DEPARTMENT OF CORRECTIONS

Policy Number:	**302.260**
Title:	**Juvenile Resident Property**
Effective Date:	**4/7/20**

PURPOSE: To provide procedures regarding resident property at juvenile correctional facilities.

APPLICABILITY: All juvenile facilities.

DEFINITIONS:

Contraband – defined in Policy 301.030, "Contraband."

Inventoried personal property – personal property with a specified limit on the allowable items list.

Non-inventoried personal property – personal property that is a consumable item, an unfinished hobby craft item, an item without a specified limit on the allowable items list, or an item controlled by the room saturation limit.

Room saturation limit – the maximum allowable number of an item that a resident may have in their possession at one time.

State-issued property – state-owned property issued to residents for their use during their stay at the facility.

Unallowed property – any item that is received at the facility for a resident that is not listed on the department allowable item lists.

PROCEDURES:

A. Allowable Property

1. *General guidelines*

a) The department allows juvenile residents to possess personal property in addition to state-issued property. In the interest of protecting the safety, security, physical plant, and orderly management of the facilities, facility administration manages the process of obtaining property, disposing of property, and identifying the type/volume of property allowed.

b) The juvenile facility maintains a list of allowable property.

(1) The list includes:

(a) Information regarding the quantity of allowable items;

(b) Restrictions, including where specific items are allowed;

(c) Specifications regarding the type or brand of an item; and

d) The maximum value for each item.

(2) Additional restrictions may be imposed in specialized units.

c) During orientation, all residents must be informed of what types of property are allowable. Copies of the allowable property list must be available to all residents.

d) The allowable property lists may be revised when approved by the warden/designee. Residents are given at least a 30-day notice prior to the implementation of any changes.

2. *Admissions*

a) A resident may bring authorized personal property when being admitted to the facility.

b) Incoming allowed personal property must be in accordance with the published list and must be purchased through the property department using the authorized vendors, through the canteen, or purchased with prior approval while on delegation.

c) Upon admission, the resident's property is searched and inventoried.

(1) Unallowed items are sent out of the facility.

(2) Allowable items are issued to the resident.

d) The resident reviews, signs and receives a copy of the incoming property receipt prior to being issued their property.

3. *Exceptions*

Exceptions to the allowable property list may only be considered if

a) The item is required for a work release program or for medical reasons; and

b) When the item is approved by medical staff and/or the warden/designee.

4. *Religious items*

Residents may possess a maximum of five personal religious items subject to specifications in this policy.

a) Personal religious items are subject to all security restrictions, including such examples as inspections and shakedowns.

b) The impact that specific personal religious items have on security, safety, or the orderly management of the facility determines whether the item may be restricted or prohibited.

c) The chaplain/designee determines the religious significance of personal items, consistent with the guidelines developed by the religious practices committee and property/security staff.

B. Vendors

The facility administration may approve appropriate vendors to provide for the specific needs of their residents (e.g., hobbycraft, electronic repairs, religious items, and published materials).

C. Property Inventory

1. The property department at the facility maintains a current property inventory for items defined as inventoried personal property.

a) This list is updated when inventoried property is obtained and disposed of.

b) Facility staff must provide residents with their personal property inventory records.

c) Residents requesting subsequent copies must pay for copying costs.

2. Residents are only allowed to obtain property through the property department's approved vendors using the resident voucher system.
   a) Facilities may impose limits on the number of purchases made by residents.
   b) If a resident wishes to replace an item on their current inventory, the new item must not be issued until the old item is relinquished by the resident.

3. The incoming property of residents assigned to the open program must be inspected and processed within two days, excluding weekends and holidays.

4. Residents are not allowed to have inventoried personal property (see definition above) in their possession that is not included on their property inventories.
   a) Any inventoried personal property found in a resident's possession that is not listed on that resident's property inventory records is considered contraband and may be confiscated and disposed of.
   b) The resident may be subject to disciplinary action.

5. Residents must not transfer, give, trade, loan, or sell property to other residents.

6. Electronic items that a resident claims are lost, stolen, or improperly disposed of may not be removed from their inventory record or replaced for six months unless verified by staff.

7. Residents may purchase gift items from outside vendors. The item must be sent from the vendor to an outside address using the facility's order form.

D. <u>Storage of Property</u>:
   1. All residents must store personal property in their rooms.

   2. Residents are solely responsible for the care and safekeeping of their personal property while in their possession.

   3. Regulations concerning the storage of property may vary depending on the physical plant and the restrictions imposed by fire and health regulators.

   4. Resident property held by the facility must be inventoried at the time staff receive the property and stored in a secure place.

E. <u>Disposition of Property</u>:
   1. Upon a resident's release, all of the resident's inventoried personal property must be returned to the resident along with a receipt signed by the resident that lists the property returned, unless:
      a) The item is prohibited by law or case plan; or
      b) The property is held for an authorized investigation or litigation.

   2, Staff must document any discrepancies between the resident's inventoried person property turned over to the facility at admission and the property returned to the resident upon release, and must also document the resolution of the discrepancy.

   3. Property staff verify the ownership of the item before disposition and make adjustments to the property record as needed.

4. All outgoing property must be shipped via an authorized vendor.

5. All packaging and shipping charges must be deducted from the resident's account.

6. State-issued property must not be sent out.

7. *Undelivered/unallowable items*
   a) When items are received or delivered without following the approved property procedures, a completed Notice of Non-Delivery of Mail/Package (attached) must be sent to the resident stating the reason for rejection. The package with the unallowable property is returned to the sender at the resident's expense, subject to section eight below.

   b) When an item was properly obtained but then determined to be unallowable, the resident receives a Notice of Non-Delivery of a Mail/Package.
      (1) The resident has 30 days to inform the property department of their choice of the following dispositions:
         (a) Return the mail/package to the sender at the resident's expense; or
         (b) Allow the property department to dispose of the mail/package.
      (2) If the resident does not respond within 30 days, the property department destroys the item.

8. *Authorized outgoing property*
   a) Residents may deliver outgoing personal property to the property department.
   b) The resident must complete a property disposition slip and the property staff must process outgoing property within two days of receipt.

9. *Contraband*
   Contraband items must be confiscated and disposed of as listed below. Residents with contraband may be subject to disciplinary action.
   a) Inventoried items over the amount listed on the inventory:
      (1) If the resident provides proof of ownership, the resident may determine the disposition of the property.
      (2) If, after 30 days, the ownership is not verified, property staff determine the disposition of the property.

   b) Non-inventoried items in excess of the allowable limits:
      Residents may determine the disposition of the property.

   c) Unallowable items are confiscated and destroyed after 30 days.

   d) Items declared as contraband through discipline are disposed of according to property disposition procedures.

   e) A resident in possession of an electronic item found to be contraband is not allowed to replace the item for six months.

10. *Unclaimed property*

a) The warden may sell or dispose of personal property, excluding money, in the manner provide by law for the sale or disposition of state property when property left at the facility when a resident is released, dies, or escapes from a facility remains unclaimed for a period of 90 days; and no person is known to be entitled to it.

b) The proceeds of any sale, after the deduction of the costs, are deposited in the resident social welfare fund.

c) Within two years of the sale, the resident or the resident's heirs may file and make proof of ownership to the warden.

d) On receiving satisfactory proof, the warden certifies with the state treasurer the amount received from the sale of the property for payment to the resident or the resident's heirs.

F. Delegations

Residents temporarily leaving the facility may have any property worn or taken with them inventoried on release and return to the facility. Residents may not bring back any additional property without prior authorization.

G. State-Issued Property

1. All residents must be issued clean clothing that fits properly and is climatically suitable and durable.

2. The facility must develop a state issue property list as applicable.

3. After one year has elapsed from the initial issue date, replacement clothing may be issued at the resident's written request.
   a) A replacement of new socks, t-shirts and briefs (whites) are issued.

   b) All other state-issued items must be replaced only when no longer in serviceable condition and are replaced with clean, serviceable, used items.

   c) The resident must exchange an old item in order to receive a replacement.

   d) If extenuating circumstances exist and are verified, accommodations may be made to replace certain damaged items.

4. All state-issued property may be tagged with the resident's name and centrally laundered weekly or as needed

5. Release
   a) Upon release, residents must be furnished with one good, serviceable outfit of clothing.
   b) Residents must be issued a good, serviceable jacket when released during the winter months, between approximately October 1 and March 31.

INTERNAL CONTROLS:

A. Resident's inventoried personal and state-issued property items are recorded on the appropriate forms.

B. A paper file is maintained on each resident

ACA STANDARDS: 3-JTS-4B-07 through 3-JTS-4B-12 and 3-JTS-5A-05.

REFERENCES: Minn. Stat. §§ 241.09, subd 2 and 242.43
Policy 203.220, "Delegations"
Policy 301.030, "Contraband"
Policy 302.020, "Mail"
Policy 302.300, "Religious Programming"

SUPERSESSIONS: Division Directive 302.260, "Juvenile Offender Property," 10/20/15.
All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

ATTACHMENTS: Notice of Non-Delivery of Mail/Package (302.020A)

APPROVALS:
Deputy Commissioner, Community Services
Deputy Commissioner, Organizational Services
Assistant Commissioner, Facility Services
Assistant Commissioner, Office of Strategic Planning, Implementation, and Employee Development