTER 3. EXPENDITURE OF INMATE WELFARE FUNDS**

- 10A:2-3.1 Sources of income for inmate welfare funds
- 10A:2-3.2 Accountability and expenditure

**SUBCHAPTER 4. (RESERVED)**

**SUBCHAPTER 5. REPORTING LOSS OF FUNDS**

- 10A:2-5.1 Reporting loss of funds
- 10A:2-5.2 Written report of loss of funds

**SUBCHAPTER 6. INMATE REIMBURSEMENT FOR LOST, DAMAGED OR DESTROYED PERSONAL PROPERTY**

- 10A:2-6.1 Filing a claim at a correctional facility or satellite unit
- 10A:2-6.2 Decision making factors for approving or denying a claim
- 10A:2-6.3 Time limit for filing a claim
- 10A:2-6.4 Notification of inmates

**SUBCHAPTER 7. RESTITUTION FOR ITEMS DAMAGED OR DESTROYED**

- 10A:2-7.1 Imposition of restitution
- 10A:2-7.2 Appeal of restitution
- 10A:2-7.3 Amount of restitution
- 10A:2-7.4 Role of the Administrator
- 10A:2-7.5 Role of the Business Manager

**SUBCHAPTER 8. FINANCIAL AID UPON RELEASE**

- 10A:2-8.1 Provision of financial aid
- 10A:2-8.2 Eligibility for financial aid
- 10A:2-8.3 Criteria for grant of financial aid
- 10A:2-8.4 Responsibility for determination of financial aid grant
- 10A:2-8.5 Amount of financial aid; periods of availability
- 10A:2-8.6 Maintenance of accounts and records
- 10A:2-8.7 Reimbursement
- 10A:2-8.8 Monthly report

**SUBCHAPTER 9. GIFTS**

- 10A:2-9.1 Gifts of money with specifications as to use
- 10A:2-9.2 Gifts of money without specifications as to use
- 10A:2-9.3 Gifts from inmates to inmate organizations
- 10A:2-9.4 (Reserved)
- 10A:2-9.5 Gifts of vehicles or vehicle parts
- 10A:2-9.6 Gifts for capital construction
- 10A:2-9.7 Gifts for research purposes
- 10A:2-9.8 Gifts of medical supplies or medical equipment
- 10A:2-9.9 Gifts which may result in financial burdens or obligations
- 10A:2-9.10 Use of gifts to purchase supplies or equipment
- 10A:2-9.11 Reports of gifts of money or material

**SUBCHAPTER 10. GRANTS**

- 10A:2-10.1 Responsibilities of the Grants Manager
- 10A:2-10.2 Planning
- 10A:2-10.3 Procedures for processing grants
- 10A:2-10.4 Reports

**SUBCHAPTER 1. GENERAL PROVISIONS**

**10A:2-1.1 Purpose**

(a) The purpose of this chapter is to establish policies and procedures for:

1. Controlling and depositing funds held in trust for inmates;
2. Appropriating expenditures of inmate welfare funds;
3. Reporting the loss of funds by, for example, burglary, theft, or embezzlement, when discovered by a correctional facility;
4. Processing inmate claims for lost, damaged or destroyed personal property;
5. Withdrawing authorized deductions from an inmate's account;
6. Distributing financial aid to persons released on parole or upon expiration of sentence;
7. Receiving and giving gifts; and
8. Processing grants.

#### 10A:2-1.2 Scope

(a) N.J.A.C. 10A:2-2, 3, 5, 6, 7 and 8 shall be applicable to the Division of Operations and the Division of Parole, New Jersey Department of Corrections.

(b) N.J.A.C. 10A:2-9 and 10 shall be applicable to all administrative units within the New Jersey Department of Corrections.

#### 10A:2-1.3 Definitions

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise.

“Central Office Revenue Unit” (CORU) means the Department of Corrections unit designated to be responsible for certain revenue collection and disbursements.

“Gift” means money in the form of a money order or certified check or material(s) donated to a correctional facility or administrative unit for a specified or unspecified purpose by a person(s) or organization(s) without an expectation of compensation.

“Grant” means a specific amount of funds or services given to an administrative unit or correctional facility by a funding source to be used over a specific period of time for a specific purpose.

“Inmate personal property” means items owned by an inmate which have been approved for retention in his or her possession while incarcerated in a correctional facility. Inmate personal property may also be property held by a correctional facility on behalf of an inmate and handled in accordance with N.J.A.C. 10A:1-11.

“Loss of funds” means funds received by a correctional facility or an administrative unit, from any source, which are unaccounted for as a result of, for example, theft, larceny, or embezzlement.

“Restitution” means a disciplinary sanction recommended by a Disciplinary Hearing Officer, Adjustment Committee, or a court ordered indemnification which requires the inmate to compensate the correctional facility or victim(s) of a criminal act for any loss, damage or injury perpetrated by the inmate.

