

WEBER COUNTY CORRECTIONAL FACILITY

Volume

INMATE SERVICES

Chapter

JG 05 - INMATE PROPERTY

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JG 05/01.00 **GENERAL**

JG 05/01.01 **Purpose**

The purpose of this chapter is to provide the WCCF policy, procedure, and requirements for inmate property while incarcerated at the WCCF.

JG 05/01.02 **Cross Reference**

JD 08 - Privilege Levels

JE 01 - Mail

JG 03 - Inmate Funds and Accounting

JG 05/01.03 **Definitions**

abandoned property	property an inmate leaves when released from WCCF that has not been claimed within 30 days
approved provider	authorized visitors of the inmate; stores or licensed vendors
authorized visitor	an individual who has been approved by the WCCF to visit an inmate housed at the WCCF
authorized volunteer	an individual approved to provide inmate services under direct or indirect supervision of the work supervisor or group leader during scheduled times on a volunteer basis
contract items	those items requiring Commander/designee signature to be authorized for possession by the inmate due to special circumstances related to classification or medical needs
disposition	notification to remove unauthorized property from the facility
DX	direct exchange; one item for a similar item of WCCF issued property or items under special contract
ecclesiastical visitor	a priest, pastor, rabbi, minister, bishop, or similar official functionary of a church, denomination, sect, congregation, or other religious organization or association
IPM	Inmate Privilege Matrix
inventory form	a form listing all property in the possession of the inmate at the time prepared
legal privileged	correspondence entitled to confidential treatment

material	
legal pouch	13" x 18" clear plastic bag provided to an inmate for the sole purpose of storing legal privileged material
moderate limits	classification, living area, space standards, and safety codes
nuisance contraband	items an inmate may not possess including, but not limited to, items made from scraps of paper, wood, plastic, metal, wire paper clips, two-holed fasteners, hair ribbons, etc.
nuisance property	excess property, unauthorized, not on property matrix, not used as intended
Privilege Matrix	a matrix of inmate personal property authorized by the WCCF, not to include WCCF-issue property
property file	a record of inmate personal property on the JMS computer syatem
property release	removal of authorized/ unauthorized property from the WCCF inmate property file
property storage locker	place inmate property and personal property is stored in during incarceration
WCCF	Weber County Correctional Facility

JG 05/02.00 **INMATE PROPERTY**

JG 05/02.01 **Policy**

It is the policy of the WCCF that:

- A. the WCCF shall allow inmates to possess property of a nature that shall reasonably meet the needs of the inmate while maintaining the legitimate interests of the WCCF;
- B. an inmate may mail out property through the United States Postal Service and shall pay postage on all outgoing mail packages;
- C. an inmate's personal property may be released to any visitor, if authorized by the inmate, through the WCCF Property Unit during posted operating hours;
- D. the WCCF shall not accept responsibility for property which is lost, stolen, or damaged while in the care of the inmate;
- E. inmates may be allowed to possess religious items consistent with WCCF Inmate Privilege Matrix (IPM) policies and procedures, so long as such items are not contrary to legitimate WCCF interests;
- F. there shall be no inmate-to-inmate exchange of personal property; and
- G. all forms of nuisance contraband shall be disposed of without notice or opportunity for appeal.

JG 05/02.02 **Rationale**

- A. The WCCF has limited area available for the storage of inmate property. Restricting the amount of property which will be accepted is necessary to accommodate necessary prisoner property. Therefore, it is necessary to limit the amount and type of property which will be accepted with each WCCF prisoner.
- B. Allowing inmates to retain money and property when they arrive at the WCCF is not consistent with the goals and objectives of the WCCF.
- C. Property may be:
 - 1. dangerous to staff, the prisoner being received, and other inmates (i.e., weapons, controlled substances, items that can be used in suicide attempts);
 - 2. contrary to the WCCF Policy and Procedure or Administrative

Directives (i.e.cigarettes, nuisance contraband);

3. items which may be in jeopardy of being stolen by other inmates.

D. Money may be:

1. stolen by other inmates;
2. used to make purchases contrary to the order and management of the WCCF (i.e.,gambling, contraband, sexual favors).

E. Property is taken at admission for safekeeping, and to prevent it from being stolen, used to defeat security, or misused.

F. Other property is issued to ensure that inmates have bedding, appropriate clothing, and necessities to maintain personal hygiene.

