



Department Directive

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Title: No Cost: Admission, Menstrual Hygiene, and Welfare Kits	Directive Number: OPS.175.0002 - Revised
Related MD Statute/Regulations: Correctional Services Article, § 9-616, Annotated Code of Maryland; COMAR 12.14.03.05 and 12.14.04.04	Supersedes: OPS.175.0002, effective August 1, 2019
Related ACA and MCCS Standards: 1-CORE-1A-02; 1-CORE-2C-01; 1-CORE-4B-03; 1-CORE-5C-07; 4-4025; 4-4035; 4-4042; 4-4044; 4-4166; 4-4226; 4-4274; 4-4283; 4-4331; 4-4342; 4-4489; 4-ALDF-1A-04; 4-ALDF-4B-06; 4-ALDF-6A-08; 4-ALDF-6A-09; 4-A DF-7D-15; and MCCS: .04A 4) and .05E.	Approved By: <i>Keith Dickens</i>
Related Directives: ADM.245.0001—Fiscal Operations for Inmate Funds OPS.110.0047—Personal Search Protocols – Inmates <u>OPS.200.0011—Inmate Grooming</u> OPS.250.0001—Inmate Mail Room Procedure	Keith Dickens Director of Security Operations Issued Date: November 9, 2022 Effective Date: November 11, 2022
Variance: Each <u>correctional facility</u> within the Department <u>shall issue a facility directive</u> necessary to implement and comply with this directive.	Number of Pages: 9

.01 Purpose.

This directive establishes and maintains Department of Public Safety and Correctional Services (Department) policy and procedure to ensure that personal hygiene articles, including menstrual hygiene products, are appropriately made available to inmates upon admission and routinely thereafter.

.02 Scope.

This directive applies to all correctional staff responsible for the custody and care of inmates in a Department correctional facility.

.03 Policy.

A. The Department shall provide:

(1) No-cost personal hygiene articles to:

- (a) All inmates upon admission or transfer to a Department correctional facility in the form of an “Admission Kit”;
- (b) Female inmates shall be provided menstrual hygiene products in the form of a “Menstrual Hygiene Kit” on the following three occasions: 1) included with their “Admission Kit” upon admission or transfer to a Department correctional facility; 2) on a routine monthly basis; and 2) upon request by the inmate.
- (c) During incarceration, when determined to be indigent, in the form of a “Welfare Kit”.

(2) Inmates with routine commissary access.

B. The Department shall maintain a menstrual hygiene management program that effectively:

- (1) Safeguards the dignity, bodily integrity, and overall programmatic, work, and visitation opportunities of incarcerated women;
- (2) Provides menstrual hygiene products, including tampons and sanitary napkins, in quantities appropriate to the healthcare needs of each inmate;
- (3) Reduces health risks associated with poor menstrual hygiene;
- (4) Ensures secure and sanitary receptacles for the daily disposal of soiled menstrual hygiene products are available to inmates; and
- (5) Provides products that conform to applicable industry standards.

C. When consistent with program limitations and the welfare of the inmate, medical and mental health treatment staff with explicit written documentation, may modify an inmate’s admission, menstrual hygiene, and welfare kits, as well as commissary purchases.

.04 Definitions.

A. In this directive, the following terms have the meanings indicated.

B. Terms Defined.

- (1) “Admission Kit” means a package of personal hygiene articles that:
 - (a) Is given to an inmate at the time of intake and admission to a correctional facility;
 - (b) Allows an inmate to maintain proper personal hygiene; and
 - (c) Is provided at no-cost by the Department.
 - (d) “Admission Kits” for men shall include deodorant, soap, toothbrush, and toothpaste.

