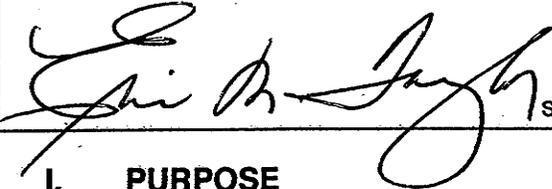




THE CITY OF NEW YORK
DEPARTMENT OF CORRECTION



DIRECTIVE

[X] NEW		[] INTERIM	[] REVISED	SUBJECT	
EFFECTIVE DATE 09/19/96		TERMINATION DATE / /		PAYMENT OF FINES	
CLASSIFICATION #1503	SUPERSEDES	DATED	DISTRIBUTION A	PAGE 1 OF 6 PAGES	
RECOMMENDED FOR APPROVAL BY REVIEW BOARD MEMBER			AUTHORIZED BY THE COMMISSIONER		
 SIGNATURE			 SIGNATURE		

I. PURPOSE

To establish procedures for accepting the payment of fines within the New York City Department of Correction.

II. POLICY

It is the policy of the Department to ensure that standard procedures are utilized when accepting the payment of fines.

III. DEFINITION

City Fine - a court imposed penalty, usually for offenses classified as a miscellaneous violation of a City ordinance, such as a parking ticket. A City Fine could be imposed in addition to any other surcharge or bail.

IV. PROCEDURE

A. The following will be the standard operating procedure whenever payment of a fine is made at any of the institutions of the Department:

1. The person designated to accept the fine will determine if the inmate is in the facility and will check the commitment or commitments for the fine amount.
2. A search of the records will also be made for other detainees, and if such detainees exist, a notification will be given to the person paying the fines. Fines may be accepted even though other detainees may exist in the case.

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IV. PROCEDURE (cont.)

3. Fines will be accepted in any of the following manners:

- a. Cash;
- b. Cashier's/Teller's check - acceptable in any amount;
- c. American Express Company Money Order - \$1,000 limit;
- d. Bank Money Orders - \$1,000 limit;
- e. Federal Express Money Order - \$1,000 limit;
- f. U.S. Postal Money Order - \$1,000 limit;
- g. Travelers Express Company Money Order - \$1,000 limit;
- h. Western Union Money Order - \$1,000 limit;
- i. Checks issued by the Finance Administrator of the City of New York for a refund of bail (acceptable above the \$1,000 limit). However, the check shall not be accepted if it exceeds the amount of the fine;
- j. Veterans Administration Checks - \$1,000 limit;
- k. United States Government Checks - \$1,000 limit;
- l. New York State Government Checks - \$1,000 limit;
- m. Cash in combination with any of the above, in the exact amount of the fine to be accepted, and shall be counted in the presence of the person making the deposit. These checks/money orders must be made payable to the order of the facility accepting the fine; and
- n. Multiple Money Orders not to exceed \$1,000 each.

CERTIFIED PERSONAL CHECKS SHALL NOT BE ACCEPTED

NOTE: Do not accept any of the aforementioned instruments where the face amount exceeds the limits set forth in this Directive, or one that requires a refund.

No other types of checks or money orders shall be accepted for payment of fines. In cases where the instrument is made payable to the inmate, the inmate shall be directed to make the check or money order payable to the facility, by signing the following statement on the reverse side:

PAY TO THE ORDER OF THE _____
NAME OF FACILITY

FOR PURPOSES OF FINE PAYMENT _____
SIGNATURE OF INMATE

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IV. PROCEDURE (cont.)

In cases where the Cashier's Check, Teller's Check, Money Order or check from "money transfer organization" is made payable to the Department of Correction, the person accepting the same shall make the above payable to the facility by signing the following statement on the reverse side:

NEW YORK CITY DEPARTMENT OF CORRECTION _____
NAME OF FACILITY

4. Fines must be paid in the full amount. Fines are not pro-rated (e.g. A sentence of 30 days or a fine of \$500 does not reduce the fine after the inmate has served less than 30 days. The fine remains \$500, until the 30 days are served).
5. Whenever currency is received at a facility for the payment of an inmate's fine, the receipt number from the Fine Book shall be legibly printed in blue or black ink on the reverse side, in the upper right hand white margin of all currency of a denomination of twenty dollars (\$20.00) or more. In addition, whenever currency is received upon admission, or from whatever other source, for deposit to an inmate's cash account, the receipt number of the appropriate cash receipt shall also be legibly printed in blue or black ink on the reverse side, in the upper right hand white margin of all currency of a denomination of twenty dollars (\$20.00) or more.