Amended by R.2003 d.207, effective May 19, 2003.

See: 35 N.J.R. 1038(a), 35 N.J.R. 2178(a).

Added “DNA”.

Amended by R.2004 d.395, effective October 18, 2004.

See: 36 N.J.R. 3225(b), 36 N.J.R. 4826(a).

Deleted “DNA”.

#### 10A:2-1.4 Forms

(a) The following forms related to fiscal management shall be reproduced by each correctional facility from originals that are available by contacting the Administrative Rules Unit, New Jersey Department of Corrections:

1. 943 I-Inmate Claim for Lost, Damaged or Destroyed Personal Property;
2. 943 II-Certification of Inmate Claim;
3. 943 III-Review of Inmate Claim;
4. 947 I-Monthly Report of Gifts Received;
5. 947 II-Annual Report of Gifts Received;
6. 950 I-Fiscal Report of Grants Received;
7. 950 II-Report of Progress of Projects Funded by Grants.

(b) The following form related to fiscal management shall be obtained from the business office of the correctional facility;

1. State of New Jersey Payment Voucher Vendor Invoice.

(c) The following forms related to financial aid upon release from correctional facilities shall be obtained from the Division of Parole, New Jersey Department of Corrections:

1. 814.06 Financial Aid Program Receipt;
2. 814.07 Request for Replenishment of Funds;
3. 814.08 Financial Aid Account.

Administrative change.

See: 35 N.J.R. 1137(a).

## SUBCHAPTER 2. INMATE ACCOUNTS

## 10A:2-2.1 Responsibility for inmate accounts

(a) The Business Manager of the correctional facility shall be responsible for maintaining inmate accounts and recordkeeping.

(b) The Business Manager shall be responsible for providing an inmate with a receipt for each financial transaction processed.

## 10A:2-2.2 Deposits and deductions

(a) Inmate accounts of a correctional facility may be maintained in a group depository in an insured commercial bank or savings institution so long as the total fund on deposit does not exceed an amount insured by the F.D.I.C. or F.S.L.I.C.

(b) Interest accruing on inmate accounts shall be transferred on a periodic basis, at least once annually, to the Inmate Welfare Fund.

(c) Accurate records of each inmate's account and spendable balance shall be maintained.

(d) Except where prohibited by State or Federal statute, deductions of funds either earned or unearned from inmate accounts shall be made by the Business Manager as permitted by:

1. N.J.S.A. 30:4-91.4 Earnings of inmate;
2. N.J.S.A. 2C:43-3.1 Additional assessments; collection and disposition by Victims of Crime Compensation Board;
3. N.J.S.A. 2C:43-3.2 Assessments; amounts collected deposited in Safe Neighborhoods Services Fund;
4. N.J.S.A. 2C:43-3.3 Additional fines deposited in law enforcement officers training and equipment fund;
5. N.J.S.A. 2C:46-1 Time and method of payment; disposition of funds;
6. N.J.S.A. 2C:46-4 Fines, assessments and restitution; collection; disposition;
7. N.J.S.A. 30:4-92 Inmates of institutions to be employed in productive capacity; compensation;
8. N.J.S.A. 30:7E-1 et seq., An Act permitting the State to seek reimbursements for certain health care expenses incurred by State correctional facilities;
9. N.J.S.A. 30:4-15.1 Correctional facility commissaries; Victims of Crime Compensation Board surcharge;
10. N.J.S.A. 30:4-16.2 Recovery of costs and fees for frivolous lawsuits filed by inmates of correctional institutions;

11. N.J.S.A. 30:4-16.4 Deposit of money judgement in inmate's account at correctional institution; use of funds;

12. N.J.S.A. 2C:44-6 Procedure on sentence; presentence investigation and report;

13. N.J.S.A. 53:1-20.29 Certain offenders liable for costs of DNA testing;

14. The Prison Litigation Reform Act of 1995, 18 U.S.C. § 3626; and

15. Any other Federal or State statute.

(e) Deductions of funds identified in this section shall be made to pay:

1. Court ordered payments, penalty assessments, restitution, and fines;
2. Other revenue obligations or fees;
3. Fees for medical and/or dental treatment; and
4. Fees for prescription or nonprescription drugs or medicine.

(f) Pursuant to N.J.S.A. 2C:46-1, deductions from inmate accounts shall be made by the Business Manager to pay a transaction fee not to exceed \$1.00 on each occasion a restitution payment or installment payment is made by an inmate who committed an offense on or after February 1, 1993. Deductions shall be made for:

1. The Victims of Crime Compensation Board (VCCB) penalty (see N.J.S.A. 2C:43-3.1);
2. The forensic laboratory fee (see N.J.S.A. 2C:35-20);
3. The Drug Enforcement and Demand Reduction (DEDR) penalty (see N.J.S.A. 2C:35-15);
4. The Drug Abuse Education Fund penalty (see N.J.S.A. 2:35-3.5);
5. The Sexual Assault Nurse Examiner Program Fund penalty (see N.J.S.A. 2C:43-3.6); and
6. Any other fine, penalty or restitution for which a transaction fee is authorized by law.

