



**DEPARTMENT OF CORRECTIONS
Institutions**



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| Title: | Commissary Operations | DOC Policy: 40.2.3 |
| Effective: | 9/1/16 | Supersedes: 3/1/01 |
| Applicability: Institutions, Fiscal Services and Distribution Services | | |
| Directives Cross-Reference: Death Row Housing - Div 093 Inmate Assignment Management - Div 201 Intensive Management Unit - Div 055 Personal Property (Inmate) - Div 117 Segregation (Administrative) - Div 046 Segregation (Disciplinary) - Div 011 Special Management Unit - Div 048 Trust Accounts (Inmate) – Div 158 Purchasing – Div 164 Inmate Welfare Fund – Div 156 Performance Recognition and Award System – Div 77 Inmate Revenue Generating Activities – 30.1.6 | | |
| Attachments: Package Authorization Order Form (CD1712) | | |

I. PURPOSE

To establish guidelines for Commissary operations that provide efficient uniform accounting, inventory and supply accountability, physical management and security of the Commissary, purchasing product within established DAS guidelines, providing statewide standardized personal use commodities for inmates to purchase that are not provided by the state, supporting positive inmate behavior through sales of approved incentive items, and operating in a profitable manner to sustain self-support while contributing to inmate welfare with excess revenues.

II. DEFINITIONS

- A. Commissary: An operation within Department of Corrections facilities that sells various commodities to the inmate population.
- B. Commissary Review Committee: A group authorized by the Statewide Commissary Manager to review and approve requested modifications to the Commissary product standardization list, seasonal product lists, and other policy-related issues if there is a potential safety and security risk to the institutions. The core group of this committee consists of the Statewide Commissary Manager and designated institutional operations staff. Other Department of Corrections staff will be included as is deemed necessary to the decision-making process.
- C. Commissary Product Standardization List: A master list of product offerings containing departmentwide and institution-specific items.

- D. Commissary Manager: The Distribution Services staff member designated to oversee Commissary operations and staff at a specific Commissary location, who has authority to make requests for modifications to the Commissary Product Standardization List and answers directly to the Statewide Commissary Manager.
- E. Distribution Services Administrator: The staff member designated to oversee all Distribution Services operations and programs including statewide Commissary and satellite Commissary operations.
- F. Functional Unit Manager: Any person within the Department of Corrections who reports to the Director, an Assistant Director, or Administrator and has responsibility for delivery of program services or coordination of program operations.
- G. Distribution Services Business Manager: The staff member designated to assist the Statewide Commissary Manager and the Distribution Services Administrator with business operations and financial function interpretation. This position also is the primary Vendor Contract Administrator for Commissary and is the CORE initiative expert for Distribution Services.
- H. Fundraisers: Events, goods or services approved by the functional unit manager to be purchased by inmates, staff or others, wherein the proceeds, after covering associated expenses are used to benefit a pre-approved cause.
- I. Holiday Buying Period: A set period of time designated by the Assistant Director for Operations, during which inmates may be afforded an increased spending limit, special items to be stocked and made available for purchase, and debt may not be collected from inmate trust accounts per the department rules on **Trust Accounts (Inmate)**(OAR 291-158).
- J. Incentive Item Program: A program that rewards inmates who exhibit pro-social, proactive behavior and successfully program over a period of time by allowing them to purchase designated Commissary items available only for that purpose. These items are determined as non-cash incentive items for the Performance Recognition and Award System.
- K. Income and Expense Statement: A financial document that measures revenue against expenses for a designated period of time and reflects resulting profit/loss.
- L. Package Authorization: Package authorizations provide a means for inmates to purchase approved items not on the Commissary Product Standardization List.
- M. Spending Period: An institution specific period of time scheduled within the seven day week during which inmates may place an order with the Commissary to purchase items.
- N. Statewide Commissary Manager: The staff member designated to directly oversee all statewide Commissary operations, Commissary satellite operations, Eastside Warehouse, staff and business decisions.

