



POLICY & PROCEDURE:	18.06
UNIT:	Detention and Corrections
CHAPTER:	<i>Reentry & Support Services and Programs</i>
SUBJECT:	Commissary Procedure
ISSUED DATE:	July 1, 1989
REVISION DATE:	December 19, 2024
NOTES:	
RELATED ORDERS:	MJS 1265 PC 4025 P&P 2.06 , 8.12 , 11.57
ATTACHMENTS:	

PURPOSE: To provide a procedure for inmates to purchase approved items that are not jail-issued and to establish guidelines for issuing personal care items for new book maintenance kits.

POLICY: The Detention and Corrections Division (D&C) shall provide a contract commissary operation and procedure to allow inmates to purchase items which are not jail-issued. Both a vending machine and a bag-in order form process will be utilized and governed by strict accounting procedures. New books and indigent inmates shall be entitled to certain personal care items and letter writing items.

DEFINITIONS:

Commissary: Goods, articles, and supplies purchased by inmates.

Maintenance Kits: Issue of personal care items (listed in section IV.B.1.) to indigent inmates as provided in Section 1265 of Title 15, "Minimum Jail Standards."

Indigent Inmate: An inmate who has less than **\$9.75** in his/her account and is not receiving an online order. ***Indigent inmates are considered those with less money in their inmate trust account than the value of a Clipper Card.***

New Book: Each inmate received who is not a clinic, exterior appointment, or court return.

PROCEDURE:

A. NEW BOOK BAGS:

1. When a new book inmate is received at the Santa Rita Jail (SRJ), he/she will be furnished with the following personal care items by the Intake, Transfer, and Release (ITR) staff. Each new book bag contains:
 - a. One Rules and Regulations Booklet

- b. One toothbrush
 - c. **Two fluid ounces toothpaste.**
 - d. **Four fluid ounces body wash**
 - e. One comb
 - f. **Two** disposable razors
2. Razors will be disposed of after each use. Under no circumstances will a razor be used by more than one inmate.
 3. If the inmate is considered to be a danger to himself/herself, staff issuing the personal care items will ensure that the inmate does not receive the disposable razor.
 4. The personal care items for new books shall be made up and placed into bags by commissary vendor's staff.
 5. Ordering new book bags will be done by ITR staff by **emailing the Reentry & Support Services Unit Administrative Deputy**, and ordering bags in lots of 100 and signing for the shipment.
 6. Proper logs will be kept by the ITR staff on the distribution of new book bags.

B. MAINTENANCE KITS:

1. Inmates shall qualify to receive a maintenance kits of personal care items when, on his/her regular commissary day, there is less than **\$9.75** in his/her commissary account and he/she is not receiving an online commissary order. This includes every indigent inmate, regardless if the inmate is in a loss of privileges status. A maintenance kit of personal care items shall contain the following:
 - a. **Eight fluid ounces body wash**
 - b. **One (1) short handle toothbrush, not to exceed 4 inches in length.**
 - c. **Two fluid ounces toothpaste.**
 - d. **Two (2) single blade short handle disposable security razors.**
 - e. **Four (4) fluid ounces of shaving gel.**
 - f. One short comb

- g. ***Eight (8) fluid ounces of shampoo.***
 - h. One short pencil
 - i. ***Eight (8) sheets of writing paper. The minimum size of the writing paper shall be (5"x 8").***
 - j. ***Four (4) postage paid stamped standard envelopes.***
 - 2. If the inmate is a danger to him/herself, or on an Intensive Observation log, the deputy will ensure that the inmate does not receive the disposable razor.
- C. FREE-LINE MAIL: Inmates who are eligible to receive a maintenance kit will receive materials to conduct personal correspondence.
- 1. To receive additional correspondence materials for legal matters, the inmate may send a message request to ***Reentry & Support*** Services. ***Reentry & Support*** Services will deliver two sheets of 8-1/2 by 11" paper, one envelope, and one short pencil to the inmate. When legal mail is ready to be sent out, the inmate will write "legal mail" on the outside of the envelope and forward it to ***Reentry & Support*** Services. Contents of envelopes must be inspected and legibly initialed by a deputy before forwarding to ***Reentry & Support*** Services.
 - 2. ***Reentry & Support*** Services will verify the inmate's indigent status, band all legal mail together, and place it in the outgoing mail bin. Mailroom employees will meter all legal mail, placing no limit on the number of envelopes being mailed.
- D. INMATE ORDERING PROCEDURES:
- 1. An inmate wishing to purchase commissary items will use the contracted commissary provider's phone ordering program. The inmate will use his/her nine-digit phone PIN as an inmate ID number and birthdate as a password. The birthdate must be entered in all numbers. Example: May 17, 1942 would be 05171942.
 - 2. Written instructions for ordering commissary will be posted in all housing units.
 - 3. Purchase limits are \$175.00 per week.
 - 4. If an inmate has less than ***\$9.75*** in his/her account and is not receiving an online order, the inmate may order a maintenance kit. The maintenance kit is ordered using the phone ordering program.
 - 5. All commissary orders and maintenance kit requests must be ordered before 2200 hours

on the night before commissary delivery. The orders are uploaded by the commissary provider during the early morning hours of commissary delivery.