(g) The transaction fee schedule as established in (f) above shall be as follows:

1. \$1.00 for payments in the amount of \$10.00 or more;
2. \$0.50 for payments between \$3.01 and \$9.99; and
3. No transaction fee if the payment is \$3.00 or less.

(h) Only nonindigent inmate funds in excess of the one time monthly amount of \$15.00 can be deducted by the Business Manager in accordance with (d) above.

(i) In accordance with N.J.S.A. 30:4-16.4, monies derived from a civil action judgment received by an inmate shall be deposited in the inmate's account at the correctional facility or regional correctional facility to which the inmate is assigned. Such monies shall be used to pay court imposed fines, restitution or penalties which the inmate has not met; and/or may be used to satisfy any claims for reimbursement for medical treatment sought by the State or a county.

(j) Pursuant to N.J.S.A. 30:4-15.1, the Business Manager shall deduct from an inmate's account a 10 percent surcharge on the sale price of every commissary item purchase by the inmate. Pursuant to departmental internal management procedures, these collected funds shall be forwarded to the State Treasurer for deposit into the Victims of Crime Compensation Board (VCCB) account.

Amended by R.2002 d.387, effective December 2, 2002.  
See: 34 N.J.R. 2928(a), 34 N.J.R. 4204(b).

In (d), substituted "Except where prohibited by State or Federal Statute, deductions" for "Deductions" in the introductory paragraph; rewrote (e) and designated the last sentence as (f); recodified former (f) through (h) as (g) through (i).

Amended by R.2003 d.207, effective May 19, 2003.  
See: 35 N.J.R. 1038(a), 35 N.J.R. 2178(a).

Rewrote (d); in (e), added a new introductory paragraph and recodified the former introductory paragraph in (e) as new (f); recodified former (f) through (i) as (h) through (j).

### 10A:2-2.3 Individual savings accounts

(a) Inmates may establish individual savings accounts in commercial banks or savings institutions only when all financial obligations as permitted by Federal or State statutes and financial obligations to the Department of Corrections are satisfied and upon approval of the Administrator. These accounts may take the form of:

1. Passbook savings;
2. Savings Bonds; or
3. Certificates of deposit.

(b) Subject to approval by the Administrator, inmates may be permitted to retain passbooks, account statements and deposit slips except when inmates have outstanding debts and have already established individual savings accounts. In these instances, the passbooks, account statements and deposit slips shall be retained by the Administrator or designee.

(c) Bonds and certificates of deposit must be held for safekeeping by the Business Manager.

(d) Inmates shall not be permitted to possess withdrawal slips.

(e) Withdrawals may be permitted upon written approval of the Administrator.

(f) All deposits and withdrawals shall be processed by the Business Manager or designee.

### 10A:2-2.4 Written procedures

Each correctional facility shall develop written internal management procedures consistent with this subchapter.

## SUBCHAPTER 3. EXPENDITURE OF INMATE WELFARE FUNDS

### 10A:2-3.1 Sources of income for inmate welfare funds

(a) Money for inmate welfare funds shall be derived from the following sources:

1. Profits from sales at commissaries;
2. Interest on inmate welfare fund savings;
3. Gifts from individuals, corporations and charitable foundations; and
4. Income from inmate trust fund investments.

### 10A:2-3.2 Accountability and expenditure

(a) The Business Manager of the correctional facility shall be responsible for maintaining inmate welfare account funds and recordkeeping.

(b) Pursuant to N.J.S.A. 30:4-1.1k, the institutional Boards of Trustees shall be responsible to control and authorize all expenditures of inmate welfare funds.

(c) Inmate welfare funds shall be spent only for the use, benefit and general welfare of the inmate population as a whole, such as, but not limited to, recreation equipment, books, movies, or equipment to enhance the law library.

(d) Inmate welfare funds shall not be used for the payment of employee salaries or the purchase of any item or service which is not intended for use by the inmate population, such as security equipment or automobiles.

(e) The Assistant Commissioner, Division of Operations, shall be contacted when there are questions regarding the use of inmate welfare funds.

(f) Gifts from individuals, corporations and charitable foundations shall be spent as designated by the donor, or when undesignated, at the discretion of the institutional Board of Trustees. The monies from these gifts shall be identified separately in the inmate welfare fund so that expenditures can be directly related to the source of funds.

(g) Inmate welfare funds shall not be spent for any purpose which is not consistent with the rules outlined in this subchapter.

## SUBCHAPTER 4. (RESERVED)

## SUBCHAPTER 5. REPORTING LOSS OF FUNDS

**10A:2-5.1 Reporting loss of funds**

(a) Loss of funds shall immediately be reported to the Administrator or administrative unit supervisor.

