

	<b>State of Alaska Department of Corrections Policies and Procedures</b>		<b>Index #:</b> 808.13	<b>Page 1 of 4</b>	
			<b>Effective:</b> 09/25/13	<b>Reviewed:</b>	
			<b>Distribution:</b> Public	<b>Due for Rev:</b>	09/2017
	<b>Chapter:</b>	Prisoner Rights, Privileges and Activities			
<b>Subject:</b>	Commissary				

I. Authority

In accordance with 22 AAC 05.155, the Department shall maintain a manual comprised of policies and procedures established by the Commissioner to interpret and implement relevant section of the Alaska Statutes and 22 AAC.

II. References

Alaska Administrative Codes

22 AAC 05.170

Alaska Statues

AS 33.30.011

III. Purpose

To establish uniform procedures within the Department for establishing commissaries and institutional stores and managing their operation.

IV. Application

Staff, prisoners and vendors.

V. Definitions

- A. Regular Commissary: A purchasing service whereby items on the regular commissary list may be purchased by prisoners on a regular basis.
  - B. Special Commissary: A purchasing service whereby items on the special commissary list may be periodically purchased by prisoners.
  - C. Medical Commissary: A process whereby over the counter medications and medical items on the Medical Commissary list may be purchased by prisoners on a regular basis.
  - D. Prisoner Account: The prisoner's personal fund account established pursuant to Policy. 302.12.
  - E. Prisoner Incentive Program (PIP): A program whereby a prisoner's allowed property is determined by the prisoner's custodial status, behavior, programming, or other factors approved by the Deputy Director.
  - F. Jail/pre-trial facility: A facility or component of a facility normally used for the holding or detention of persons pending disposition of criminal charges, pending probation or parole revocation, persons remanded for mental health holds under AS 47.30.700 or due to intoxication under AS 47.37.170 or prisoners serving terms of imprisonment less than one year.
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G. Prison Facility: A facility or component of a facility normally used for the confinement of sentenced prisoners serving terms of imprisonment of one year or more.

H. Kiosk: Automated machine used by prisoners to conduct electronic transactions.

VI. Policy

Each institution shall establish a commissary system that allows prisoners to purchase personal items. The use of the commissary is a privilege and not a right. The Department may impose a surcharge on commissary purchases and all proceeds from any such surcharge shall be placed in the Inmate Welfare Fund (IWF).

VII. Procedure

Prisoner commissary access is determined by phase in the Prisoner Incentive Program (P&P 811.05 Prisoner Personal Property, Attachment A).

A. Phase I consists of all newly remanded prisoners, pre-trial detainees, prisoners in segregation status and prisoners who are serving 365 days or less. Prisoners in Phase I may purchase items from the regular commissary list not to exceed \$25 per week and which are authorized on the approved jail property form (Form 811.05C). Prisoners on Phase I may only purchase special commissary items as approved by the Superintendent.

B. Phase II consists of sentenced prisoners serving 366 days or longer, that do not have any B or C guilty findings in the proceeding 90 days. Prisoners in Phase II may purchase items from the regular commissary list not to exceed \$50 per week and authorized from approved prison property form (811.05D). Prisoners in Phase II may purchase items on the special commissary list not to exceed \$250 up to 2 times annually.

C. Phase III consists of prisoner who have been in Phase II for six months with no B or C guilty findings. Prisoners in Phase III may purchase items from the regular commissary list not to exceed \$75 per week and authorized from approved prison property form (811.05D). Prisoners in Phase III may purchase items on the special commissary not to exceed \$250 up to 3 times annually.

D. The superintendent may allow pre-trial detainees to advance to Phase II prior to sentencing based on behavior, employment and programming, however, such prisoners may not have any B or C guilty findings under Policy 809.02 in the proceeding 90 days.

E. Commissary Operation

1. A regular commissary list (Form 808.13a) and a special commissary list (Form 808.13b) of items available for purchase on regular or special commissary shall be approved by the Deputy Director and used in all facilities. Superintendents may limit the amount of commissary items to meet institutional needs. Any changes to these lists shall be approved by the Deputy Director.
  2. Purchases of all regular and special commissary items shall be from a vendor approved by the Deputy Director.
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3. Superintendents shall establish procedures for the operation of the institutional commissary and kiosks which shall be approved by the Deputy Director.
  4. Price listings for commissary items shall be posted in common areas and provided to prisoners in segregation. Prices may change without notice and when changes occur, a revised commissary list shall be updated and posted.
  5. Prisoners must have sufficient funds in their prisoner account at the time of placing the order.
  6. Commissary orders shall be searched and checked for accuracy at the time of distribution. Prisoners shall sign for receipt of commissary items on the commissary order form and shall immediately report any discrepancies in writing. No refunds or exchanges shall be permitted, unless authorized by the superintendent.
  7. Commissary items by their nature tend to be consumables and as such shall be consumed and not hoarded, superintendents may limit the amount and type of consumables to meet institutional needs. Consumables shall count toward the one property box limit and all personal property must fit in one institutional property box.
- F. A Medical Commissary list (Form 808.13C) shall be approved by the Medical Advisory Committee. The Medical Commissary List shall be made available to the prisoner population and updated as needed. Medical Commissary items shall be subject to availability and equivalent items may be substituted as approved by the Medical Advisory Committee. Prisoners may not purchase quantities of medical items that exceed that permitted by the Medical Department or approved by the superintendent.
1. Medical commissary purchases are exempt from the Prisoner Incentive Program phase limits.
- G. The Department may apply surcharges on commissary items as recommended by the Director of Administrative Services and approved by the Commissioner or designee. All surcharges shall be deposited into the Inmate Welfare Fund (IWF) for each facility pursuant to Policy 302.10.
- H. The Institutional Administrative Officer or designee shall audit all commissary transactions monthly ensuring adequate funds exist for purchases and accurate balance of individual accounts are maintained. The commissary account bank statement shall be reconciled monthly to ensure that deficiencies are noted and corrected in a timely manner.
- I. An internal audit shall occur once each year to review appropriate pricing, determine other vendor participation, assure up to date stocks and enforce correct accounting practices.

#### VIII. Implementation

This policy and procedure is effective on the date signed by the Commissioner. Superintendents shall develop Standard Operating Procedures for Commissary and or Institutional Store Sales. All local standard operating procedures must conform to the contents of this document and any deviation from the contents must be approved in writing by the Director of Institutions.

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9/25/2013

SIGNATURE ON FILE

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Date

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Joseph D. Schmidt, Commissioner  
Department of Corrections

Forms Applicable to this Policy:

- Commissary Request form 808.13A
- Request for Interview form 808.11A

Attachments Applicable to this Policy:

- Regular commissary list (attachment 808.13A)
- Special commissary list (attachment 808.13B)
- Medical commissary list (attachment 808.13C)