



State of Indiana
Indiana Department of Correction

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**POLICY AND ADMINISTRATIVE
PROCEDURE**
Manual of Policies and Procedures

Title
PRISON ENTERPRISES NETWORK

Legal References (includes but is not limited to)	Related Policies/Procedures (includes but is not limited to)	Other References (includes but is not limited to)
IC 11-8-2-5(a)(8) IC 11-10-6-1 <i>et seq.</i> IC 11-10-7-2 IC 11-10-7-5	00-00-101 02-03-107 01-04-101 04-01-104 02-01-105 04-01-301 02-01-106 02-03-106	ACA: Standards for Correctional Industries ACI: 4-4452, 4-4456 thru 4-4461

I. PURPOSE:

The purpose of this policy and administrative procedure is to identify the manner in which the industries and farms operations shall be organized and managed within the Department of Correction.

II. POLICY STATEMENT:

The Department shall manage prison industries operations that are to be marketed as Prison Enterprise Networks (PEN). The operation shall be self-sufficient and managed in a manner that achieves the business objective of obtaining a return on investment in order to establish and maintain offender jobs. The management and operation of PEN shall:

- A. Achieve and promote the Department’s mission to protect the public by operating facilities and programs in a safe, secure, effective, and accountable manner.
- B. Provide an offender work experience that is voluntary and reflects the work environment for similar jobs in the community, including the establishment of offender assignments based upon the workload needs of the business operation.
- C. Encourage and promote a shared responsibility between the Director of PEN and the Superintendents of facilities where PEN operates to achieve the mission of the Department as well as the business objectives of PEN.

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- D. Recognize and address the challenges of managing a business within the unique environment of a correctional setting by complementing security and custody procedures and the production needs of a business.
- E. Comply with all relevant federal, State, and local laws and requirements that promote worker health and safety, compliance with the Americans with Disabilities Act (ADA), and regulations that promote equity in the market place between PEN-made goods and goods manufactured in the private sector.

III. DEFINITIONS:

- A. CAREER DEVELOPMENT TRAINING: The career training program for offenders administered by PEN.
- B. DIRECTOR: The individual that oversees, and is responsible for, all phases of the correctional industries job training program.
- C. JOINT VENTURE: The collaboration between PEN and a private business or organization to provide offender jobs and job training employment with facility PEN operations.
- D. OFFENDER WORKFORCE DEVELOPMENT SPECIALIST TRAINING (OWDS): The National Institute of Corrections (NIC) accredited training program designed to equip staff members in assisting offender to becoming involved in the community workforce.
- E. PRISON ENTERPRISE NETWORK (PEN): The correctional industries offender job training program which is a division of, and operates within, the Department.
- F. PRODUCT ADVISORY COUNCIL: The council provided by statute that assists the Department in determining the need for products, the estimated volume or number of units required, pricing policies, and other matters relating to sales or promotion of such products manufactured in the Department.
- G. UNITED STATES DEPARTMENT OF LABOR (USDOL) APPRENTICESHIP PROGRAM: The Department's work certification program administered by PEN.

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IV. ESTABLISHMENT OF PEN:

The Commissioner shall establish PEN as a division within the Department. The PEN Division shall be responsible for the management of the industries, commissary and joint venture operations at designated facilities throughout the Department. PEN's mission is to provide job training for offenders by a creating real world work experience, USDOL certifications, and career development training to prepare offenders for successful Re-Entry and a reduction in Indiana's recidivism rate.

A Director shall be appointed to oversee and manage the operation of the PEN Division. PEN shall be managed in a manner consistent with applicable federal and State laws and regulations and comply with all applicable administrative rules and regulations of State agencies that have authority and responsibility to monitor, audit and inspect the operations.