(b) The Administrator or administrative unit supervisor or designee shall contact the Assistant Commissioner, Division of Administration and Special Investigations Division immediately to investigate the loss.

(c) Pursuant to N.J.A.C. 10A:21-5.4, the Special Investigations Division, at the direction of the Administrator, shall serve as the liaison to all outside law enforcement agencies.

**10A:2-5.2 Written report of loss of funds**

(a) Within 48 hours after the loss is discovered, a written report of the loss shall be submitted by the Administrator to the:

1. Assistant Commissioner, Division of Administration; and
2. Commissioner or designee.

(b) The Assistant Commissioner, Division of Administration or designee shall prepare and submit a request to the Bureau of Risk Management, Department of Treasury for appropriate reimbursement.

(c) If the loss is not covered by the Bureau of Risk Management, Department of Treasury, the loss shall be

referred back to the Assistant Commissioner, Division of Administration or designee who shall determine the appropriate source of funds to dispose of the loss claim.

Amended by R.2002 d.65, effective March 4, 2002.

See: 33 N.J.R. 3857(a), 34 N.J.R. 1027(a).

In (a), deleted 2, recodified former 3 as 2 and added "or designee" following "Commissioner".

**SUBCHAPTER 6. INMATE REIMBURSEMENT  
FOR LOST, DAMAGED OR DESTROYED  
PERSONAL PROPERTY**

**10A:2-6.1 Filing a claim at a correctional facility or satellite unit**

(a) When an inmate claims the loss, damage or destruction of personal property, other than personal property disposed of in accordance with N.J.A.C. 10A:1-11, Personal property of inmates, the inmate shall complete and submit Form 943 I Inmate Claim For Lost, Damaged Or Destroyed Personal Property to the Administrator or designee.

(b) The Administrator or designee shall submit Form 943 I to the Director of Custody Operations or designee for investigation and preparation of a report. The investigation conducted by the Director of Custody Operations or designee shall consist of, but not be limited to:

1. Obtaining statements from the inmate, witnesses and correctional facility staff; and
2. Verifying that the inmate was authorized to have and did in fact, possess the personal property named in the claim.

3. Verification of possession of lost, damaged or destroyed personal property may be made by review of applicable documentation such as the IIS-1M Inmate Inventory Sheet maintained by the correctional facility (see N.J.A.C. 10A:1-11).

(c) Upon completion of the investigation, Form 943 I and a copy of the investigative report shall be submitted to the Business Manager of the correctional facility for review.

(d) The Business Manager shall review Form 943 I and the Custody Operations investigative report, and complete Form 943 II Certification of Inmate Claim indicating a recommendation to approve or deny the claim with substantiating reasons.

(e) Form 943 I, 943 II and the Custody Operations investigative report shall be submitted, by the Business Manager, to the Administrator for review and recommendation for denial or approval.

(f) Claims that are denied by the Administrator shall not be processed any further. In all cases of denial, the inmate shall be notified of the denial in writing by the Administrator with substantiating reasons.

(g) If the Administrator recommends approving a claim, the Administrator shall complete Form 943 III Review of Inmate Claim and request that the Business Manager of the correctional facility complete a State of New Jersey Payment Voucher Vendor Invoice and have said invoice signed by the inmate.

(h) The signed State of New Jersey Payment Voucher Vendor Invoice and Forms 943 I, 943 II, 943 III, and the Custody Operations investigative report shall be submitted by the Administrator to the Assistant Commissioner, Division of Operations as a packet for review.

(i) The Assistant Commissioner, Division of Operations, shall review the claim and determine whether to approve or disapprove the claim.

(j) If the Assistant Commissioner, Division of Operations disapproves the claim, he or she shall sign and date Form 943 III and return the entire packet of documents to the Administrator.

(k) If the Assistant Commissioner, Division of Operations approves the claim, he or she shall sign and date Form 943 III and submit the entire packet of documents to the Manager, Bureau of Audits and Accounts to be reviewed for compliance with the requirements of this section.

(l) When a claim is not in compliance with the requirements of this section, the Manager, Bureau of Audits and Accounts shall return the entire packet of documents to the Assistant Commissioner, Division of Operations with the reasons for noncompliance noted.

(m) When a claim is in compliance with the requirements of this section, the Manager, Bureau of Audits and Accounts shall indicate "Compliance" on Form 943 III and submit the entire packet of documents to the Director, Office of Fiscal Management for approval or disapproval.

(n) Claim packets approved by the Director, Office of Fiscal Management shall be returned to the Manager, Bureau of Audits and Accounts for payment. Disapproved claim packets shall be returned to the Assistant Commissioner, Division of Operations with the reason(s) for disapproval noted.

