

MICHIGAN DEPARTMENT OF CORRECTIONS POLICY DIRECTIVE	EFFECTIVE DATE 10/21/2015	NUMBER 05.03.100
	SUBJECT PRISONER PROGRAMS AND ORGANIZATIONS	
SUPERSEDES 05.03.100 (05/24/2004)		AUTHORITY MCL 791.203; MCL 791.204
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POLICY STATEMENT:

Prisoner programs and organizations may be established in Correctional Facilities Administration (CFA) institutions, as set forth in this policy.

POLICY:

PROGRAM DEVELOPMENT

- A. For purposes of this policy, a program is an ongoing service provided to prisoners by staff or volunteers designed to promote personal growth in prisoners and to further a specific Department need or goal. It does not include essential services such as health care or food service, one-time special events that are scheduled for prisoners for recreational, entertainment or religious purposes, or required Core programs.
- B. Any proposals received for new programs are to be submitted to the Warden or designee for evaluation. If the Warden believes the program would be beneficial to prisoners and meets a Department need or goal, s/he shall submit the proposal to the appropriate Assistant Deputy Director (ADD) for review and approval. ADDs shall consult with the CFA Deputy Director or designee prior to approving any program which is not typical of programs routinely offered in a CFA institution. The ADD shall notify the Warden whether the proposal has been approved.
- C. If the ADD believes the proposal should be considered for statewide implementation, s/he shall submit it to the CFA Deputy Director or designee for approval. If approved, the CFA Deputy Director or designee shall notify all ADDs and Wardens of the approval.
- D. Once approved and implemented, a program may be discontinued only with authorization of the Warden. The Warden or designee shall provide a written notice to the appropriate ADD informing him/her that the program has been discontinued. A program that is offered statewide may be discontinued only by the CFA Deputy Director.
- E. Wardens shall submit a monthly memorandum to the CFA Special Activities Coordinator. The memorandum must identify each program offered at the institution, the number of volunteers providing services, the number of hours of volunteer program services, and the number of prisoners participating at each security level.
- F. The CFA Special Activities Coordinator shall compile and maintain a list of programs offered at each CFA institution, specifically identifying those approved for statewide implementation. The CFA Special Activities Coordinator shall distribute the list to all Wardens and ADDs at least annually.
- G. Wardens shall ensure staff are aware of all approved programs available to prisoners at their respective institutions.
- H. At least annually, the Warden or designee shall identify the needs of the prisoner population, and analyze and evaluate non-required programs offered at their facility to determine their contribution to the Department's needs and goals. The Warden or designee shall document this review in writing. After the review, the Warden or designee may have programs modified as necessary.

PRISONER ORGANIZATIONS

- I. For purposes of this policy, a prisoner organization is a chartered association of prisoners for social,

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educational, or cultural purposes. A prisoner organization may also be formed to promote civic duty and/or public service. All prisoner organizations must be sponsored by a legitimate external organization (e.g., Jaycees, NAACP, Vietnam Veterans of America) and approved by the CFA Deputy Director in order to operate within an institution.