6. All orders not delivered will be retained by a commissary vendor's employee. No unclaimed orders will be left in the housing unit.
7. Commissary discrepancies will be reported using an Inmate Message request addressed to "Commissary" **or by submitting a Commissary Discrepancy form.**
8. **Inmate Identification Cards** are the only recognized form of inmate identification when distributing commissary. Inmates without an **identification card** will not receive commissary, no exceptions.
9. If an inmate cannot use the phone ordering system because of an Americans with Disabilities Act (ADA) issue, that inmate will report this to the facility ADA Coordinator via message request who will work with **Reentry & Support** Services to facilitate the ADA inmate's commissary order.
10. Inmates on an Intensive Observation Log can only purchase food items from commissary. Inmates who are on an Intensive Observation Log because of acute suicidal reasons will be provided a "maintenance kit" without razor in lieu of commissary.

E. FILLING ORDERS AND DELIVERY:

1. Orders must be completed by 2200 hours the day prior to delivery.
2. The commissary vendor's staff will fill bag-in orders and prepare the commissary bags. A list of inmates receiving commissary in the housing unit will be prepared by the commissary vendor and will accompany the delivery by the commissary vendor's employees.
3. The commissary bags and accompanying documentation will arrive at the housing unit between 1800 and 2000 hours. The orders will be distributed by commissary vendor's personnel between completion of the dinner meal and lights out. As the commissary bags are distributed, a commissary vendor's employee will check off the inmate's name from the commissary list. The commissary vendor shall be responsible for all commissary distributions and distribution lists.
4. Commissary will be delivered to each housing unit, once per week, in accordance to the established schedule below. Holidays may alter this schedule. Schedules will be posted in each housing unit.

F. STOCKPILING COMMISSARY ITEMS:

1. Inmates are prohibited from stockpiling commissary items. Stockpiling is defined as having in your possession more than ten items of any one type of product. Example: Eleven Top Ramen Soups, not eleven of each flavor; eleven candy bars, not eleven of each brand, etc. The exceptions are products sold in prepackaged units of five each; e.g., oatmeal, hot chocolate, fruit drink, etc.
 2. Excess commissary items found in the possession of an inmate or in his/her cell will be confiscated. Non-food items will be placed on the inmate's property. Any excess food items will be disposed of, and memorandum or disciplinary report approved by the watch sergeant will document a description and quantity of items taken and the reason the items were confiscated.
 3. The Watch Sergeant shall destroy all confiscated commissary items and make a notation regarding the method of disposal on the memorandum. Memorandums will be sent to **Reentry & Support** Services for inclusion in the "Destroyed/Confiscated Commissary binder."
- G. The commissary vendor is initially responsible for the adjusting of all claims or shortages, vending machine problems, and problems associated with bag-in commissary.
- H. COMMISSARY DELIVERY DAYS:
1. Mondays: Housing Units: 21, 22, 23, 24, 25, 31, 32, 33, 34, and 35
 2. Fridays: Outpatient Housing Unit, Housing Units: 1, 2, 3, 4, 6, 7, 8, and 9
- I. Complete accounting procedures are available upon request from **Reentry & Support** Services (refer to Policy and Procedure 2.06, "Commissary Accounts" for more information regarding commissary accounting).
- J. Some AJIS data files are confidential. The commissary vendor's employees shall be allowed access to these files only as needed, for their duties related to the contract and in accordance with applicable laws and the rules established by the Custodian of Records. The commissary vendor shall honor or establish policies and procedures for safeguarding the confidentiality of such data, and may be civilly and/or criminally liable under privacy legislation for negligent release of information.
- M. TRANSFERS AND RELEASES: The commissary vendor has a "no refund" policy regarding drink vending machine tokens. Drink tokens will not be refunded upon an inmate's release, transfer, or during his/her incarceration.
- N. BAG-IN COMMISSARY SERVICE:
1. The commissary vendor shall deliver bag-in commissary services for sundry products to each inmate ~~twice~~ **once** per week. The commissary vendor may adjust this schedule as necessary, with the approval of the Sheriff's Office, due to holidays or exigent circumstances.