III. POLICY

- A. Purchasing: Commissary managers will ensure, with signed approval that all commissary items ordered will be in accordance with Department of Corrections rules and policies governing purchasing and will purchase only those items approved on the Commissary Product Standardization List from vendors as authorized by contract or price agreement in accordance with the department's rules on **Purchasing** (OAR 291-164). As the primary Vendor Contract Administrator, the Distribution Services Business Manager will maintain the correct list of products ordered to ensure contractual accountability and accuracy, in conjunction with the Statewide Commissary Manager.
- B. Receiving: Distribution Services commissary staff are responsible for inspecting all product received from vendors to be free of damage or spoilage, for verifying the accuracy of shipments against vendor packing slips/invoices, and for proper receiving of purchase orders in the Commissary computerized inventory operating system.
- C. Product Stock: Stock levels will be maintained as needed to support continuous sales within the confines of space limitations and profitable inventory turnover. Commissaries will carry additional approved stock during the holiday buying period only at levels necessary during that time frame.
- D. Markup: Merchandise purchased by Commissary for resale to inmates will be marked up for all regular stock items, incentive items, and special order items.
 - 1. Normally, markup will be based on a profitable business model, not to exceed a manufacturer suggested retail price (MSRP). Unless otherwise directed, the minimum markup for Commissary items will be at least 20% to provide for self-supporting Commissary operating costs and Inmate Welfare Fund revenue.
 - 2. The Distribution Services Business Manager will be responsible for ensuring the proper markup is used to maintain a self-sustaining profit structure.
- E. Price Lists/Order Forms: Prices and product availability are subject to change without prior notification and will occur any time there is a price fluctuation or supply shortage from a vendor. Products purchased in bulk or opportunity buys that are shipped into specific Commissary locations will be priced uniformly for all DOC Commissaries. Standardized pricing will be the responsibility of the Statewide Commissary Manager.
- F. Hours of Operation: Each Institution, in conjunction with their servicing Commissary, will develop a schedule for Commissary operations as it pertains to distribution times and ordering/spending periods. This information will be made available to the inmates and will ensure they have the opportunity to purchase authorized items.
- G. Quantity Limitations: Commissaries will not limit purchase quantities unless limited supplies dictate such needs. Any quantity limitations established will not conflict with the department rules on **Personal Property (Inmate)** (OAR 291-117).
- H. Expenditure Limitations:

1. Expenditure limitations during a spending period are set within the **Performance Recognition and Award System** (OAR 291-077). Expenditure limits may be increased if the inmate is able to successfully qualify for a higher incentive level.
 2. Certain items on the Commissary list are deemed exempt from expenditure limits by decision of the Commissary Policy Review Committee. Expenditure limits may be increased during the holiday buying period.
- I. Other Sales and Functions:
1. Sales of items not on the approved Standardized Commissary Product List or functions not consistent with normal Commissary operations (i.e. ordering of photo reprints, postage purchases, copy credits, outside shoe purchases, etc.) must be approved by Distribution Services Commissary Managers, the Statewide Commissary Manager, or the Distribution Services Administrator and may be discontinued at any time it is deemed necessary due to limitations on Commissary resources and staffing.
 2. If approved, it will be the responsibility of the requesting Functional Unit Manager, in conjunction with the appropriate Distribution Services Commissary Manager, to establish procedures to support the function.
- J. Fundraisers: Per the DOC policy on **Inmate Revenue Generating Activities** (30.1.6), prior to implementation of any new program that could have the appearance of competing with commissary must be reviewed and approved by the Assistant Director of Operations or designee. Fundraisers are not to compete with commissary by selling like items. DOJ's interpretation of like items is 'a candy bar is a candy bar'. In other words, if commissary sells any type of candy bar then all candy bars would be considered like items.
- K. Sales:
1. Inmates with fund balances in their general Trust Account will normally be permitted to purchase from the Commissary within established stock and expenditure limitations, except as limited by department rules governing:
 - LOP restrictions;
 - **Segregation (Disciplinary)** (OAR 291-011);
 - **Administrative Housing** (OAR 291-046);
 - **Mental Health Special Housing** (OAR 291-048);
 - **Intensive Management Unit** (OAR 291-055);
 - **Death Row Housing** (OAR 291-093); and
 - Infirmary.
 2. Inmates are allowed to purchase one order per week, with the exception of special order items. Additional orders may be approved by the Distribution Services Commissary Manager.
 3. Distribution Services Commissary staff will verify that funds are available in the inmate's general trust account prior to filling the order and distribution to the inmate.