V. STATEMENT OF INTENT:

This policy and administrative procedure presents the manner in which PEN shall be established, managed, and monitored for quality. The overall responsibility to manage PEN is the Director's. The responsibility to promote the success of the operation shall be shared among all Department staff. Superintendents shall collaborate with the Director to promote facility security and efficiency within the operations. Superintendents, along with the Director, shall inform and educate facility staff members and offenders regarding opportunities within the operations.

VI. OBJECTIVE OF PEN:

PEN's mission is to provide job training for offenders by providing real world work experience, professional work certifications, and career development training leading to successful offender Re-Entry. The financial objective of PEN is to generate revenue to cover all costs associated with offender job training, work opportunities, certifications, and offender career training. This policy and administrative procedure is not to be construed to imply that the offender job objective supersedes the mission of public safety of the Department. PEN shall promote the public safety mission by providing work opportunities for offenders thereby keeping them constructively occupied and assisting them in their eventual transition to the community.

VII. GENERAL PRINCIPLES OF OPERATION:

PEN shall be managed in a manner that emulates the private sector work environment and the working conditions of similar jobs managed by the private sector. To the greatest extent possible, the Director and the respective Superintendents and administrative staff shall work collaboratively to approximate the working conditions as found in the community without jeopardizing security or public safety.

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The workload and type of work shall determine the staffing complement of offender workers and staff to ensure that each offender worker has a job assignment that promotes a strong work ethic. The relationship and communication between the Director and the Facility Heads in which a PEN operation is located must be based upon open communication, trust and a respect for each other's responsibilities and obligations. As a team, the Director and the appropriate Facility Head shall ensure compliance with all applicable laws, regulations and department policies and procedures to ensure that all offenders are treated with respect and dignity.

VIII. LINKAGE WITH VOCATIONAL AND EDUCATIONAL TRAINING:

The Director shall discuss offender jobs and PEN operations with the Department's Director of Education. The Director shall communicate the following information to the Director of Education:

- A. The individual operations managed by PEN by location;
- B. The job duties of those offenders;
- C. Anticipated new operations by facility in the coming year;
- D. The job duties and job skills needed for any new or proposed operations by facility.

The Director of Education shall respond to the Director with a suggested plan that links the development of job skills with the anticipated operations and opportunities for education collaboration.

PEN shall administer, audit and oversee the USDOL Apprenticeship Program as well as the CDT Program.

PEN shall provide OWDS training for Department Staff, Local Law Enforcement Jurisdictions, as well as community service providers.

IX. RESPONSIBILITIES OF DEPUTY COMMISSIONERS, DIVISION DIRECTORS AND FACILITY HEADS TO ENHANCE THE MANAGEMENT OF PEN:

It is the responsibility of the Facility Heads to promote the success of PEN. The Facility Heads shall:

- A. Purchase goods and services from PEN in accordance with applicable statutes and needs of the Department;
- B. Provide supportive services to the PEN field managers assigned to that facility as needed for the operation of the work site;
- C. Promote a climate of mutual respect, common purpose and effective management of PEN among staff members under their direct supervision;

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- D. Encourage offenders to work in PEN jobs;
- E. Allow and facilitate, within security limitations, offenders working at PEN jobs;
- F. Include PEN field managers in administrative staff meetings at facilities in which work operations are located and maintain a reporting relationship with those field managers;
- G. Assist in minimizing interruptions to the operations at facilities in which a work site is managed;
- H. Ensure that all offenders receive information concerning PEN job opportunities at the time of the offender's orientation at the facility;
- I. Ensure that all new Department staff members receive information concerning PEN, its role and importance to the facility and the Department;
- J. Provide a tour of PEN operation(s) existing at that facility during new employee's orientation training (if facility tours are provided as a part of the new employee training curriculum).

Each Deputy Commissioner, Division Director, and field supervisor shall adhere to the spirit of these requirements and assist to promote the work and success of PEN in any manner feasible.

