

MICHIGAN DEPARTMENT OF CORRECTIONS POLICY DIRECTIVE	EFFECTIVE DATE 12/29/2010	NUMBER 04.02.135
	SUBJECT SECUREPAK PROGRAM	
SUPERSEDES DOM 2010-16R		
AUTHORITY MCL 791.203, 791.204		
ACA STANDARDS NONE		
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POLICY STATEMENT:

General population prisoners may receive Department-approved items ordered through the Securepak Program as set forth in this policy.

RELATED POLICIES:

- 04.02.105 Prisoner Funds
- 04.02.130 Prisoner Store
- 04.07.112 Prisoner Personal Property

POLICY:

- A. The Securepak Program is a Department-approved customized package program that allows family members and others to send authorized items to prisoners while safeguarding against the introduction of contraband. Prisoners in general population also may place orders for their personal use in accordance with institutional ordering procedures. A vendor catalog identifying items available for purchase through the Securepak Program shall be available to prisoners in each general population housing unit and in other areas of the institution as identified by the Warden.
- B. Prisoners shall be permitted to have in their possession items received through the Securepak Program only as authorized pursuant to PD 04.07.112 "Prisoner Personal Property"; items may be limited for prisoners in a Department medical in-patient facility/unit, a Residential Treatment Program, or the Secure Status Outpatient Treatment Program as set forth in PD 04.07.112.
- C. The vendor of the Securepak Program will be responsible for processing all orders, including enforcing any restrictions developed by the Department. The vendor also is responsible for maintaining detailed reporting of all orders placed, which will be available to designated Department staff upon request. A percentage of the profits will be returned by the vendor to the Department and shall be used to off-set expenses borne by the Prisoner Benefit Fund (PBF) for cable/satellite television services or other PBF expenses as identified by the Administrator of the Bureau of Fiscal Management (BFM) after consultation with the Deputy Director of Correctional Facilities Administration (CFA).
- D. The Store Contract Committee shall be responsible for determining which items shall be available for purchase through the Securepak Program; items other than those available for purchase from the Standardized Store List shall be available only with approval of the CFA Deputy Director or designee. Any item available for purchase through the Securepak Program that is on the Standardized Store List must be the same item that is available for purchase from the Standardized Store List; the item cannot be a different brand or size or sold in a different quantity. Additional food items shall be available for purchase through the Securepak Program for the December holiday season. The Store Contract Committee may limit the quantity of items allowed to be purchased per order and, after taking into consideration recommendations from the Warden or designee, may prohibit the purchase of certain items by or for prisoners based on security level or institutional placement beyond the restrictions identified in the attachment.
- E. There is a limit of \$85, not including tax and shipping, per Securepak order placed. For prisoners, this is in addition to the \$100 bi-weekly limit on the purchase of Standardized Store List items from the prisoner store. If, at the time the order is processed, a prisoner does not have sufficient funds for all items s/he ordered, the order shall be processed only for those items for which the prisoner has available funds in the order listed on the Securepak Order Form.

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- F. Only one Securepak order may be placed by or for a prisoner per quarter (i.e., Jan-Mar; Apr-Jun; Jul-Sep; Oct-Dec). Only the first order placed by or for a prisoner each quarter will be processed, regardless of who placed the order or the value of the order. The vendor will notify the purchaser if his/her order cannot be processed or delivered for any reason and provide the purchaser with a full refund, not including the cost of shipping/handling; refunds to prisoners shall not be subject to debt collection under PD 04.02.105 "Prisoner Funds".
- G. The vendor will be responsible for delivery of orders to the facility, regional store, or other area designated by the BFM Administrator or designee, including redelivery if a prisoner transfers to another Department institution. If a prisoner is in segregation at the time of delivery and therefore ineligible to receive items purchased through the Securepak Program, the order shall be returned to the vendor and will not be redelivered; however, the order shall not count toward the quarterly limit. Orders received by prisoners who are out to court on writ for more than five business days also will be returned to the vendor and the order not counted toward the quarterly limit. A prisoner may not decline receipt of a Securepak order ordered in accordance with this policy; an item may be returned, however, if it is received damaged or is not the item ordered.
- H. Prisoners are prohibited from receiving Securepak orders known to be purchased by or on behalf of another prisoner, parolee, or probationer. Prisoners also are prohibited from receiving Securepak orders known to be purchased by a family member of another prisoner, parolee, or probationer unless the purchaser also is a family member of the prisoner receiving the item. For purposes of this policy, a "family member" is defined as a grandparent, parent, stepparent, spouse, mother-in-law, father-in-law, child, stepchild, grandchild, sibling, stepbrother, and stepsister; an aunt and/or uncle also is considered a family member if there is adequate verification that the aunt and/or uncle served as a surrogate parent of the prisoner.
- I. The vendor will notify the Department of suspicious Securepak purchases; however, staff designated by the Warden to monitor funds received for credit to prisoner trust accounts pursuant to PD 04.02.105 "Prisoner Funds" shall be responsible for monitoring the receipt of Securepak orders at their respective institutions to identify activity that may violate this policy or may be related to illegal activity. If, prior to shipment of the item to the Department, it becomes known that an order has been placed by a prohibited source, this information shall be provided to the vendor to allow for cancellation of the order and notification to the purchaser. If this information or any other violation of policy relating to the Securepak order becomes known after shipment of the item to the Department, including after receipt by the prisoner, the items shall be confiscated as contraband and the prisoner provided notice and an opportunity for a hearing consistent with requirements set forth in PD 04.07.112 "Prisoner Personal Property". If the prisoner does not request a hearing or the hearing officer determines that the items were purchased by a prohibited source, the items shall be destroyed or donated to a charity approved by the Warden. Parties found to be involved in sending or receiving items through a prohibited source or by otherwise violating policy may be prohibited from purchasing and/or receiving items through the Securepak Program with approval of the CFA Deputy Director or designee.
- J. Prisoners shall be permitted to continue to possess items no longer available for purchase through the Securepak Program if the item was legitimately purchased, subject to PD 04.07.112 "Prisoner Personal Property". The item shall be deemed contraband, however, if the CFA Deputy Director determines that continued sale and/or possession of the item poses a custody and security concern. Notice that the item has been deemed contraband by the CFA Deputy Director shall be posted in all housing units. A prisoner shall not be issued a misconduct report for possession of the item until the notice has been posted for at least 30 calendar days.

PROCEDURES

- K. Wardens and the BFM Administrator shall ensure that procedures are developed as necessary to implement this policy directive. This shall be completed within 60 calendar days after the effective date of the policy directive. This requirement includes ensuring that their existing procedures are revised or rescinded, as appropriate, if inconsistent with policy requirements or no longer needed. Facility procedures shall not conflict with procedures issued by the Director or Deputy Director.

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AUDIT ELEMENTS

- L. A Primary Audit Elements List has been developed and is available on the Department's Document Access System to assist with self audit of this policy pursuant to PD 01.05.100 "Self Audit of Policies and Procedures".

ATTACHMENTS

- M. This policy directive contains the following attachment:
 - 1. Attachment A – Items Authorized to be Sold Through Securepack Program

APPROVED: PLC 12/13/10