

MICHIGAN DEPARTMENT OF CORRECTIONS POLICY DIRECTIVE	EFFECTIVE DATE 09/26/2015	NUMBER 04.02.130
	SUBJECT PRISONER STORE	
SUPERSEDES 04.02.130 (12/01/2013)		AUTHORITY MCL 791.203, 791.204
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POLICY STATEMENT:

Prisoners in Correctional Facilities Administration (CFA) institutions (except in the SAI Program), and identified parolees at the Detroit Reentry Center (DRC) may purchase approved items for their personal use from the prisoner store vendor.

RELATED POLICIES:

- 04.02.105 Prisoner Funds
- 04.02.110 Prisoner Benefit Fund
- 04.02.135 Friends and Family Package Program
- 04.07.112 Prisoner Personal Property
- 05.01.142 Special Alternative Incarceration Program

POLICY:

GENERAL INFORMATION

- A. This policy does not apply to the purchase and receipt of items through the Friends and Family Package Program except as specifically stated in this policy. Requirements for the purchase of items through the Friends and Family Package Program are set forth in PD 04.02.135 "Friends and Family Package Program."
- B. Prisoners may order merchandise for their personal use from the prisoner store vendor (hereafter referred to as the "vendor"). Vendor store orders will be delivered to prisoners in the individual housing units or to a central location within the institution, as determined by the Warden.
- C. Prisoners shall be permitted to place store orders once every two weeks (i.e., 26 times per calendar year). A prisoner may be able to place an additional order during the two week period if there is a technical problem (e.g., lost order). Only merchandise specifically authorized by this policy may be available for purchase from the vendor. Items identified on the Standardized Store List (Attachment A) shall be available for purchase only from the vendor as set forth in this policy. Prisoners shall be permitted to have in their possession prisoner store merchandise only as authorized pursuant to PD 04.07.112 "Prisoner Personal Property." Prisoner store merchandise 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.
- D. When store order merchandise is received from the vendor, the merchandise must be immediately secured in a designated prisoner store order holding area if not immediately delivered to the prisoners. Only authorized staff and authorized prisoners are permitted entry into this secured area and this area shall be immediately accessible by staff in case of emergency. If the secured holding area is a warehouse, the door shall have a fully operational dual locking system.
- E. Store merchandise may be purchased only by individual prisoners for personal use or by the Prisoner Benefit Fund Committee if approved by the Warden pursuant to PD 04.02.110 "Prisoner Benefit Fund" for consumption or use by prisoners. An employee shall not purchase merchandise, issue free merchandise to a prisoner, or appropriate merchandise in any way for personal use.
- F. Prisoners may purchase store merchandise only with funds from their trust account. A prisoner may spend no more than \$100 plus any applicable sales tax once every two weeks (i.e., 26 times per calendar year) to purchase Standardized Store List items from the vendor. Product coupons shall not be accepted and product promotions shall not be honored. If, at the time the store 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 store order form. Items from the food/beverages and miscellaneous categories shall be listed last.

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- G. Prisoners are required to acknowledge receipt of their store order in writing. If a prisoner will not do so, staff shall note the refusal and the order will be delivered to the prisoner. A merchandise refund shall not be issued on any order except for the following:
1. An item received that is damaged;
 2. A missing item;
 3. An item received that is not the item ordered;
 4. The prisoner transfers;
 5. The prisoner is placed in a higher security level that does not allow the item ordered;
 6. The prisoner paroles or discharges.
- H. Damaged or incorrect merchandise that is received must be returned to the Vendor for a refund. Exchanges will not be permitted.
- I. Prisoners in segregation may order store merchandise consistent with PD 04.05.120 "Segregation Standards," and the segregation store list. Prisoners serving a loss of privileges or top lock sanction must be allowed to order store merchandise in accordance with this policy.

STORE CONTRACT COMMITTEE

- J. There shall be a Store Contract Committee comprised of members designated by the CFA Deputy Director after consultation with the Deputy Director, Budget and Operations Administration (BOA). The Committee shall be responsible for determining the items to be included on the Department's Standardized Store List, subject to approval of the CFA Deputy Director. However, mandatory health care products shall be included on the list only as approved by the Chief Medical Officer. The Committee also shall be responsible for determining which items shall be restricted by security level or by specialized housing. The Committee will meet with the vendor at least every six months to evaluate item pricing and/or item changes. The vendor must provide, in writing, any cost increases from their supplier before the MDOC will consider any price increase. Vendor samples (no more than three samples of each item) must only be provided to the Prisoner Store Contract Committee for review of potential new or replacement items to be offered to prisoners. The pricing will remain the same for the Friends and Family Package Program and prisoner store orders. Except for Store Contract Committee members, no MDOC employee or prisoner may accept "sample" or "free" items from any vendor.