X. RESPONSIBILITIES OF THE DIRECTOR OF PEN:

The Director shall:

- A. Manage PEN to maintain and/or increase offender job opportunities which provide offender job training and work opportunities that instill a real world work ethic;
- B. Manage PEN to generate revenue to cover all costs associated with offender job training, work opportunities, work certifications, and career focused Re-Entry training.;
- C. Develop, implement and maintain a strategic plan for the consistent and effective management of the operation department-wide;
- D. Work collaboratively with department administrative staff and the facility heads to establish and maintain offender jobs;
- E. Promote a climate of mutual respect, common purpose and effective management of PEN operations among its staff and with other department staff;
- F. Share information with department staff that assists in the understanding of the business objective of PEN and the achievement of departmental objectives;
- G. Develop and publish an online catalogue of products;

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- H. Manage costs through effective and accountable sharing of various duties and responsibilities to promote the success of PEN;
- I. Assist the Commissioner to convene and prepare for the Product Advisory Council as required by law;
- J. Publish an annual operating report;
- K. Attract, engage and maintain joint business partnerships to the greatest extent possible to increase offender job training opportunities;
- L. Manage the PEN operation to achieve facility ACA accreditation;
- M. Develop a Strategic Plan that clearly defines the direction, roles and responsibility of PEN staff;
- N. Manage PEN to be self-sufficient without the use of general fund dollars, in the absence of circumstances beyond the control of PEN Products;
- O. Manage the offender commissary operation for the Department as determined by the Commissioner.
- P. Collaborate with the leadership of the PLUS program and Facility Superintendents to maximize the number of Offenders participating simultaneously in PLUS programming and PEN job training/work assignments as this combination has shown exceptional post release success.

In the discharge of these responsibilities the Director shall employ the number of staff necessary to manage the operation effectively, with the approval of the State Personnel Department and the State Budget Agency.

XI. PRODUCT ADVISORY COUNCIL:

A Product Advisory Council shall be established as provided by statute. At a minimum, the Product Advisory Council shall advise the Department on items and services to be sold, marketing strategies and potential partnerships to be considered with private businesses.

The Product Advisory Council shall be composed of the following persons: the Commissioner, the Commissioner of the Department of Administration, the State Budget Director and the PEN Director. The PEN Director shall serve as the secretary of the Council. Additionally, the Commissioner may appoint two (2) other persons to the Council who are major users of industry products or who represent the general public.

The Director shall ensure that the Product Advisory Council is convened minimally once a year in accordance with the applicable statutes regarding its operation.

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XII. FINANCIAL MANAGEMENT OF PEN:

PEN shall be managed in accordance with generally accepted accounting principles and shall be subject to audits from the State Board of Accounts.

X. STRATEGIC PLAN:

The Director or designee shall be responsible for developing a strategic plan for PEN. This plan shall provide the necessary information for the operation of the various sections and operations of PEN.

The Strategic Plan shall be developed and maintained in accordance with this policy and administrative procedure, as well as Policy and Administrative Procedure 00-04-101, "The Development, Approval and Implementation of Policy."

The Director shall ensure that any strategic plan that will significantly change the operation of PEN at a facility or that will have a Department-wide impact is discussed with the Deputy Commissioner/Administration, Deputy Commissioner/Operations, the impacted Facility Head(s) and any other appropriate staff prior to implementation of that operational standard.

All facilities that have PEN operations shall receive a copy of the plan or have access to a copy. Additionally, other appropriate staff, including the Deputy Commissioner/Administration, the Deputy Commissioner/Adult Operations, the Regional Directors of Adult Operations, the Director of Education and the Department Policy Manager, shall be provided with a copy of the plan or have access to it.

The strategic plan shall be reviewed annually and appropriate revisions made. The Director shall implement a process to ensure that any appropriate staff is consulted regarding the development and review or revision of strategic plan to implementation.

XI. APPLICABILITY:

This policy and administrative procedure is applicable to all Department facilities and staff members.

signature on file
Bruce Lemmon, Commissioner

Date