- (e) “Admission Kits” for women shall include: deodorant, soap, toothbrush, toothpaste, and a “Menstrual Hygiene Kit” containing 24 menstrual hygiene products as described in [§.06B\(1\)\(b\)](#) of this directive.
- (2) “Menstrual Hygiene Kit” means a prepackaged supply of menstrual hygiene products that:
 - (a) Is provided at the time of admission and each month thereafter;
 - (b) Includes a choice of sanitary napkins and tampons in a range of absorbencies and sizes for use in connection with the menstrual cycle; and
 - (c) Is provided at no-cost:
- (3) Indigent inmate has the meaning stated in [COMAR 12.02.20.01](#):
 - (a) “Indigent inmate” means an inmate who, within the previous 2 weeks, has not received pay for an assignment in work or school, and who has less than \$2 in his or her spending account, or an inmate received within the previous 2 weeks who has not had \$2 in his or her spending account.
 - (b) “Indigent inmate” does not mean an inmate who establishes a pattern of receiving and spending funds within a 30-day period, thereby manipulating the inmate's account balance in order to be eligible for the benefits.
- (4) “Inmate” has the meaning stated in Correctional Services Article, §1-101, Annotated Code of Maryland.
- (5) “Personal hygiene articles” means any item in an admission, menstrual hygiene, or welfare kit, except for envelopes, writing paper, and pens.
- (6) “Spending account” means an inmate’s unencumbered financial account to be used as described in [ADM.245.0001- Fiscal Operations for Inmate Funds](#).
- (7) “Welfare kit” means a package of no-cost personal hygiene items and mail supplies provided to an indigent inmate:
 - (i) For the inmate’s physical and mental welfare; and
 - (ii) At regular intervals, as described in [§ .06D](#) of this directive.

.05 Responsibility.

- A.** The Division of Correction (DOC), the Division of Pretrial Detention and Services (DPDS), and Patuxent Institution — concomitant with DOC, shall ensure the managing officials adopt and maintain policies consistent with this Department Directive that ensure:

- (1) A sufficient supply of personal hygiene articles are available to all inmates;
- (2) A variety of sizes and absorbencies of menstrual hygiene products, appropriate to the healthcare needs of each incarcerated woman within the Department, are readily available;
- (3) Financial and administrative processes for the procurement and distribution of personal and menstrual hygiene articles are effectively communicated to inmates, correctional supply officers, and housing unit officers; and
- (4) Records related to the procurement and distribution of personal and menstrual hygiene products are kept in accordance with DOC Retention Schedule No. 1406-14 and DPDS Retention Schedule No. 1623, Section 2B.

B. A managing official shall ensure that the facility:

- (1) Has a sufficient supply of menstrual hygiene products available to meet the needs of the inmate population at all times;
- (2) Is adhering to standards adopted by the Maryland Commission on Correctional Standards regarding the proper disposal of menstrual hygiene products;
- (3) Maintains an accurate record of the inventory and provisioning of menstrual hygiene products; and
- (4) Implements procedures necessary for the efficient and timely distribution of menstrual hygiene products.

C. A managing official shall ensure inmate access to necessary items through various practices to include:

- (1) The issuance of a no-cost:
 - (a) Admission kits to a committed detainee awaiting a bail hearing, an inmate upon arrival at a direct intake facility, and to an inmate upon arrival at a maintaining facility;
 - (b) Welfare kit to an indigent inmate;
 - (c) Menstrual Hygiene Kit to an incarcerated woman upon admission and on a monthly basis thereafter if the woman is physically capable of menstruation; and
 - (d) Menstrual hygiene products—that are given upon request and in addition to those menstrual hygiene products contained in the Admission Kit or Menstrual Hygiene Kit routinely provided to the inmate—from the point of first entry into a correctional facility until the inmate's release.

- (2) The onsite provision of soap or other required hygiene articles within inmate work areas (e.g. dietary, sanitation, etc.); and
- (3) Regularly scheduled access to commissary purchases.

D. The Regional Finance Office shall determine an inmate's eligibility to receive welfare kits consistent with procedures established in this policy and the policies established in the Department's Finance Procedures Manual.

.06 Procedures.

A. Admission, Menstrual Hygiene, and Welfare Kits.

(1) A correctional supply officer shall:

(a) Order and issue no-cost:

- (i) Admission kits;
- (ii) Welfare kits;
- (iii) Menstrual hygiene kits; and
- (iv) Individually requested menstrual hygiene products;

(b) Receive all *Welfare Kit Request* forms (Appendix A) from an inmate, a correctional housing officer, or a correctional case manager; and

(c) Maintain all records related to the audit and ongoing supply, purchase, and dissemination of all admissions, menstrual hygiene, and welfare kits, as well as individually requested menstrual hygiene products.

