

Jail Planning Guide

(applicable to both City and County)



June 20, 2018

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Area Guidance Information

This planning guide is a supplement to the City and County Planning Guides. Supersedes previous guidance dated June 14, 2016. Please direct questions or suggestions to a Law Enforcement Subject Matter Expert.

Guidance is based on the extensive research, brainstorming and reviews conducted as part of the [planning guide update process](#). Guidance is intended only for internal use to help auditors gain an understanding of jail operations. The guide is intended to enhance planning and risk assessment procedures, not replace them. Information in the guide should therefore be considered along with other planning and risk assessment procedures. While guidance is designed to be as comprehensive as feasible, auditors must be alert for audit issues and situations not specifically addressed.

The guide is used by the State Auditor's Office staff as they plan audit engagements. Information presented in this document does not represent policy or legal guidance. State agencies and local governments should contact their legal counsels with specific questions.

Additional Resources

Additional resources can be found in TeamMate and on the SAO intranet site at Auditor Resources | [Reference Guide](#) | County Resources (or City Resources)

WHAT'S NEW

There were no substantial changes from the previous guide.

BACKGROUND

The purpose of a jail is to manage - in a safe, secure and humane manner - people who have been arrested or sentenced. Each city and county is responsible for the prosecution, adjudication, sentencing, and incarceration of misdemeanor and gross misdemeanor offenses committed by persons in their respective jurisdictions, and referred from their respective law enforcement agencies, whether filed under state law or city/county ordinance. Each city and county must carry out these responsibilities through the use of their own courts, staff, and facilities, or by entering into contracts or interlocal agreements to provide these services.

In accordance with RCW 70.48.090(4), the jail function is typically organized as a separate department run by or under the supervision of the Police Chief or Sheriff. Jail (or corrections) departments were primarily established to separately account for costs associated with housing inmates.

The most significant potential risks for jails are:

- **Billings to other jurisdictions for jail services**
- **Inmate accounts**

ACCOUNTABILITY

Revenues

The primary funding for jail operations is usually the general fund of the city or county. However, there are a number of locally receipted revenue streams that supplement jail operations, as follows:

Billings to other Jurisdictions for jail services (RCW 70.48.090 and 70.48.440)

We would expect at least some billing activity for all jails for inmates detained by the city or county police and later transported to other jurisdictions (federal, state or local). In addition, RCW 70.48.090 allows for cities and counties to contract with other counties and cities for jail services (sometimes referred to as "boarding contracts"). The calculation of such billings can be difficult. If the city or county does not have a good system in place to generate the billings, they may contain systematic or clerical calculation errors. [A TeamMate testing strategy is available in the folder Accountability | Entity-Specific Areas | City/County | Jail | Inmate Charges to Other Jurisdictions.](#)

OFM is responsible for establishing reimbursement rates for detention and transport of sentenced felons who are the responsibility of the department of corrections.

Work Release Program Payments (RCW 70.48.210, 380)

A work release program allows inmates the ability to serve their sentence while maintaining employment or going to work in an established work release facility. Essentially, inmates request to work outside of jail (returning to serve their sentence after work hours) or request to be transferred to a work release facility (like a farm or camp or other special facility). Such programs are established by policy, so details vary. Earnings from work release inmates may be collected by the jail where they may deduct certain fees first (e.g.: 10% of wages earned or a daily fee for room and board) and any court ordered restitution or victim compensation before remitting remaining funds to the recipient. The payment or daily fee will be based on a calculation determined by policy and is collected by the jail according to the inmate's pay schedule. The risk is that the funds are not properly collected/assessed or monitored. [A TeamMate testing strategy is available in folder Accountability | Entity-Specific Areas | City/County | Jail | Work Release.](#)

Bail

Jails may receipt bail money after-hours when the court is closed. Bail must be receipted against court approved bail orders, so if the jail is allowed to receipt these funds, the Clerk's office will send bail orders to the jail so they always have a list of all bail orders. When bail money is receipted at the jail, it must be deposited and then reported to the court for entry into JIS.

Controls over tracking bail revenue will be at the court (see [Court guide](#) for details). However, auditors must be aware of bail receipts when evaluating receipting and deposit controls at the jail.

Commissary

Jails provide a commissary for inmates to purchase selected items using funds from their respective inmate accounts (see [inmate accounts](#) below). Auditors should determine whether commissary services are provided by the government, through a contracted vendor or through a third-party receipting vendor.

If provided by the government, auditors should evaluate sales volume and commissary inventory and consider testing inmate accounts and inventory based on the evaluation.

If provided by a contracted vendor, auditors should evaluate the contract and consider testing for contract compliance.

Regardless of who is providing commissary services, we would not expect inmates be able to purchase non-personal hygiene commissary items on credit. See [WAC 137-55-030](#) for a list of what the Department of Corrections considers "personal hygiene items."

Inmate Telephone Fees

Jails typically provide a method for inmates to make either collect telephone calls or calls using authorized pre-paid accounts (similar to calling cards). We would expect jails to have agreements with the phone and pre-paid service providers which clearly establish the amount of proceeds due to the local government. Phone and pre-paid service providers typically remit these payments via check or they may use a third-party receipting vendor to accept credit cards or other electronic payments. Auditors should consider evaluating these agreements and test for compliance, as appropriate.

Booking fees (RCW 70.48.390)

Governing units may assess a booking fee which is based on the jail's actual booking costs or \$100, whichever is less at the time of booking. Fee is payable immediately from the money's taken at time of booking; if the person has no funds on possession, then jail can notify the court and assess the fee.