PRISONER STORE COMMITTEE

- K. Each institution with general population housing shall have at least one Prisoner Store Committee, which shall meet at least monthly. The Committee shall include at least one staff member designated by the Warden and at least one prisoner representative from each general population security level serviced by the store. If there are separate committees for the different security levels within the institution, only prisoner representatives from that security level and staff shall be on the Committee. All prisoner representatives shall be selected by the Warden's Forum as set forth in PD 04.01.150 "Prisoner Housing Unit Representatives/Warden's Forum." Minutes of each committee meeting shall be recorded and posted in a location accessible to prisoners.
- L. The role of the Prisoner Store Committee is to ask questions and discuss concerns the prisoner population has related to the prisoner store process, including merchandise. The chairperson of the Prisoner Store Committee submits recommendations to the Store Contract Committee for item changes to the Department's Standardized Store List. The list will be revised by the Store Contract Committee as needed. The Store Contract Committee will take into consideration recommended changes from the Prisoner Store Committees during their bi-annual reviews. The Prisoner Store Committee is not responsible for determining prices of items sold in the store or for other administrative functions.

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STANDARDIZED STORE LIST

- M. Standardized Store List items shall be available for prisoner purchase only if sold by the vendor. Standardized Store List items shall not be available to prisoners through any other means.
- N. If an item is removed from the Standardized Store List, prisoners shall be permitted to continue to possess the item if legitimately purchased, subject to PD 04.07.112 "Prisoner Personal Property." However, sale of the item shall be immediately discontinued through the vendor. If the CFA Deputy Director determines that continued sale and/or possession of the item poses a custody and security concern, the item shall be deemed contraband. 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.
- O. All Standardized Store List items shall comply with fire safety requirements set forth in PD 04.03.120 "Fire Safety." The items also must be non-caustic and not require refrigeration, and shall not be sold past any "sell by" date identified on the item. The following types of items are prohibited unless approved for sale by the CFA Deputy Director:
1. Items in glass or metal containers and in containers containing glass or metal parts.
 2. Oils.
 3. Items containing gum.
 4. Items with double-wall construction (e.g., insulated mugs) or double-wall packaging unless the construction/package is clear.
 5. Items in capsule form, this does not include "gel caps."
 6. Items in squeeze bottles.
- P. Preference shall be given to items that are available in transparent/clear containers and, if packaged, in soft packaging even if it is not the favored brand. However, this does not require selling generic-brand items in lieu of name-brand items.

OTHER MERCHANDISE SOLD

- Q. Forever embossed stamped envelopes will be purchased by the Vendor from the United States Post Office (USPS) to be sold to the prisoner population. Prisoners shall place his/her name and number on each envelope by the end of the day of receipt. Envelopes not properly labeled with prisoners name and number shall be considered contraband.
- R. Prisoner store orders for forever embossed stamped envelopes shall be filled before any other item ordered by the prisoner. No more than 20 forever embossed stamped envelopes shall be sold to a prisoner in a two week period.
- S. Postage for mail which exceeds two ounces or for which special handling is required (e.g., air, certified, foreign mail, nonstandard envelopes) must be obtained through the normal disbursement process at the facility where the prisoner is housed. If additional postage is required on an envelope, the postage amount shall be determined by the facility mail room staff and purchased by the prisoner through the disbursement process.
- T. Other personal property items authorized by PD 04.07.112 "Prisoner Personal Property" shall not be sold by or through the vendor.

PURCHASING

- U. Merchandise to be sold by the vendor shall be selected by the Store Contract Committee based on price, quality, sales history, and degree of interest expressed by Prisoner Store Committees. However, security concerns are of primary importance.

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- V. Prisoners are required to pay Michigan sales tax on Standardized Store List items, except for postage and those items identified as non-taxable on Attachment A.
- W. The vendor will be responsible for delivery of prisoner store orders to the facility. Prisoners who transfer before receiving their store order will have the order refunded. If a prisoner is in segregation at the time of delivery, and therefore ineligible to receive the prisoner store order, the order shall be returned to the vendor and will not be redelivered. Orders received for prisoners who are out to court on writ for more than five business days will also be returned to the vendor. A prisoner may not decline receipt of a prisoner store order placed in accordance with this policy. However, an item may be returned to the vendor for a refund if it is received damaged or is not the item ordered.
- X. For items being returned to the vendor, facility staff must separate damaged items from other items to be returned to the vendor. All items that are going to be returned to the vendor must be secured in a designated prisoner store order holding area.