(2) Correctional housing unit Officer-In-Charge (OIC) and correctional case managers shall:

- (a) Upon request, provide inmates with *Welfare Kit Request* forms (Appendix A);
- (b) Collect the *Welfare Kit Request* forms from inmates who apply for a welfare kit; and
- (c) Submit the forms to a correctional supply officer.

(3) A correctional supply officer shall use the appropriate form for ordering all kits (Appendix B).

B. Menstrual Hygiene Products.

(1) Menstrual Hygiene Kits —Admission Supply and Monthly Supply.

- (a) Each correctional facility that houses women shall have an ample supply of all menstrual hygiene products identified in §.06B(1)(d) for distribution to women inmates at the time of admission, each month thereafter, and upon request of the inmate.
 - (b) At the time of admission/intake into a facility each incarcerated woman may choose from the prepackaged Menstrual Hygiene Kits listed in §.06B(1)(d)(i)—(vi) for a total of 24 items.
 - (c) Menstrual hygiene products that are distributed upon admission shall be documented on the Menstrual Hygiene Order form – Appendix C.
 - (d) Each month each incarcerated woman may choose from the prepackaged Menstrual Hygiene Kits listed in §.06B(1)(d)(i)—(vi) for a total of 48 items.
 - (e) A documented record of monthly Menstrual Hygiene Kits distribution shall be maintained by the correctional facility.
 - (f) When selecting the allowable number of prepackaged Menstrual Hygiene Kits, an inmate may choose any combination of the following:
 - (i) 8 pack of regular absorbency sanitary napkins;
 - (ii) 8 pack of maxi/super absorbency sanitary napkins;
 - (iii) 4 pack of overnight absorbency sanitary napkins;
 - (iv) 4 pack of light absorbency tampons;
 - (v) 8 pack of regular absorbency tampons; and
 - (vi) 8 pack of super absorbency tampons.
- (2) Menstrual Hygiene Items — Upon Request.
- (a) In addition to the distribution of prepackaged Menstrual Hygiene Kits, incarcerated women shall receive additional no-cost individually wrapped menstrual hygiene items upon request:
 - (i) From a designated correctional supply or housing unit officer;
 - (ii) At the conclusion of a strip search in accordance with Department Directive [OPS.110.0047 – Personal Search Protocols - Inmates](#); and
 - (iii) At the direction of a medical or mental health treatment provider.

- (b) All of the menstrual hygiene products described in §.06B(1)(d) shall be available upon request from a correctional supply or housing unit officer as individually wrapped items.
 - (c) Except under §.06B(3), a correctional supply or housing officer shall issue no more than two (2) individually wrapped items described in §.06B(1)(d) of this directive per day.
- (3) When medically necessary, a medical or mental health treatment provider may provide written direction to a correctional supply officer to provide an inmate with:
- (a) A modified Menstrual Hygiene Kit;
 - (b) More than two (2) individually wrapped items upon request; or
 - (c) Other menstrual hygiene products appropriate for postpartum or other medical conditions.
- (4) If an incarcerated woman is required to remove a tampon or sanitary napkin as a result of a strip search, the OIC shall provide one (1) menstrual hygiene product listed in §.06B(1)(d) of the incarcerated woman's choosing, upon the completion of the strip search.

C. Determination of Indigence for Welfare Kit.

- (1) An inmate who meets the criteria for indigence, but has a pattern of receiving and spending funds in order to manipulate account balances to qualify as indigent, may not qualify as an indigent inmate; and the value of a welfare kit received during the 30-day period may be deducted from the inmate's spending account;
- (2) Upon receipt of a *Welfare Kit Request* form, a correctional supply officer or warden's designee shall forward that request to the facility's Regional Finance Office for review.
- (3) The Regional Finance Office shall determine an inmate to be eligible for a welfare kit if the inmate's:
 - (a) Current spending account balance is less than \$ 2.00 and the inmate has not received state pay for a job/school assignment during the last 30 days; or
 - (b) Current spending account balance is less than \$ 2.00 and the inmate does not have a job/school assignment.
- (4) A determination of indigence by the Regional Finance Office shall be applied to an inmate's status for a period of one (1) month.
- (5) The Regional Finance Officer may not retroactively debit the cost of a welfare kit from an inmate's account, if during the next welfare kit distribution cycle the inmate was determined not to be indigent.

