**Section 504.140 Restitution Procedures**

a) The Adjustment Committee or Program Unit may recommend that the offender make restitution in any amount not to exceed costs incurred or damages sustained by any person, entity, or state as a result of the disciplinary offense, including expenses for investigating the matter and processing the disciplinary report. The Adjustment Committee or Program Unit shall document the amount and the conditions of payment.

b) If the Adjustment Committee or Program Unit determines that restitution is appropriate, it shall ask the offender to authorize disbursement from his or her trust fund or from any other account.

1) If the offender agrees to make restitution the individual shall sign an authorization for disbursement of funds either to the State or to the appropriate individual.

2) If the offender refuses to authorize disbursement of his or her current funds or future earnings in accordance with the Adjustment Committee's or Program Unit's recommendation, the Adjustment Committee or Program Unit may recommend that a hold be placed on the individual's account for such amount, and may further recommend that the individual's commissary privileges, other expenditures, or State pay be suspended in whole or in part for a definite period of time. However, the offender shall be permitted to retain a sufficient amount of funds to purchase basic personal hygiene items if such items are not provided by the facility.

c) The Adjustment Committee or Program Unit may consider the offender's willingness to make restitution in imposing any other disciplinary sanctions.

d) An offender shall not be subjected to greater punishment because he or she is without funds and therefore unable to make restitution.

e) In the event an offender is released prior to full payment of restitution, arrangements shall be made for payment of the balance of the authorized restitution. If the offender did not authorized restitution, all or a portion of the grant money provided for in 20 Ill. Adm. Code 502.320 may be suspended.

(Source: Amended at 27 Ill. Reg. 6214, effective May 01, 2003)