PRISONER STORE ORDERS PLACED IN VIOLATION OF POLICY

- Y. Prisoners are prohibited from receiving prisoner store orders that are known to be purchased by, or on behalf of, another prisoner, parolee, or probationer.
- Z. The vendor will notify the Department of suspicious prisoner store orders. 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 prisoner store orders at their respective institutions to identify activity that may violate this policy or may be related to illegal activity.

REVENUES/EXPENDITURES

- AA. Prices for prisoner store merchandise, including necessary price adjustments, shall be subject to the terms of the contract with the vendor. However, forever embossed stamped envelopes shall be sold to the prisoner at cost and are not subject to price adjustments from the vendor. The goal is to maintain retail prices as low as possible yet provide adequate funding of the Prisoner Benefit Fund (PBF) pursuant to PD 04.02.110 "Prisoner Benefit Fund."
- BB. Revenues from the vendor and expenditures of the prisoner store process shall be accounted for in the PBF pursuant to PD 04.02.110 "Prisoner Benefit Fund."

PRICE LISTS AND PRICE CHANGES

- CC. A current price list of prisoner store merchandise shall be available through the prisoner store housing unit kiosk, or if a kiosk is not available or not operational, provided in the housing units or other locations accessible to prisoners, as determined by the Warden or designee.

INTERNAL CONTROLS

- DD. Wardens and the Jackson and Kinross Business Offices shall ensure that internal controls are established to account for prisoner store vendor deliveries and prevent loss at institutions for which they are responsible. This requirement shall include verification of receipt of prisoner store orders from the vendor, verification of receipt of prisoner store orders by the ordering prisoner, and proper handling of refunds and returns. Wardens shall ensure the use and recording of door seals on all doors to the designated prisoner store order holding areas.

PROCEDURES

- EE. Wardens shall ensure procedures are developed as necessary to implement this policy directive within 60 calendar days after the effective date.

AUDIT ELEMENTS

- FF. 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."

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ATTACHMENTS

GG. This policy directive contains the following attachment:

1. Attachment A - Standardized Store List

APPROVED: HEW 8/26/15

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ATTACHMENT A

STANDARDIZED STORE LIST

The following items may be available for purchase at each facility in accordance with approved store lists. Each size and flavor of individual brands of multiple brand items shall be counted as a separate item. No more than one type of each item may be available from the prisoner store vendor, except as otherwise indicated. At least one of each mandatory store item, as identified by an asterisk (*), must be available for sale, except as otherwise indicated by this or another policy, or for Specialized Housing Units as approved by the CFA Deputy Director.

All items must comply with fire safety requirements set forth in PD 04.03.120 "Fire Safety." All items also must be non-caustic and not require refrigeration. Items shall not be sold past the "sell by" date identified on the item. The following types of items are prohibited, unless approved for sale by the CFA Deputy Director:

1. Items in glass or metal containers and items in containers containing glass or metal parts.
2. Oils.
3. Items containing gum.
4. Items with double-wall construction (e.g., insulated mugs) or double-wall packaging unless the construction/packaging is clear.
5. Items in capsule form; this does not include "gel caps."
6. Items in squeeze bottles.

Preference shall be given to items that are available in transparent/clear containers and, if packaged, in soft packaging even if it is not the favored brand. However, this does not require selling generic-brand items in lieu of name-brand items. Store items shall be available for purchase by prisoners in segregation as set forth in PD 04.05.120 "Segregation Standards."

All items are subject to Michigan sales tax unless specifically identified in this Attachment as being non-taxable.

I. MANDATORY HEALTH CARE PRODUCTS

- * Abrasive callous sponge (e.g., titania pumice sponge) (maximum 2" x 4"; porous only; pumice stone prohibited)
- * Acetaminophen, 325 mg. tablets (maximum 100 tablets)
- * Antibacterial soap (e.g., Dial) (maximum 5 oz.)
- * Aspirin, 325 mg. tablets (maximum 100 tablets)
- * "Balanced" liquid antacid, with or without simethicone (e.g., Mylanta, Maalox) (maximum 12 oz.)
- * Benzoyl peroxide, 10% preparation (acne skin preparation) (maximum 2 oz.)
- * Chlorpheniramine maleate, 4 mg. tablets (allergy tablets) (maximum 24 tablets)
- * Clotrimazole, 1% cream (antifungal cream) (maximum 1.5 oz.)
- * Coal tar dandruff shampoo (maximum 15 oz.)
- * Cold tablets (e.g., Alka Seltzer Cold Plus; cannot contain Pseudoephedrine or Diphenhydramine) (maximum 24 tablets)
- * Cream depilatory (e.g., Magic Cream Shave) (maximum 6 oz.)
- * Dandruff shampoo (maximum 15 oz.)
- * Hemorrhoidal cream (maximum 2 oz.)
- * Hydrocortisone, 1% cream (maximum 1 oz. tube)
- * Hypoallergenic soap (e.g., Neutrogena) (maximum 5 oz.)
- * Ibuprofen, 200 mg. tablets (maximum 100 tablets)
- * Loratadine, 10 mg. tablets (allergy medicine) (maximum 30 tablets)
- * Medicated foot pads

