



Rules of
Department of Corrections
Division 80—State Board of Probation and Parole
Chapter 5—Intervention Fee

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**Title 14—DEPARTMENT OF
CORRECTIONS**

**Division 80—State Board of Probation
and Parole**

Chapter 5—Intervention Fee

14 CSR 80-5.010 Definitions for Intervention Fee

PURPOSE: This rule identifies definitions used in this chapter.

(1) For the purpose of 14 CSR 80-5—

(A) The term “intervention fee” refers to the monthly fee authorized by section 217.690.3., RSMo, collected from offenders under probation, parole, or conditional release supervision to be deposited into the inmate fund and used to provide community corrections and intervention services for offenders;

(B) The term “sanction” is an approved penalty or action intended to enforce compliance;

(C) The term “waiver” means an offender is temporarily relieved of an obligation to pay all or part of the intervention fee, based on the offender’s confinement, program involvement, or income, as authorized by the supervising officer and the Chief Administrative Officer (CAO)/designee;

(D) “Willful nonpayment” means the offender knowingly refuses to make payment and there is evidence that funds have been available to the offender to make the required payments;

(E) The term “income” refers to gross earnings, unemployment compensation, worker’s compensation, Social Security, Supplemental Security Income, public assistance, veteran’s payments, survivor benefits, pension and retirement income, interest, dividends, rents, royalties, income from estates, trusts, educational assistance, alimony, child support, assistance from outside the household, and other miscellaneous sources. Non-cash benefits, such as food stamps and housing subsidies, are not considered income; and

(F) The term “family member” means any relative, by blood or marriage, who resides in the same household. Non-relatives, such as housemates, are not included.

*AUTHORITY: sections 217.040 and 217.755, RSMo 2000, and section 217.690, RSMo Supp. 2011. * Emergency rule filed Oct. 6, 2005, effective Nov. 1, 2005, expired April 29, 2006. Original rule filed Oct. 6, 2005, effective April 30, 2006. Amended: Filed Aug. 1, 2008, effective Jan. 30, 2009. Amended: Filed Oct. 19, 2011, effective May 30, 2012.*

**Original authority: 217.040, RSMo 1982, amended 1989, 1993, 1995; 217.690, RSMo 1982, amended 1986, 1987, 1989, 1992, 1995, 2002, 2005; and 217.755, RSMo 1982.*

14 CSR 80-5.020 Intervention Fee Procedure

PURPOSE: This rule establishes a process by which a monthly intervention fee is collected from offenders under probation, parole, or conditional release supervision of the Board of Probation and Parole.

(1) The following procedures apply to the collection of an offender intervention fee.

(A) Except as provided in subsections (1)(E), (F), (G), and (H), all offenders placed under probation, parole or conditional release supervision of the Board of Probation and Parole are required to pay an intervention fee in the amount set by the department not to exceed sixty dollars (\$60) per month.

(B) Offenders shall be notified of the intervention fee in the following ways:

1. Offenders assigned to supervision on or after April 30, 2006, shall sign the revised Order of Probation/Parole which includes the standard condition requiring payment of the intervention fee; or

2. Offenders under supervision before April 30, 2006, should be issued a directive pursuant to Written Directive Condition #8, requiring payment of the intervention fee.

(C) Fees will be collected as follows:

1. Offenders shall be provided instructions on payment methods and procedures. Staff shall not accept money in any form from an offender;

2. The intervention fee shall be due on the first day of the first full month following placement under board supervision on probation, parole, or conditional release. The fee shall be due thereafter on the first working day of each month until supervision is terminated;

3. Payments shall be deemed delinquent after the fifteenth day of the month, including the final month of supervision;

4. Pre-printed envelopes, payment vouchers, and payment instructions will be provided to the offender; and

5. Payment instructions to the offender will indicate the following:

A. Payments must be submitted directly to the designated collection authority. Probation and parole staff will not accept payments;

B. Only money orders, cashier’s checks, or payment via an approved electronic payment service will be accepted. Personal checks and cash will not be accepted; and

C. The completed payment voucher shall accompany the payment.

(D) Should an offender be declared an absconder, intervention fees will continue to accrue until such time as the case is closed. If the case is active on or after the first day of the month in which the case is suspended and closed, the fee will be assessed for that month.