G. The WCCF has limited storage space and limited staff to manage a property storage facility. Therefore, due to a necessity, release of property of inmates still incarcerated in the WCCF or temporarily housed in another facility must be limited to exigent circumstances and to the procedures outlined in this chapter.

JG 05/02.03 **Procedure: Receiving Inmate Property**

A. General

1. All approved property coming into the WCCF for inmates shall be received through the authorized channels (Property Unit, Commissary, Mail and Religious Items).
2. The WCCF Property Unit shall accept and deliver only those items listed in the Privilege Matrix by inmate classification standards and pre-authorized contract clearance items.
3. Inmates are allowed to have in their possession only those items authorized by the IPM for their housing unit, classification, current contract clearances and listed in the individual's property file.
4. Property Contracts, when authorized, should be initiated by the housing unit for approval of the WCCF Commander/Designee.
5. Property Contracts, when authorized, shall not be transferable.
6. The inmate shall assume full responsibility for any property he is

authorized to possess. The WCCF shall not accept responsibility for property which is lost, stolen, or damaged while in the care of the inmate.

7. Property authorized by the Jail Commander to be accepted for delivery to an inmate shall be receipted by the WCCF Property Unit.
8. Clearances for inmate property, other than those addressed by policy, shall be signed by the Jail Commander/designee of the WCCF.

B. Incoming Property for Inmates

Inmates may receive authorized property in the following ways:

1. A direct delivery by authorized visitor to the WCCF Property Unit that shall comply with:
 - a. Inmate Privilege Matrix; and
 - b. WCCF Property Contracts, in which copies shall be on file in the WCCF Property Unit prior to receipt of contract property items;
2. Through the U.S. Postal Service:
 - a. All property received through the mail must comply with JE 01, Mail;
 - b. Package pre-authorization shall be a special request for health and welfare items normally not supplied through the commissary and shall be:
 - 1) authorized by the Medical Administrator/designee and Commander/designee if required for medical reasons; or
 - 2) approved by the WCCF Commander/designee for all other packages;
3. Direct delivery to the WCCF during prescribed receiving hours from licensed vendors, and shall comply with procedures in B. above'
4. Property from another correctional institution shall be processed as follows:
 - a. Property received for inmates from county jails, state or federal

correctional facilities shall be accepted and authorized property shall be thoroughly searched as per WCCF policy;

- b. Unauthorized property shall be processed in accordance with this policy;
- c. No package pre-authorization is required.

JG 05/02.04 **Procedure: Releasing Inmate Property**

A. **Release to a Designated Person**

- 1. An inmate may authorize the WCCF Property Unit to release personal property to a designated person by completing and signing a Property Release Form.
- 2. The Property Release Form shall be placed in the housing unit mail or may be given to the Housing Unit Officer. The property may be picked up by the designated person.
- 3. Persons picking up inmate property shall be required to show picture ID prior to receiving the property.
- 4. Inmate property authorized to be released shall consist of all Personal Property, excluding clothing and money. Any exceptions shall be pre-approved on a case-by-case basis by the Jail Commander/designee.
- 5. A new arrestee may release property any time prior to being housed in the WCCF by:
 - a. obtaining a Property Release Form from a Booking Officer;
 - b. completing the Property Release Form; and
 - c. returning the Property Release Form to a Booking Officer.
- 6. Any exceptions shall be authorized by the Jail Commander/ designee.

B. **Mailed Via U.S. Postal Service**

- 1. The inmate shall be required to pre-pay postage, utilizing a money transfer form.
- 2. Property to be mailed will not be accepted without a complete address of the person to whom the property is to be mailed.

3. Property to be mailed shall be processed and prepared for mailing by the WCCF Property Unit.
4. The WCCF Mail/Property Unit shall mail the inmate's property to the addressee specified by the inmate on the Property Release form.
5. If property to be mailed is returned "Undeliverable", the inmate will be requested to furnish appropriate information. If the inmate does not comply within 10 days, this will constitute authorization to donate as per this policy.
6. Commissary items released to visitors or through the mail shall only be released through the WCCF Property/Mail Unit in accordance with WCCF policy JE 01.

C. Donation to a Charitable Organization

1. Donation of authorized or unauthorized personal property to a charitable organization shall be authorized by:
 - a) Voluntary Donations - the completion of a Property Release Form, with the inmate writing "I WISH TO DONATE THIS PROPERTY TO A CHARITABLE ORGANIZATION," signed and dated by the inmate, and witnessed by a staff member; and
 - b) Involuntary Donations - unclaimed property left at the WCCF Property Unit for a period of 30 days shall be donated to a charitable organization.
2. Charitable organizations receiving donated property should be rotated between local organizations who have agreed to accept these donations.

