



**DEPARTMENT OF CORRECTIONS
MONTANA STATE PRISON
OPERATIONAL PROCEDURE**

Procedure:	MSP 5.5.4 HOBBY CRAFTS PROGRAM
Effective Date:	October 1, 2003 Page 1 of 8 and no Attachments
Revision Date(s):	December 5, 2016, September 15, 2019, November 5, 2019, January 1, 2020, October 15, 2020, May 31, 2021, December 15, 2021
Reference(s):	DOC Policy 5.5.3
Signature:	/s/ Jim Salmonsens /Warden
Signature:	/s/ Gayle Butler /MCE Administrator

I. PURPOSE

Montana State Prison will establish guidelines for hobby programs to encourage inmates to use leisure time constructively and to ensure the safety and security of the facility hobby items.

II. DEFINITIONS

Abandoned Hobby – Any hobby craft item left at the hobby store by a Department released inmate, if after 90 days from release the inmate has not requested the item(s).

Contraband – Any item possessed by an offender or found within the facility that is illegal by law, prohibited by policy or procedure, or unauthorized by those legally charged with the administration and operation of the facility.

Department of Corrections (DOC) I.D. Number – The Department of Corrections identification number that is assigned to all inmates, formerly known as the adult offender number.

Disability – A physical or mental impairment that substantially limits one or more of a person’s major life activities, a person who has a record of such an impairment, or a persona who is regarded as having such an impairment. See Americans with Disabilities Act of 1990 42 USC 12010, as amended.

Hobby Department – A designated room or area that allows for close staff supervision of hobby craft activities, accessories, tools, and materials.

Hobby Department Activities – Designated hobby activities that require the use of the hobby department.

Hobby Store – A retail outlet located in Deer Lodge at the Old Prison Museum complex. It may also include other designated locations established for the retail sale of inmate hobby products to the general public. MCE is responsible for the operation of the Hobby Store(s).

Housing Area Hobby Activities – Hobby activities allowed in housing area dayrooms, inmate cells or other designated locations. Tools, accessories, or materials that may be used to compromise the safety and security of the facility, the public, staff, or inmates are not allowed for these activities.

MCE Hobby Coordinator – The MCE staff member responsible for the day-to-day operation of the Hobby Store(s). This position works in coordination with the MSP Hobby Director.

MSP Hobby Director – The MSP staff person appointed to oversee the MSP hobby program.

III. PROCEDURES

A. General Provisions

1. The hobby program is under the direction of the Montana State Prison (MSP) Hobby Director who works for the MSP Associate Warden of Operations.
2. The Hobby Store is under the direction of the Montana Correctional Enterprises (MCE) Hobby Coordinator, who works for the MCE Division Administrator.
3. Participation in the hobby program is a privilege and not a right.
4. Current lists of allowable hobby activities, materials, and accessories are on the authorized property list attached to the current property operational procedure.
5. Finished hobby items must be mailed out as gifts, sent to the Hobby Store(s) for sale or delivered to a contract purchaser, within one week of completion. Inmates are not allowed to keep finished hobby items in their possession.
6. Inmates are encouraged to keep accurate records of all their hobby craft transactions, including invoices and receipts for purchased supplies and materials, and receipts for finished hobby items at the Hobby Store.
7. Finished hobby craft products that are confiscated from an inmate through the disciplinary process will be turned over to the Hobby Store for sale.
8. Any inmate that is authorized to have a hobby permit is eligible to sell the items at the Hobby Store regardless of classification level or housing unit placement.
9. If an inmate loses his hobby craft privileges, items that are currently at the Hobby Store may remain to be sold unless the inmate recalls the items to be mailed out at his expense.
10. All hobby supplies and materials must fit into the allotted/approved personal property storage containers.
11. Facility employees may not receive hobby items from an inmate as a gift.