2. The commissary vendor shall supply preprinted order forms for ADA inmate orders.
 3. When the order is delivered, the commissary vendor will have the inmate sign for receipt of goods. PFN's will also be checked to confirm the inmate's identity. **Neither** the Inmate Welfare **Fund (IWF)** Committee nor the Alameda County Sheriff's Office will reimburse the commissary vendor for unsigned order forms.
 4. The commissary vendor shall compare commissary orders against the inmate's available cash balance. The commissary vendor shall not sell commissary items to an inmate in excess of the cash balance on the inmate's account.
 5. The commissary vendor shall bag orders, adjust downward inmate orders that are more than the maximum allowed "buy" of \$150.00 per week, or those who do not have sufficient cash to purchase their entire order.
 6. The commissary vendor shall deliver to the Alameda County Sheriff's Office the original completed commissary order form immediately after delivering the commissary orders. No reimbursement will be made to the commissary vendor by the Sheriff's Office, unless the completed order form is signed by the inmate.
 7. All products sold through commissary are subject to the approval of the **IWF** Committee. The commissary vendor shall make a product sales and price list available for the Sheriff's Office at the start of the contract. All changes to the product and price list must be approved by the **IWF** Committee.
 8. Neither the Sheriff's Office nor the **IWF** will pay restocking charges for returned bag-in commissary.
- O. EQUIPMENT AND FACILITIES: The commissary vendor shall take all reasonable and prudent measures to assure the County and the Sheriff's Office that its equipment and facility are being properly used and maintained according to manufacturer's or the Sheriff's Office's prescribed methods of maintenance. The commissary vendor will be responsible for repair of damaged equipment due to negligence of the commissary vendor's employees or subcontractors. The appropriate report will be submitted by staff regarding damage to property belonging to the commissary vendor.
- P. PERSONNEL:
1. All personnel hired for access to the facility must successfully complete a background investigation conducted by the Sheriff's Office. If a contract employee is refused clearance for assignment to the jail, the commissary vendor shall be informed of the reason for the refusal in writing.
 2. The commissary vendor shall provide management supervision of all their employees

assigned to D&C. The commissary vendor's supervisor shall be available daily to the jail command staff.

3. The commissary vendor's employees assigned to D&C will complete an 8-hour ACSO civilian orientation training course prior to their assignment. Thereafter, employees assigned to D&C shall complete an 8-hour ACSO civilian training and receive an additional 32-hours of training from their employer which is appropriate to their assignments. Additionally, commissary vendor personnel who work with inmates shall be informed in writing about the D&C's policies on confidentiality of information and shall agree in writing to abide by them (refer to D&C Policy and Procedure 11.57, "Confidentiality of Inmate Information by Consultants and Contract Personnel" for more information).
4. At least 72-hours notice will be given to the Sheriff's Office prior to the commissary vendor's new employees commencing work.
5. The commissary vendor and their employees shall observe the following holidays:
 - a. Christmas
 - b. New Year's Day
 - c. ***Martin Luther Kings's Birthday***
 - d. ***Lincoln's Birthday***
 - e. ***Washington's Birthday***
 - f. ***Juneteenth***
 - g. ***Veteran's Day***
 - h. Memorial Day
 - i. Independence Day
 - j. Labor Day
 - k. Thanksgiving
 - l. ***Day after Thanksgiving***

Q FACILITY ENTRY:

1. Commissary vendor employees will be issued a temporary jail identification badge from either the CP-11 staff or the CP-52 Deputy which will permit entrance to the jail. Identification badges shall be displayed on the front upper portion of the employee's work clothes.
2. The commissary vendor will immediately inform the on-duty Watch Commander if any employee's identification badge has been lost.

R. EQUIPMENT SECURITY:

1. The commissary vendor's employees will be responsible for the security of their work tools and personal items. It is mandatory that tools be kept in a lockable container, subject to search and approval of the Sheriff's Office, when brought into the facility. An inventory sheet of all tools will be maintained in any tool container brought into the facility.
2. An inventory sheet of all tools will be maintained in any tool container brought into the facility.
3. Under no circumstances are any tools to be left unattended once brought inside the jail. If this occurs, the tools will be confiscated.
4. Missing tools, keys, equipment, or any other items are to be reported immediately to the on-duty Watch Commander.

- S. In the event of a dispute involving the jail staff and the commissary vendor's employees, regarding work location, security measures, etc., the on-duty Watch Commander will have the final decision. The Watch Commander will notify the **Reentry & Support** Services Lieutenant of disputes involving commissary vendor's employees.

T. RIGHTS OF INSPECTIONS/COMPLAINTS:

1. The commissary vendor is responsible for inmate satisfaction with products and menu selections.
2. The Alameda County Sheriff's Office or the **IWF** Committee reserve the right to inspect sales products, menu selections, bag-in commissary for security, sanitation and quality. After each inspection, the commissary vendor will be immediately advised in writing of unsatisfactory conditions for which the commissary vendor is responsible. The commissary vendor shall promptly correct deficiencies and communicate in writing within five business days the solution to each problem, when it was/will be corrected and what has been done to prevent recurrence of the problem.
3. The **IWF** Committee has the ultimate and ongoing authority and control over the establishment, maintenance and operation of commissary vending machine services to inmates.

- U. RESTOCKING AND BAG-IN COMMISSARY DELIVERIES: Both restocking vending machines and delivery of bag-in commissary orders are designed so that commissary vendor employees and vehicles do not disrupt jail activities. The commissary vendor may park both an electric type vehicle (golf cart), and an enclosed or flatbed type vehicle in the Service Building area.