- (6) A correctional facility may not establish a separate threshold for determining indigency.

D. Welfare Kit Contents and Exclusions.

- (1) With the exception of the DPDS Youth Detention Facility (YDC), a monthly welfare kit for a sentenced or pretrial inmate in the custody of DPDS shall include:
- (a) Five (5) stamped envelopes, one (1) writing tablet, and one (1) pen; and
 - (b) A one month supply of soap, shampoo, toothpaste, deodorant, shaving or hair removal items, a comb, a toothbrush, and if applicable menstrual hygiene items.
- (2) A monthly welfare kit for a sentenced DOC/Patuxent inmate shall include:
- (a) Ten (10) unstamped envelopes—postage to be provided in accordance with Department Directive OPS.250.0001 – Inmate Mail—Mail Room Procedures, one (1) writing tablet, and one (1) pen; and
 - (b) A one month supply of soap, shampoo, toothpaste, deodorant, shaving or hair removal items, a comb, a toothbrush, and if applicable menstrual hygiene items.
- (3) A monthly welfare kit for an inmate (sentenced and pretrial) in the custody of YDC shall include:
- (a) Five (5) stamped envelopes, one (1) writing tablet, and one (1) ink pen; and
 - (b) A one month supply of soap, shampoo, toothpaste, deodorant, a comb, a toothbrush, and if applicable menstrual hygiene items.
- (4) Additional paper, pens and envelopes shall be provided to an indigent inmate upon request in accordance with Department Directive [OPS.250.0001 – Inmate Mail—Mail Room Procedures.](#)
- (5) Removal of Items Contained in Admission Kits, Welfare Kits, and Commissary packages.
- (a) In the required institutional directive, a managing official shall document procedures for the confiscation of items purchased from the commissary.
 - (b) The managing official shall only authorize the confiscation and control razors from the welfare kit or commissary when the control of such an item is due to safety and security precautions.
 - (c) Consistent with special housing requirements and the safety and wellbeing of inmates, correctional officers on designated units may be authorized by the managing official or medical personnel to:

- (i) Remove razors and body wash from an inmate's belongings, welfare kit, or commissary order;
 - (ii) Control the documented issuance of the razor and body wash to the inmate;
 - (iii) Supervise the inmate's use of the razor; and
 - (iv) Collect the razor and body wash following the inmate's immediate use of the item.
- (d) An officer who collects a razor under the procedures established in §.06(1)(b) of this directive shall dispose of the razor in an appropriately secured biohazard container.
- (6) This directive does not prohibit a correctional facility from providing:
- (a) Other brands or types of personal hygiene articles for sale at the commissary or canteen, as long as the article does not contain a contraband substance; or
 - (b) Welfare items in the housing areas, where they may be obtained as needed from a correctional housing officer.

E. Misuse of personal hygiene products.

- (1) Misuse of menstrual / personal hygiene products includes any use or activity unrelated to menstruation.
- (2) If an inmate misuses menstrual or personal hygiene products, the inmate may be subject to the inmate disciplinary process under COMAR 12.03.01, including but not limited to use of a personal hygiene product to:
 - (a) Commit assault or battery;
 - (b) Manufacture a weapon;
 - (c) Misuse, tamper with, damage, or destroy security devices equipment, property, detection or monitoring equipment, or fire suppression or alarm devices (e.g. block the closure or locking mechanism of a cell or other door); or
 - (d) Create unsanitary and unclean conditions in assigned housing areas.

.07 Appendix.

A. Inmate Welfare Kit Request form – OPS Form # 175.0002aR

B. BISM - Welfare, Admission, and Menstrual Hygiene Order forms

.08 History.

- A. This directive supersedes Executive Directive OPS.175.0002 dated August 1, 2019, and supersedes the provisions of any other prior existing communication with which it may be in conflict.
- B. Executive Directive OPS.175.0002 dated August 1, 2019 supersedes the previous version dated February 5, 2019 and also supersedes the provisions of any other prior existing communication with which it may be in conflict. This version clarifies the required procedures regarding the distribution of no-cost menstrual hygiene products; what menstrual hygiene products are to be provided; and retitles the Directive to “No Cost: Admission, Menstrual Hygiene, and Welfare Kits”.
- C. Executive Directive OPS.175.0002, effective date February 5, 2019 superseded but did not rescind CM.175-2 dated: April 15, 2002; PATX.175.0002 dated: 6/12/2014; and DPDS.080.0012 dated: November 30, 2010. Each Division and Agency shall establish policies consistent with this Executive Directive.