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MANDATORY HEALTH CARE PRODUCTS (cont'd)

- * Menstrual relief medication (e.g., Midol; Pamprin) (female prisoners only)
- * Moisturizing skin cream/cocoa butter cream (maximum 8 oz.)
- * Moisturizing soap (e.g., Tone) (maximum 5 oz.)
- * Monistat 7 (female prisoners only)
- * Naproxen, 200 mg. tablets (maximum 100 tablets)
- * Petroleum jelly (maximum 2 oz.)
- * Psyllium seed based laxative (maximum 13 oz.)
- * Ranitidine, 75 mg. tablets or Cimetidine (maximum 30 tablets)
- * Sensitivity type toothpaste (e.g., Sensodyne) (tube; maximum 7 oz.)
- * Soft bristle toothbrush (maximum 4 inch total length)
- * Sun screen with SPF 30 or greater (maximum 4 oz.)
- * Tolnaftate, 1% cream (anti-fungal cream) (maximum 1.5 oz.)

II. OVER-THE-COUNTER PERSONAL CARE PRODUCTS

- Analgasic muscle rub (e.g., Icy Hot, Ben Gay) (maximum 6 oz.)
- Antacid (e.g., Roloids; TUMS) (maximum 150 tablets)
- Cough drops (maximum 30 per pkg.)
- Eye drops (no separate eye dropper; maximum 1 oz.)
- Fish oil soft gels (maximum 1200 mg) (maximum 120 soft gels) (non-taxable)
- Foot powder (maximum 3 oz.)
- * Insect repellent (maximum 10% Deet only) (mandatory May to October only)
- "Medicated" chest rub (maximum 4 oz.)
- Multivitamins (maximum 125 tablets; maximum 100% of the DRI for all nutrients) (at least one must be without iron or other minerals) (non-taxable)
- Vitamin C (maximum 500 mg. tablets) (maximum 100 tablets) (non-taxable)
- Vitamin E (maximum 250 I.U. tablets) (maximum 100 tablets) (non-taxable)

III. HYGIENE PRODUCTS

Hair Care

- Barrettes (all plastic parts; maximum 1 pkg.) (female prisoners only)
- Braided elastic or terry cloth ponytail holders (maximum 1 pkg.) (black and/or white only)
- Comb or pick (not to exceed 7" in length; flexible plastic) (no more than 1 Afro comb or pick and 1 barber comb)
- Gel, mousse, or moisturizer (maximum 15 oz.)
- Hair brush (not to exceed 6" in length; no handle) (no more than 1 military brush and 1 styling brush)
- Hairspray (alcohol-free; non-aerosol; clear bottle; maximum 8 oz.) (female prisoners only)
- Shampoo (non-medicated), conditioner, and/or cream rinse (maximum 15 oz.)
- Shower cap (plastic)
- Terry cloth sweatband (no padding; plain only; for the head) (black and/or white only)
- Wave cap, doo rag, or sleep cap (black and/or white only)

Skin Care

- After shave (no oils; alcohol-free); (maximum 3 oz.)
- Bar soap (bath size; maximum 5 oz.)
- * Body lotion (no oils; maximum 15 oz.)
- Body talc (maximum 13 oz.)
- * Chapped lip balm/lip ointment (maximum 6 grams)
- * Deodorant and/or antiperspirant (no aerosol or roll-on; maximum 3 oz.)
- Depilatory cream, lotion, or gel (maximum 6 oz.)

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III. HYGIENE PRODUCTS (cont'd)

Skin Care (cont'd)

"Medicated" facial cream (e.g., Noxema) (maximum 8 oz.)

