



MASSACHUSETTS DEPARTMENT OF CORRECTION
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RECEIPT OF FUNDS
Standard Operating Procedure to
103 CMR 405, Fund Accounts

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I. Purpose

The purpose of [103 CMR 405](#) is to set department of correction (department) policy concerning the proper handling and distribution of incarcerated individual and civil commitment funds. [103 CMR 405](#) is not intended to confer any procedural or substantive rights, or any private cause of action not otherwise granted by state or federal law.

This Standard Operating Procedure (SOP) establishes guidelines for the internal management and processing of receipt of funds consistent with [103 CMR 405.10, Receipt of Funds](#), to allow the Department to ensure that funds submitted for deposit are not derived from actions in violation of law or in violation of [103 CMR 405, Fund Accounts](#); [103 CMR 430, Inmate Discipline](#); 103 DOC 525, *Substance Use Monitoring and Testing*; or in violation of such applicable policies or regulations. This SOP is applicable to all employees, incarcerated individuals, and civil commitments of the Department of Correction (Department).

II. Cancellation

[103 CMR 405](#) cancels all previous department policies and procedures governing incarcerated individual and civil commitment fund accounts (FA) and money.

III. Severability Clause

If any article, section, subsection, sentence, clause, or phrase of [103 CMR 405](#) is for any reason held to be unconstitutional, contrary to statute, in excess of the authority of the commissioner or otherwise inoperative, such decision shall not affect the validity of any article, section, subsection, clause or phrase of [103 CMR 405](#).

IV. Guidelines

The Department shall adhere to the following guidelines:

- A. All checks and/or money orders mailed to an institution or dropped off at an institution must have all fields completed and be accompanied by a completed Department Automated Deposit Service (ADS) vendor [Money Order/Check Deposit Form](#).
- B. Per [405.10\(7\)](#), Fiscal Staff shall ensure that all checks and money orders received at an institution are forwarded to the DOC ADS vendor for processing. Institutions must copy all checks and money orders, and the accompanying vendor [Money Order/Check Deposit Form](#), before forwarding for processing.
- C. Business checks must include source documentation that identifies the remitting institution and source of the funds and document the eligibility of said payee to receive the funds. Source documentation must remain with the check for Fiscal Staff use.
- D. Government checks shall be vetted by Support Services prior to processing. Checks from the U.S. Treasury must be properly endorsed by said payee. Source documentation must remain with the check for Fiscal Staff use.
- E. A system generated receipt will be printed for all deposits made into an incarcerated individual or civil commitment account. Institutions shall print and distribute system generated receipts for incarcerated individual and civil commitment accounts on a daily basis. Email receipts will not be provided for any funds entered by Department Staff.
- F. Checks and money orders that do not meet the criteria for processing by the ADS vendor may be processed by the Department, provided that the Department makes a determination that the funds submitted for deposit are not derived from actions in violation of law or in violation of [103 CMR 405, Fund Accounts](#); [103 CMR 430, Inmate Discipline](#); 103 DOC 525, *Substance Use Monitoring and Testing*; or in violation of applicable policies or regulations. Fiscal Staff shall make every effort to identify the source of funds as an effective means of minimizing the risk of funds being derived from, or used for, illicit or suspicious activities. Factors which may be considered in making this determination include, but are not limited to:

1. Whether both the source of the funds and the payee can be satisfactorily identified;
 2. Whether personal checks and money orders are completely filled out, and/or accompanied by a completed ADS vendor [Money Order/Check Deposit Form](#);
 3. Whether Department staff can verify the eligibility of the incarcerated individual or civil commitment to receive the funds. Institution staff should contact the Office of Investigative Services (OIS) for assistance in the vetting of funds, if necessary.
- G. Checks and money orders that cannot satisfy established guidelines for deposit into an incarcerated individual or civil commitment account are to be handled in accordance with [103 CMR 403, Inmate Property, 403.15\(1\)\(b\)\(3\)](#):
1. The checks and money orders for which the remitter and address is identified will be returned to said remitter.
 2. All other checks and money orders will be copied, then deposited into the institution Unassigned Receipts account.
 3. The remitter may reclaim the deposited funds from a check or money order that has been deposited into the institution Unassigned Receipts account if sufficient documentation to verify their identity as the remitter of said funds is provided.
- H. Any funds found to have been incorrectly, erroneously, or mistakenly entered into an account due to a clerical error, may be debited and a confidential incident report shall be written documenting such error.

V. Responsible Staff

Reviewing Authority: Deputy Commissioner of Administration

Responsible Staff:

- Executive Director, Administration and Finance
- Superintendents

VI. Access to Policy

Department's Central Policy File

Superintendents/Unit Directors Policies Files

Institution Library

VII. Information Sources

Legal Authority:

[M.G.L., c. 124, § 1 \(c\), \(q\), and \(u\)](#)

[M.G.L. c. 127, §3, 48, 48A, 49, 96A, and 162](#)

[M.G.L. c. 22E, § 4](#)

[M.G.L. c. 258B](#)

[Executive Order 399](#)

Other Related Policies:

[103 CMR 403, Inmate Property](#)

[103 CMR 405, Fund Accounts](#)

[103 CMR 430, Inmate Discipline](#)

103 DOC 525, Substance Use Monitoring and Testing

Applicability:

- All Staff
- Incarcerated Individuals
- Civil Commitments

Attachments:

[Money Order/Check Deposit Form](#)