B. Records to be maintained by facility:

1. Log for City Fines; and
2. Inmate Register Book Deposits (will be replaced by IFCOM).

NOTE: A separate Surcharge and Fine Receipt Book shall be utilized to record State and City Fines. This book shall be clearly marked Surcharges and Fine Receipt Book.

C. Forms Used:

1. Form #ACRAF 400 "Cash Receipt" - using Revenue Docket number associated with each facility (attachment A);
2. City Fine Treasury Collection Account Deposit Ticket (attachment B); and

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IV. PROCEDURE (cont.)

3. Receipt for Cash Fine or Bail Form 34A (attachment C).

D. Upon receiving a sentence paper with a fine and after the provisions of section IV. A., paragraphs 1 and 2 are met, the following procedures will be followed:

1. A General Office (G.O.) employee shall immediately make a photocopy of the sentence paper and give this copy to the employee in charge of the Cashier's Office.
2. An employee assigned to the Cashier's Office shall immediately debit the full amount of the fine from the inmate's cash account, if the funds are available. The amount of the fine shall be turned over to the Chief Clerk, who will perform the following functions:
 - a. Prepare (Form #34A) Receipt for Cash Fine or Bail in triplicate.
 - b. Deposit amount in the Bail and fine Account.
 - c. Place stamp on sentence paper indicating the amount of the fine which has been paid.

In this case the inmate shall receive the original receipt, the #2 copy will go into the inmate's folder and the #3 copy will remain in the book as a permanent record for the facility.

In cases where the surety pays the fine the original receipt shall be given to the surety with a photocopy to the inmate.

3. If the full amount of the fine cannot be paid, the Cashier shall then perform the following functions:
 - a. Place a hold on the Inmates Cash Account.
 - b. Create a file for all pending fines until funds become fully available, (use photocopy of sentence paper for filing purposes).
4. If the hold on the inmate's cash account will make the inmate indigent, the procedures outlined in Directive 1500R will be followed.
5. If the inmate is being discharged prior to satisfying full payment of the fine, the procedures in section IV. D., paragraph 1 and 2 shall be followed. In addition, the photocopy of the sentence paper should be stamped and

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IV. PROCEDURE (cont.)

marked for the amount of cash which has been collected and submitted to the Court of Jurisdiction. If no cash has been collected the court shall be informed of the same by following the above mentioned procedures.

6. In case the inmate is being transferred prior to the collection of the full amount, the sending facility shall notify the receiving facility to place a hold on the inmates cash account.
- E. It shall be the responsibility of the facility discharging the inmate to ensure that all fines are collected prior to the discharging of the inmate.
- F. If a refund is required due to overpayment of Fines, a "Request for Refund Form" is to be forwarded to:

Ms. Martha Aschkenasy (or employee assigned)
Office of Court Administration
80 Centre Street, Room 520
New York, NY 10013

To order "Request for Refund Forms" send the request to: Martha Aschkenasy (or employee assigned) at the above address.

- G. On an ongoing basis, every day or on the first deposit day following a weekend or a holiday the following procedures are to be followed when depositing fine monies:
 1. Fill out the City Treasury Collection Deposit Ticket;
 2. Write a check for the appropriate City Fines to be deposited;
 3. Fill out Form ACRAF 400 (forms can be obtained at DOC-Revenue Department, 60 Hudson Street, New York, NY 10013); and
 4. Deposit City Fine monies into the City Fine Account at the facility's bank.
- H. Distribution:
 1. Bank - ACRAF 400 and Deposit Ticket. The bank will validate and distribute the deposit receipts, as follows:
 - a. Comptroller's Office
 - b. Department of Finance
 - c. Bank Copy

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IV. PROCEDURE (cont.)

NOTE: Facilities should make a permanent file for all said reports.

2. The bank will send a report to:
 - a) The Department of Finance (DOF);
 - b) DOF will send payment information to FISA; and
 - c) Though FISA DOC's Revenue Division will retrieve City Fine information.

Each facility is then credited for the City Fines collected.

3. To order Bank Deposit Tickets a letter of request shall be sent to :

DOC Fiscal Control, Director
60 Hudson Street, 6th Floor
NYC 10013

V. REFERENCE

Directive #1500R, STANDARD OPERATING PROCEDURE FOR RECEIPT, DISBURSEMENT AND ACCOUNTING OF INMATE CASH FUNDS, dated 05/01/89.