- J. Only general population prisoners in Levels I through IV shall be permitted to establish and be members of prisoner organizations. A prisoner may request approval to form an organization by submitting its proposed charter to the Warden or designee. The charter shall contain all of the following:
1. The proposed organizational structure of the prisoner organization;
 2. The proposed bylaws and statement of purpose of the prisoner organization;
 3. A statement expressing a willingness to accept any eligible prisoner for membership, regardless of race, creed or nationality;
 4. The name and address of the external organization sponsoring the prisoner organization.
 5. A statement expressing that the prisoner organization will not charge/receive dues, or take anything of value from members or other prisoners.
- K. After review, the Warden shall submit the charter and his/her recommendation whether the prisoner organization should be approved to the appropriate ADD. The ADD shall review the charter and the Warden's recommendation, and forward them to the CFA Deputy Director or designee with his/her recommendation whether the prisoner organization should be approved. The CFA Deputy Director or designee shall make the final determination and notify the ADD and Warden of that decision. A prisoner organization shall not be approved if it is believed to advocate violence, racial supremacy, ethnic purity, or otherwise constitute a threat to the custody or security of the facility.
- L. The CFA Special Activities Coordinator shall maintain a current list of all approved prisoner organizations and shall distribute the list at least annually to the ADDs and Wardens of each CFA institution designated as Level I, II, or IV.
- M. Prisoner organizations shall be permitted to conduct meetings upon written request to the Warden or designee. The Warden or designee shall determine the times and locations of the meetings. If time or space resources are limited, priority shall be given to prisoner organizations having the largest membership. However, all approved prisoner organizations requesting meetings shall be permitted to meet at least quarterly.
- N. Only general population prisoners in Levels I through IV may attend prisoner organization meetings. Security levels shall not be mixed except as provided in PD 05.01.140 "Prisoner Placement and Transfer." In Level IV, prisoner organization meetings must have in-room staff supervision at all times. In Levels I and II, the Warden shall determine the need for in-room staff supervision. However, staff must be readily available in the area when in-room staff supervision is not required. Staff providing in-room supervision shall remain in the room where the meeting is being conducted during the entire meeting. To ensure that prisoners are engaging only in conduct appropriate to the meeting, staff providing in-room supervision shall listen to and watch those in attendance.
- O. Prisoner organizations are prohibited from charging or receiving dues, or anything else of value, from any prisoner, including prisoners who are members of the organization or who wish to attend organization meetings. A prisoner may pay membership dues to the sponsoring external organization, subject to the approval of the Warden, but the prisoner organization shall not in any way influence or enforce such actions.
- P. Prisoner organizations are permitted to solicit and receive funds only from its sponsoring organization and from the Prisoner Benefit Fund (PBF) in accordance with PD 04.02.110 "Prisoner Benefit Fund." The solicitation and receipt of funds from any other source is prohibited. Funds received from the sponsoring organization or the PBF may be spent only as follows, subject to the Warden's approval:
1. For special entertainment available to all general population prisoners in the facility (e.g.,

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movie, guest speaker).

2. To purchase items benefiting all general population prisoners in the facility (e.g., recreational equipment).
 3. To sponsor competitive events available to all general population prisoners in the facility.
 4. To contribute to a charitable organization.
 5. To purchase items benefiting the prisoner organization (e.g., office supplies).
 6. Other expenditures as approved by the Warden. However, under no circumstances shall funds received by the prisoner organization be used to purchase personal property for prisoners or any computer equipment. Funds received by the prisoner organization also shall not be spent on banquets or similar special meals.
- Q. All funds collected by a prisoner organization pursuant to Paragraph P shall be deposited directly into an institutional account created for the prisoner organization. All funds shall be in cash or money order. The account shall be created and maintained as a sub-account of the PBF. The institution's Administrative Manager shall ensure the proper handling of cash, sales records, receipts, and the reconciling and depositing of all funds. Funds remaining in the account of a prisoner organization or group which has not had a member for at least one year shall be placed in the PBF and the account closed. The Department and its employees are not responsible for the unpaid bills of a prisoner organization.
- R. Prisoner organizations shall be required to submit quarterly reports to the Warden or designee-that shall include a current roster of prisoner members, a summary of activities, and all funds received and spent.
- S. If a prisoner organization, or a prisoner acting on behalf of the organization, violates this policy, the prisoner organization's approval to operate may be revoked. In all such cases, the Warden shall submit his/her recommendation whether the approval should be revoked, along with all supporting documentation, to the appropriate ADD for review. The ADD shall forward the documentation, along with his/her recommendation, to the CFA Deputy Director for a final determination. The CFA Deputy Director shall ensure that the ADD and Warden are notified of that decision.

OPERATING PROCEDURE

- T. Wardens shall ensure that procedures are developed as necessary to implement requirements set forth in this policy directive within 60 calendar days after the effective date.

AUDIT ELEMENTS

- U. A Primary Audit Elements List has been developed and will be provided to Wardens to assist with self-audit of this policy pursuant to PD 01.05.100 "Self Audit of Policies and Procedures."

APPROVED: HEW 10/05/15