

<p align="center">POLICY OF STATE OF DELAWARE DEPARTMENT OF CORRECTION</p>	<p align="center">POLICY NUMBER 3.9</p>	<p align="center">PAGE NUMBER 1 of 4</p>
<p>CHAPTER: 3 PROGRAMS AND SERVICES</p>	<p>RELATED ACA STANDARDS: 2-CO-1B-07, 2-CO-1B-12, 2-CO-1B-13; 4-4036, 4-4037, 4-4042, 4-4043, 4-4044, 4-4166, 4-4273, 4-4293, 4-4342, 4-4379; 4-ACRS-4B-01, 4-ACRS-7D-24, 4-ACRS-7D-29</p>	
<p>APPROVED BY THE COMMISSIONER AND EFFECTIVE THIS DATE:</p>	 <p align="right">3/14/2016</p>	
<p>APPROVED FOR PUBLIC RELEASE</p>		

I. AUTHORITY: 11 *Del. C.* §6517, 6531(f)

II. PURPOSE: To provide guidelines for the establishment and operations of commissary services provided to the inmate population within the Department of Correction (DOC).

III. APPLICABILITY: All Department employees, volunteers, persons or organizations conducting business within the Department, and all inmates under the supervision of the Department.

IV. DEFINITIONS:

Commissary: System of supplying food, hygiene products, medical items, clothing and other approved products to the inmate population that are not otherwise provided to individuals housed in DOC facilities. Commissary is routinely referred to as “Canteen”.

Generally Accepted Accounting Principles (GAAP): Standard accounting rules, regulations, and procedures used by companies in maintaining their financial records. GAAP provides a consistent set of guidelines that cover both broad accounting principles and specific practices.

Inventory Management Information System: Database used to store and administer data required for efficient and accurate inventory management. The system may include modules or fields for recording items, locations, requisitions, back orders, inventory levels, reorder points, lead times, inventory error tracking, sales, ledgers and other information as deemed necessary for effective operations.

Profit: Funds available after all costs of providing commissary services have been deducted.

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V. POLICY: It is the policy of the Department of Correction to maintain and operate commissary services to afford the inmate population the opportunity to purchase approved items that are not furnished by the DOC.

VI. PROCEDURES:

A. Commissary Services

1. Commissary services shall be established and maintained at DOC facilities by methods designated and approved by the Commissioner or designee. Commissary services shall be strictly controlled using standard accounting procedures.
2. Commissary services are for the benefit of inmates. Department employees, volunteers, persons or organizations conducting business within the DOC are not permitted to make purchases from the inmate commissary.
3. Commissary services shall be sustained through the use of the facility commissary account and the profits generated from the services provided.
4. Products sold through DOC commissary services shall have a surcharge amount not to exceed twenty (20) percent. Profits generated through commissary services shall be used for the health and welfare of inmates.
5. Adequate space shall be provided at designated DOC facilities for an inmate commissary and the commissary services. Commissary services may be provided through storefront operations, delivery methods or a combination.
6. Facility Wardens shall implement procedures regarding commissary services to govern inmate spending limits, frequency of services, commissary operations, authorized purchases, inventory management and inventory of an inmate's personal property purchased through commissary services.
7. Articles necessary for personal hygiene include, at a minimum, comb or brush, soap, toothpaste, toothbrush, denture cleaner, denture adhesives, toilet paper and special items required for the female inmate population. These items are provided through a combination of DOC commissary services and state-issued items.
8. Indigent supplies provided to requesting inmates shall be charged against the designated inmate's trust account as pending accounts receivable until such time that the debt is collectable.

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9. The approved inventory management information system for commissary services shall be used, as available, at all DOC facilities.
10. Items sold through commissary services shall be transferable to other facilities; provided, they are allowable for the offender based on classification and privilege level.
11. During emergency situations, commissary items may be utilized at the direction of the facility Warden to assist in the maintaining of facility operations.
12. Physical inventories and audits of all facility commissaries, at a minimum, are to be completed on an annual basis.

B. Commissary Products Review Committee

1. The Commissary Products Review Committee shall consist of representatives from the DOC as designated by the Bureau Chief of Prisons and the Bureau Chief of Community Corrections.
2. The Commissary Products Review Committee shall be responsible for the review of all vendors utilized for procurement and all commissary products sold.
3. The Commissary Products Review Committee shall be responsible for the review and recommendation of the appropriate product mark-up percentage for consistency throughout DOC facilities to the Office of the Commissioner.
4. The Commissary Products Review Committee and the Bureau of Correctional Healthcare Services shall jointly approve non-prescription medications and supplements made available through commissary services.
5. The Commissary Products Review Committee shall meet, at a minimum, on a semi-annual basis.

C. Commissary Accounts

1. Commissary accounts shall be audited in accordance with GAAP at a minimum of every three (3) years.

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2. An annual financial status report regarding commissary operations shall be submitted to the Office of the Commissioner at the conclusion of the calendar year. The annual financial status report shall be available for public viewing.
3. The commissary accounts shall be maintained in the designated banking organization as established by the Office of the State Treasurer.
4. Commissary accounts shall be reconciled with the monthly bank statement on a monthly basis and submitted to the DOC Central Business Office within twenty (20) days from receipt of bank statement. All original files shall be maintained at the facility in accordance with the State Agency General Records Retention Schedule.
5. The accounting module, as established by the DOC, shall be used by DOC facilities to account for and maintain all transactions regarding commissary accounts.
6. The commissary account proceeds shall be used to pay the wages of inmates designated as commissary workers within the DOC facilities.
7. The commissary account shall be used for the health and welfare of the inmate population. Examples include but are not limited to inmate recreational equipment, inmate law library materials, legal mail postage, stationery for indigent inmates and other items or activities approved by the facility Warden.
8. All contracts resulting in the expenditure of commissary funds shall be reviewed and approved by the DOC Central Business Office, the DOC Deputy Attorney General and the appropriate Bureau Chief prior to finalization.
9. Purchases from the commissary account that exceed \$2,000.00, absent those purchases necessary to maintain the commissary product inventory, shall require the pre- approval from the appropriate Bureau Chief.