

I.O. No.: 4-116  
 Ordered: 01/13/2000  
 Effective: 1/23/2000

MIAMI-DADE COUNTY  
 ADMINISTRATIVE IMPLEMENTING ORDER

Fee Schedule for Miami-Dade Corrections and Rehabilitation Department  
 Monitored Release Program

**AUTHORITY:**

~~Section 4.02 of the~~ The Miami-Dade County Home Rule Amendment and Charter, including among others, Sections 1.01 and 2.02A, and Sections 951.033 and 951.24, Florida Statutes (1997).

**SUPERSEDES:**

This Implementing Order supersedes previous Administrative Order 4-116, ordered January 13, 2000 and effective January 23, 2000.

**POLICY:**

This ~~Administrative~~ Implementing Order establishes ~~a fee~~fees for charging ~~inmates~~ offenders in the Miami-Dade Corrections and Rehabilitation Department Monitored Release Program for a fair portion of the cost of supervision and installation of electronic monitoring equipment.

**APPLICABILITY:**

The provisions of this procedure are applicable to all ~~inmates~~ offenders in the Monitored Release Program. ~~Exemptions~~ Fee waivers must be approved by the ~~appointed judge~~court.

**FEE SCHEDULE:**

The daily supervisory fee charged to ~~inmates~~ offenders participating in the program is ~~a \$10.00 \$2.00 minimum, or 20% of the inmates' gross salary/income, adjusted to a daily amount, whichever is greater. However, in no event shall the supervisory fee exceed the actual cost of supervision or \$20.00, whichever is less.~~ Review and revisions of the cost of supervision ~~will~~ shall occur on an annual basis.

The one-time installation fee charged to ~~inmates~~ offenders to offset the cost of

installing the electronic equipment is ~~\$50.00~~ \$100.00.

## PROCEDURE:

The department director is authorized to collect fees and account for the revenues. The process will involve the following:

- a) ~~All inmates offenders referred~~All referrals of offenders to the Monitored Release Program ~~are~~shall be by court order. The courts ~~determines~~ the terms and conditions of supervision. The court may partially or totally waive program fees, but only if it first determines at a hearing that the offender is eligible for fee waivers because he / she lacks the ability to pay the fees or some portion thereof, deviations of fee schedule, including if fees are to be partially or totally waived. If the inmate offender does not have the ability to pay, this issue is addressed by the court at a hearing.

Thereafter, the department has the ongoing responsibility for determining the inmate's offender's continued ~~qualification-eligibility~~ for ~~judicially~~previously determined ~~court exemption~~ fee waivers. The department may request specified documents from the inmate offender to validate the offender's continued financial inability to comply with the payment schedule. The department may subsequently conduct periodic reviews of the inmate's offender's case file to determine whether the offender's financial status has changed. Inmates are required to submit the income documentation requested from their case manager on a weekly basis. Once it has~~been determined~~been determined that the inmate offender has the ability to comply with the fee schedule based upon the financial status verification, the inmate's offender's case file shall be presented to the ~~appointed judge~~court for a rehearing on the issue of the offender's eligibility for fee waivers.

~~Likewise, a~~An inmate offender who pays established to be able to comply with the required fees but subsequently schedule and becomes -unable to pay, -will be subject to the following processmay seek a hearing before the court to determine eligibility for fee waivers.

- ~~1. The department may request specified documents from the inmate offender to validate financial inability to comply with the payment schedule.~~
- ~~2. The department may subsequently conduct periodic reviews of the inmate's offender's case file to determine whether the financial status has changed. Inmates are required to submit the income documentation requested from their case manager on a weekly basis.~~
- ~~3. Once it has been determined that the inmate offender has the ability to comply with the fee schedule based upon the financial status verification, the inmate's offender's case file shall be presented to the appointed judge.~~

- b) The inmate offender will be advised during the Monitored Release Program orientation process of the rules and regulations of the program. The fee schedule will be included in the written program agreement. The ~~inmate~~ offender will sign the court order (Condition of Release).
- c) Upon entry into the program, the inmate ~~offender~~ shall pay an amount equivalent to two weeks of supervisory fees. upon entry into the program to remain on deposit in the Work Furlough Trust Account for the duration of the inmate's program. Payment is submitted in the form of a cashier's check or money order.

When an inmate offender is terminated from the program and a credit is due, the ~~Monitored Release Program, Accounting Section will process a refund from the Work Furlough Trust Account~~ the offender may submit a request for refund. The case manager will notify the inmate offender prior to release if an outstanding balance or refund is due.

~~All refund checks will be available for pickup at the Pretrial Detention Center, Property Room, requests must be received no later than six weeks from the date of release. A picture identification is required. Inmates will be instructed to contact their respective case manager within four to six weeks following their release to verify the exact date the refund check will be ready for pickup.~~

- d) The daily supervisory fee will be collected on a weekly basis and the one-time installation fee will be payable at the time the equipment is installed. ~~Payment is submitted in the form of a cashier's check or money order.~~
- e) The inmate offender shall pay the cost ~~for of~~ any damages sustained to, or loss of, the electronic monitoring equipment.
- f) If an inmate offender violates the conditions for participation in the Monitored Release Program, the department may ~~maintain custody of the inmate offender by request that local law enforcement officers~~ returning him/her the offender to a jail facility pending further order of the court. ~~The case manager will secure the earliest court date to advise the court of the nature of the violation. The case manager shall prepare an affidavit removing the offender from Monitored Release Status, indicating the nature of the violations that led to the offender's removal from the program. The affidavit shall be provided to local law enforcement officers, filed with the clerk's office, and submitted to the presiding judge.-~~
- g) Failure to pay fees may result in the offender's removal from the Monitored Release Program and return to secure custody.

This Administrative Implementing Order is hereby submitted to the Board of County Commissioners of Miami-Dade County, Florida.