4. When distributing Commissary orders to inmates, each inmate will be identified from their department issued identification card and their order will be reconciled to the sales receipt, making note of any discrepancies. Inmates are required to sign the sales receipt acknowledging the merchandise received is accurate and acceptable.
 - a. At no time will items be distributed to inmates before they have been paid and signed for.
 - b. During order distribution, Commissaries may not be able to accommodate the timeframes of the various programs in the institutions and, due to budget constraints and Commissary staffing resources, flexibility by program managers may be necessary (i.e. OCE operations, Education, Inmate Work Programs, etc.).
 - c. At institutions or in situations where Commissary staff are unavailable to distribute orders, designated staff will follow this procedure and send the signed receipts to the servicing Commissary for archiving.
5. Signed sales receipts will be retained in Distribution Services Commissary archives for an appropriate archiving period.
6. Certain items sold in Commissary are authorized as pre-sale items (i.e. shoes, some incentive items or electronics, etc.). These items will be charged to the inmate account if funds are available.
 - a. The inmate will receive the item when the Commissary receives the item in stock from the vendor.
 - b. Inmates are required to inspect these items for fit and acceptability prior to signing the sales receipt and taking possession of the product.
7. Certain items sold on Commissary that pose a risk to the safety and security of department facilities (i.e. batteries, guitar strings, etc.) will be distributed on a one-for-one basis to inmates purchasing such items. The Commissary Review Committee will determine which items need to be handled in this manner.

L. Physical Inventory:

1. Each Commissary location shall complete a physical inventory of all products by the end of each fiscal quarter. All satellite Commissary locations must account for their inventory and report to the Distribution Services Commissary Manager weekly.
2. This function will be completed by series of cycle counts throughout the quarter and a complete physical inventory conducted at the end of each fiscal year (as close to June 30th as scheduling allows).
3. The results of the complete physical inventory will be reported to the Statewide Commissary Manager and Distribution Services Administrator for the purpose of developing an annual revenues and expenditure statement.

M. Revenue and Expenditure Statement: Statewide Commissaries will generate a quarterly and fiscal year ending revenue and expenditure statement to report profit/loss, assets, accounts payable, accounts receivable, operating costs and sales totals. This report is coordinated through DOC Central Accounting with the assistance of Central Trust Accounting, Distribution Services Business Manager, and the Statewide Commissary Manager.

N. Inmate Workers:

1. Inmate Commissary workers must have one year clear conduct and have or be working towards their GED to be eligible to work in the Commissaries.
2. Inmate Commissary workers are only authorized to bring their ID cards, personal reading glasses and daily prescription medication to where Commissary is distributed. All other items are unauthorized.
3. Inmates will be authorized to work in the Commissary areas under direct staff supervision and in accordance with the department rule governing **Inmate Assignment Management** (OAR 291-201).
4. Direct supervision of inmates will include routine inmate pat downs and area searches at any time a worker leaves or reenters the immediate Commissary work area. Staff will perform random pat downs and area searches throughout the work day.
5. Inmate Commissary workers may assist with the actual counting of product during physical inventory, development of vendor orders or receiving; however, all counts must be verified by Commissary staff before use as official documentation.
 - a. Inmate Commissary workers will not assist with account transactions for other inmates or be allowed to view account information or criminology histories of other inmates.
 - b. At no time will inmate Commissary workers be allowed to assist in duties which may compromise the security or safety in department facilities.

