

MICHIGAN DEPARTMENT OF CORRECTIONS

“Committed to Protect, Dedicated to Success”

MEMORANDUM

DATE: May 20, 2020

TO: Wardens

FROM: Kenneth T. McKee, Deputy Director
Correctional Facilities Administration

SUBJECT: Talking Book

This memorandum updates and supersedes previous communications regarding Talking Books issued by this office. A copy of this document may be found in the Document Access System (DAS).

Offenders who meet eligibility requirements are eligible to receive free library services through the Michigan Braille and Talking Books Library (BTBL) now a service administered through the Department of Labor and Economic Opportunity (LEO).

The purpose of this communication is to provide information and clarification on how qualified offenders confined to the Michigan Department of Corrections (MDOC) may access this service.

Note: Effective June,1, 2020 audio materials loaned by the BTBL will no longer circulate. Audio materials will be loaded onto one of three digital cartridges loaned to eligible offenders, only these cartridges will circulate between the BTBL and the offender.

Application Process:

The *Application for Free Library Service for MDOC Inmates* is available on the LEO webpage at http://www.michigan.gov/lara/0,4601,7-154-61256_28313_54234-304943--,00.html a copy of the application is also attached to this memorandum.

1. An offender who wishes to participate in the Braille and Talking Book program must send a CSJ- 562 *Offender ADA Reasonable Accommodation Request/Appeal* (CSJ-562) to the facility ADA Coordinator.
2. The ADA Coordinator will meet with the offender and complete pages one and two of the application. The ADA Coordinator will provide the offender applicant

pages three through six of the application. These pages are to be completed by the offender while awaiting the approval or denial of the request.

3. The facility ADA Coordinator will forward the application to health care so that the offender's eligibility for participation in the BTBL program may be certified.

Certification Process:

1. The Medical Service Provider will review the application and certify that the offender does or does not meet eligibility requirements.
2. If certification cannot be verified by a review of the offender's medical records, the offender shall be scheduled for a health care encounter to evaluate eligibility. The offender shall be responsible for any co-pay triggered by this health care visit.
3. Health care staff shall complete the application. The certification section must be completed by the Medical Service Provider. The completed application shall be returned to the facility ADA Coordinator.
4. On receipt of the completed application from health care, the facility ADA Coordinator will forward a copy of the completed *Application for Free Library Service for MDOC Inmates* and the original CSJ-562 to the statewide ADA Coordinator.
5. The statewide ADA Coordinator will verify the health care approval/denial. If approved adds an ADA-BTBL accommodation to the offender's non-medical accommodations listing in OMNI.
6. Once documentation is completed on the CSJ-562 and the information is entered in OMNI, the statewide ADA Coordinator forwards a copy of the approved/denied CSJ-562 to the facility ADA Coordinator.
7. The facility ADA coordinator shall be responsible for forwarding a copy of the approved/denied CSJ-562 to the offender applicant.
8. The facility ADA coordinator will also forward a copy of the approved/denied CSJ-562 to the facility librarian. The librarian shall also be sent the original *Application for Free Library Service for MDOC Inmates*.
9. If the disability is certified by health care and it is noted on the CSJ-562 that the accommodation is approved, the facility librarian will accept the completed pages three to six from the offender applicant and forward the original signed copy of the completed application to the BTBL.

10. BTBL will accept and process only those offender applications that are complete, including certification of eligibility by health care. Additionally, the application must be received from an authorized sender. The only authorized sender is a MDOC librarian. Applications received from other sources will not be processed.

Program Eligibility:

Offenders, who are certified and approved to receive services through the BTBL will be eligible for services and equipment available through the program. Please note, some services and equipment which are available to civilian patrons have been determined to present a risk to the safety and security of MDOC facilities, offenders will not be permitted to receive those services or equipment.

If eligible, the offender will be permitted to possess the following equipment which is owned by the United States Government (Library of Congress), but which is permanently loaned to the eligible individual:

1. Digital Talking Book Machine. The Library of Congress is making this machine available to qualified individuals. This machine is equipped with a power cord, rechargeable battery, a speaker, and a headphone jack. Each machine has a unique serial number. Offenders who are in General Population may possess and use this machine to listen to materials loaned from the BTBL during their leisure time and in the housing unit. To minimize noise and distraction of others, offenders will not be permitted to use the speaker but will be required to listen to the recorded materials via their personal headphone/ear buds only.
2. Offenders may have use of three digital cartridges which will be used to obtain audio books directly from the BTBL. These reusable cartridges are the property of the Library of Congress and are permitted to be possessed by the offender as long as s/he remains eligible for the program. Offenders may also be permitted to receive audio magazines on digital cartridge from the National Audio Company. Note: Offenders are permitted to receive recorded materials only as identified in PD 05.03.118 *Offender Mail*. Only audio books provided directly from the BTBL and audio magazines from the National Audio Company will be accepted. Content permitted on each digital cartridge will be limited to ten (10) titles per cartridge.
3. Braille books. Eligible offenders will be permitted to receive and use Braille books which are available through the BTBL circulating library and other approved vendors as identified in PD 05.03.118 *Offender Mail*.
4. Loaned Braille books must be returned in the container provided.
5. Personal blank and rewriteable flash drives and computer diskettes are prohibited, additionally described movies are prohibited. Offenders are not permitted to receive or possess these materials.

6. Headphones. Offenders are not permitted to receive or possess headphones that are available to non-offender users of BTBL. These headphones have been evaluated and have been determined to present a security risk in MDOC facilities. To use the Talking Book Machines available through the BTBL offenders must use personal headphones or ear buds as allowed per PD 04.07.112 *Offender Personal Property*.
7. External speakers including “Pillow Speakers”. Offenders are not permitted to receive or possess external speakers available to non-offender users of BTBL services. These speakers have been evaluated and have been determined to present a security risk to our facilities.

Control of equipment and materials loaned though the BTBL and Library of Congress Programs:

1. Offenders are required to follow BTBL and Library of Congress rules regarding the care and use of loaned materials, including the requirement that these materials are for the use of eligible individuals only.
2. The serial number of equipment permanently loaned to an offender through the BTBL and Library of Congress Programs, must be recorded on the offender’s Personal Property Receipt (CSJ-241). The offender shall be allowed to retain the equipment throughout his/her incarceration or until s/he becomes disqualified for participation in the program.

Distribution of the Talking Book Machine shall be managed by facility library staff. BTBL will issue and exchange the Talking Book Machine only through the library. Talking Book Machines and digital cartridges remain the property of the federal government and are loaned only to eligible, active library patrons. Machines may not be loaned to other individuals, sold, or traded, thrown away or dismantled.

Note: Replacement of the Talking Book Machine and Talking Book Cartridges will be as a one-for-one exchange only.

Requests for replacement of the Talking Book Machine and/or Talking Book Cartridges will not be considered for a period of six months when the originally issued equipment does not accompany the replacement request.

Subsequent requests for replacement of the Talking Book Machine and/or Talking Book Cartridges will not be considered for a period of one year, if the issued equipment does not accompany the replacement request.

3. The Talking Book Machine and the three Talking Book Cartridges issued to the offender shall be stored if an offender is prohibited from possession of the item due to his/her placement in segregation.

4. The Talking Book Machine and three Talking Book Cartridges issued to an offender must transfer with the offender if the offender is transferred to another correctional facility.
5. The Talking Book Machine and Talking Book Cartridges must be accounted for on the offender's property records upon the transfer of the offender to another correctional facility.
6. If an offender's eligibility for the program comes into question due to abuse/misuse of the Talking Book Machine or Talking Book Cartridges or because the offender does not have a physical condition which would qualify him/her for the service; the facility ADA Coordinator shall provide to the BTBL, documentation supporting the offenders termination from the program.
7. If the BTBL concurs that the offender is no longer eligible for the program, provides notification to the statewide ADA Coordinator. The ADA Coordinator shall be responsible for notifying the facility ADA Coordinator, who in turn will be responsible for notifying the offender and the facility librarian of the termination.
8. Talking Book equipment in possession of an offender who is not eligible for the program shall be confiscated and returned to BTBL.

Your assistance in sharing this information with the appropriate staff in your facilities is appreciated.

Attachments: Application for Free Library Service for MDOC Inmates
Letter to Inmates

c: Assistant Deputy Directors	S. Greene, BTBL, LEO
Assistant Health Services Administrators	B. Turner, BTBL, LEO
Librarians	S. Chinault, BTBL, LEO
Mail Rooms	S. Adamson, CFA
ADA Coordinators	A. Dirschell, CFA
R. Gilbert, OLA	N. Killough, CFA