#### **10A:2-6.2 Decision making factors for approving or denying a claim**

(a) The following factors shall be considered before recommending approval or disapproval of claims:

1. Whether the investigation revealed any neglect by the correctional facility;
2. Whether care was exercised by facility staff preventing property loss, damage or destruction;
3. Whether the inmate exercised care in preventing property loss, damage or destruction;
4. Whether it has been proven that the inmate was authorized to have and did, in fact, possess the item(s) named in the claim;
5. Whether sufficient information has been supplied by the inmate, including proper receipts, witnesses and investigative reports;
6. Whether the inmate submitted the claim in a timely manner;
7. Whether the loss or damage exceeds authorized amounts of correctional facility personal property limits;
8. Whether the personal property is considered contraband; and
9. Whether other reviewers recommended denial of the claim and the reasons therefor.

#### **10A:2-6.3 Time limit for filing a claim**

(a) It shall be the inmate's responsibility to initiate a claim by completing Form 943 I Inmate Claim For Lost, Damaged Or Destroyed Personal Property within 15 calendar days of the incident or discovery of the incident.

(b) Unless there are exceptional circumstances which require extending the investigative process, the claim form and accompanying documents shall be submitted to the Director, Office of Fiscal Management within 30 calendar days of the filing of the claim by the inmate.

**10A:2-6.4 Notification of inmates**

The written procedures contained in this subchapter shall be incorporated into the next revision of the correctional facility inmate handbook.

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**SUBCHAPTER 7. RESTITUTION FOR ITEMS DAMAGED OR DESTROYED**
**10A:2-7.1 Imposition of restitution**

(a) As a result of disciplinary action taken against an inmate, the Institutional Classification Committee (I.C.C.) may impose restitution as a sanction on an inmate upon the recommendation of:

1. The Disciplinary Hearing Officer; or
2. The Adjustment Committee.

**10A:2-7.2 Appeal of restitution**

An inmate may appeal the imposition of restitution as a sanction by following the procedures outlined in N.J.A.C. 10A:4-11, Appeals of disciplinary decisions.

**10A:2-7.3 Amount of restitution**

(a) The amount of restitution ordered shall equal the cost of replacement or repair of the item(s) damaged or destroyed.

(b) Each correctional facility shall develop internal management procedures for determining the cost of replacing or repairing an item(s) that has been damaged or destroyed.

**10A:2-7.4 Role of the Administrator**

(a) When the sanction of restitution has been imposed, the Administrator shall:

1. Review the inmate's appeal, if one is submitted; and
2. Affirm or modify the sanction in accordance with N.J.A.C. 10A:4-11.5, Disposition of appeal, as deemed appropriate.

(b) If the Administrator affirms the sanction of restitution, the Administrator shall order the Business Manager to withdraw funds from the inmate's account for the purpose of restitution.

**10A:2-7.5 Role of the Business Manager**

(a) Upon receipt of the order from the Administrator, the Business Manager or designee shall, with the posting of each month's State pay or funds from other sources, remove any amount of funds in excess of the one time monthly amount of \$15.00 from the inmate's account until all inmate debt has been paid in full.

(b) With the posting of each month's State pay or funds from other sources, any amount of funds in excess of the one time monthly amount of \$15.00 shall be removed from an inmate's account as permitted by Federal and State statutes to pay obligations before correctional facility restitution.

(c) Funds collected for restitution must be deposited and recorded in accordance with the Department of Treasury and the Department of Corrections policies and procedures.

(d) Each removal of funds from an inmate's account shall be noted on the inmate's account record. The inmate shall be informed in writing of each removal of funds for restitution and a copy of the notification shall be placed in the inmate's classification folder.

(e) In the event an inmate is transferred to another correctional facility within the Department of Corrections, the Business Manager or designee shall provide written notification of the remaining restitution balance to the receiving correctional facility and the inmate. The notification shall also request that funds continue to be removed from the inmate's account until restitution has been made in full.

(f) The Business Manager or designee of the receiving correctional facility shall forward all funds collected for restitution to the correctional facility which suffered the loss involved.

(g) In the event an inmate is released with funds due a correctional facility for restitution, debt in excess of \$100.00 shall be referred to the (CORU) for collection. Debt less than \$100.00 shall be regarded as uncollectable.

(h) Any amount owed by an inmate upon release shall not be deducted from the financial aid the inmate may receive from the Division of Parole, New Jersey Department of Corrections.

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**SUBCHAPTER 8. FINANCIAL AID UPON RELEASE**
**10A:2-8.1 Provision of financial aid**

(a) A limited amount of financial aid may be provided, upon request, to inmates release:

1. To parole supervision;
2. To preparole status in the Electronic Monitoring/Home Confinement Program; or
3. Upon expiration of a sentence.

(b) Financial aid may be provided to the types of inmates listed in (a) above if they can satisfy the criteria of eligibility and if there is a demonstrated need.