B. Restrictions

1. Mass production of hobby items involving more than one inmate is not permitted.
2. Inmate use of a business or company name to make or sell hobby items through the Hobby Store is not permitted.
3. Business relationships directly between an inmate and outside individuals or organizations are not permitted. Once items are sent to persons on the inmate's authorized correspondence/visiting list, the sale of the hobby items is out of the control of MSP/MCE.
4. MSP/MCE staff, contractors, vendors, and volunteers shall not order, negotiate, or arrange for purchase, or purchase hobby items directly from an inmate (*See DOC Policy 1.3.12 (C)(3), Staff Association and Conduct with Offenders*). All purchases of inmate hobby items must be made through the MCE Hobby Store in Deer Lodge or through the hobby contract process as is

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provided for in Subsection F of this procedure. The identity of the MSP/MCE staff, contractors, vendors, and volunteers who purchase hobby items shall not be disclosed to the inmate responsible for production of the item.

5. Trading finished hobby items for raw materials is prohibited.

C. Initial Hobby Craft Permits

1. Inmates must apply for a hobby craft permits by sending an OSR to their housing Unit Manager. The Unit Manager or designee will review the inmate's institutional behavior history, determine if the inmate meets the following minimum requirements, and respond, granting or denying the request. This includes the following:
 - a. Inmates with a history of being involved with tattooing must have a full calendar year free of any tattoo related violations prior to approval of any hobby permit.
 - b. Inmates in Restrictive Housing Unit (RHU), Secure Adjustment Unit (SAU) will be allowed hobby privileges in accordance with *3.5.1 Restrictive Housing Operations and MSP 4.1.3a Inmate Personal Property Inventory*. HSU1 and HSU2 inmate's hobby privileges in accordance with *MSP 4.1.3a Inmate Personal Property Inventory*. Items deemed a security risk will not be allowed. An inmate moved into one of these housing units who has lost his hobby privileges will have to meet the specified period of appropriate conduct prior to being approved for a hobby permit.
 - c. Inmates in the Mental Health Treatment Unit Program will be subject to that program's requirements concerning hobby.
 - d. Inmates must have a minimum of thirty days' clear conduct (no major infractions) to be considered for an allowable hobby craft activity.
 - e. Inmates residing at the MDIU, other than the live-in inmate workers, are not allowed hobby privileges. The live-in MDIU inmate workers who are approved by the MDIU Unit Manager and meet the eligibility requirements will be allowed art hobby permits only; and
 - f. Inmates in detention and temporary lockup are not allowed to participate in the hobby craft program.
2. The Unit Manager or his/her designee will forward a copy of all approved requests to the MSP Hobby Director.
3. The MSP Hobby Director, or designee will issue hobby craft permits. Hobby supplies and materials cannot be ordered until an inmate's permit is approved.
4. The MSP Hobby Director will maintain a current list (updated weekly) of all issued permits on the MSP 'I' drive. At a minimum, this list will include the following:
 - a. The inmate's name
 - b. The inmate's ID#
 - c. The inmate's current housing unit
 - d. The permit type he has been issued
 - e. The date the permit was issued
5. Unit staff will monitor the inmates housed in their units to ensure only approved inmates have hobby supplies and materials.

D. Hobby Permit - Loss or Change

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1. Inmates may only be issued one hobby permit at a time, with the exception of Work and Reentry Center (WRC) inmates who may be issued two hobby permits.
2. Before an inmate is approved for a different hobby permit from the one (or two) he currently possesses, he must have had his current permit for six months and he must surrender his present permit and any supplies or unused material not allowed with the new permit to the MSP Hobby Director. Materials and accessories not allowed must be mailed out at the inmate's expense within 15 days.
3. If an inmate is found guilty of a rule violation connected to an abuse or misuse of the hobby program or privileges and is moved to a higher custody level or is moved to a housing unit that does not allow hobby, all supplies, materials, and unfinished items will be confiscated and must be mailed out within fifteen (15) days at the inmate's expense. If the items are not mailed out within this period, they will be processed as contraband in accordance with *MSP 3.1.17b, Contraband Control*. Inmates receiving disciplinary writeups will be required to have six months clear conduct to be eligible to apply for a new hobby permit.
4. If an inmate living at the WRC is moved inside the compound for non-disciplinary reasons, he will be allowed to maintain only one hobby permit, this permit will not include leather. A leather permit is only authorized for inmates at MSP living at the WRC.. The second permit and all materials and accessories related to that permit will be confiscated and must be mailed out within 15 days at the inmate's expense. If the items are not mailed out within this period, they will be processed as contraband in accordance with *MSP 3.1.17b, Contraband Control*.

