

# ARIZONA DEPARTMENT OF CORRECTIONS

Director's Office

## MEMORANDUM

**TO:** Distribution

**FROM:** Charles L. Ryan, Director

**DATE:** March 30, 2009

**SUBJECT:** Director's Instruction # 265, 2009 Victim's Rights Week Inmate Fundraisers

*This Director's Instruction (D.I.) is effective immediately and will remain in effect until incorporated in the appropriate Department Order.*

### **Purpose:**

This DI establishes procedures pertaining to the 2009 Victim's Rights Week fundraisers and certain restrictions.

The purpose of inmate fundraisers in support of Restorative Justice activities are to hold inmates accountable for the crimes they committed, and provide them with opportunities to make reparations to the communities they harmed. All staff involved should understand the importance of inmate participation and the positive impact these activities have on public awareness and in our communities in general.

The three selected non-profit 501-C-3 organizations to receive inmate donations for the 2009 Victim's Rights Week fundraisers are the "Area on Aging / Region One" (Maricopa County), "Administration of Resources and Choices" (Pima County / Southwestern Arizona), and "Amberly's Place" (Yuma County). These monies will be presented at the Arizona State Capitol Victim's Rights Week Kick-Off event being held on April 27, 2009.

All checks for the fundraiser from each complex need to be sent to the Central Office, Office of Victim Services no later than April 20, 2009, with all funds split evenly between the three selected organizations.

### **Restrictions:**

- 1.0 Inmate fundraisers shall not be conducted concurrently in competition with one another.
- 1.1 Inmate fundraisers are for inmates only; however, employees may independently donate money to the charities.

- 1.2 100% of the net fundraising proceeds must go to the selected charities.
- 1.3 No refunds shall be issued to the inmates.
- 1.4 Regional Operations Directors (ROD) must establish criteria as to the suitability of each fundraiser by security levels.
- 1.5 Victim organizations receiving donations from inmate fundraisers shall be pre-approved by the Restorative Justice Coordinator and/or Victim Services Administrator.
- 1.6 Approved fundraisers shall be evaluated for suitability, consistent with unit security requirements and may include activities such as domestic violence walk, food sales, or any other activities approved by the ROD.
- 1.7 The institution shall contact the Restorative Justice Coordinator if there is any question about the suitability of the organization.
- 1.8 Pizza or hamburger sales are not to be conducted on the same day that these foods are served by Canteen.

**Procedures:**

- 2.0 Planning – The hosting unit is responsible for planning and organizing the event and shall work in conjunction with the Complex Business Office and any contracted vendor whose business operations may be adversely affected by the sale of a particular product.
  - 2.1 A memo shall be submitted to the Warden via email that includes the following information:
    - 2.1.1 Unit holding the fundraiser
    - 2.1.2 Date of event
    - 2.1.3 Description of the activity and/or the product to be sold and price
    - 2.1.4 Detailed time-frames for the fundraiser identifying the completion of each phase of the process
    - 2.1.5 A list of the charity or victim's organization that will benefit from the fundraiser

- 2.1.6 Confirmation of Vendor Sign-off – A statement indicating that representatives from Keefe and Canteen have been advised of the activity if the product selected for the fundraiser is available through their respective contracts such as pizzas or hamburgers.
- 2.1.7 Vendor Confirmation – The unit staff member heading up the fundraiser shall contact the Business Office to determine whether a State contracted vendor must be used. The selected vendor shall be contacted to determine costs and the estimated time of arrival for product delivery.
  - 2.1.7.1 The State of Arizona cannot be obligated – a credit application can not be made and State purchase orders can not be issued.
  - 2.1.7.2 An Inmate Trust Account check will be deposited to the Employee Fund in order to create two checks: one to the vendor to cover expenses and a second to the charity.
  - 2.1.7.3 Vendor must be contacted in advance to ensure the acceptance of an employee fund check.
  - 2.1.7.4 State employees, contract staff and volunteers are **not** permitted to be the vendor.
- 2.1.8 The Warden shall make a determination and forward the request:
  - 2.1.8.1 If approved, indicating “approved” on the “Forward” to the Complex Business Administrator, cc: the Deputy Director, Central Office Restorative Justice Coordinator, Inmate Trust Supervisor and Accounting Supervisor.
  - 2.1.8.2 If not approved, indicating “not approved” on the “Forward” back to the hosting Unit, cc the Restorative Justice Coordinator.
- 3.0 Advertising – The hosting unit cannot announce the event, post flyers or collect Inmate Request for Withdrawal forms **until the event is approved by the Warden**. Once the event is approved by the Warden, the hosting unit may:
  - 3.1 Request inmate voluntary participation/contribution and collect Inmate Request for Withdrawal forms through:
    - 3.1.1 Announcements on CCTV regarding opportunities to voluntarily donate
    - 3.1.2 One-on-one contact between staff/inmate for contributions

- 3.1.3 Posting flyers to inform/educate inmates regarding fundraiser and the charitable organization benefited.
  - 3.2 The event memos and flyers must outline the contribution procedure and include information such as benefiting charity, item, item limits, price, no-refund policy, and delivery date.
- 4.0 Fund Collection – Collect original Inmate Request for Withdrawal forms and deliver to Inmate Trust Accounts to ensure funds are available and to accurately order product from vendor. Determination of quantities ordered from vendor will be based on the number of inmate participants who have paid.
  - 4.1 Unit staff may create a master list to sort disbursements
  - 4.2 Review forms before submitting to Business Office
    - 4.2.1 Inmate signature and unit authorized signature appear on forms
    - 4.2.2 “Pay To” is Employee Fund. The Business Office Manager must ensure these monies are tracked and accounted for as well as distributed appropriately
    - 4.2.3 One disbursement for total order (not to exceed defined limit)
    - 4.2.4 Inmate Trust Account staff shall notify unit of any non-sufficient funds
  - 4.3 Refunds
    - 4.3.1 No refunds will be allowed once check(s) have been issued from Inmate Trust Accounts
- 5.0 Fund Distribution
  - 5.1 Business Office shall maintain account ledgers for each fundraiser
  - 5.2 Checks shall be issued to vendor and charity
  - 5.3 All receipts/invoices from vendors shall be returned to the Business Office to provide justification for the payment to the vendor
  - 5.4 Receipts/thank you notes from the charity shall be returned to the Business Office to provide justification the payment to the charity

- 5.5 Copies of receipts/thank you notes from the charity shall be scanned and emailed or faxed to the Restorative Justice Coordinator.
- 6.0 Placing Orders with the Vendor – Full pricing must be obtained, including delivery charges and sales taxes (ADC is not tax exempt). Vendor must provide original invoice or receipt with company name. Copies, faxes or electronically transmitted invoices are not acceptable. Upon receipt of invoice, a check will be issued to the company named on the invoice.
- 7.0 Distribution of Product
- 7.1 The hosting unit will make arrangements with the shift commander for staff coverage on the day the product is to be delivered to inmates on the unit.
- 7.2 Security staff will follow applicable post orders or other written instructions during the distribution of any product approved for distribution to the inmate population.
- 8.0 Reports
- 8.1 Only the actual payments to victim-focused charities shall be reported as Restorative Justice donations

## **Definitions**

Restorative Justice – Activities designed to provide inmates with an opportunity to give back to the community and understand the impact that their activities have on victims.

Community Betterment – Activities to improve the community in general and the community adjacent to the prison in particular.

Inmate Trust Accounts – The Complex Business Office staff responsible for posting deposits and withdrawals to inmate accounts.

{Original Signature on File}