Administrator Regulation

INMATE ORDERS

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STATEMENT OF AVAILABILITY
*This Administrative Regulation is to be made available in law libraries or other inmate resource centers.

SUMMARY of REVISION/REVIEW
Section I.G. – Removed reference to memorandum. Other minor wording changes and corrections throughout.

APPROVED:
Scott R. Frakes / Director
Nebraska Department of Correctional Services
PURPOSE

To establish uniform policy for inmates placing orders to include Special Orders, Hobby Orders, Miscellaneous Orders, and Direct Orders.

GENERAL

This procedure is applicable to all NDCS facilities. All information on inmates’ accounts is confidential and can only be discussed with the inmate. Information on inmates’ accounts that is provided to external sources must be by court order or to authorized law enforcement through Central Office Accounting.

PROCEDURE

I. Special Orders

A. Canteen Special Orders, including Religious

Inmates shall be allowed a maximum of four canteen special orders per calendar year, including orders for recreational items such as sporting goods; music equipment and supplies; and orders for CD's and tapes. Some facilities may not allow all of these items to be ordered. An inmate may place one order in each of the following periods: January/February, March/April, July/August, and September/October. No special orders for these items may be placed in May, June, November, and December. Inmates and offenders at WEC may have limitations on what items may be ordered due to the nature of the program.

Orders for the following items are not part of the four canteen special orders but are only allowed in the months noted above:

- Repair orders
- Watch batteries
- Typewriters and typewriter accessories

The date for determining the allowable orders in a calendar year shall be based on the posting date on the inmate’s institutional account. Canteen Special Orders are due in the facility Canteen five work days before the end of each two month time period to be assured they will be processed in the allowable period.

Insufficient fund orders may be resubmitted once within 30 days and the canteen fee will be waived. Insufficient fund orders count towards the allowable orders; however, the one allowed resubmission does not count. It is the inmate’s responsibility to ensure that they have sufficient funds on their institutional account for special orders. Orders submitted in April and the inmate has insufficient funds may not be resubmitted in May and the canteen fee does not carry forward to July. Orders submitted in October and the inmate has insufficient funds may not be resubmitted in November and the canteen fee does not carry forward to January.

Orders for flowers, items stocked in the canteen, items available through Direct Orders, or Gift Orders are not permitted.
Religious items approved by the facilities Religious Coordinator can be ordered in any month and are not included in the four order limit. The Religious Coordinator will approve the order and forward to the canteen for processing. Religious Special Orders are due in NDCS Inmate Accounting five working days before the end of each two month time frame to be assured they will be processed in the allowable period.

B. Hobby Orders

Hobby orders can only be placed with a vendor that has a catalog. A maximum of six hobby orders per calendar year will be allowed.

Hobby orders are due in NDCS Inmate Accounting five work days before the end of each month to be assured they will be processed in that month. Hobby orders will not be allowed in February and August. Hobby orders received within the last five work days of January and July will be returned to the facility unprocessed.

Insufficient fund orders may be resubmitted once within 30 days and the fee will be waived.

C. Miscellaneous Orders

Magazines, subscriptions, books, books with CD’s, and other periodicals ordered direct from the publisher or bookstore must be prepaid and routed through appropriate staff as defined by the facility. Such orders can be submitted in any month and are not included in the four order limit of canteen special orders.

Orders may not be cancelled once they have left the institution. Orders to be cancelled due to an extraordinary circumstance will require notification to Accounting from the Business Office or the Warden and require the Controller’s/designee’s approval.

The Inmate Miscellaneous Order (Attachment C) form and the institutional check must be outside the envelope for Accounting to process and prepare an Inmate Trust Fund check. An order should be grouped as follows: Institutional Check to Vendor, Self-Addressed Stamped Envelope, Inmate Miscellaneous Order Form all facing forward. Orders sequenced in a different order may have delays in processing. This packet should preferably be stapled in the left corner.

Miscellaneous Orders other than newspapers can only be placed through a vendor that has a published catalog.

Orders for mailing lists (such as pen-pals) and memberships are not allowed. Orders for pornographic materials are not allowed effective January 8, 2018.

Gift orders for magazines, subscriptions, books, books with CD’s or other periodicals are not allowed.

D. Processing of Orders

Canteen, religious, and hobby orders will be processed on an Inmate Vendor Order Form (Attachment A). A catalog must be available for purchasing reference and items ordered
must be in accordance with the administrative regulation concerning property. The catalog generally should not be more than 6 months old.

A per-order handling charge of $1 will be assessed on all Canteen Special Orders. A per-order handling charge of five percent of the total merchandise, with a $1 minimum and a maximum of $5, will be assessed on all religious and hobby orders. No handling charge is assessed on Miscellaneous Orders. A stamped, addressed envelope must be attached to the order form, but institutional checks do not need to be attached. The handling charge will be collected or assessed on the suspense account even if non-sufficient funds are available for the vendor order. Refunds will not be made on the handling charge; however, if an order cannot be filled by the vendor, the inmate has 30 days to submit the same or similar purchase without an additional handling charge being assessed.

Orders may not be cancelled once they have left the institution. Orders to be cancelled due to an extraordinary circumstance will require notification to NDCS Inmate Accounting from the Business Office and require the Controller’s/designee approval.

An order should be grouped as follows: Inmate Vendor Order Form and an addressed stamped envelope. Orders sequenced in a different order may have delays in processing. This packet should preferably be stapled in the left corner. An addressed stamped envelope is not needed for Canteen Special Orders.

