



DATE: October 29, 2012
TO: All DOC Staff
FROM: Terry Carlson, Deputy Commissioner
SUBJECT: Restitution & Fine Collection Changes for Minnesota DOC Offenders Effective April 1, 2013

The Department of Corrections has developed new restitution collection procedures. The changes are intended to restore justice for victims by identifying methods and incentives to increase the amount of restitution paid by offenders. These changes will enhance offenders' ability to pay their court-ordered obligations over a shorter period of time, or even eliminate these obligations prior to their transition from prison into the community.

On Wednesday, October 31, 2012, facilities will be giving the notice to offenders about the new procedures. The following restitution collection procedures for offenders who owe court-ordered restitution and/or court-ordered fines will be effective April 1, 2013:

- **10% of all incoming funds will be retained and used for court-ordered restitution and court-ordered fine obligations (this is in addition to the current 10% cost-of-confinement surcharge);**
- **A 10% surcharge will be assessed on outgoing funds to be used for court-ordered restitution and court-ordered fine obligations;**
- **AFTER an offender has saved \$100 in gate money, we will reduce the amount collected from wages for gate savings to 25% (this will increase the timeline needed to save gate money but will make more funds available for lower deduction priorities, including court-ordered restitution and fines); and**
- **A 5% surcharge will be assessed on all canteen purchases *except* health and hygiene items to be used for court-ordered restitution and fines.**
- **Offenders may choose to put more money toward restitution and fines without incurring any surcharge, to address their obligation more quickly, by sending a voucher to offender accounts; and**
- ***There will be no change for offenders who do not have court-ordered restitution and/or court-order fine obligations.***

These new restitution collection procedures reflect the department's initiative of Transition from Prison to Community (TPC), which represents the best practices to manage transition and successful reentry. The TPC model enhances the restorative justice framework, which involves victims and community in the criminal justice system. These changes focus on addressing victim needs, offender competencies and institution and community responsibility in repairing the harm done by crime. Further, by paying restitution and fines while incarcerated, offenders can concentrate on day-to-day living expenses upon release.

**FACTS ABOUT COURT-ORDERED RESTITUTION AND FINES
OWED BY INCARCERATED MN DOC OFFENDERS**

63% of all incarcerated offenders owe court-ordered restitution and/or fines

Approximately \$36 million in court-ordered restitution and/or fines is currently assessed against incarcerated offenders

Only about \$1.5 million in court-ordered restitution and/or fines has been paid by these offenders

The average length of stay for offenders in the MNDoc is 27.5 months

Average court-ordered restitution amount owed is approximately \$800

Average court-ordered fine amount owed is approximately \$1,000

Changes in court-ordered restitution collection being implemented by the DOC on April 1, 2013, will result in greater amounts of restitution received by victims and a reduced obligation owed by offenders as they transition from prison to community.