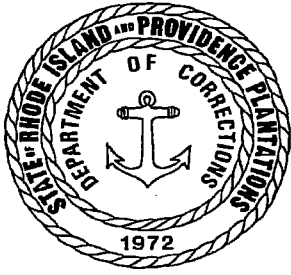
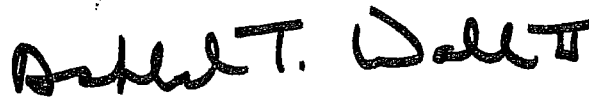


# RHODE ISLAND DEPARTMENT OF CORRECTIONS POLICY AND PROCEDURE

	<b>POLICY NUMBER:</b> 2.16-3 DOC	<b>EFFECTIVE DATE:</b> 12/20/10	<b>PAGE 1 OF 6</b>
	<b>REPEALS:</b> 2.16-2DOC	<b>DIRECTOR:</b> <span style="float: right;">Please use BLUE ink.</span> 	
<b>SECTION:</b> FISCAL MANAGEMENT		<b>SUBJECT:</b> INMATE COMMISSARY	
<b>AUTHORITY:</b> Rhode Island General Laws (RIGL) § 42-56-10 (22), Powers of the director			
<b>REFERENCES:</b> ACA # 4-4042, Commissary/Canteen; 4-4166, Space Provided for Commissary/Canteen; Rhode Island General Laws (RIGL) § 37-2-12(1), Centralization of Procurement Authority; Policy # 2.25-2 DOC, Indigent Inmates; 14.03-3 DOC, Inmate Property Accountability			
<b>INMATE / PUBLIC ACCESS?</b>		<input checked="" type="checkbox"/> YES	
<b>AVAILABLE IN SPANISH?</b>		<input checked="" type="checkbox"/> NO	

**I. PURPOSE:**

To specify the rules and procedures governing the operation of the Inmate Commissary at the Rhode Island Department of Corrections (RIDOC).

**II. POLICY:**

- A. The Inmate Commissary provides the inmate population with commissary items, such as personal hygiene products, clothing, postage stamps, snack items, beverages, over-the-counter medications, etc.
- B. RIDOC management reserves the right to restrict inmates on disciplinary status from purchasing certain items.
- C. Product restrictions due to an inmate's medical condition or other item restrictions or limitations to inmate orders may apply under certain conditions.

III. PROCEDURES:

- A. Inmates are permitted to submit one "standard" store order (e.g., personal hygiene products, postage stamps, snack items, beverages and over-the-counter medication) per week. The Department generates standard store order options.

Dollar limits and exemptions are determined by the Assistant Director of Institutions and Operations (ADIO).

- B. 1. Inmates are allowed to order products from a separate store order list, which is referred to as the "Non-Standard Menu". Orders are submitted to commissary staff on a schedule set forth by the Administrator of Physical Resources/designee which is based on each facility's specific schedule.
2. Items such as televisions, radios, clothing/footwear, and other non-standard items are processed through RIDOC Property Control Officers in each facility for the recording of equipment/model information and engraving, where required. (See policy 14.03-3 DOC, Inmate Property Accountability, or a successive policy.)
- C. Commissary items must be stored within the guidelines of facility security procedures.
- D. At the Department's discretion it may offer a special gift/item program. Such schedule and frequency is at the sole discretion of the Department.
- E. Commissary Operations
1. The commissary's operation is governed by written contracts/agreements between RIDOC and a private contractor.
2. Commissary staff (i.e., those individuals employed by the aforementioned private contractor) are required to deliver store orders to all housing units and/or designated locations within the facilities on a weekly basis. Days of delivery are specified in the contract. Changes to delivery days must be approved by the facility Wardens/designees, Administrator of Physical Resources and the ADIO.

F. Inmate Ordering Procedures

1. Inmates order from the established commissary list utilizing the vendor-provided commissary order form. If an order kiosk is installed in a given facility, inmates may directly place commissary orders into the system.

NOTE: Commissary lists/menus may vary in availability due to facility restrictions.

Inmates order commissary items in order of preference (i.e., the item an inmate wants/needs most is listed in the first block of the order form; the item an inmate wants/needs next is listed in the second block, and so on).

2. Commissary staff collect completed commissary order forms in accordance with the schedules that are developed by the Commissary Manager (a non-RIDOC employee who is the contractor's RIDOC liaison), in consultation with the ADIO/designee(s).
3. Inmates must submit commissary orders by the deadline for order submission. Commissary orders received after the deadline are processed the following week.