E. Item Warranty

All orders are at the inmate’s own risk. Special orders are subject to the warranty as provided by the vendor or manufacturer. Inmates sending items out for warranty work or repair must work through the canteen, hobby, or recreation as applicable and are responsible for payment.

F. Authorized Vendors for Canteen Special Orders

Canteen Special orders may only be placed with the designated vendors. Exceptions due to unique needs require the Warden’s or designee’s approval and will be reviewed by the Controller. Criteria for selecting vendors will be:

- Vendor must have been in business for at least five years
- History of doing individual sales in an institutional setting
- References will be obtained/provided documenting experience
- Must have an acceptable return/refund policy
- Must have a customer service representative to handle issues
- Acceptable Better Business Bureau Report
- Acceptance of State purchase card for payment

G. Direct Orders

1. Orders Allowed

Inmates shall not have a limit as to the number of Direct Orders they may process other than restrictions on property limits. Items included in the Direct Order process may not be ordered via a Special Order. Inmates and offenders at
WEC may have limitations on what items may be ordered due to the nature of the program.

2. Processing of Orders

Direct Orders shall be submitted to the facility canteen staff with the following information completed on the form, reference Inmate Direct Order form: (Attachment B)

- Inmate Number
- Inmate Name Printed – must be the inmates committed name.
- Inmate Signature
- Facility
- Location
- Item Number – obtained from the listing or catalog.
- Description of the item being ordered
- Size
- Quantity
- Price
- Total
- Sub-Total

Direct Order forms turned in to the canteen by Wednesday will be ordered the following Tuesday. The pink copy will be returned to the inmate when the order has been placed.

Orders will be debited from the inmates account via a canteen sale prior to the order being placed. Orders may not be cancelled once the sale has been processed in the Corrections Information and Tracking system. Should an inmate have insufficient funds for all items on a Direct Order a partial order will be processed based on the sequence the items are listed. Items not ordered will be lined through by canteen staff, initialed, and noted as insufficient funds.

Two insufficient funds for Direct Orders within a six month time period will place the inmate on a 60 day suspension of placing additional Direct Orders.

Goods will be received in the canteen and verified to the inmate’s Direct Order. Goods will be issued in accordance with facility procedures. Inmates will be required to initial by each line when that item is received and sign the document when the Direct Order is complete. Inmates will sign the transaction tape and receive the yellow copy when the order is complete.

Generally, inmates will not be allowed to make exchanges for ordering the wrong size. Exceptions will be made when new clothing or shoe items are added to the Direct Order process until notice can be provided to inmates regarding the vendors sizing.

H. Special/Direct Order Process

1. Inmate initiates request to order (DCS-A-cnt-001) or (DCS-A-cnt-005)
2. Order is submitted to canteen following facility guidelines

3. Institutional Staff will check the Inmate Property List to see if inmate is eligible to possess item. Accommodations may need to be made for TVs and Shoes.

4. If an inmate is not eligible to possess the item(s) – the order is returned to inmate as denied. Inmate will need to work with Institutional Staff to become eligible to possess the item before the order is resubmitted.

5. If an inmate is eligible to possess the item(s), the order is processed.
   a. Inmate Vendor Order Form is approved. Religious Special Orders and Hobby orders are sent to Accounting.
   b. Direct Order / Canteen Special Orders
      1) Funds are removed from the Inmate's Account.
      2) Original Order Form is kept in Canteen.

6. Ordered items are received at facility.

7. Order is inspected by Inmate
   a. If approved, the item is marked by Institutional Staff and given to inmate
   b. If disapproved for size or defect only, it is returned to vendor via call tag or inmate expense

8. If item was ordered on exchange basis (see 3. above) – exchange must be made.

9. Item is given to inmate.

10. Inmate signs to register property and receives a copy.
   a. If Inmate Vendor Order Form – inmate signs “Registration of Personal Property” (DCS-A-adm-015) and vendor order form (DCS-A-cnt-001).
   b. If Direct Order – inmate signs ‘Direct Order Form’ (DCS-A-cnt-005).

11. Property form is sent to Property Office.

12. Property is added into Nebraska Inmate Case Management System.

I. Canteen Purchases
   Canteen sales are final. Issues with items must be identified at the time of purchase.

J. Debit Calling
Debit calling time will be available to inmates for purchase in the canteen. All sales will be made in $2.50 increments and do not impact the inmate’s spending limit. Institutions without a canteen will work with another institution to make debit-calling purchases available to their inmates.

Debit calling purchases will be sent daily via electronic file to the NDCS inmate calling telephone provider. Time purchased one day will usually be available at 8:00 AM the next day. The balance available for making calls will be announced in the calling instructions. NDCS staff does not have access to the inmate balances for debit calling.

Refunds will only be processed following an inmate’s parole or discharge from NDCS. The balance will be returned to NDCS in the month following an inmate’s release and will be included in the inmate’s final check. Canteen staff can correct sale errors only if identified and corrected the same day as the sale.

REFERENCE

I. ATTACHMENTS

A. Inmate Vendor Order Form – DCS-A-cnt-001
B. Inmate Direct Order – DCS-A-cnt-005
C. Inmate Miscellaneous Order – DCS-A-inm-001

II. AMERICAN CORRECTIONAL ASSOCIATION (ACA) STANDARDS – None noted.