Medical Reimbursements (RCW 70.48.130(4 & 5))

As part of the booking process, information concerning the inmate's ability to pay for medical care must be identified. If the inmate has insurance or has the ability to pay, the jail may obtain reimbursement. Consider reviewing the jail's policy on recovering medical costs and determine if the policy is being followed.

Assets

Kitchen (Food) Inventory

Many jails contract with private vendors for the supervision of food preparation and/or purchasing of food for inmates and staff. Auditors should evaluate these contracts and consider testing invoices for both contract compliance *and* supporting documentation. For example, if the contract states that each meal served will be charged to the government at a specific rate; what controls are present to ensure that the meal count is accurate and that the agreed upon rate is used?

If the jail supervises and prepares their own meals, there may be a risk of theft or misuse of food inventories by personnel. Auditors should evaluate to determine if internal controls are adequate to mitigate this risk and test kitchen/food inventories accordingly. [A TeamMate testing strategy is available in the folder Accountability | Entity-Specific Areas | City/County | Jail | Kitchen Purchases and Inventory.](#)

Inmate Property in Custody

All personal property, whether confiscated, in the possession of the inmate or maintained by the institution should be inventoried, with a continuous log maintained that identifies the property as well as the custodial personnel who have access to the personal property area. At time of release, all personal property should be returned to the inmate. [A TeamMate testing strategy is available in the folder Accountability | Entity-Specific Areas | City/County | Jail | Inmate Property.](#)

Pharmaceutical Inventories

Supplies of medications are kept on-site for the delivery and administration of medications for inmates. If managed by jail personnel, we would expect all medications – especially class II narcotics – be secured (user access, storage, etc) and subject to inventory controls (tracked using software/inventory logs, authorization, wasting/disposal, annual audits, etc). However some jail facilities have elected to contract with a third party vendor to receive, inventory, and distribute medications to inmates.

If medications are managed by jail personnel, consider selecting invoices to determine if items ordered were received, inventoried and distributed to an inmate with an unexpired prescription. Risks include both theft and misuse of drug inventories by personnel as well as invalid purchases that are subsequently diverted.

If managed by a third party vendor, consider reviewing the contract/agreement to verify each parties rights and responsibilities regarding the safeguarding and security over these items.

Other compliance requirements

RCW 70.48.071 states that all adult correctional facilities must adopt policies for their operations and operate in accordance with these policies. Whenever reviewing procedures and controls, auditors should refer to the jail's policies.

Commissary management, food preparation and medical care would be considered personal services for purposes of procurement. [See the "Personal Service Contracts – Local Govt" step in TeamMate in the folder Accountability | Compliance Requirements | Procurement | Procurement – Personal Service Contracts for testing strategy ideas.](#) Drug and food inventories would be considered purchases subject to bidding requirements.

FINANCIAL STATEMENT ISSUES

We would expect at least a small amount of receivables from other jurisdictions, especially for large jails and those with boarding contracts with other jurisdictions. Depending on the system and process used to bill other jurisdictions, these receivables may not be posted to the general ledger.

Additionally, amounts held in trust on behalf of the inmates (see [inmate accounts](#) above) should be reported on the financial statements as a "deposit held in trust."

Appendix: Legal Compliance Reference Guide

RCW	TOPIC
70.48.071	Standards for operation – Adoption by units of local government.
70.48.090	Interlocal contracts for jail services – Neighboring states -- Responsibility for operation of jail – City or county departments of corrections authorized.
70.48.095	Regional jails
70.48.100	Jail register, open to the public – Records confidential - Exception.
70.48.130	Emergency or necessary medical and health care for confined persons - Reimbursement procedures - Conditions - Limitations.
70.48.140	Confinement pursuant to authority of the United States
70.48.160	Post-approval limitation on funding
70.48.180	Authority to locate and operate jail facilities – Counties
70.48.190	Authority to locate and operate jail facilities – Cities and towns
70.48.210	Farms, camps, work release programs, and special detention facilities.
70.48.220	Confinement may be wherever jail services are contracted – Defendant contact with defense counsel.
70.48.230	Transportation and temporary confinement of prisoners
70.48.240	Transfer of felons from jail to state institution – Time limit
70.48.245	Transfer of persons with developmental disabilities or traumatic brain injuries from jail to department of corrections facility
70.48.380	Special detention facilities - Fees for cost of housing.
70.48.390	Fee payable by person being booked.
70.48.400	Sentences to be served in state institutions - When - Sentences that may be served in jail - Financial responsibility of city or county.
70.48.410	Financial responsibility for convicted felons.
70.48.420	Financial responsibility for persons detained on parole hold.
70.48.430	Financial responsibility for work release inmates detained in jail.
70.48.440	Office of financial management to establish reimbursement rate for cities and counties - Rate until June 30, 1985 - Re-establishment of rates.
70.48.450	Local jail reporting form - Information to be provided by city or county requesting payment for prisoners from state.
70.48.460	Contracts for incarceration services for prisoners not covered by RCW 70.48.400 through 70.48.450.

70.48.475	Release of offender or defendant subject to a discharge review -- Required notifications.
70.48.490	Delivery and administration of medications and medication assistance by non-practitioner jail personnel -- Conditions.
39.34.180	Criminal justice responsibilities – Inter-local agreements -- termination
72.09.300	Local law and justice council – Rules

Other Helpful Information

Washington Association of Sheriffs and Police Chiefs at www.waspc.org/index.php?c=Washington%20Jails