.09 Distribution.

- A – Reference Copy
- L – Inmate Library
- S – Facility Property Officer
Inmate Bulletin Board

**DPSCS CORRECTIONAL OPERATIONS
WELFARE KIT REQUEST**

Correctional Facility

Inmate Name: _____ Housing Unit Number: _____

SID Number: _____ Date _____

In order to be eligible for a Welfare Kit, an inmate must meet the eligibility requirements as defined in OPS.175.0002. Welfare Kit orders will not be filled if an inmate does not meet eligibility criteria.

Each Welfare Kit contains the same items, but quantities may vary based on an inmate's pretrial or sentenced status and whether the kit is received monthly or quarterly.

I request a welfare kit, and I authorize a deduction from my account in the amount equal to the value of the welfare commissary package if an analysis of my account shows a pattern of receiving and spending funds in a 30-day period to maintain indigence.

Inmate Signature

Date Requested

Completed and verified by the Regional Finance Office

You are ELIGIBLE to receive a Welfare Kit because it has been determined that:

- Your current available account balance is LESS THAN \$2.00; and
 - You have not received state pay for a job/school assignment during the previous 2 weeks or
 - You do not have a job/school assignment.
- Other: _____

You are NOT eligible to receive a Welfare Kit because it has been determined that:

- Your current spending account balance is \$2.00 or more.
- You have received state pay for a job/school assignment during the previous 2 weeks.
- Your account shows a pattern of receiving and spending funds in a 30-day period to maintain indigence status.
- Other: _____

Regional Finance Officer Name and Signature

Date

DO NOT DETACH COPIES OF THIS FORM – A COPY WILL BE RETURNED WHEN PROCESSED

Sign Below at the Time of Delivery

Inmate's Signature

SID Number

Date of Issue

Issuing Officer's Name and Signature

Date of Issue

Welfare Kit was not issued due to: _____

BISM – DOC NO-COST WELFARE AND ADMISSION KITS ORDER FORM

Maryland Department of Public Safety and Correctional Services

No-Cost DOC Welfare Kit _____ **Kit Price:** _____
Quantity

Contents:

- Ten Envelopes
- One Writing Tablet – 5” x 8”
- One Black Flexible Pen (anti shank) – BISM # 20604-26
- One 2.75oz. Toothpaste – BISM # 20604-30
- One Toothbrush (anti shank) – BISM # 20604-23
- One Black Comb (anti shank) – BISM # 20604-104
- Two 3oz. Bar Soaps – BISM # 10401-0001-030
- Five Shaving Cream Packets .125oz – BISM # 20604-105
- Two Anti-shank razors – BISM # 20604-106
- Two Roll-on Deodorant 3oz. or Four 1.5oz. – BISM # 20604-175
- Two 4oz Shampoo – BISM # 20604-31
- Two 4oz Body Wash – BISM # 20604-117

No-Cost DOC Admission Kit _____ **Kit Price:** _____
Quantity

Contents:

- One .85oz. Toothpaste – BISM # 20604-103
- One 1.5oz. Bar Soap – BISM # 20604-34
- One Toothbrush (anti shank) – BISM # 20604-23
- One 1.5oz. Roll-on Deodorant – BISM # 20604-175

Blind Industries and Services of Maryland

Submit this form via fax or email to BISM

Attention: _____ Email: _____ Fax: _____

Facility Name:	
Customer Name:	
Purchase Order Number:	
Order Date:	
Contact Phone Number:	
Contact Fax Number:	
Requested by (Print Name):	
Requested by (Signature):	

BISM – No-Cost DPDS WELFARE AND ADMISSION KITS ORDER FORM

Maryland Department of Public Safety and Correctional Services

No-Cost DPDS Welfare Kit _____ **Kit Price:** _____
Quantity

Contents:

- Five Stamped Envelopes
- One Writing Tablet – 5” x 8”
- One Black Flexible Pen (anti shank) – BISM # 20604-26
- One 2.75oz. Toothpaste – BISM # 20604-30
- One Toothbrush (anti shank) – BISM # 20604-23
- One Black Comb (anti shank) – BISM # 20604-104
- One 3oz. Bar Soap – BISM # 10401-0001-030
- Five Shaving Cream Packets .125oz. – BISM # 20604-105
- Two Anti-shank razors – BISM # 20604-106
- One Roll-on Deodorant 3oz. or Two 1.5oz. – BISM # 20604-175
- One 4oz. Shampoo – BISM # 20604-31
- One 4oz. Body Wash – BISM # 20604117

No-Cost DPDS Admission Kit _____ **Kit Price:** _____
Quantity

Contents:

- One .85oz. Toothpaste – BISM # 20604-103
- One 1.5oz. Bar Soap – BISM # 20604-34
- One Toothbrush (anti shank) – BISM # 20604-23
- One 1.5oz. Roll-on Deodorant – BISM # 20604-175

Blind Industries and Services of Maryland

Submit this form via fax or email to BISM

Attention: _____ Email: _____ Fax: _____

Facility Name:	
Customer Name:	
Purchase Order Number:	
Order Date:	
Contact Phone Number:	
Contact Fax Number:	
Requested by (Print Name):	
Requested by (Signature):	

Menstrual Hygiene Kits Order Form

Maryland Department of Public Safety and Correctional Services

No-Cost Menstrual Hygiene Kits (Women): MCIW, Patuxent, BCBIC, CDF, YDC

- **Menstrual Hygiene Kit: Facility Issued (Please indicate # requested)**
- **At time of Admission/Intake a female inmate may choose a combination total of 24 items below:**

Contents: Choose # beside each up to total 24

- _____ 8 pack of regular absorbency sanitary napkins
- _____ 8 pack of maxi / super absorbency sanitary napkins
- _____ 4 pack of overnight absorbency sanitary napkins
- _____ 4 pack of light absorbency tampons
- _____ 8 pack regular absorbency tampons
- _____ 8 pack of super absorbency tampons

- **Each month female inmates may choose a combination total of 48 items below:**

Contents: choose # beside each up to total 48

- _____ 8 pack of regular absorbency sanitary napkins
- _____ 8 pack of maxi / super absorbency sanitary napkins
- _____ 4 pack of overnight absorbency sanitary napkins
- _____ 4 pack of light absorbency tampons
- _____ 8 pack regular absorbency tampons
- _____ 8 pack of super absorbency tampons

Submit this form to the Correctional Supply Officer

Facility Name	
Inmate Name	
Inmate SID Number #	
Order Date	
Cell Location	
Requested by (Signature)	

BISM – No-Cost YDC WELFARE AND ADMISSION KITS ORDER FORM

Maryland Department of Public Safety and Correctional Services

No-Cost YDC Welfare Kit _____ **Kit Price:** _____
Quantity

Contents:

- Five Stamped Envelopes
- One Writing Tablet – 5” x 8”
- One Black Flexible Pen (anti shank) – BISM # 20604-26
- One 2.75oz. Toothpaste – BISM # 20604-30
- One Toothbrush (anti shank) – BISM # 20604-23
- One Black Comb (anti shank) – BISM # 20604-104
- One 3oz. Bar Soap – BISM # 10401-0001-030
- One Roll-on Deodorant 3oz. or Two 1.5oz. – BISM # 20604-175
- One 4oz. Shampoo – BISM # 20604-31
- One 4oz. Body Wash – BISM # 20604117

No-Cost YDC Admission Kit _____ **Kit Price:** _____
Quantity

Contents:

- One .85oz. Toothpaste – BISM # 20604-103
- One 1.5oz. Bar Soap – BISM # 20604-34
- One Toothbrush (anti shank) – BISM # 20604-23
- One 1.5oz. Roll-on Deodorant – BISM # 20604-175

Blind Industries and Services of Maryland

Submit this form via fax or email to BISM

Attention: _____ Email: _____ Fax: _____

Facility Name:	
Customer Name:	
Purchase Order Number:	
Order Date:	
Contact Phone Number:	
Contact Fax Number:	
Requested by (Print Name):	
Requested by (Signature):	