

**Missouri Department of Corrections
Intervention Fee
Frequently Asked Questions**

In May 2005, HB700 was passed by the Missouri legislature, and subsequently signed into law in July 2005. The statute change authorized the Missouri Board of Probation and Parole the discretion to charge each offender on supervision a fee of up to \$60 per month, to provide intervention services.

Do other states collect an Intervention Fee?

The majority of states charge some type of fee, usually called a supervision fee. The first known supervision fee occurred in 1929 in the State of Michigan. In a 2001, a survey of 37 states reported collecting a supervision fee from offenders which range from \$5-\$75/month.

By what authority is the Intervention Fee collected?

The Intervention Fee statute change, 217.690.3, RSMo, which became law in July 2005, reads as follows:

- *The board has discretionary authority to require the payment of a fee, not to exceed sixty dollars per month, from every offender placed under board supervision on probation, parole, or conditional release, to waive all or part of any fee, to sanction offenders for willful nonpayment of fees, and to contract with a private entity for fee collections services.*
- *All fees collected shall be deposited in the inmate fund established in section 217.430.*
- *Fees collected may be used to pay the costs of contracted collections services.*
- *The fees collected may otherwise be used to provide community corrections and intervention services for offenders. Such services include substance abuse assessment and treatment, mental health assessment and treatment, electronic monitoring services, residential facilities services, employment placement services, and other offender community corrections or intervention services designated by the board to assist offenders to successfully complete probation, parole, or conditional release.*
- *The board shall adopt rules not inconsistent with law, in accordance with section 217.040, with respect to sanctioning offenders and with respect to establishing, waiving, collecting, and using fees.*

Why was \$30 per month selected as the monthly Intervention Fee?

The average fee charged by other states determined in the 2001 survey noted above, was in the \$30.00 range. Also in a 1988 study (“Probation Supervision Fees, Shifting Costs to the Offender,” 1988, Charles R. Mass), indicated the “optimal fee” rate was identified as \$15-\$17. On an inflation adjusted basis (1988 to 2013), the \$15 to \$17 fee equates to \$29.65 - \$33.61. The \$30 per month fee, given the various waivers/exemptions that are available, was viewed as consistent with the optimal fee rate.

What sanctions are used for failure to pay the Intervention Fee?

The following graduated sanction options for non-compliance are available:

- Verbal or written reprimand
- Increased level of supervision
- Travel restriction
- Curfew
- Notice of Citation
- Violation Report
- Court hearing or review
- Community service
- Shock Incarceration

The agency practice is to not to recommend revocation for violations that are solely for failure to pay Intervention Fees.

What does the agency do when a billing error occurs?

There is a refund process if a payment was made in error. If an account has been billed in error, the account can be corrected through the action of a District Administrator or the Offender Financial Services Unit.

Do all offenders that are financially able to pay get billed on a monthly basis?

No. The following offenders are exempt from payment based on their case status:

- Missouri parole and conditional release cases for 90 days after initial release.
- Dual cases for 90 days following initial release of the Parole Board case.
- Deferred Prosecution, Re-Entry Court, Drug Court, DWI Court, Drug Re-Integration Court and Veterans Court (both deferred prosecution and post plea) cases.
- Bond cases.
- Those cases assigned to the Interstate Compact Unit.

The following waivers may apply based on the offender’s personal situation:

- Confined Offender and Violator (Confined for a period exceeding 90 days).
- Interstate Transfers-once the offender is accepted by the receiving state.
- Judicial Waiver.
- Insufficient Income.

For the income waiver, what wage is used to determine whether the offender has insufficient income?

The offender’s gross wages are used to determine whether the offender qualifies for an insufficient income waiver.

In the past, offenders have been required to pay a daily fee for Electronic Monitoring, Residential Facility Beds and Community Release Center Beds, along with a monthly fee for Minimum Supervision service. Do they still pay these fees in addition to the Intervention Fee?

The Electronic Monitoring Fee was eliminated in October 2007, and the Community Release Center Fee was stopped in November 2007. The Residential Fee elimination required a contract amendment, and

was delayed until January 2008. The Minimum Supervision Fee for an offender was eliminated in July 2007.

Why were these fees eliminated and who pays for these services now?

One of the goals of the Intervention Fee was to consolidate the fee used for intervention services into one flat monthly fee. The current collection activity supports the use, as does the statute, of the monthly Intervention Fee to pay for the cost of these interventions.

Where do the Intervention Fees go when they are paid?

The fees are processed by the Department of Corrections Offender Financial Services Unit and deposited on a daily basis with the state of Missouri in the Inmate Revolving Fund (State Treasurer). The Intervention Fee is not the only source of funding associated with the Inmate Revolving Fund (Use controlled by statute and appropriation authority).

If an offender is paying the Intervention Fee, can they also be required to pay for their own treatment in the community?

Yes. Even with the Intervention Fee, offender treatment/intervention needs exceed the agency’s capacity. It is noted that when an offender seeks treatment in the community through a non-DOC contracted resource, they will usually be screened for insufficient income (For example, The Division of Behavioral Health uses income guidelines in their treatment contracts).

What is the current Intervention Fee collection rate since the passage of the statute?

FISCAL YEAR	BILLINGS	PAYMENTS	COLLECTION RATE
FY06	\$5,606,578.77	\$3,820,250.21	68%
FY07	\$22,000,121.00	\$16,470,804.74	75%
FY08	\$20,845,921.81	\$15,986,234.18	77%
FY09	\$20,638,766.08	\$14,783,157.77	72%
FY10	\$20,046,244.72	\$13,576,829.86	68%
FY 11	\$21,039,884.89	\$13,456,211.99	64%
FY 12	\$21,729,420.00	\$11,578,456.92	53%
FY13	\$21,475,110.00	\$10,819,448.77	50%
FY 14	\$20,082,200.00	\$10,350,595.92	51.5%
FY15	\$18,720,420.00	\$10,029,175.89	53.6%
FY16	\$17,680,830.00	\$10,089,098.43	57%

How is the Intervention Fees collected spent in the Department of Corrections?

The Intervention Fee collections are used to provide community corrections and intervention services for offenders. Such services include substance use disorder assessment and treatment, mental health assessment and treatment, electronic monitoring services, residential facility services, employment placement services, and other offender community corrections or intervention services identified by the Department to assist offenders to successfully complete Probation, Parole or Conditional Release.

Why are the services that are developed through the Intervention Fee important?

Meeting the needs of high need offenders in the community, through programming based on evidence-based practices is cost efficient as it helps to prevent supervision failure and assignment to prison. The fee allows offenders to collectively support each other while not increasing the taxes of law-abiding Missouri citizens to support intervention needs.