VI. ATTACHMENTS

- A. Form #ACRAF 400 "Cash Receipt".
- B. City Fine Treasury Collection Account Deposit Ticket.
- C. Receipt for Cash Fine or Bail Form 34A.

ATTACHMENT B

6 DELUXE EDMS-6 RECYCLED

DATE _____ 19____

	DOLLARS	CENTS
CURRENCY		
COIN		
CHECKS <small>LIST EACH SEPARATELY</small>		
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
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14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
PLEASE ENTER TOTAL		

TOTAL ITEMS

$\frac{1-12}{210} 0140$

BE SURE EACH ITEM IS PROPERLY ENDORSED

DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL

CHECKS AND OTHER ITEMS ARE RECEIVED FOR DEPOSIT SUBJECT TO THE PROVISIONS OF THE UNIFORM COMMERCIAL CODE OR ANY APPLICABLE COLLECTION AGREEMENT.

COMMISSIONER OF FINANCE
CITY OF NEW YORK, TREASURY

CHEMICAL
CHEMICAL BANK
16 WALL STREET
NEW YORK, NY 10005

⑈001800302⑈

FROM: CHIEF'S ORDERS
TO :
SUBJ: 0583-0

MSG#: 99-00002095
SENT: 02/05/99 04:31 PM PRIORITY: 2

TELETYPE ORDER NO. 0583-0

DATE FEBRUARY 5, 1999
TO COMMANDING OFFICERS, FACILITIES AND DIVISIONS
FROM SIDNEY W. HEAD, SR., CHIEF OF CUSTODY MANAGEMENT
SUBJECT NOTIFICATION OF PAID BAILS AND FINES

***** I M M E D I A T E A T T E N T I O N *****

I N T E R I M O R D E R S

1. TO ENSURE THAT HEADQUARTERS/CUSTODY MANAGEMENT IS FULLY APPRISED OF ALL AVAILABLE BED SPACE BEYOND THOSE VACANCIES REPORTED IN THE 0500 HOURS FACILITY CENSUS, THE FOLLOWING PROCEDURES SHALL BE IN FULL EFFECT AS OF 0001 HOURS SATURDAY, FEBRUARY 6, 1999.
2. WHEN AN INMATE IS DISCHARGED FROM CUSTODY, AS A RESULT OF EITHER A BAIL OR FINE BEING PAID, THE SUPERVISOR DISCHARGING THE INMATE FROM CUSTODY SHALL TELEPHONICALLY NOTIFY THE NEW ADMISSIONS MOVEMENT CONTROL UNIT (NAMCU) AT 212 266-1528 AND PROVIDE THE FOLLOWING INFORMATION:
 - A. FACILITY REPORTING THE BED VACANCY;
 - B. NAME AND SHIELD NUMBER OF SUPERVISOR REPORTING THE BED VACANCY;
 - C. NUMBER OF INMATES DISCHARGED AS A RESULT OF THE PAYMENT OF A BAIL OR FINE;
 - D. CLASSIFICATION OF THE HOUSING AREA(S) WHERE THE BED VACANCY(IES) OCCURRED.
3. THE AFOREMENTIONED INFORMATION IS TO BE TELEPHONICALLY REPORTED TO THE N.A.M.C.U. SUPERVISOR EVERY FOUR (4) HOURS COMMENCING AT 0001 HOURS.
4. THE NAMCU SUPERVISOR SHALL ASCERTAIN FROM THE REPORTING FACILITY IF THE EXISTING BED VACANCY WILL BE FILLED BY AN INMATE AWAITING HOUSING AT THE REPORTING FACILITY. IF NO INMATE IS WAITING TO OCCUPY THE EXISTING VACANT BED AT THE REPORTING FACILITY, THE NAMCU SUPERVISOR WILL MAINTAIN A COUNT OF ALL EXISTING BED VACANCIES AND SHALL USE THE VACANCIES TO GENERATE HOUSING FOR PENDING OVERLOADED INMATES AND/OR INMATES REQUIRING SPECIAL HOUSING I.E. GAY, LESBIAN, PROTECTIVE CUSTODY, ETC.
5. COMMANDING OFFICERS SHALL ENSURE STRICT COMPLIANCE WITH THE PROVISIONS OF THIS INTERIM ORDER AND SHALL PROMULGATE COMMAND LEVEL ORDERS CONTINGENT UPON THE PROVISION OUTLINED IN THIS TELETYPE ORDER.

AUTHORITY: