



Agenda Date: 5/17/2005  
Agenda Placement: 6B

## NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

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**TO:** Board of Supervisors  
**FROM:** John Alexander for Dan Cunningham - Director  
Corrections  
**REPORT BY:** Dan Cunningham, Director of Corrections, 253-4613  
**SUBJECT:** Transfer of Inmate Cash Trust Funds

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### **RECOMMENDATION**

Director of Corrections requests authorization to move unclaimed money from the Inmate Cash Trust Fund to the Inmate Welfare Fund.

### **EXECUTIVE SUMMARY**

Recent audits have determined that the fund balance of the Inmate Cash Trust contains an excess of unclaimed money, in the amount of \$165,000. The Napa County Auditors Department and the Napa County Grand Jury have recommended these funds be transferred. By transferring the money to the Inmate Welfare Fund, we can utilize the money for the benefit of the inmates. Money in this fund may be utilized for programs, personnel and maintenance that meet this objective, as determined by Section 4025 of the Penal Code.

### **FISCAL IMPACT**

Is there a Fiscal Impact?                      No

### **ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

### **BACKGROUND AND DISCUSSION**

Inmate money left unclaimed since 1983 has accumulated resulting in an excess fund balance in the Inmate Cash Trust Fund. Both the Auditor-Controller and Grand Jury reports of 2003 and 2004 recommend transferring the excess balance to the Inmate Welfare Fund Account. Research was performed by Department staff to determine the origin of the fund balance. An attempt to contact account holders was completed. Letters were sent to the last known address. Notice was then published by the Treasurer on October 15 and 22, 2004 and February 25 and March 4, 2005 in the Napa Register pursuant to Sections 50050 & 50051 of the Government Code advising individuals to contact proper authorities if they had proof money was owed to them. Today's action requests transferring the amount that remains unclaimed after the notice period has elapsed.

Procedures are now in place to make sure individuals are given checks upon departure from the facility in order to prevent large unclaimed balances. After six months from date of issue, checks become stale dated and are voided. The funds are then deposited back into the account. Notices are sent after 30 days of release from the facility if they have funds remaining in their account. A public notice will be placed in the newspaper annually to ensure the fund balance does not contain a large balance of unclaimed money. Once the notice has been published, the department will petition the Board of Supervisors for approval of funds transfer. Funds deposited into the Inmate Welfare Fund Account can be used only pursuant to Penal Code Section 4025.

### **SUPPORTING DOCUMENTS**

None

CEO Recommendation: Approve

Reviewed By: Helene Franchi