E. Hobby Craft Materials, Tools, and Accessories

1. The Security Chiefs of the adult secure care facilities will consult at least once a year to consider proposed additions and/or deletions to the approved hobby craft activities, supplies and materials listed on the property list. Suggested modifications will be submitted to the Prison Issues Board, who will vote on the suggested modification during their May meeting.
2. The MSP Hobby Director will ensure that state-owned tools, accessories, and materials allowed to be used in producing hobby items are kept in the Hobby Shop or WRC Hobby Area, and that the procurement, storage and use of these tools, accessories, and materials are done in compliance with procedures outlined in *MSP 3.1.14, Tool Control* and *MSP 3.2.5, Control and Use of Hazardous Materials*.
3. Inmates will use Commissary Special Order forms to order in-cell hobby craft supplies and materials. Inmates will send the completed form to the MSP Hobby Director. Inmates are not allowed to order directly from vendors or have hobby supplies sent directly to them through an outside source.
4. The MSP Hobby Director will review all inmate orders to determine:
 - a. If the inmate has a valid permit.
 - b. If the supplies and materials ordered are authorized for their specific permit.
5. The Hobby Director may disapprove all or parts of an order if the inmate doesn't have a valid permit or has concerns with the items on the order. The Hobby Director must notify the inmate as to why all or part of the order was not allowed.

6. An inmate must pay for hobby supplies and materials with funds from his inmate account at the time of purchase. COD and third-party orders and purchases are not allowed.
7. Vendor catalogs for the ordering of in-cell supplies and materials will be available through the MSP Hobby Director.
8. Staff will seize, and process supplies and materials that have been misused, tampered with, or transferred to another inmate in accordance with *MSP 3.1.17B, Contraband Control*.

F. Hobby Craft Contract Sales

1. Hobby contracts may be used for hobby craft purchases outside of the hobby store, with the following guidelines:
 - a. All contracts must be reviewed and approved by the MCE Hobby Coordinator and the MSP Hobby Director.
 - b. Previous hobby sales that require repair will also be placed on a hobby contract; the MCE Hobby Coordinator and MSP Hobby Director will coordinate with an inmate to complete the repairs and determine the cost of the repairs.
 - c. The MSP Hobby Director and MCE Hobby Coordinator will develop a procedure for selecting inmates for a designated contract sales pool that will be available for Hobby Contract Sales. The MSP Hobby Director and MCE Hobby Coordinator will select an inmate from this designated pool to complete hobby items for staff members.
 - d. All approved contracts will define the work to be performed and the selling price for the finished product. The selling price of hobby contract items must be equivalent to the average retail selling price for similar items on sale at the Hobby Store.
 - e. The purchaser of hobby contract items must submit one-half payment to the MCE accounting office at the time the hobby contract is signed by the purchaser. The remaining payment must be received prior to the customer receiving the product.
 - f. Inmates may not enter into a contract outside of this procedure.
 - g. Contract sales and sales of items at the Hobby Store will have a surcharge deducted from the selling price as outlined in H.8. This surcharge will cover operation of the Hobby Store.
 - h. An inmate may not initiate work on a hobby contract until MCE accounting has received one-half down payment on the contract.
 - i. MCE Accounting staff will deposit the payments for contracts as outlined in the Montana Operations Manual accounting policies. Payment will not be made to the inmate until the customer has received and accepted the product. The customer will be given three days from receipt of the product (if mailed) to return the product if it is not the quality or product they expected. In this instance, the customer will be responsible for returning the product to the Hobby Store at their expense. The inmate will be given the opportunity to fix/repair/replace the item to the customer's satisfaction. If the customer requests a refund, only one-half of the product selling price will be refunded. The remaining one-half of the product selling price will be dispersed to the inmate at the closing of the transaction. All transactions must be documented by each party.
 - j. Payment for customer received and accepted hobby items will be made to the MSP Accounting Department for deposit into the inmate account on a weekly basis. The amount of the payment will be the inmate set selling price less the surcharge.
 - k. At the time the inmate payment is made, sales receipts will be sent to the MSP Hobby Director, the appropriate facility hobby liaisons; and

1. If for any reason the terms of a contract are not met, the contract will be void, and all money will be returned to the purchaser.