O. Commissary Area Security:

1. Commissary staff will provide security measures during the order-filling, computer scanning, and bagging process to prevent theft of goods and monitor other inmate work area activities. Security staff will be present during distribution of orders to inmates to assist with problem inmates and aid in the detection of possible extortion issues centered on Commissary items.
2. Commissary functions will be conducted in accordance with department security audit standards.
3. Product stock in excess of normal Commissary business needs will be kept in a secured back stock storage area. Inmate Commissary worker access to back stock areas must be under direct staff supervision.

4. All Commissary stocking areas and offices will be secured when Commissary staff are not present.
 5. Commissary trash will be inspected prior to removal from the premises to prevent theft of goods and potential movement of contraband. Any documents, to be disposed that may contain information about other inmates will be shredded or hot trashed by Commissary staff. Any damaged product to be disposed will be completely destroyed by or in the presence of Commissary staff to prevent the reintroduction of the product by inmates for credit or other unauthorized use.
- P. Commissary Area Access:
1. Only staff, inmate workers, or vendors authorized by the Distribution Services Commissary Manager or the institution Functional Unit Manager will have access to the Commissary area during normal operating hours.
 2. After hours entry to Commissary areas must be authorized by the Distribution Services Commissary Manager, Officer of the Day, OIC or designee. If no approving authority is available and there is an emergent event requiring entry, a written report of the event must be submitted to the Commissary Manager within 24 hours of entry.
- Q. Commissary Sanitation: All Commissary areas will be maintained in a clean and orderly manner consistent with department directives concerning safety and sanitation.
- R. Package Authorization Process:
1. An inmate fills out section 1 of the Package Authorization form (CD1712) and submits it to the Institution Security Manager or designee at their institution.
 - a. The new package authorization process does not apply to medical, dental, mental health or religious items, books, magazines, newspapers or other periodicals.
 - b. Inmates are not permitted to purchase shoes unless Commissary does not sell a shoe in their size.
 - c. Shoes will not be approved for orthopedic reasons. If an inmate has orthopedic needs, orthopedic inserts will be approved, not shoes.
 2. The Institution Security Manager or designee will approve or deny the request at the institution level.
 - a. If the Institution Security Manager denies the request at the institution level, it will be immediately returned to the inmate by the Institution Security Manager.
 - b. If the Institution Security Manager approves the request at the institution level, the Institution Security Manager will bring the package authorization request to the Institution Security Manager meeting for statewide approval.

3. If the package authorization is approved at the statewide level, it will be given to the Statewide Commissary Manager to process. Items will be shipped to NWC and distributed to the inmate with their normal commissary order.
4. Commissary will realize a profit equitable to the current mark up of other commissary items.
5. Inmates will be charged for the approved package authorization item through the Commissary Accounting System (TAG).
6. Commissaries will provide history and tracking of all associated purchases under this program.
7. Package authorization requests may not be filled with requested brand name products but will meet the need as described on the request (e.g., if the inmate requests a brand name cross trainer tennis shoe in size 20, Commissary will look for a size 20 tennis shoe that is similar to the designs already sold on Commissary).
8. All sales will be considered final. Damage done during shipping will be reviewed and disposition determined on a case-by-case basis.

IV. IMPLEMENTATION

Operational procedures will be developed and approved by the Distribution Services Statewide Commissary Operations Manager for all warehouse bagging operations, Commissary storefronts, Commissary bagging distribution sites, and Commissary satellite distribution sites to maintain consistency with this policy.

Certified: signature on file
Birdie Worley, Rules Coordinator

Approved: signature on file
Kim Brockamp, Deputy Director