(E) Offenders will be exempted from paying intervention fees under the following circumstances:

1. Offenders released to parole or conditional release are exempt for the first ninety (90) days. At the ninety- (90-) day mark, the case will be reviewed. Should the offender not meet the criteria for a waiver, intervention fees will be assessed beginning with the first day of the month following the determination that an exemption or waiver is no longer approved; and

2. Pre-trial, drug court, and deferred prosecution cases are exempted from paying the intervention fee.

(F) If the case is an interstate transfer, once the offender departs Missouri for the receiving state collection of intervention fees will be terminated.

(G) If an offender on probation, parole, or conditional release is subsequently confined in a jail or correctional facility for thirty (30) days or longer, the fee is suspended effective the thirty-first day of confinement. Fees shall resume on the first day of the month following release.

(H) If an offender is unable to pay because of having insufficient income, fees may be waived in whole or in part. In these cases, the following steps shall be taken:

1. Offenders, whose total verified income is at or below the insufficient income criteria, may be considered for a waiver. Unemployed offenders capable of being gainfully employed are not eligible for a waiver. An offender’s income is considered insufficient if it is at or below the most recent Federal Poverty Guidelines issued by the U.S. Department of Health and Human Services. Income from all family members in the household is used to calculate whether the waiver is appropriate. If a person lives with his or her family, the combined income of all family members will be used (non-relatives, such as housemates, do not count). For a waiver to be considered, the offender must provide appropriate records to document household income.

2. Once the officer verifies the offender meets one (1) of the waiver criteria above, the officer will complete the Request for Waiver of Intervention Fees and submit it to the district administrator for approval.



3. If approved, waivers are valid for a maximum of ninety (90) days. The district administrator shall make the waiver entry into the computer system. If the officer determines the waiver should be renewed beyond that point, a new Request for Waiver of Intervention Fees must be submitted for approval. However, at any point the officer determines that the offender is again capable of paying monthly intervention fees, supervisory approval is not necessary to rescind the waiver.

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*Original authority: 217.040, RSMo 1982, amended 1989, 1993, 1995; 217.690, RSMo 1982, amended 1986, 1987, 1989, 1992, 1995, 2002, 2005; and 217.755, RSMo 1982.

(I) The following process for sanctions regarding nonpayment shall be applied:

1. The designated agency is responsible for collecting payments of the intervention fee;

2. Upon receiving notification from the designated agency that an offender has failed to submit the intervention fee, the supervising officer will remind the offender of the payment obligation during their next contact;

3. The supervising officer should direct the offender to specific programs or services that will assist him/her in addressing their inability to pay (i.e., financial management program, employment counseling and/or job seeking classes, substance abuse counseling, mental health counseling, etc.);

4. When willful nonpayment occurs over a period of ninety (90) consecutive days, the supervising officer shall submit a notice of citation or violation report;

5. Offenders who are not current on their intervention fee payments may not be eligible for transfer to minimum supervision, interstate transfer, or early discharge consideration;

6. Sanctions for willful nonpayment of intervention fees include, but are not limited to the following:

- A. Written reprimand from district administrator or parole board;
- B. Travel restriction;
- C. Community service;
- D. Increased level of supervision; and
- E. Shock detention;

7. Unpaid intervention fees owed by offenders committed to the Division of Adult Institutions (DAI) will be collected from the inmate's account; and

8. All intervention fees collected by the department will be deposited in the inmate fund established in section 217.430, RSMo, with expenditures occurring as authorized through the state budget appropriation process.

AUTHORITY: sections 217.040 and 217.755, RSMo 2000, and section 217.690, RSMo Supp. 2011. Emergency rule filed Oct. 6, 2005, effective Nov. 1, 2005, expired April*