G. Hobby Craft Gifts

1. An inmate may only send hobby items to those persons listed on his approved correspondence/visiting list. As soon as the inmate finishes making hobby item(s) not intended for the store, he must mail it/them out in accordance with the following guidelines:
 - a. the inmate must package the item for mailing and deliver it to the MSP Hobby Director, unsealed.
 - b. It is the inmate's responsibility to package the item for shipping (in accordance with U.S. Postal Regulations) and pay all shipping costs. The MSP Hobby Director will ensure the inmate has completed the following:
 - 1) Properly addressed the shipping container, clearly indicating the inmate's full name, ID number, MSP address, and the full name and address of the recipient; and
 - 2) Attached a fully completed Special Mailing Request form to the package that clearly indicates the contents of the package (For example: *1 pair - beaded earrings, 1- beaded necklace, 1- beaded lighter case*). The description must not be generic, such as artwork, hobby, beadwork, horsehair, etc. The value must be entered, and it may be insured in the event it is lost or damaged and can only be insured for the cost of the materials.
 - c. The MSP Hobby Director will inspect all items to be shipped to ensure there is nothing included in the package (unapproved correspondence or other contraband).
 - d. The MSP Hobby Director will review the declared insured value to ensure that the declared value is appropriate to the actual value of the hobby item. If the declared insured value is excessive, the MSP Hobby Director will make the appropriate corrections.
 - e. When the package to be mailed meets the above requirements the MSP Hobby Director will seal it and forward it to the Mail Room for processing; and
 - f. the MSP Hobby Director will maintain a computerized detailed shipping log of all items mailed out. Details must include the inmate's name, DOC ID#, product description, number of items, date received from the inmate, date shipped, and who the item is mailed to (including address).

H. Hobby Store Sales

1. Finished hobby items that are not sent out or delivered to a contract purchaser must be immediately delivered to the MSP Hobby Director to be sold at the Hobby Store.
2. The MSP Hobby Director will process all items to be sold at the store; after processing and logging the items, the MSP Hobby Director will deliver the items to the MCE Canteen. An MCE Administrative Office Inmate Clerk will pick the items up from the Canteen and deliver to the MCE office at the directions of the MCE Hobby Coordinator or designee. Documentation must be kept by the MSP Hobby Director and the MCE Hobby Coordinator for all deliveries to ensure the accuracy of the hobby transfer. All discrepancies will be reported immediately.
3. MCE may market inmate hobby products through the Hobby Store, internet web sites, and retail outlets.
4. The inmate must complete an identification tag (provided by the MSP Hobby Director) for each item he submits for sale at the store. It is the inmate's responsibility to set the sale price of the

