Inmate Welfare Fund

Los Angeles County Civilian Oversight Commission
September 17, 2019
Noemi Zamacona, Monitor
California Penal Code Section 4025

• Allows county sheriffs to operate stores/canteens/commissaries

• The sheriff is allowed to fix the sale prices of items

• Profits must be deposited into a fund that must be used “primarily for the benefit, education, and welfare of inmates.”

• The sheriff may use any funds “not needed for the welfare of the inmates” for the maintenance of jail facilities.

• Funds “shall not be used to pay for required county expenses of confining inmates, such as meals, clothing, housing and medical services or expenses, except that the sheriff may use money from the fund to augment required county expenses the sheriff determines’ to be in the inmates’ best interest.”
Revenue Sources, FY 2018-2019

Total IWF Revenue: $35,164,172*

- Commissary Commission: $15,000,000
- Telephone Contract: $19,560,452
- Miscellaneous: $603,720

*Includes $2,130 of sales tax collected and transferred to Auditor-Controller
Allocation of Revenue, FY 2018-2019

- 51% Programming
- 49% Jail Maintenance
LASD Inmate Welfare Funding Determinations and Allocation

**Inmate Welfare Commission**

- Seven members
- Appointed by the Sheriff

**Examples of Funded Items:**
- Tattoo Removal Program
- Dog Therapy
- Five Keys Schools and Programs
- Birth Certificate Program
- DMV ID Program
- Program Supplies
- Staff Salaries

**Jail Maintenance**

- Sheriff

**Examples of Funded Items:**
- Air Conditioner Repairs
- Security Cameras (repair)
- Toilet Replacements
- Lighting
- Classrooms
- Door Lock Replacements
- ADA Physical Plant Modifications
- Staff Salaries
# Costs of Personal Items, FY 2018-2019

<table>
<thead>
<tr>
<th>Item</th>
<th>LASD Cost</th>
<th>Sale Price</th>
<th>Total # Ordered</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Irish Spring Soap 3.2oz</td>
<td>$0.68</td>
<td>$1.45</td>
<td>83,923</td>
<td>$121,688.35</td>
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<tr>
<td>Roll-on Deodorant</td>
<td>$1.88</td>
<td>$4.00</td>
<td>21,390</td>
<td>$85,560.00</td>
</tr>
<tr>
<td>Freshmint Toothpaste 2.75oz</td>
<td>$1.02</td>
<td>$2.16</td>
<td>36,082</td>
<td>$77,937.12</td>
</tr>
<tr>
<td>Cocoa Butter Lotion 4oz</td>
<td>$0.66</td>
<td>$1.41</td>
<td>20,607</td>
<td>$29,055.87</td>
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<tr>
<td>Tampons (10 pack)</td>
<td>$1.27</td>
<td>$2.70</td>
<td>1,399</td>
<td>$3,777.30</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>$318,018.64</strong></td>
</tr>
</tbody>
</table>
Sale Price Distribution Example

*$8oz bag of Flamin’ Hot Cheetos
# Telephone Rates and Service Charges

<table>
<thead>
<tr>
<th>CALL RATES</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Instate Calls</td>
<td>$0.25 per minute</td>
</tr>
<tr>
<td>Interstate Calls - Collect</td>
<td>$0.25 per minute</td>
</tr>
<tr>
<td>Interstate Calls - Advanced Pay</td>
<td>$0.21 per minute</td>
</tr>
<tr>
<td>Interstate Calls - Advanced Pay</td>
<td>$0.21 per minute</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SERVICE CHARGES</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Advanced Pay Deposit Fee</td>
<td>$3.00 per deposit</td>
</tr>
<tr>
<td>Advanced Pay One Call Fee</td>
<td>$3.00 per call</td>
</tr>
<tr>
<td>Live Agent Fee</td>
<td>$5.95 per use</td>
</tr>
<tr>
<td>Paper Billing Statement Fee</td>
<td>$2.00 per paper billing statement</td>
</tr>
<tr>
<td>Commissary Prepaid Card Fee</td>
<td>$0.75 per card</td>
</tr>
</tbody>
</table>
PC 4025 vs. SB 555

California Penal Code Section 4025

• Inmate Welfare Fund

• The sheriff is allowed to fix the sale prices of items.

• The inmate welfare fund must be used “primarily for the benefit, education, and welfare of inmates.”

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Senate Bill 555

• Incarcerated Peoples’ Welfare Fund

• Prohibits jails and juvenile facilities from profiting from canteen sales.

• Items for sale must be offered at the cost paid to the vendor supplying the items.

• Requires funds be spent solely for the benefit, education, and welfare of incarcerated individuals.

• Requires counties to award contracts for communication services that offer the lowest cost for incarcerated individuals.

• Requires counties to negotiate for low rates; refuse unnecessary extra services, and make contract decisions based on the total cost to the consumer, including fees.

• Prohibits companies from charging new fees to offset any lost revenue from rate reduction.
Recommendations

• Identify ways to significantly reduce commissary and telephone costs for incarcerated people
• Increase the 51% currently allocated solely to programming
• Increase internal oversight of all inmate welfare allocations
• Provide more detailed information to the Commission about budgeted positions and all funded programs, so that the Commission can make the most informed decisions
• Any future contracts introducing technological media should ensure the lowest possible costs to incarcerated people
LASD’s Initial Progress

- Free and unrestricted access to tampons for women
- Begun to conduct a cost-benefit analysis of IWF programs
- LASD is beginning outreach to jurisdictions that offer low cost or free telephone calls for incarcerated people
Office of Inspector General
County of Los Angeles

https://oig.lacounty.gov