(c) Financial aid shall not be provided to inmates who, during the 72 hour period prior to release from custody on parole or during the 10 calendar days prior to release from custody on expiration of sentence, receive a disciplinary charge(s) and are adjudicated guilty based upon:

1. Refusal to submit to testing for use of a prohibited substance(s);
2. Failure to comply with an order to submit a specimen for testing; or
3. A positive test result.

#### 10A:2-8.2 Eligibility for financial aid

(a) The following inmates are eligible for consideration for financial aid:

1. Inmates released at the expiration of their maximum sentence or paroled from State correctional facilities;
2. State sentenced inmates released at the expiration of their maximum sentence or paroled from county correctional facilities;
3. State sentenced inmates released at the expiration of their maximum sentence or paroled from Residential Community Release Agreement Programs;
4. Inmates sentenced in other states who have been paroled to New Jersey during the period of parole supervision;
5. State sentenced inmates released at the expiration of their maximum sentence or paroled to bench warrants or commitment detainers, if released to the community, after or while awaiting disposition of charges; and
6. County sentenced inmates released to parole supervision, during the period of parole supervision.

(b) State sentenced inmates placed in the community prior to parole and subject to the Electronic Monitoring/Home Confinement Program are eligible for consideration for financial aid.

#### 10A:2-8.3 Criteria for grant of financial aid

(a) In reaching a decision to grant financial aid, the Director, Division of Parole or designee or the correctional facility Administrator or designee shall consider the following factors:

1. The urgency and amount of the request;
2. The circumstances or facts which support the legitimacy of the request;

3. The availability of funds from any other source, such as, but not limited to:

- i. Family members;
- ii. Employers; or
- iii. Other State or local agencies;

4. The inmate's account balances, to include any individual savings account and whether any substantial amount of funds were sent home or otherwise disbursed; and

5. Whether sufficient budgeted funds are available.

#### 10A:2-8.4 Responsibility for determination of financial aid grant

(a) The Director, Division of Parole or designee shall determine financial aid for the following:

1. Persons paroled or released at expiration of sentence from State correctional facilities and Residential Community Release Agreement Programs;
2. Persons paroled from county correctional facilities on State or county sentences;
3. Persons placed on preparole status in the Electronic Monitoring/Home Confinement Program;
4. State sentenced persons released at expiration of sentence from county correctional facilities;
5. Persons sentenced in other states, who have been paroled to New Jersey and are under the active supervision of the Division of Parole; and
6. Persons paroled from correctional facilities and Residential Community Release Agreement Programs to out-of-State plans.

(b) The correctional facility Administrator or designee shall be responsible for determining the financial aid of persons to be released at expiration of sentence from correctional facilities of the New Jersey Department of Corrections, including satellite units.

#### 10A:2-8.5 Amount of financial aid; periods of availability

(a) State sentenced inmates who are released from correctional facilities upon expiration of their maximum sentences are eligible for consideration to receive a single grant of up to \$100.00 in financial aid, limited to the six month period following release.

(b) During the 12 month period following release to parole or home confinement, a maximum of \$300.00 may be provided to applicants who remain under parole supervision (see N.J.A.C. 10A:2-8.4(a)). The installments may be as follows:

1. An initial grant of up to \$100.00 upon release from the correctional facility;

2. An additional grant up to \$100.00 within the first 30 days following release; and

3. An additional grant(s) up to \$100.00 within 12 months following release.

(c) The Assistant Commissioner, Division of Parole or designee may give written approval for financial aid in excess of the \$100.00 initial grant or of the \$300.00 within the 12 month period in exceptional circumstances or hardship, such as when there is a good probability of obtaining steady employment.

(d) An additional grant(s) up to \$300.00 may be provided in any 12 month period following the first 12 months of release if an urgent need and the lack of an alternate source(s) of funds can be demonstrated.

#### 10A:2-8.6 Maintenance of accounts and records

(a) Complete records shall be maintained on every transaction, and these records shall include, but not be limited to:

1. An ongoing account balance;
2. The numbered check stubs;
3. A photocopy of every check issued;
4. A signed receipt for each check issued;
5. The voided checks;
6. A monthly reconciled bank statement;
7. The cancelled checks;
8. Form 814.07 Request for Replenishment of Funds; and
9. An entry of the grant(s) in the chronological parole supervision report, if the person receiving financial aid is under active parole supervision.

(b) Correctional facilities and parole offices shall establish internal management procedures to ensure accounts and records are maintained and funds are protected against loss and/or abuse.

(c) All financial records shall be retained in accordance with the State of New Jersey Record Retention and Disposition Schedule.

#### 10A:2-8.7 Reimbursement

(a) Persons receiving financial aid may reimburse the State of New Jersey for all or part of any financial aid.

(b) Reimbursements are voluntary and shall be noted in the record of the person who received the financial aid grant(s).

(c) If the person receiving financial aid is under active parole supervision, an entry of any reimbursement shall be made in the chronological parole supervision report.