Dental

- * Denture adhesive (maximum 3 oz.)
- * Denture brush
- * Denture cleanser (maximum 40 tablets)
- Denture cup
- * Floss
- Mouthwash (alcohol-free; maximum 8 oz.)
- Toothbrush cap (plastic; to cover brush part only)
- * Toothpaste (tube; maximum 7 oz.)
- Athletic mouth guard

Miscellaneous Hygiene Products

- Arch supports (no metal or gel parts)
- Cotton swabs (flexible)
- Facial tissues (soft packaging only; no box)
- Fingernail clippers (under 2 1/2" in length; no file)
- Panty liners (female prisoners only)
- Sanitary napkins (female prisoners only)
- * Shaving/cosmetic bag (clear plastic; nylon zipper closure; maximum 10" x 8" x 4") (mandatory only in Level I through IV; not permitted for Level V)
- Shoe insoles (no metal or gel parts)
- * Shower shoes (rubber)
- Soap dish (plastic with cover)
- Tampons (female prisoners only)
- Tweezers (female prisoners only) (maximum 3 1/2" in length)

IV. STATIONERY

- Address book (no metal parts)
- Calendar (maximum 8 1/2" x 11"; no metal parts)
- * Carbon paper (8 1/2" x 11")
- * Envelopes (Manila 10" x 15"; 15" x 20") (not stamped)
- * Envelopes (Plain 3 5/8" x 6 1/2"; 10 4 1/8" x 9 1/2")
- * Forever Embossed Stamped Envelopes (legal - 4 1/8" x 9 1/2")
- File folders (letter size; no metal parts)
- Greeting cards (maximum card size 6-1/8" x 11-12")
- * Pencils (#2 lead)
- Pens (blue or black ink; transparent barrel)
- * Scrapbook/photo album (no metal parts; maximum 12" x 12") (mandatory only in Level I through IV; not permitted for Level V)
- * Typing paper (8 1/2" x 11") (may be sold in reams not exceeding 500 sheets)
- * Writing paper (8 1/2" x 11"; white, lined paper)

V. MISCELLANEOUS

- * Batteries (AA; no rechargeables, alkaline only)
- Batteries (AAA, C, or D; no rechargeables; alkaline only)
- Bowl with lid (maximum 1.6 qt.; plastic/pliable; microwave safe)
- Checkers/chess (combination set or separate sets; chess pieces must be either hollow with no bottom or solid; no metal pieces or other items which may pose a threat to the custody and security of the institution; only checker/chess boards made of cardboard permitted for Level V)

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- Cup (12 oz.)
- Ear buds/earplugs (for appliances; 9' maximum length)
- Earplugs (for noise reduction)
- Extension cord (UL listed; 9' maximum length; minimum 16-gauge wire) (no more than one)
- Eyeglass case (soft)
- Game of dominoes (no metal pieces or other items which may pose a threat to the custody and security of the institution)
- Headphone extension cord
- Identification card holder (single fold; no larger than 3 1/2" x 5" when folded)
- * Key ring (plastic only; no metal parts) (only required and allowed at facilities at which prisoners are issued room keys)
- Mirror (flexible plastic; no magnet)
- Photo tickets
- * Playing cards
- Protein powder (simple protein concentrate without added amino acids, enzymes, or hormones; e.g., whey, soy, or egg protein) (maximum 16 oz.) (non-taxable)
- Push pins (round head; maximum 1/2 inch total length)
- Sewing kit (no more than 2 sewing needles, 2 safety pins, one thimble, 11 small spools of thread, 1 paper ruler up to 25" long, 2 buttons, 2 straight pins, 1 needle threader, and 1 pair of plastic-handled scissors with no greater than 1-1/4" metal cutting edge and no longer than 1-3/4" when extended)
- Shoelaces (black, brown, and/or white only; maximum length 44")
- Spork (plastic/pliable)
- Stereo/mono mini adapter (for use with headphones)
- Tumbler with lid (22 oz.)

NOTE: Flat plastic hangers (M & P Plastic, #mp 106), Saf-T-Hangers, and 32 oz. cups (Model #Q501) previously on the Standardized Store List are discontinued but prisoners may continue to possess.

VI. COSMETICS - FEMALE PRISONERS ONLY

Make-up (only lipstick, mascara, liquid foundation, face powder, eyebrow pencil, eyeliner, blush/rouge, eye shadow; Hair curlers (plastic - sponge type)

VII. FOOD/BEVERAGES (items are non-taxable)

- * Food/beverage items in store must include at least five of the following:
 - Graham crackers
 - Low fat, low salt popcorn
 - Powdered milk
 - Pretzels
 - * Saccharine (e.g., Sweet 'n Low) or Sucralose (e.g., Splenda brand) artificial sweetener
 - Sugar free cocoa/chocolate drink mix
 - Sugar-free candy
 - Sugar-free cereal
 - Unsweetened beverage mix (e.g., Koolaid)
 - Vacuum-packed vegetables

VIII. FOOD/BEVERAGES (cont'd)

- Vanilla wafers
- Low fat, low salt crackers

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