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| ALAMEDA COUNTY SHERIFF'S OFFICE DETENTION AND CORRECTIONS POLICY AND PROCEDURE | NUMBER: 2.17 | PAGES: 1 of 2 |
| | RELATED ORDERS: ACA 4-ALDF-6D-01, 7D-20 P&P 16.01 Inmate Rules and Information | |
| | ISSUED DATE: July 1, 1989 | |
| | REVIEW DATE: October 26, 2015 | |
| | REVISION DATE: September 8, 2011 | |
| CHAPTER: Fiscal Management | SUBJECT: Inmate Restitution for Damaged or Destroyed County Property | |

- I. **PURPOSE:** To establish policy and procedure for debiting an inmate's account for restitution for damaged or destroyed county property.
- II. **POLICY:** Inmates shall be held accountable for restitution to the County of Alameda for intentional or careless actions which cause damage or destruction to county property. Such restitution may be pursued through the inmate disciplinary process, civil action or criminal prosecution.
- III. **PROCEDURE:**
- A. All inmates will be given a copy of the Inmates Rules and Information booklet during the intake process which contains information concerning restitution.
 - B. Restitution for damage to county property that is not pursued by criminal complaint or civil action and that does not exceed \$250 shall be accomplished as follows:
 1. The incident shall be documented in an inmate disciplinary report.
 2. The report shall contain a description of the damaged or destroyed county property and the replacement or repair cost.
 3. Due process shall be afforded the inmate pursuant to Policy and Procedure [16.01](#), "Inmate Disciplinary Procedure."
 4. Upon completion of the disciplinary process, if restitution is ordered, a copy of the disciplinary report notification form shall be forwarded to the Accounting Technician.
 5. The Accounting Technician shall direct the Account Clerk on duty to debit the inmate's account then take the necessary action to credit the funds to the Sheriff's Other Revenue Account #7951.
 - C. Restitution for damage or destruction of county property which exceeds \$250 shall be pursued through criminal complaint or civil action and shall be accomplished as follows:
 1. The incident shall be documented in a crime report.

2. The crime report shall contain a description of the damaged or destroyed county property and the replacement or repair cost.
 3. If criminal prosecution is recommended, the report shall be referred to the District Attorney and shall note that restitution is requested.
 4. If civil action is recommended, the report shall be referred to the Classification staff for filing of the small claims action.
 5. Upon completion of the criminal or civil action, if restitution is ordered, a copy of the court order or judgment shall be forwarded to the Classification Sergeant for appropriate action. The action may include:
 - a. Debiting the inmate account for the amount of restitution ordered
 - b. Referral to Central Collections
 - c. Any other remedy commonly utilized to collect civil judgments or criminal restitution orders
 6. If restitution is to be obtained from the inmate account, a copy of the court order or judgment shall be forwarded to the Accounting Technician.
 7. The Accounting Technician shall debit the inmate account and take necessary action to credit these funds to the Sheriff's Other Revenue Account #7951.
- D. The Accounting Technician shall track and report monthly to the facility Commanding Officer the amount of inmate restitution received.