(d) Reimbursements by check or money order should be made payable to the "Treasurer, State of New Jersey." A written explanation and the check or money order shall be forwarded by the Division of Parole office receiving the reimbursement to the New Jersey Department of Corrections, Central Office Business Office, with a copy to the Assistant Commissioner, Division of Parole or designee.

(e) Reimbursements of cash shall be receipted and deposited within 24 hours of receipt into a local bank which maintains an account established and specifically approved by the Department of the Treasury as a depository for these funds. The deposit slip, together with a written explanation shall be forwarded to the New Jersey Department of Corrections, Central Office Business Office, with a copy to the Assistant Commissioner, Division of Parole or designee. The Assistant Commissioner, Division of Parole or designee shall be responsible for implementing and maintaining adequate controls to safeguard the reimbursements of cash from theft or misuse, and providing an appropriate accounting for all funds received.

#### 10A:2-8.8 Monthly report

(a) No later than the fifth working day of each month, the District Parole Supervisor or designee in each District Office and the Central Office designee shall prepare and forward a report to the Assistant Commissioner, Division of Parole.

(b) The monthly report shall include, but not be limited to:

1. The total amount of funds disbursed during the preceding month; and
2. The number of grants issued.

(c) Within 15 days following the end of each month, the District Parole Supervisors and the Central Office designee shall prepare and submit a report to the New Jersey Department of Corrections, Central Office Business Office, on Form 814.08 Financial Aid Account.

### SUBCHAPTER 9. GIFTS

#### 10A:2-9.1 Gifts of money with specifications as to use

Gifts of money with specifications as to their use shall be recorded as Special Revenue Dedicated Funds when received by the Administrator or administrative unit supervisor in accordance with the State of New Jersey Chart of Appropriation/Revenue accounts, codes and titles. These gifts shall be used in accordance with the specification of the donor(s).

**10A:2-9.2 Gifts of money without specifications as to use**

(a) Gifts of money without specifications for their use shall be placed in the Inmate Welfare Fund Account and used for the welfare of inmates in accordance with N.J.A.C. 10A:2-3.2.

(b) Pursuant to N.J.S.A. 30:4-1.1k, the Inmate Welfare Fund Account is under the supervision of the Institutional Board of Trustees which shall authorize all expenditures of donations without specifications as to use.

**10A:2-9.3 Gifts from inmates to inmate organizations**

(a) Gifts, other than money, may be donated by inmates to inmate organizations.

(b) The Administrator shall determine the inmate organization which will receive the gift(s) donated by inmates.

**10A:2-9.4 (Reserved)****10A:2-9.5 Gifts of vehicles or vehicle parts**

(a) Prior to accepting a gift of a vehicle or vehicle parts, the proposal shall be referred by the Administrator or unit supervisor to the Assistant Commissioner, Division of Administration. The vehicle and vehicle parts must benefit the Department of Corrections and funds must be designated for the costs associated with the operation and maintenance of the vehicle.

(b) The Assistant Commissioner, Division of Administration shall approve or disapprove the proposal of a gift of a vehicle or vehicle parts.

(c) The written approval or disapproval of the proposal of a gift of a vehicle or vehicle parts shall be returned to the Administrator or unit supervisor.

**10A:2-9.6 Gifts for capital construction**

(a) Prior to accepting a gift for capital construction, the proposal of the gift shall be referred by the Administrator or unit supervisor to the Assistant Commissioner, Division of Administration.

(b) Upon review by the Assistant Commissioner, Division of Administration, the proposal of a gift for capital construction shall be submitted to the Commissioner, Department of Corrections with a recommendation for approval or disapproval.

(c) The written decision of the Commissioner regarding the approval or disapproval of the proposed gift for capital construction shall be returned to the Assistant Commissioner, Division of Administration.

(d) The Assistant Commissioner, Division of Administration shall be responsible for notifying the Administrator or unit supervisor of the decision of the Commissioner.

**10A:2-9.7 Gifts for research purposes**

Gifts for research purposes shall not be accepted until the research project has been reviewed and approved by the Commissioner, Department of Corrections, in accordance with N.J.A.C. 10A:1-10, Research.

**10A:2-9.8 Gifts of medical supplies or medical equipment**

(a) Prior to accepting gifts consisting of medical supplies or equipment, the Administrator or unit supervisor shall submit notification of the availability of these gifts to the Supervisor, Health Services Unit, Division of Operations.

(b) The Supervisor, Health Services Unit, Division of Operations shall submit the notification regarding the gifts of medical supplies or equipment to the Assistant Commissioner, Division of Administration for approval or disapproval.

(c) The written approval or disapproval of the gift of medical supplies or equipment shall be returned to the Supervisor, Health Services Unit, Division of Operations.

(d) The Supervisor, Health Services Unit, shall designate the appropriate placement of such approved supplies and equipment.

