

YOUTH SERVICES POLICY

Title: Youth Banking	Type: B. Classification, Sentencing and Service Functions Sub Type: 9. Youth Fiscal Services Number: B.9.3
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References: La. R.S. 9:151 through 9:156, 15:831(B), 15:866, 5:866.1, 15:866.2, 15:873, 15:874, 15:875, 15:1111, and 46:1801 et. seq.; ACA Standards 2-CO-1B-05 and 2-CO-1B-14 (Administration of Correctional Agencies), 4-JCF-6B-12, 4-JCF-6B-13, 4-JCF-6B-14 (Performance-Based Standards for Juvenile Correctional Facilities); YS Policy Nos. A.4.2 Standard Operating Procedures for Contract Providers”, B.6.1 "Health Care", B.7.2 “Programs for Post-Secondary Education – Secure Care”, B.7.3 “Work Details and Skills Building Incentives – Secure Care”, B.9.1 "Youth Welfare Fund (YWF)", C.2.9 "Correspondence and Packages", and C.4.9 “Sale of Vocational Goods and Hobby Craft Items”	
STATUS: Approved	
Approved By: <i>William A. Sommers, Deputy Secretary</i>	Date of Approval: 06/02/2022

I. AUTHORITY:

Deputy Secretary of Youth Services (YS) as contained in La. R.S. 36:405. Deviation from this policy must be approved by the Deputy Secretary.

II. PURPOSE:

To establish and maintain policy and procedures for handling the receipt, expenditure, and final disposition of youth funds.

III. APPLICABILITY:

Deputy Secretary, Assistant Secretary, Undersecretary, Deputy Undersecretary, Chief of Operations, Youth Facilities Director – Statewide, Executive Management Advisor, Regional Directors, and Facility Directors.

IV. POLICY:

It is the Deputy Secretary's policy to account for the receipt, expenditure and final disposition of youth funds in keeping with sound accounting procedures and in accordance with State law. The provisions herein generally apply to youth in State owned and/or operated facilities.

V. PROCEDURES:

A. Receipt of funds:

1. All funds accompanying a youth in secure care from local detention centers shall be credited to the youth's drawing account in the Youth Banking System.
2. Incentive pay to youths and the net wages of youths employed in a certified Private Sector/Prison Industry Enhancement (PS/PIE) program shall be distributed on the basis of 50% to the youth's drawing account and 50% to the youth's savings account, except as noted in Paragraph 4 below.
3. Incentive payments shall be made based on available resources. Compensation to youth may be in the form of wages paid by the employer for learning a marketable skill or gaining work experience (refer to YS Policy No. B.7.2).

Incentives paid shall be deposited pursuant to the procedures established in this policy.

4. Youth in the custody of the Office of Juvenile Justice may have up to \$250.00 in their personal interest bearing youth banking account.

Youths may transfer any amount in excess of \$250.00 from their savings account to their drawing account. Generally, all outstanding debts, (i.e. owed to the Agency, the courts, victims, etc. or other obligations which would otherwise be payable out of the savings account) must be satisfied prior to the transfer unless otherwise approved by the Facility Director.

When a youth's savings account attains a balance of at least \$250.00, future compensation may be deposited into either the savings or drawing account. When a youth elects to have future compensation deposited into their drawing account and is subsequently ordered to pay court costs which reduces the savings account balance to less than \$250.00, thirty percent (30%) of future compensation shall be deposited into the drawing account and seventy percent (70%) shall be distributed toward payment of any remaining court costs.

5. Funds cannot be sent to youths from other youths or the families of other youths without prior approval of the Facility Director. Funds cannot be sent to youths from discharged youths or their families, or employees and their families.