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- item. The MSP Hobby Director will review the sales price, and if he/she feels it is out of line, will work with the inmate to adjust the price based on prevailing market price for that item.
5. The MSP Hobby Director will ensure the inmate is given a receipt for each item he sends to the store.
 6. The MCE Hobby Coordinator will keep records of all submissions and sales. Inmates should maintain a record of the items they have at the store and all sales.
 7. MCE will perform a bi-annual inventory of all hobby items in their possession. This inventory will be reconciled to the perpetual inventory on the Point-of-Sale computer system. A copy of the bi-annual inventory will be forwarded to the MCE Accounting Office and the MSP Hobby Director. On an annual basis individual inventory listings will be provided to each inmate who has product(s) in the possession of MCE.
 8. A surcharge will be assessed on the proceeds from each item sold through the Hobby Store, contract, or other retail outlet. These funds will be used to cover the costs associated with the operation of the Hobby Store. The surcharge will be 25% of the selling price for products sold through the Hobby Store or other retail outlets, and 10% of the selling price on contracts and counter contracts. Shipping charges will be the purchaser's responsibility.
 9. If an item is not selling, an inmate may reduce the sale price of the item or agree to a percentage discount. Price reductions of hobby items will only be done in the month of December. To reduce a price, or agree to a percentage discount, the inmate must submit a signed communication slip to the MCE Hobby Coordinator. The Slip must contain full information on the items such as the inmate's name and number, the exact item number and description, the original sales price, and the new sales price or discount percentage.
 10. Hobby items recalled from the Hobby Store by an inmate must be mailed out (in accordance with mailing procedures outlined in section III.G. above).
 - a. The MCE Hobby Coordinator will give the recalled items to the MSP Hobby Director, who will make arrangements with the inmate to ship the hobby items to a person on the inmate's approved correspondence/visiting list. Documentation will be kept by all parties.
 - b. The items may not be taken back to the inmate's housing unit.
 - c. The Hobby Director will inform the inmate he has 15 calendar days to have the items mailed out and hold the items in a secure storage area.
 - d. If the inmate has not mailed the items out within 15 calendar days, the Hobby Director will process them as contraband as outlined in *MSP 3.1.17b, Contraband Control*.
 11. MCE will be solely responsible for the operation of the Hobby store.
 12. Items that are stolen damaged or missing from the Hobby Store will be reimbursed to the producing inmate at a rate of 50% of the documented asking price, not to exceed \$500.
 13. The Hobby Store may accept inmate hobby products from all DOC owned and contracted facilities.
 14. Hobby items may be displayed for 18 months. If an item has not sold after 12 months, the inmate will be notified that they have an additional 6 months for the item to sell. At that time the inmate may send in a request to offer a discount on the item to reduce the price. After 18 months the MCE Hobby Coordinator will notify the inmate that his unsold hobby craft item must be

recalled. At that time the inmate must make arrangements with the MSP Hobby Director to have the item returned to the facility, to be shipped out at his expense. The inmate will have 30 days to respond from the time of the initial request to recall from the MCE Hobby Coordinator. If an inmate does not respond to the recall, the hobby items will be considered contraband hobby and be handled in accordance with section III, B,8 of this procedure.

I. General Rules Concerning Hobby Privileges

1. Inmates are responsible for the care and control of their own hobby permits, supplies and materials. MSP/MCE (and/or its employees) is not liable for any loss or damage to any hobby item, accessory, or material, unless negligence on the part of staff has been proven to be the cause.
2. Any transfer of hobby items, materials, or accessories between inmates is against operational procedure.
3. Hobby supplies materials, and finished items that have been shipped out may not be sent back into the facility. Refused contract items or contract repair returns may be allowed, but only with prior approval from the MCE Hobby Coordinator and MSP Hobby Director. MSP/MCE (and/or its employees) is not liable for any loss or damage to repair returns or refused contract items.
4. When an inmate discharges or is released from the facility for a community placement, he must send out, dispose of, or take with him, all his hobby items, accessories, and materials. The inmate is responsible for notifying the MCE Hobby Coordinator to request that his items at the Hobby Store be recalled. If the inmate does not initiate a recall of his hobby items prior to his release, and the items are not claimed within ninety days of release the items will be considered abandoned hobby and if the hobby items sells, 50% of the proceeds will remain in the MCE Hobby account and the remaining 50% will be deposited into Inmate Welfare account.
5. Inmates are responsible for the cleanliness of their hobby craft working area(s).
6. If any item associated with an inmate's hobby craft is used as a weapon, device of destruction, or used in any inmate escape, uprising, or insurrection, it may be removed from the hobby list and confiscated.
7. Any violation of the conditions of this operational procedure may result in disciplinary action, including but not limited to forfeiture of hobby craft privileges and confiscation of accessories, materials, and items.
8. The Hobby Craft program will not discriminate on the basis of disability, will ensure that Hobby facilities, supplies, and equipment are accessible to such inmates, and will provide reasonable accommodations to inmates with disabilities. All accommodations shall be documented in OMIS. (see *DOC Policy 3.3.15.*)

IV. CLOSING

Any questions concerning this operational procedure should be directed to the MSP Associate Warden of Operations, the MCE Administrator, the MCE Hobby Coordinator, or the MSP Hobby Director, depending on the context of the question.

V. ATTACHMENTS (none)