(e) The Supervisor, Health Services Unit, Division of Operations shall be responsible for accepting the gifts of medical supplies or equipment and for notifying the Administrator or unit supervisor receiving the gifts in order that arrangements for the transportation of the gifts to the correctional facility or unit may be made.

**10A:2-9.9 Gifts which may result in financial burdens or obligations**

(a) Gifts which may impose a financial burden or obligation upon the State of New Jersey shall not be accepted by an Administrator or unit supervisor without receiving written approval from the Commissioner or designee.

(b) Upon receiving the approved gift at the correctional facility, the Administrator or unit supervisor shall submit written notification to the Assistant Commissioner, Division of Operations.

(c) The Assistant Commissioner shall notify the Commissioner or designee when the gift has been received.

**10A:2-9.10 Use of gifts to purchase supplies or equipment**

(a) If supplies or equipment are purchased with funds made available by gifts, such items shall be purchased from a vendor currently under contract to supply these items to the State of New Jersey, if a vendor is available.

(b) If supplies or equipment cannot be purchased from a vendor currently under State contract, the Administrator or unit supervisor or designee shall secure competitive price

quotations consistent with the current State of New Jersey, Department of Treasury procurement policy.

#### 10A:2-9.11 Reports of gifts of money or material

(a) The Administrator and unit supervisor or designee shall ensure that all assets obtained as gifts be recorded in accordance with current State of New Jersey, Department of Treasury policy regarding Fixed Assets Inventory Records.

(b) The Administrator or unit supervisor or designee shall implement and maintain an adequate control system to safeguard gifts of money and other assets from theft and misuse, and provide an appropriate accounting of all gifts received.

(c) Administrators and unit supervisors shall complete and attach FORM 947 I, Monthly Report Of Gifts Received to their monthly reports which shall include a list of all gifts of money or material received having a value in excess of \$100.00 along with the conditions, limitations or restrictions placed by the donor(s) on the use of such gifts.

(d) If gifts of money in amounts that are less than \$100.00 are received on several occasions during the calendar year from the same source, the total amount from the donor shall be reported when it exceeds \$100.00.

(e) As a part of the Annual Report to the Assistant Commissioner, Administrators and unit supervisors shall report on FORM 947 II, Annual Report Of Gifts Received all gifts received during the fiscal year and the progress of projects funded by these gifts.

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## SUBCHAPTER 10. GRANTS

### 10A:2-10.1 Responsibilities of the Grants Manager

(a) The Grants Manager shall review and process proposals, concept papers and other requests for all grants from non-State budgeted agencies.

(b) The responsibilities of the Grants Manager shall include, but are not limited to:

1. Serving as the official liaison between the Department of Corrections and all sources which issue grants;
2. Reviewing, evaluating and coordinating all grant proposals for funding;
3. Providing technical and other assistance to applicants for grants, as indicated;
4. Ensuring that applicants for grants comply with Federal, State and Department of Corrections guidelines and procedures relating to the use of grants; and

5. Transmitting all applicants for grants to the Commissioner or designee for review, approval and signature.

### 10A:2-10.2 Planning

For planning purposes, any correctional facility or administrative unit contemplating a non-State funded project shall submit a memorandum containing information on the major components of the contemplated project request to the Grants Manager as soon as this information is available.

### 10A:2-10.3 Procedures for processing grants

(a) The Grants Manager shall process all proposals, concept papers and funding requests to outside funding agencies. No grant application will be approved by the Commissioner unless it has been reviewed and processed by the Grants Manager.

(b) Before proposals, concept papers and grant applications are submitted to any outside agency for funding, the Grants Manager shall review them with regard to:

1. Duplication of project applications;
2. Compliance with Department of Corrections policies and procedures; and
3. Providing current information regarding grants and funding to the Commissioner or designee.

(c) After reviewing the proposal, the Grants Manager shall contact the Project Director regarding any problems that may have developed and may suggest appropriate solutions to resolve them.

(d) If the proposal is modified in any way, the final proposal shall be submitted to the Grants Manager for transmittal to the Commissioner for review, approval/disapproval and signature.

(e) When approved by the Commissioner, the proposal shall then be submitted to the appropriate agency by the Grants Manager with a copy to the Project Director.

(f) If contracts are made with outside funding agencies, the Grants Manager must be aware of these contracts immediately.

(g) After a proposal is funded, all contracts, including correspondence, with the funding agency shall be reported immediately to the Grants Manager.

(h) Reports on the activities of funded projects shall be forwarded to the Grants Manager for transmittal to the funding agency.

(i) The Grants Manager shall be informed of the intentions of the Project Director regarding future requests for continued funding of the project.

**10A:2-10.4 Reports**

The Administrator or unit supervisor shall complete and submit Form 950 I Fiscal Report of Grants Received and

Form 950 II Report of Progress of Projects Funded by Grants to the Assistant Commissioner, Division of Administration with the Annual Report.