D. Released Property Returned or Not Picked Up

Inmate property that has been authorized for release and not picked up shall be placed in the inmate's Property Storage locker.

E. Abandoned Property

1. Property shall be deemed abandoned by an inmate who has been:
 - a. released from custody for over 30 days with no forwarding address and/or no action taken to retrieve his property; or

- b. transferred to another facility, or has terminated sentence and has signed the Property Release Form at the time of departure stating he has received all property.
2. Abandoned property shall be processed and donated to a charitable organization, consistent with this policy.
3. Property in which ownership cannot be established shall be held by the WCCF Property Unit for a period of one year before donating that property to a charitable organization within the state or destroying that property.

F. Escape Status

1. Property of an inmate on escape status shall be confiscated and inventoried by the Property Unit.
2. The WCCF Property Unit shall store the property in the Property Unit storage area for a period of 30 days.
3. At the end of 30 days, the property shall be disposed of and indicated in the inmate's record.

G. Death

1. Property of inmates who die while in custody of the WCCF shall be inventoried by the Property Unit.
2. This property shall be stored in the WCCF Property Unit.
3. Notification of next of kin shall be in accordance with WCSO policy and procedure.
4. Deceased inmates' property shall be held in the WCCF Property Unit for a period of 30 days before authorized for release (UCA 75-3-1201 and 1202).
5. If property is not claimed within one year of death, it becomes the property of the County and may be used for correctional purposes or donated to a charity within the state (UCA 64-13-15 and 75-2-105).

H. Confiscated Property

1. All property, including nuisance contraband confiscated by staff, shall be identified on an incident report. The property and a copy of the report shall be placed in the property issue room or given to the Disciplinary Officer.
2. When inmates are found to be in possession of excess numbers or amounts of property items listed in the official property matrix, staff members shall confiscate the excess property items or shall require the inmate to release the property in accordance with WCCF policy.
3. Inmate property items which are damaged beyond repair or altered shall be confiscated or released in accordance with WCCF policy.
4. When inmates are in possession of nuisance contraband, these items shall be confiscated and sent to the WCCF Property Unit to be disposed of in accordance with WCCF policy.
5. The property of any inmate found in the possession of another inmate shall be confiscated and picked up by the WCCF Property Unit, and placed in the rightful owner's Property Storage Bag.

I. Lost or Damaged Property

1. Inmates wishing to replace lost or damaged controlled items shall sign a Property Release Form requesting the lost or damaged property be donated or released.
2. If an inmate is compensated for property as a result of a valid grievance, and if the original property is received at a later date, the WCCF is deemed the owner of the original property.
3. The original property shall be given to the Property Officer for disposal through the proper policies and procedures.

JG 05/02.05 **Procedure: Issuing Inmate Property**

Once the inmate's property has been properly processed as outlined in this chapter, the property shall be issued to the inmate by the WCCF Property Officer/designee.

JG 05/02.06 **Procedure: Final Disposition of Inmate Property**

- A. Staff members, regardless of assignment, shall not discard inmate property items regardless of value or condition.

- B. All inmate property items should reach a final disposition as per policy and procedure without exception.
- C. If an inmate is compensated for property as a result of a valid grievance and the original property is received by the WCCF Property Unit, the property shall be given to the WCCF Accountant, who shall determine if it may be disposed of, and direct the method of disposal.
- D. The maximum dollar value of responsibility the WCCF shall accept for an inmate's property while in care and custody shall be no more than the verified value in the inmate's property file.

JG 05/02.07 **Procedure: Legal Material and Rationale**

A. Inmate Interests

The primary interests of inmates include:

- 1. access to necessary legal materials;
- 2. facilitating free and open communication with legal counsel; and
- 3. protecting client-attorney relationships.