G. Order Processing

1. Once store orders are received, commissary staff scans orders into appropriate inmate accounts.
2. If an inmate's account reflects insufficient funds to cover the total amount of the store order, the computer scanning system generates the order based on the inmate's item preferences (see III.F.1.) to the extent of available funds in the account.
3. If a certain item requested by an inmate is out of stock, that inmate's account is credited for the total price of the item. Substitutions are not allowed.

H. Indigent Inmate Commissary Allotment/Order

Indigent kits are provided to indigent inmates consistent with policy #2.25-2 DOC, Indigent Inmates, or a successive policy.

I. Commissary Store Order Deliveries

1. Store orders are delivered and distributed in accordance with a contract agreement between RIDOC and the private contractor, in consultation with the ADIO/designee(s). Any changes in delivery schedules must be approved by the Administrator of Physical Resources.
2. Commissary staff ensures they are providing each inmate with the appropriate store order by checking the inmate's ID card or wristband.
3. Inmates check their store orders for accuracy.
  - a. If the order is complete, the inmate signs the store order form acknowledging receipt of items ordered.
  - b. If an inmate discovers a discrepancy(ies) between items ordered and delivered in his/her order (i.e., the order is incomplete), s/he must bring the discrepancy(ies) to the commissary staff member's attention at the time of delivery in order for his/her account to be credited for the cost of the missing item(s).
4. Commissary staff collects signed store order forms and returns them to the Commissary Manager, who maintains the forms on file.
5. Inmate disputes concerning store order discrepancies and/or money credits due from previous orders (e.g., an inmate ordered a television, the cost of the television was taken from the inmate's account, but the inmate did not receive the television) must be sent to the private contractor through the Commissary Manager.
  - a. Inmates who are currently incarcerated at the Adult Correctional Institutions (ACI) submit a "Store Order Inquiry" form to the contractor's Commissary Manager via commissary staff.

- b. Released offenders complete the "Store Order Inquiry Form for Released Person" form and forward said form to the contractor's Commissary Manager via Inmate Accounts.

J. Commodities Additions, Deletions, Replacements

1. RIDOC facility/program/unit managers who would like to change the commodities list/menu may do so at any time and must direct their requests, at any time, to the Administrator of Physical Resources/designee. S/He compiles a list of these request(s) for the ADIO's review and approval.
2. The Administrator of Physical Resources or designee may convene meetings with designated representatives from each facility to discuss revisions to the commissary commodities list. Revisions require the approval of the ADIO.

K. Commissary List/Menu Price Auditing

1. The commissary contract/agreement limits the commissary's profit margin and the selling price of all commodities.
2. The Administrator of Physical Resources/designee ensures that prices charged cannot exceed common "street prices" and the commissary's profit margin is in accordance with the contract. S/He compares the contractor's price list against the "street prices" for items s/he has set forth. This audit will be done on a semi-annual basis or at more frequent intervals as required. Price adjustments may be requested based upon the price comparisons if the contractor's pricing is in violation of the contract terms.
3. Commissary staff may periodically adjust prices, consistent with the commissary contract/agreement. **Prior to any price adjustments:**
  - a. The contractor's Commissary Manager notifies the Administrator of Physical Resources/designee;
  - b. Administrator of Physical Resources/designee notifies the ADIO/designee;

- c. ADIO/designee acknowledges the notification and discusses the pending price adjustment(s) with facility Wardens; ADIO/designee provides feedback to the Administrator of Physical Resources/designee, if warranted.
- d. Commissary staff publishes and distributes new price lists to affected facilities **at least thirty (30) days prior to any price adjustment(s) implementation.**

L. Distribution of Indigent Kits, Admission Kits

1. Facility Supply Officers, with the approval of the Warden/Deputy Warden, submit MS-35's to RIDOC's Administrator of Physical Resources/designee for distribution of:
  - a. Indigent kits (See policy 2.25-2 DOC, or a successive policy.)
  - b. Admission kits for Awaiting Trial offenders.
2. Wardens or designees of those facilities that restrict inmates in disciplinary confinement from purchasing certain items (e.g., razors, toothbrushes) from the commissary may order, in bulk, supplies of these items for controlled distribution by preparing MS-35's listing items and amounts needed, and forwarding said forms to the Administrator of Physical Resources/designee.

M. Access to Information

1. Inmate Accounts and commissary staff are authorized to share information regarding individual inmate accounts only with each other.
2. Personnel/Agencies requesting information concerning inmate orders or contractor procedural activities should contact the Associate Director Financial Resources Unit.