

Sixth District Department of Correctional Services POLICY	Issue Date 04/15/05	Effective Date 09/10/18	Policy Number 158-18
Subject STATEWIDE OFFSET OF DEBTS		Review Month December	Author 0733 (KPO)
Rescinds 158-17	References Iowa Code Chapters 8A.504; 421.17(27); Chapter 28E		

POLICY:

Offenders are required to pay fees established by the Iowa Code and by the Board of Directors of the Sixth Judicial District Department of Correctional Services. All offenders who have not made payment toward their debt in the past one-hundred twenty (120 days) are submitted to Iowa Department of Administrative Services (DAS) Income Offset Program, requesting offset of any state tax refund or other state payment (vendor, casino, lottery, etc.).

DEFINITION:

1. Income Offset Program – A method established by the State of Iowa to collect money owed to State agencies.
2. Fees – This includes any debt owed to the District: Supervision and programming fees, residential rent, facility loan, bus pass, etc.

PROCEDURE:

1. A liability file that contains the following information is submitted electronically to DAS from the fee collection system via the Fifth District DCS: offender name, social security number, and amount of liability plus \$7.00 for the fee DAS imposes.
2. Any debt of at least \$50.00 may be included in the liability file. If a previous offset reduced the debt to less than \$50, it still may be included in the liability file.
3. Each offset submitted must have documentation available to show due diligence in attempting to collect the debt owed (at least one (1) documented contact - court order, signed Probation Agreement, letter, generic note documenting a phone call or face-to-face contact in which the debt owed was discussed, etc.).
4. When an offset match notice is received from DAS the Administrative Officer or designee performs the following steps within ten (10) calendar days:

Check fee collection system to confirm that the offender liability is correct.

- A. All offset matches received are recorded in an Excel spreadsheet file.

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PROCEDURE: (continued)

- B. If the Offset match has been paid since the liability file was submitted to DAS, or if the social security number does not match with the offender, the offset is released. This is completed by writing "RELEASE" on the offset file document, and faxing or emailing it back to DAS.

- C. If the Offset match is confirmed to be accurate, the offset is processed as follows:
 - 1) A letter is sent to the offender informing them that an offset has occurred, including the following information:
 - a. Our right to the payment in question;
 - b. Our right to recover the payment through the offset procedure;
 - c. The basis of our case in regard to this debt;
 - d. The right of the debtor to request a split of the payment between parties when the payment is jointly owned;
 - e. The debtor's right to appeal, and the procedure for same;
 - f. A name and number for a contact person in case of questions; and
 - g. The debtor is allowed ten (10) days to respond to this notification.
 - 2) Record the amount owed, plus the offset fee, on the offset file document, and fax or email it back to DAS. (example: Owes \$250.00 plus \$7.00 fee = \$257.00 on the offset file document)
 - 3) On a monthly basis DAS pulls the available funds from the tax refund or vendor payment and sends a State warrant to the District, along with documentation of which offender's payments are included in the warrant.
 - 4) All payments are receipted in the fee collection system, and the receipt is mailed to the offender along with a letter that notifies the offender of the amount that has been applied to their outstanding fee, and the balance still due, if any.
 - 5) All payments are recorded in the Excel spreadsheet file for offsets.

BY ORDER OF:

Bruce Vander Sanden, District Director