B. WCCF Interests

- 1. The WCCF has a need to:
 - a. regulate the volume of property an inmate has in his possession; and
 - b. prevent inmates from obtaining the property of another.
- 2. WCCF interests include:
 - a. security;
 - b. safety;
 - c. order; and
 - d. discipline.
- 3. The volume of property, if unregulated, may negatively impact:
 - a. security/safety by:

- 1) providing a means for inmates to hide weapons (i.e., razors, wire, etc.) and/or other contraband;
 - 2) accumulating large volumes of paper which may increase the potential fire hazard and provide a means for inmates to set fires, and destroy county property, others' property, and/or injure staff, other inmates, or themselves;
 - 3) increasing the opportunity for inmates to move contraband through the system;
 - 4) allowing inmates to possess the property of another inmate, by facilitating or making easier the theft of inmate property; and
- b. order/discipline by:
- 1) frustrating WCCF efforts to require compliance, conformity, and uniformity for inmates as a necessary part of incarceration; and
 - 2) reducing the opportunity of continuing to conduct inmate business contrary to correctional goals and practices.

JG 05/02.08 **Procedure: Other Authorized Property Items**

A. Religious Items

Inmates are allowed to have one approved religious symbol in their possession. Religious symbols shall conform to the Inmate Property Matrix.

B. Commissary Items

1. An inmate may maintain in his possession commissary items not identified on the approved property list if:
 - a. proof of authorized purchase can be provided;
 - b. items were purchased through the commissary; and
 - c. the items are on the inmate's approved commissary list for the facility.

2. Commissary items released to visitors or through the mail shall only be released through the WCCF Property/Mail Unit. This will be allowed only:
 - a. when the commissary item is not authorized in the inmate's current housing assignment;
 - b. when the inmate is released from WCCF custody; or
 - c. when authorized by the jail commander/designee.

JG 05/02.09 **Procedure: Inmate Property Matrix Regulation**

A. Authorized Property Matrix

The WCCF Property Unit shall distribute to the housing facilities the revised matrix, additions, deletions, etc., in the property policy.

B. Review and Revision of Inmate Property Matrix

1. As the need arises, the Commander, Commissary Supervisor, Inmate Service Coordinator and Property Officer shall collectively review, modify and approve the Inmate Privilege Matrix.
2. The approved, updated property matrix shall be finalized and distributed to the housing units by the Property Officer.
3. It shall be the responsibility of each housing unit to ensure that all inmates housed on the unit are made aware of changes.

JG 05/02.10 **Procedure: Regulating Inmate Property**

A. Inmate Living Area Property

Inmate living area property requirements shall address the following issues:

1. Safety

Property which independently or collectively violates established fire and safety codes shall not be authorized.

2. Health

Property shall not be permitted to accumulate to the extent that it results in a health hazard to the inmate or the housing unit.

3. Security

Inmate property shall not be permitted to accumulate to the point that it diminishes the ability of staff to conduct thorough shakedowns in a reasonable amount of time.

4. Rapid Transfer

Inmates shall limit their property accumulation to accommodate the facility's capacity to secure, inventory, and store their property.

5. Financial Responsibility

Inmates shall assume financial responsibility for property which is accumulated over and above the standards set by the facility.

JG 05/02.11 **Procedure: Inmate-to-Inmate Transfers**

- A. Inmate-to-Inmate sales, transfers, exchanges, loaning, borrowing, and similar transactions are **prohibited**.
- B. Legal material (public) may be transferred between inmates with written consent and approval.

JG 05/02.12 **Procedure: Property Contract Items**

- A. Property contract items shall be authorized by the facility Commander/designee.
- B. Property granted as a result of a contract should be consistent with the standards outlined in WCCF Policy or WCCF Administrative Directives.
- C. A copy of the contract form shall be:
 - 1. placed in the inmate's record file outlining the decision; and
 - 2. given to the inmate.
- D. The special property contracts should be reviewed every ninety days and/or at regularly scheduled time intervals.
- E. A contract may be reviewed and/or modified or terminated by the Commander/designee when it is determined that continued authorization of the contract may be detrimental to the safety, security, management, and control of the WCCF.

- F. Property items which are allowed by contract shall meet privileged matrix criteria.
- G. A property contract shall be completed by the inmate and given to the Housing Unit Sergeant/designee.
 - 1. Property allowed by contract shall be processed according to the procedures in this chapter.
 - 2. Medically-ordered property shall be processed through the Medical office and should not be regulated by the Inmate Property procedure.
- H. Property contract items shall be immediately suspended by the Housing Unit Sergeant/ designee if the inmate is reassigned to maximum security housing.
- I. Appropriate documentation concerning any suspension of property contract items shall be placed in the inmate's file by the suspending authority and a copy forwarded to the WCCF Property Unit.