6. Funds cannot be sent to youths from unidentified sources. The Facility Director shall be notified if money is received for a youth in excess of \$500.00 regardless of the source. A suspense account may be set up pending verification of the legitimacy of the transaction whenever deemed appropriate by the Facility Director. A suspense account shall be set up if the source of funds cannot be verified, if the check or money order has been altered, or if the amount is in excess of \$500.00.
7. If funds are withheld for more than three (3) days in a suspense account pending investigation, the youth shall be notified in writing. If the investigation is not completed within 15 days, the youth shall be afforded a hearing by a two member committee comprised of representatives from Administration and Security.
8. Money from permissible sources may be accepted in the following forms:
 - a. Postal, bank, or commercially issued money orders;
 - b. Government checks;
 - c. Bank cashier's check;
 - d. Checks drawn on federal, state and local governmental, political subdivisions, or public officials;
 - e. Checks drawn on reputable commercial accounts such as department stores, insurance companies, etc.; or
 - f. Automated Clearing House (ACH) transfers generated by authorized vendors approved by the Deputy Secretary, such as Western Union.
9. Money shall not be accepted in the following forms:
 - a. Cash received in the mail shall be returned to the sender via regular or certified mail (type dependent on amount of cash to be mailed);
 - b. Personal checks received in the mail shall be returned to the sender via regular mail; or
 - c. Checks payable to multiple parties shall be returned to the sender via regular mail. (If approved by the Facility Director or designee, the youth may endorse the check prior to its return);

Upon discovery of cash, personal or multiple party checks in the mail, the youth shall be sent a notice of the contents of the mail, the date of its receipt and that the youth has seven days to provide return postage. If return postage has not been provided within seven days, the postage shall be provided by the unit. The youth's banking account shall be charged if funds are available. Such withdrawals shall be made first from a youth's drawing account to the extent funds are available and then from the savings account. If funds are not available in either account, a debt hold shall be established in the appropriate youth's banking account.

- B. Expenditure of Funds:
1. Youths are prohibited from making purchases on a credit basis.
 2. Youths may not order goods shipped to the facility.
 3. All or any part of a youth's savings account may be expended for the purchase of bonds of the State of Louisiana or United States Savings Bonds. Any bonds so purchased shall be held by Youth Banking at the facility. The funds from these bonds redeemed or cashed during the youth's term shall revert back to the youth banking account from which they were deducted.
 4. All or any part of a youth's savings account may be expended for the purchase of accredited educational courses in accordance with the facility's Standard Operating Procedure.
 5. Funds credited to a youth's drawing or savings account may be withdrawn to satisfy any restitution imposed by the Agency in accordance with La. R.S. 15:875. Restitution shall be withdrawn first from a youth's drawing account, but may then be assessed against the savings account.
 6. Funds credited to a youth's savings account may be withdrawn for any other reason authorized by the Deputy Secretary.
 7. Money may be spent from the youth's drawing account at the canteen at intervals with limits set by the Facility Director.
 8. Funds from the youth's drawing account shall be available to the youth for the following additional purposes:
 - a. Transfer to immediate family;
 - b. Approved business or legal expense; and/or
 - c. Transfer to approved savings accounts with outside banking institutions or other approved transactions with outside banks (such transfers shall be coordinated with the unit's Business Office). The youth shall not be allowed to possess deposit/withdrawal slips for outside banking accounts. Checking accounts are not allowed.
 9. Funds may not be transferred to employees. Employees are prohibited from becoming involved in financial transactions with youths.

C. Discharging/Deceased Youths:

1. All funds due a youth released or discharged shall be sent to the youth at the youths last given address within 90 days after discharge or release.
2. When it is feasible, (generally when an Office of Motor Vehicles mobile unit is available to come to the facility), the funds from the youth's banking account may be withdrawn for the renewal/purchase of a Louisiana Driver's License or Louisiana Identification Card prior to release.
3. All property which a youth leaves at the facility or anywhere within the Department, or which the youth fails to take with them upon discharge, and to which he makes no claim prior to discharge, or within 90 days thereafter, shall be considered abandoned and shall be disposed of in accordance with La. R.S. 15:866.2.
4. Unclaimed funds of deceased youths are not considered abandoned property as provided in La. R.S. 15:866.2. If attempts to notify heirs have been unsuccessful for a period of five (5) years, the money in the youth's account is submitted along with an unclaimed property report by Central Office to the Department of Revenue and Taxation in compliance with La. R.S. 9:151 through 9:156.

Previous Regulation/Policy Number: B.9.3

Previous Effective Date: 05/11/2021

Attachments/References: