

<p align="center">State of Vermont, Agency of Human Services Department of Corrections</p>	<p align="center">Title: Offender/Inmate Property</p>		<p align="right">Page 1 of 29</p>
<p>Chapter Facilities - General</p>	<p align="center"># 321.01</p>	<p>Supersedes #321.01, <i>Disposition of Personal Property & Offender Claims,</i> <i>except Sections IV (Loss or Damage to Property) & V (Process for Resolution of Small Claims) dated 12/21/98.</i></p>	
<p>Attachments, Forms & Companion Documents:</p> <ol style="list-style-type: none"> 1. Inmate Allowable Property Matrix 2. Inmate Allowable Property Matrix – Restrictive Housing 3. Release of Liability/Declaration of Valuable Property 4. Inmate Property Receipt/Outside Purchase/Special Package Request 5. Receipt & Disbursement Form 6. Refusal of Court Clothes 7. Property Disposal Form 8. Report of Lost or Damaged Property 9. Confiscation of Inmate Property 			
<p>Local Procedure(s) Required: Yes (<i>See Sections 3, 4, 11, 12.</i>) Applicability: All staff (including volunteers and contractors) Security Level: “B” – Anyone may have access to this document.</p>			
<p>Approved:</p> <p align="center"> <u>November 22, 2010</u> Date Signed <u>December 6, 2010</u> Date Effective </p> <p>Andrew A. Pallito, Commissioner</p>			

PURPOSE

The purpose of this Administrative Directive is to establish the amount and type of personal property and State-issued property that an inmate or pre-trial detainee incarcerated in a Vermont correctional facility may retain in their possession; to establish the volume of property a facility will maintain in secure storage; and to describe procedures for the safekeeping, storage, access to, and disposal of personal property, and property confiscated as contraband.

POLICY

It is the policy of the Vermont Department of Corrections, within the inherent limitation of resources and the need for facility security, safety, health, and good order, to place limits on the property inmates are authorized to acquire, possess, and store in a facility. An inmate or offender’s property will be managed in a manner that contributes to security and enhances a humane environment.

AUTHORITY

28 V.S.A. § 708(b); APA Rules #10-029, *Inmate Possession of Printed Materials* and #79-01 *Disposition of Personal Property*

REFERENCE

American Correctional Association Standards for Adult Correctional Institutions, 4th Edition 2003, Standards 4-4164, 4-4285, 4-4292, 4-4293, 4-4294, 4-4335, 4-4343. American Correctional Association Performance-Based Standards for Adult Local Detention Facilities, 4th Edition, 2004, Standards 4-ALDF-219-20, 4-ALDF-219-21, 4-ALDF-219-23, 4-ALDF 219-24, 4-ALDF-619-07, 4-ALDF-7D-11, 4-ALDF-70-15. Administrative Directives #306.01, *Incapacitated Persons*, #352 *Terminal Illness & Inmate Death*, #380.01 *Religious Observances*, #409.01 *Contraband and Searches*, #409.05 *Inmate Mail, Publications, and Audio/Video Regulations*, #410.06 *Restricting Housing Status, Conditions of Confinement*; Interim Procedure *Keep-on-Person Inmate Self-Medication Program*.

DEFINITIONS

Approved Vendors: Businesses approved by the Director of Security, Operations, and Audits from whom an inmate can purchase items.

Centralized Commissary Menu: The itemized list of commissary products purchased from centralized contracts sold throughout the Department.

Commissary Items: Authorized items that are offered for sale by a correctional facility through the commissary and intended for personal use or consumption by inmates.

Commissary Limit: The monetary amount an inmate is permitted to spend to purchase items from commissary.

Confiscate: To remove and/or seize an item or that portion of an item that violates the rules outlined in this directive.

Consumable Commissary: Items purchased through commissary that may reasonably be expected to be consumed/used in a short time period (e.g., food snacks and beverages).

Contraband: An item used by an inmate in an unauthorized or prohibited manner or altered in any way; property in excess of allowable property limits; any item that an inmate, staff person, volunteer, or contractor is not specifically authorized to have in their possession in a correctional facility, and/or anything that can pose a danger or risk to the safety and security of staff, the facility, or public.

Durable Medical Equipment: Medical equipment which may be re-used for therapy/treatment of multiple offenders (e.g., oxygen concentrators, *TENS* units, wheel chairs, etc.)

Evidence: Any item or substance required to substantiate or challenge any criminal or administrative charge; items that will be presented at a due process hearing.

Explicit Sexual Material: Any book, pamphlet, magazine, other printed matter, or audio/video materials, however reproduced, which contain any picture, photograph, drawing, or similar visual representation or image of a person or portion of the human body which depicts nudity, sexual conduct, or sadomasochistic abuse. Explicit sexual material also includes that which contains detailed verbal descriptions or narrative accounts of sexual excitement, sexual conduct, or sadomasochism abuse which taken as a whole is harmful to minors, or impedes an inmate's treatment.

Field Office: A Department business office within the Division of Probation and Parole.

Gift Package: A collection of pre-packaged food and/or other items available from an approved vendor that may be authorized as a special gift purchase.

Health Care/Medical Appliances: Property items which are for the specific purpose of treating an illness, aid in treating an illness, or adapting to an illness or disability. These items must be ordered and/or approved by the Health Services Division. Health care appliances include, but are not limited to, orthopedic prostheses, orthopedic braces or shoes, crutches, canes, walkers, hearing aids, prescription eyeglasses, artificial eyes, dental prostheses, breathing devices, personal wheelchairs, and gloves for wheelchair use only.

Incapacitated Person (INCAP): A person who, having been screened by a substance abuse treatment or medical professional, has been assessed to be unable to function in a manner so as to provide for his/her safety as the result of the ingestion of alcohol or other substances.

Indigent Inmate: An inmate will be deemed indigent if the combined balances of their facility account and any other accessible accounts are \$10 or less at all times during the thirty (30) days preceding the date on which the inmate submits a request for writing materials and postage to the Facility Business Manager or designee. Any inmate who refuses available work, for which they would be paid, although they are physically able and are permitted to work by virtue of their housing status, is not indigent for the purpose of this directive.

Inmate: Any person convicted of a crime or offense under the laws of this state, the United States government, or the laws of another state, who is in custody at a Vermont Department of Corrections facility.

Inmate Property Matrix: A listing of the type, quantity of the type, and quantity of personal and facility property authorized for an inmate to retain according to their classification.

Inmate Trust Lockbox: A banking service provided to the Department for the receipt of bank checks/money orders intended for deposit into an inmate's trust account. Under the service, funds are directed to a special post office box, rather than going directly to the Department. The bank retrieves the funds, processes them, and deposits the funds directly into the Department Inmate Trust account.

Legal Papers: Pleadings and resource documents (e.g., case law, court rules, statutes, transcripts, legal forms, etc.) for legal or court action.

Liability Limit: The limit of DOC liability for any single item of offender property that may be lost, stolen, damaged, or destroyed to an amount equal to the approved claim value of a single item up to \$50.

Offender: Any person convicted of a crime or offense under the laws of this state, the United States government, or the laws of another state, who is under the supervision of the Vermont Department of Corrections and supervised in the community.

Offender/Inmate Personal Property: All items of approved property belonging to, and acquired by, an offender/inmate.

Religious Property: Items of property associated with a religious or spiritual belief as permitted in Administrative Directive #380.01, *Religious Observances*.

Restrictive Housing Status: A security designation, which provides for closely regulated management of an inmate through placement on Administrative Segregation Status, Disciplinary Segregation, or Close Custody.

State-Issued Clothing: Clothing items and footwear supplied by a facility.

State-Issued Property: Items issued to an inmate by the Department of Corrections.

PROCEDURAL GUIDELINES

The provisions of this directive regarding property will be strictly followed in order to contribute to a safe environment for staff and inmates. This will be accomplished by reducing fire hazards, security risks, and sanitation problems, while ensuring the protection of property authorized for retention by an inmate. These safety efforts will include type, quantity, size, and methods of acquisitions of inmate personal property. The Department will allow personal property in the types and amounts reasonably necessary for the comfort and rehabilitation of inmates, while ensuring that institutional order and security are maintained.

1. Facility Admission Procedures

The admitting officer at the time of offender/inmate admission to a correctional facility will search all their property for contraband. An offender/inmate will only be allowed to retain those items that are approved, subject to their security risk classification.

- a. Admission from Community Supervision - Correctional facilities will accept the property of offenders returned from community supervision subject to the provisions of this administrative directive.
- b. All offenders/inmates admitted to a facility will be advised of the personal property items permitted for retention, subject to their legal status or security risk classification.
- c. Allowable Property Matrix – The type and quantity of inmate property will be governed by the allowable limits established by the *Inmate Allowable Property Matrix (Attachment 1)* and the *Inmate Allowable Property Matrix – Restrictive Housing Status (Attachment 2)*. Superintendents will adhere to these and limit personal property in accordance with the *Inmate Allowable Property Matrix* and the provisions of this directive. It is not intended that each inmate have every item listed on the *Property Matrix*. The *Property Matrix* will be posted in all inmate living units and be included in the Inmate Handbook.
- d. Property Inventory – During the booking process, property belonging to an offender/inmate will be inventoried utilizing the *Release of Liability/Declaration of Valuable Property* form (*Attachment 3*) and the *Inmate Property Receipt/Outside Purchase/Special Package Request* form (*Attachment 4*) in accordance with the *Inmate Allowable Property Matrix*.
 - i. No item retained by an inmate will have a claim value greater than fifty dollars (\$50), regardless of its replacement cost.
 - ii. Any inventory of personal property should be completed in the presence of the inmate when possible.
 - a) An inmate will not be allowed to inventory or pack the property of another inmate.

- b) All items inventoried will be listed using accurate descriptive terms regarding:
 - Brief descriptor for jewelry and electronics (e.g., yellow in color, not gold; brand, or serial number; etc.)
 - Condition of the item, (e.g., torn, broken, etc.) – using the “DMG” disposition code
- iii. The *Inmate Property Receipt/Outside Purchase/Special Package Request* form will be issued for any property or funds received into the facility; a receipt will be given to each offender/inmate accounting for:
 - a) All funds (use *Receipt & Disbursement Form F161, Attachment 5*);
 - b) Items authorized for retention according to the *Inmate Allowable Property Matrix*;
 - c) Items removed from an *offender/inmate* for secure storage;
 - d) Items to be disposed of as contraband or excess property according to the procedures outlined in section 11.
- iv. Each *Inmate Property Receipt* form with itemized property will be reviewed and signed by the receiving inmate, then signed and dated by the facility staff person. Should the inmate be unable or unwilling to sign a receipt, the admitting officer and a staff witness will sign for verification and note that the inmate could not or would not sign. The inmate will receive a copy. A copy will be placed in the inmate’s Department file and the property file (see form.)

2. Standard Property Provisions – The following standard property provisions will apply to all offenders/inmates.

- a. Inmate Responsibility – An inmate’s property is retained at their own risk. The Department of Corrections will not be responsible for any property personally retained by the inmate, which is lost, stolen, damaged, consumed, or discarded while in the inmate’s possession. An inmate will not loan, trade, sell, give, or transfer property to another inmate. Property transferred in violation of this policy will be deemed contraband and will be confiscated and disposed of in accordance with established procedures. Property that is used to cover sprinkler heads, lights, vents, windows, or safety/security equipment will be considered contraband.
 - i. Any inmate wishing to retain personal property will sign a *Release of Liability/Declaration of Valuable Property* form.
 - ii. Any inmate wishing to retain any individual property item having an estimated claimed value greater than \$50 must complete a *Release of Liability/Declaration of Valuable Property* form.
- b. Markings - As noted on the *Inmate Allowable Property Matrix*, specific inmate property will be engraved or marked with the inmate’s name and date of birth as designated by * * on pages 17 – 20.
- c. Jewelry – All jewelry will be inventoried and searched at the time of admission to a facility. This includes jewelry that is part of a body piercing.
 - i. Jewelry authorized for retention will not exceed the value established and signed for on the *Release of Liability/Declaration of Valuable Property* form.
 - ii. Jewelry exceeding the established value limit in section 2. a. ii. may be retained by an inmate only if they sign a *Release of Liability/Declaration of Valuable Property* form.
 - iii. Jewelry not retained by an inmate will be mailed to or picked up by an individual designated by the inmate. Any such item will be securely stored by the intake facility until the inmate arranges for its disposal. However, all such valuable property will be mailed out or picked up within thirty (30) calendar days.

- iv. The following items of jewelry are authorized for retention by an inmate subject to the conditions noted above.
 - Wedding band – Plain metal or other material with no gemstone or imitation gemstones
 - Watch
 - Religious necklace(s) or medallion as outlined in Administrative Directive #380.01, *Religious Observances*.
 - d. An inmate will not be allowed to retain cash or money in any form, a driver's license, credit or debit cards, a social security card, or other valuable documents while incarcerated.
 - e. Medications – All medications will be inventoried and accounted for and their disposition governed by the provisions of Administrative Directives *Contraband and Searches* and *Keep-on-Person Inmate Self-Medication Program*.
 - f. Health care appliances and prostheses, including dentures and eyeglasses or other durable medical equipment, will be evaluated by contracted Health Services providers for approval and inclusion on the inmate's property inventory. Health Services providers, as appropriate, will assist a designated security staff person in searching all such items, as necessary, prior to an inmate obtaining them.
 - g. Religious Property – The Department will permit inmates to have religious property in accordance with the religious property allowances outlined in Administrative Directive #380.01, *Religious Observances*.
 - h. Food items and hygiene items in the possession of an offender/inmate at the time of admission may not be retained unless:
 - i. The food items were purchased at another Vermont correctional facility and they remained unopened and sealed;
 - ii. Hygiene items were purchased through the commissary at another Vermont facility and are in good condition and able to be searched.
 - i. Personal Photographs – Photographs represent meaningful ties to the community, and non-Polaroid-type photos may be displayed in an inmate's cell, room, or dorm area according to local procedure if they do not present a fire safety or sanitation problem. An inmate may possess photographs subject to the limitations established by Administrative Directive # 409.05, *Inmate Mail, Publications, and Audio-Video Regulations*, and the property limits outlined in section 3.a. below.
- 3. Storage of Property** – All inmates will be required to store their personal property in their cells, rooms, or assigned dormitory space. Inmates are solely responsible for the care and safekeeping of their personal and assigned property while it is in their possession. Local procedures concerning the storage of property may vary depending on the physical plant and the availability of lockers, storage boxes, or dressers.
- a. Storage Limitations
 - i. Inmates cannot retain personal property in excess of 3.5 cubic feet, except as noted below in 3.b.
 - ii. The box size referenced above will be standard use for property checks by staff. Property that will not fit inside the allowable cubic footage referenced above will be considered excess property and will be removed for disposal according to established directive

procedures, except as otherwise exempted in this directive. An item is considered to be excess if it does not fit within the cubic foot limitations even though the item may appear on the approved *Inmate Allowable Property Matrix*.

- In facilities with inmate uniforms, uniform tops and bottoms count in the total property for pants and shirts.
 - iii. Paper materials including, but not limited to, books, magazines, newspapers, and correspondence will be allowed in a quantity that will fit according to the cubic foot allowance, except where noted differently for inmates on Segregation or Close Custody status.
 - iv. Hobby Craft Materials – Each Superintendent will develop local procedures to address what hobby craft, arts and crafts programs, and materials will be permitted at their facility. Such determination will be based on storage space considerations as well as fire safety and security. The Director of Security, Operations, and Audits will review and approve all hobby craft programs and materials.
- b. Exceptions to Personal Property Limitations
- i. Legal Materials – The amount of legal material that may be retained in a cell, room, or assigned dormitory space will not exceed what will fit into a 12” x 10” x 18” box. Additional legal materials may be stored by the facility with access privileges governed by local procedure.
 - ii. Prescribed medical equipment and authorized medications
 - iii. The materials required for needs-reducing programs
 - iv. Approved appliances (fans)
 - v. Musical Instruments – allowed for sentenced inmates only and where secure storage outside of a cell or room allows
 - vi. Bed linen and special-issued work apparel
 - vii. Perishable commissary items (e.g., snacks, beverages, etc.) are not to be counted in an inmate’s cubic foot allowance. However, individual items listed on the *Property Matrix* are limited to the quantity established by the *Property Matrix*, even if purchased through commissary.
- c. Facility Property Storage – It is recognized that Department of Corrections’ facility storage capabilities vary from facility to facility. Some facilities have limited storage capability due to the limitations of the physical plant construction, fire safety, and security. However, all facilities will have space for and local procedures governing:
- i. Temporary secure storage of valuables not authorized for retention by an inmate/offender, detainee, or Incapacitated Person (INCAP) - INCAP property will only be stored for the duration of their stay;
 - ii. Temporary secure storage of funds in any negotiable form;
 - iii. Temporary storage for property removed from an inmate for disposition, for a pending due process appeal, or a grievance decision, including grievance decisions at the Central Office level;
 - iv. Provision for the storage of personal clothing to be worn at court;
 - v. Storage of personal property for an inmate removed from general population and assigned to Administrative Segregation, Disciplinary Segregation, Close Custody, or any type of protective status where it is necessary to remove items for an inmate’s own protection.

All property stored will have an *Inmate Property Receipt/Outside Purchase/Special Package Request* attached, with a copy placed in the inmate’s property file.

4. Property Acquisition

- a. Approved Sources - After initial intake, inmates will be permitted to acquire authorized personal and State property through approved sources as long as the increase in property does not violate the property limitations and procedures established by this directive.
Approved sources are:
 - i. Commissary purchase
 - ii. An approved catalog or vendor
 - iii. State issue
 - iv. Personal possession at the time of admission to a facility
 - v. Special package allowance (See section 4.e. below.)

- b. Commissary Ordering Guidelines
 - i. All inmate commissary orders must be completed using the appropriate system provided by the commissary company.
 - ii. The commissary spending limit for all Vermont correctional facilities in the Department of Corrections will be an amount approved by the Facilities Executive and communicated to all inmates. This spending limit may be updated, also as communicated by the Facilities Executive.
Exceptions include:
 - a) Inmates on Administrative Segregation, Disciplinary Segregation, or Close Custody status are limited to the purchase and dollar value of items approved for the status to which they are assigned.
 - b) Approved purchases such as subscriptions, electronics (e.g., hand-held radios, headphones, fans, hand-held electronic games, etc.) will not be included in weekly spending limits.
 - c) There is no limit on how much debit an inmate may purchase on telephone vouchers.
 - d) During the holiday period of the first week after Thanksgiving through the first week of January, individual spending limits will be increased to accommodate special holiday packages. This gift package program will be provided to all facilities during this time. Notice will be put out from Central Office to all inmates.
 - iii. In accordance with local procedures, orders must be placed in a designated area by a specified time in order for inmates to receive commissary at the next scheduled delivery date. Notices will be posted in all living units to advise inmates of any changes to the standard because of holidays or other events.
 - iv. The local procedures for inmates to follow for commissary will be provided to the inmate in the facility Inmate Handbook.
 - v. The commissary ordering list will be updated as necessary, but at least twice (2x) annually. All such lists will be approved by the Director of Security, Operations, and Audits.

- c. Vendor/Catalog Orders – Items available through commissary cannot be purchased through an outside vendor. Items not available through commissary may be purchased, upon approval through the Facility Superintendent or designee, from an outside vendor or catalog source.
 - i. Inmates who request to purchase an item not available through the contractual commissary service will request, in writing (*Inmate Property Receipt/Outside Purchase/Special Package Request* form), to make a purchase from an external vendor or catalog source.
 - ii. Each facility will maintain a resource of approved vendors/catalogs for inmates to review when making an external purchase.

- iii. Upon written approval from the Facility Superintendent or designee, the inmate's Caseworker will enable the inmate to review the catalog resources in order to decide upon making the purchase.
 - iv. Once the inmate decides to make a purchase, the Caseworker will forward the request to the facility business office to ensure that the inmate has sufficient funds to make the purchase. If the inmate has sufficient funds, the purchase will be made and the cost deducted from the inmate's account. If the inmate has insufficient funds, the request will be returned to the inmate with an explanation that they have insufficient funds.
 - v. All items purchased must be received directly from the vendor.
 - vi. All items received from external vendors/catalog sources shall be subject to security review and approval by the Security and Operations Supervisor. All rejected items will be returned to the vendor at the inmate's expense or sent to a person, designated by the inmate, at the inmate's expense.
 - vii. Family or friends may make a purchase for an inmate, following the procedures in this section. All orders must be forwarded directly through the vendor.
 - viii. The Director of Security, Operations, and Audits will publish a list of approved catalog vendors. The list will be updated annually.
 - ix. The Facility Superintendent or designee will disapprove and decline to accept any purchase not in compliance with this directive.
 - x. Cash on delivery (COD) orders will not be accepted. The inmate or purchaser will pay all costs associated with a vendor or catalog purchase at the time of ordering.
 - xi. Items that need to be returned to a vendor will be done so at the inmate's expense unless the mistake was made by facility staff. Non-returnable items may be considered contraband and be disposed of according to established procedures.
 - xii. Repairs to items purchased from a vendor will be at the inmate's expense.
 - xiii. All items received from a catalog source or a vendor will be thoroughly searched by staff.
- d. State-Issued Property - Upon admission, each offender/inmate, dependent upon need and available resources, will be issued property items as indicated below. State-issued items, except for facility-issued uniforms and linens, will be issued based on need. State-issued clothing items will be provided to indigent inmates to ensure that they have the minimum basic items needed. There will be no entitlement for non-indigent inmates to receive the maximum limit of state-issued property, except as noted in section 4.e.
- i. Linens – All inmates will receive:
 - a) 2 sheets
 - b) 2 blankets
 - c) 1 pillow
 - d) 1 pillowcase
 - e) 1 mattress
 - f) 1 bath towel
 - g) 1 mesh laundry bag
 - ii. Clothing – Inmates assigned to a facility providing uniforms will receive uniforms and other issued items as indicated within this section.
 - iii. Uniforms provided for work assignments will be used only for the intended purposes and will not be counted as part of an inmate's allowable property limits.
 - iv. Footwear - Indigent inmates and inmates with footwear that would pose a danger or security risk (e.g., steel-toed shoes, steel support shanks, or severely damaged footwear) may receive one (1) pair of state-issued footwear and shower shoes.
 - v. Hygiene Items – Newly admitted and indigent inmates will be issued the following basic hygiene items:

- a) soap
 - b) toothpaste
 - c) toothbrush
 - d) shampoo
 - e) deodorant
 - f) feminine products, as necessary
 - g) shaving equipment, upon request and according to local procedure.
- e. Special Package Allowance - The purpose of a special package allowance is to supplement the clothing and footwear that an inmate was in possession of at the time of their admission, and/or to supplement state-issued clothing or uniforms.
- i. During their first thirty (30) days of incarceration an inmate may receive only one *initial* special clothing package containing the items listed below. Such an allowance will not count as a vendor or catalog order as referenced in 4. c. above, even if the package comes from a vendor or catalog source.
 - ii. If an inmate is transferred from an out of state facility to a Vermont facility, or a Vermont uniformed facility to a non-uniformed facility, they may have a special clothing package within the first thirty (30) days of their transfer.
 - iii. Special package allowable items may include, but are not limited to:
 - a) undergarments
 - b) slacks/pants/jeans
 - c) shirts/blouses
 - d) socks
 - e) sweatpants
 - f) sweatshirts (no hoods)
 - g) sweaters
 - h) coats – plastic zipper, no leather,
 - i) gym shorts
 - j) shower shoes
 - k) sleepwear
 - iv. Special Package Limitations
 - a) Special package items may not exceed the allowable property limits for a specific category item established by the *Inmate Allowable Property Matrix*.
 - b) Special package items may not include jewelry, cosmetics, or food items.
 - c) Special packages may be received only with advance written permission, and at times established by local procedure (e.g., thru U.S. mail, UPS, non-visiting days, etc.)
 - d) Special packages, other than those coming directly from a vendor or catalog source, may only be received from an individual on an inmate's approved visiting list.
 - e) Special packages containing items of contraband or dirty clothing will be rejected. They may be retained or turned over to law enforcement for criminal investigation.

5. Court Clothing

It is the policy of the Vermont Department of Corrections that all inmates in facilities where they are issued a DOC inmate uniform will appear in court attired in the inmate uniform except when 1) appearing for jury selection, 2) appearing before a jury during trial, or 3) when a court orders that an inmate is to appear in civilian clothing. All other facilities will permit inmates to appear in court in civilian clothing unless security concerns require the wearing of a security jumpsuit.

The appearance of an inmate before a jury provides the individual the opportunity for an unbiased hearing; therefore, during judicial proceeding in which a jury is being selected, testimony is being heard in front of a jury, and at times when a judge orders such, inmates may elect to be attired in clothing other than the inmate uniforms that are issued by the DOC. At all other times, inmates who reside in a facility that issues and recognizes inmate uniforms, will be attired in the inmate uniform they are provided.

a. First Appearance

- i. An inmate housed in a facility that issues inmate uniforms, who appears in court for first appearance and prior to being issued an inmate uniform, will be attired in the civilian clothing that they are wearing.
- ii. Inmates whose attire at this time is provocative, revealing, or significantly inappropriate for a court appearance will be provided indigent or abandoned clothing by the facility.

b. Civilian Clothing

- i. Each facility may maintain no more than one (1) set of civilian clothing for an inmate who is appearing for court. Facility personnel will control civilian clothing that the facility chooses to store until such time the inmate requests them for an appearance in court.
- ii. Unless authorized by the Superintendent, civilian clothing for court may not be accepted into the facility by mail or package delivery service.
- iii. If accepted, civilian clothing for court will be thoroughly searched and laundered. Articles of clothing that cannot be laundered (shoes, suits, belts, etc.) will be thoroughly searched by a Correctional Officer.
- iv. No camouflage clothing will be accepted.
- v. When an inmate is scheduled for court to attend a jury selection, jury trial, or when a court orders that the inmate is to appear in civilian clothes, correctional staff will enable the inmate to change clothes from the inmate uniform to civilian clothing prior to custody being relinquished to the transporting agency.
- vi. Upon return, the inmate will be required to change out of the court clothing and back into an inmate uniform or other personal clothing. The civilian clothing will be thoroughly searched and secured by correctional staff.

c. Inmate Uniforms - All inmates who are scheduled to attend court for any reason other than a jury selection, trial before a jury, or pursuant to a court order will attend in an inmate uniform, personal clothing if they are assigned to a non-uniformed facility, or a security jumpsuit where required.

d. Release from Court - When it is known that an inmate will be released from court, the sending correctional facility will permit the inmate to be attired in civilian clothing regardless of the type of court appearance.

e. Refusal of Clothing - Inmates who refuse to wear court clothing for a jury selection, jury trial, or pursuant to a court order will be required to sign the *Refusal of Court Clothes* form, (Attachment 6). A copy of the signed form will be sent to court with the transporting agency and the original retained in the inmate's file. If the inmate refuses to sign acknowledging the refusal, the words "Refused to Sign" will be written in the inmate signature line and witnessed by two (2) staff.

f. Security

If enabling an inmate to wear civilian clothing to court poses a security threat, staff will immediately notify the facility Superintendent. After consultation with the Director of Security, Operations, and Audits and the Facilities Executive, a decision will be made on the attire the inmate will wear to court and additional security provisions to be implemented.

6. Restrictive Housing Unit Property Limitations: Inmates assigned to a restrictive housing unit and assigned to Administrative Segregation, Disciplinary Segregation, or Close Custody will adhere to the following property and commissary limitations.

- a. Inmates assigned to a restricted housing status (Administrative Segregation or Disciplinary Segregation) and Close Custody will adhere to the commissary and property limitations outlined in the *Inmate Allowable Property Matrix – Restrictive Housing Status*.
- b. Special Packages
 - i. An inmate on Administrative Segregation or Disciplinary Segregation may not receive a special package or vendor/catalog order.
 - ii. An inmate assigned to Close Custody may receive a special package order with the written permission of the Superintendent.
- c. Property Inventory - When an inmate is assigned to a restrictive housing status, the inmate's property will be inventoried by a staff person and delivered to the restrictive housing unit. The restrictive housing unit staff will be responsible for sorting the property and authorizing those items that are allowed for the inmate's specific status. In each case, the inmate will receive an *Inmate Allowable Property Matrix*.

7. Facility Transfers: When an inmate is transferred from one Vermont facility to another, the following procedures will be followed.

- a. Inventory and Packing – Each inmate will be provided with a container to pack their own property. An inmate's property must fit into a container, box, or plastic bag according to the property limitations established in section 3.a. Excess inmate property will be disposed of according to the procedures established in section 11.
 - i. All of an inmate's property, whether from their cell or from secure storage, will be searched and inventoried at the time of their transfer.
 - ii. The completed inventory will be compared to the inmate's existing property inventory receipts. State-issued items not approved for retention, contraband items, excess property, and property obtained in an unauthorized manner will be subject to disposal according to proper procedures.
 - iii. The sending facility, receiving facility, and the inmate will retain a copy of the completed *Inmate Property Receipt/Outside Purchase/Special Package Request* form.
 - iv. If an inmate is on restrictive housing status or refuses to prepare the property for transfer, staff will inventory and prepare the property for transport.
 - v. Valuable property, official records, and medication not authorized for possession by the inmate will remain in staff control at all times, until disposed of properly.
 - vi. The receiving facility will search all incoming property and have the inmate sign a receipt (*Inmate Property Receipt/Outside Purchase/Special Package Request* form) for their retained property.
- b. An inmate transferring to another facility, in-state or out of state, must return all State-issued items, including those items listed in section 4. d. i-iv. The only exceptions are those items

issued to an inmate to wear during the transport. These items will be collected upon an inmate's arrival at their destination. Should an inmate fail to return an item in reasonable good condition allowing for normal wear, the following actions shall occur:

- i. The inmate shall receive the appropriate disciplinary report (DR) for the value of the items not returned, or destroyed.
 - ii. In the case of an inmate who is transferring to an out of state facility, or being discharged, a hold should be placed on any monies in the inmate's account for the value of the items in question. The hold should be for a maximum of thirty (30) days to allow the inmate the opportunity to challenge the hold through administrative channels.
- c. Time Frames - An inmate's property, to include all legal property and any special medications, medical devices, and required records, will be transferred with the inmate. In the case of an emergency transfer, an inmate may be transferred without personal property. In such cases, the property will be forwarded within two (2) business days.
- d. The Department will not transport any perishable items that have been opened.

8. Discharges, Returning Property: Upon the legal release of an inmate from a Department of Corrections facility, staff will return all of the inmate's personal property to them.

- a. Inventory - Prior to an inmate's release, all stored property, valuables, and property in the possession of the inmate being released will be inventoried, preferably in the presence of the inmate, and given to the inmate. The inmate will sign the *Inmate Property Receipt/Outside Purchase/Special Package Request* to verify receipt of the property.
- b. The inmate will return all State-issued items and other property belonging to the Department of Corrections to the facility, and staff will account for it.
- c. If an inmate does not have personal clothing items to wear at the time of discharge, donated items retained by the facility may be issued.
- d. The balance of the inmate's funds will be given to the inmate or be made available the next business day. If funds are not picked up the next business day, a check will be mailed to the address provided by the inmate.

9. Death of an Inmate: Upon the death of an inmate, it will be the responsibility of the Superintendent or designee to ensure that all of the inmate's property is inventoried by a staff person and secured in accordance with Administrative Directive #353, *Terminal Illness and Inmate Death*. The staff person conducting the inventory will sign the *Inmate Property Receipt*. A copy of the *Property Receipt* will be placed in the inmate's file and a copy retained with the property. Property will be retained until any investigation of the inmate's death is completed, or it is released by the investigating agency.

- a. Property Release
 - i. The deceased inmate's property will be released to the inmate's next of kin as previously designated by the inmate. The person designated as next of kin must sign for any of the inmate's property received on the *Property Disposal Form (Attachment 7)*.
 - ii. If the next of kin does not wish or is unable to come to the facility to claim the personal effects, the Superintendent will send a certified letter to them within one (1) week, advising them that they have thirty (30) days to claim the property. Failure of the next of

kin to claim the property within thirty (30) days of notification will result in the disposal of the property. See section 11.

- b. Forwarding Property – If the next of kin requests that the property be forwarded, and sufficient funds are available in the inmate’s account, property may be mailed to the next of kin by certified mail/return receipt requested. Absent sufficient funds, the facility will mail the property to the designated next of kin.

10. Lost, Missing, or Damaged Property: Any personal property that an inmate retains shall be brought into the facility at the inmate’s own risk. The Department of Corrections is not responsible for retained personal property.

- a. An inmate who claims to have property that has been lost, missing, or damaged due to a staff member’s negligence will be eligible for an investigation.
 - i. The inmate making a claim will fill out the top portion of the *Report of Lost or Damaged Property* form (*Attachment 8*) and submit it to the Security & Operations Supervisor (SOS).
 - ii. Only those items on the approved *Inmate Property Receipt* form(s) for which the inmate has proof of ownership, may have a claim investigation value. As such, the SOS will need to verify ownership by checking the inmate’s property file.
 - a) If ownership cannot be verified, there will not be an investigation and the form will be returned to the inmate.
 - b) If ownership is confirmed, the SOS signs and dates the form acknowledging receipt and confirmation that the claim is eligible for an investigation.
 - iii. Once signed, the facility has a fifteen (15) business day timeline to investigate and resolve a claim of lost or damaged property.
 - iv. If the claim involves another facility, the time period for resolution may be extended an additional fifteen (15) business days.
 - v. The Superintendent or designee will assign the investigation to a staff member.
 - vi. The investigating staff member will complete the investigative summary on the *Report of Lost or Damaged Property* form before forwarding their findings to the Superintendent.
 - vii. The Superintendent will make a determination to either approve or deny replacement or reimbursement at the estimated value or less.
- b. A copy of all lost or damaged property reports must be retained by the facility where the claim was settled.
- c. All claims that are found to be valid by replacement or reimbursement need to be finalized by having the claimant inmate sign along with a staff witness, concluding the issue.

11. Disposal of Excess, Unauthorized, and/or Abandoned Personal Property

- a. Confiscation of Inmate Property – Staff will issue a *Confiscation of Inmate Property* form (*Attachment 9*) for property confiscated from an inmate. Unless otherwise directed by subsection b. below, an inmate will be provided an opportunity to select a disposal-of-property option outlined in section 11.d.
- b. Excess Personal Property – Inmates will be allowed to dispose of their own excess personal property that is not considered dangerous, *except for*:
 - i. Property confiscated as evidence in a crime;

- ii. Property confiscated as evidence in an administrative due process hearing (see *Attachment 9*);
- iii. Property designated as contraband as outlined in the administrative directive on *Contraband and Searches*;
- iv. Property held for a grievance appeal.

Excess property referenced in this section will be mailed out at the inmate's expense, unless local procedures allow for pick-up at the facility, in which case the person picking up the property must sign the *Property Disposal Form*. (State-issued property cannot be sent out.) An inmate may also elect a disposal option as outlined in subsection d. below.

- c. Abandoned Property – The Department of Corrections will not be responsible for property abandoned by an offender/inmate because of their escape or failure to return from a furlough.
 - i. In the event of an escape, the offender/inmate's property will be confiscated, searched, inventoried, and placed in a secure location as possible evidence. The chain of custody will be maintained.
 - ii. If the offender/inmate is not returned to the custody of the Department within ninety (90) days, and the property is not being held as evidence, the Department will dispose of the property pursuant to this directive.
- d. Disposal of Property
 - i. Staff will give an inmate a receipt for all property to be disposed of.
 - ii. An inmate who chooses not to have excess property mailed out or picked up by a designated person may have the property donated to a charity, or destroyed. See the *Property Disposal Form*.
 - iii. In no case will excess property be used by, or given to, Department staff, including volunteers and contractors.
 - iv. Failure of an inmate to choose one of the disposal options noted below will represent a forfeiture of any claim to the property after thirty (30) calendar days.
 - v. Unclaimed property will be disposed of by:
 - a) Designating it for use by the facility;
 - b) Donation to a charity;
 - c) Designating it for use by an indigent inmate;
 - d) Transfer to another State agency or department;
 - e) Being destroyed.

12. Responsibilities of the Facility Superintendent

Each Superintendent will:

- a. Ensure an up-to-date local procedure on inmate property is maintained at their facility;
- b. Ensure facility staff are trained in the provisions of this directive;
- c. Designate a staff member to review and approve property purchases;
- d. Ensure that inmates are advised of the provisions of this directive;
- e. Ensure that copies of the appropriate allowable property matrix, and commissary and package-ordering materials are distributed as required;
- f. Ensure that the provisions of this directive are available to the public in the form of a facility lobby and visiting room flier or newsletter.

TRAINING

The Facilities' Executive, the Director of Security, Operations, and Audits, the Human Resources Director, and each Facility Superintendent will ensure that an initial training on the provisions of this directive is provided to facility staff.

QUALITY ASSURANCE

The Director of Security, Operations, and Audits is responsible for incorporating quality assurance procedures into the Security and Compliance Audits.

ATTACHMENT 1 – SAMPLE

INMATE ALLOWABLE PROPERTY MATRIX

Item	M	F	W	R	Comments
Clothing					
Athletic Supporter	1	0	1	1	Standard Design – Male only
Bras	0	5	7	7	No underwire – Female only
Underwear	7	7	7	7	Boxer Shorts, Briefs, Cotton/cotton blend. No thongs, G-string, or transparent fabric
Long Underwear	1	1	2	2	Standard two-piece set; top and bottom; no one-piece
Undershirts/T-shirts	4	4	5	5	Standard; short sleeved; plain white t-shirt, crew or v-neck
Pajamas/ Nightgown	2	2	2	2	Light colors only; no threat group colors. Nightgown – Female only, at least knee length
Robe	1	1	1	1	Standard tie waist; white or gray only; ¾ length only
Socks	7	7	10	10	Pair. Dress sock; standard crew or calf length; gym or dress
Handkerchiefs	3	3	3	3	White only
Shirts/Blouses/Tops	4	4	6	6	May not be low cut. Must be pull-over or complete closure covering shoulders. No "half shirts" or mesh type, no epaulets
Pants/Jeanas	5	5	6	6	Sized proportionately to the offender; straight leg or boot cut leg; no tight fitting; no invisible pockets on pant leg; no hip-huggers or low-rise; no carpenter
Shorts	2	2	2	2	No tight fitting; no cutoff or altered; no less than 6" inseam; no invisible pockets or reversible shorts; no open fly boxer style
Skirts/Dresses	0	2	2	2	No tight fitting; no cutoff or altered; at least knee length – Female only
Sweater	1	1	1	1	Knit pullover; crew or v-neck; snap, turtleneck, button front; plastic zippers only
Sweat Clothes	2	2	2	2	Top: standard long sleeve pullover; crew or v-neck. Bottom: standard drawstring/elastic waist; elastic or open ankle; no jogging suits. 2 piece set: cotton/cotton blend; pullover, crew or v-neck; plastic zippers only
Maternity Clothes Pants/Skirts/Dresses/ Shorts/ Tops	0	7	7	7	Same standards as listed above – Female only
Belt	0	0	1	1	Plain leather or cotton mesh; open buckle no larger than 2"x2"; unlined
Mittens/Gloves	1	1	2	2	No leather
Hat/Cap	1	1	2	2	1 Summer 1 Winter
Jacket/Coat	1	1	2	2	No leather, light lining; hoodless; plastic zippers only; waist Length
Rain Coat or Poncho	0	0	1	1	Clear plastic

** Designates item must be engraved with inmate name & DOB
 Key: M = Male Facility; F = Female Facility; W = Work Camp; R = Re-entry Unit

ATTACHMENT 1 Cont. - SAMPLE

INMATE ALLOWABLE PROPERTY MATRIX

Item	M				F				W				R				Comments
	M	F	W	R	M	F	W	R	M	F	W	R	M	F	W	R	
Coveralls	0	0	0	1	0	0	0	1	0	0	0	1	0	0	0	1	Insulated
Footwear																	
Boots	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	No steel toe, W/C & RU must have boots. 6" or less from bottom of heel to top of boot. 1" or less heel thickness
Shoes	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Closed toe - 6" or less from bottom of heel to top of shoe. 1" or less heel thickness
Sneakers	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	6" or less from bottom of heel to top of sneaker. 1" or less heel thickness
Slippers	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	For inside use only
Shower Shoes	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	For inside use only
Hygiene Items - No Glass																	
Hygiene	No more than 2 individual items in each group (e.g., 2 hair conditioners, 2 toothpaste tubes).																
Hair Brush	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Must be clear substances and in clear containers. Items not listed but sold in Commissary include: (Aftershave lotion, Bunion and Callus Pads (box), Lipbalm, Contact Lens Solution, Dental Floss, Denture Adhesive, Denture Cleanser, Deodorant (non-flammable, non-aerosol), Eye Wash, Hair Conditioner, Hair Dressing, Shampoo, Mouthwash, Toothpaste, Shaving Cream (non-aerosol), Skin Cream or Lotion (no baby oil), Soap, Foot Powder.
Hair Comb	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Plastic only, 1 piece
Hair Pick	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Plastic only, no rattail
Nail Clipper	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Without file: commissary-purchase only
Sanitary Napkins/Tampons	One month's supply																
Denture Cup	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Commissary purchase except indigent inmates. Females only
Mirror	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Plastic; no larger than 4"x6", one piece
Toothbrush	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
Make Up																	
Eye Shadow ^w	0	2	2	2	0	2	2	2	0	2	2	2	0	2	2	2	
Foundation Cream	0	2	2	2	0	2	2	2	0	2	2	2	0	2	2	2	Non-alcohol, Non-aerosol. Must be from Commissary source only. Females only
Mascara	0	2	2	2	0	2	2	2	0	2	2	2	0	2	2	2	
Linens																	

** Designates item must be engraved with inmate name & DOB
 Key: M = Male Facility; F = Female Facility; W = Work Camp; R = Re-entry Unit

ATTACHMENT 1 Cont. - SAMPLE

INMATE ALLOWABLE PROPERTY MATRIX

Item	M				F				W				R				Comments
	M	F	W	R	M	F	W	R	M	F	W	R	M	F	W	R	
Towels	2	2	3	3	2	2	3	3	2	2	3	3	2	2	3	3	
Washcloths	2	2	3	3	2	2	3	3	2	2	3	3	2	2	3	3	
Comfort Items																	
Photo Album	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Photos only; no metal binder; not for newspaper or magazine clipping; not to exceed 8 1/2" x 11"
Plastic Bowl	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
Plastic Mug	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
Plastic Spoon/Spork	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
Plastic Soap Dish	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
Wallet	0	0	0	1	0	0	0	1	0	0	0	1	0	0	0	1	
Appliances/Electronic Devices																	
Alarm Clock	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	No radio; battery operated only
Batteries (AA & AAA)	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	Only if inmate has battery-operated devices
Electric Razor **	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Battery-operated; Non-rechargeable only; as authorized by facility; no hair trimmers
Handheld Game ** (e.g. Game Boy)	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Clear view; only 10 games; no Internet capability
Headphones	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	12" or less; plastic only
Electric Fan **	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Clear view only
Handheld Radio **	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
Combination Lock	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Stationery Items																	
Envelopes	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Limited to the amount that will fit into property box size limitations
Greeting Cards	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	Box of 12
Pen	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	Commissary purchase only
Pencil	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	Limited to \$20.00 in total value
Postage Stamps																	Limited to the amount that will fit into property box size limitations
Stationery																	
Medical Supplies																	

** Designates item must be engraved with inmate name & DOB
 Key: M = Male Facility; F = Female Facility; W = Work Camp; R = Re-entry Unit

ATTACHMENT 1 Cont. - SAMPLE

INMATE ALLOWABLE PROPERTY MATRIX

Item	M	F	W	R	Comments
Prescription Contact Lens	6	6	6	6	Pair; contacts will be clear, disposable/non-disposable, as prescribed
Prescription Eye Glasses	1	1	1	1	Pair
Prescription Contact Lens Case	1	1	1	1	
Prescription Eye Glasses Case	1	1	1	1	
Sunglasses	1	1	1	1	Non-reflective type; non-mirrored
Hearing Aids	1	1	1	1	1 hearing aid per each ear & 1 replacement battery
Hearing Aid Batteries	1	1	1	1	
Medications					
Antacid					Pack
Cough Drops					Bag
Acetaminophen					Pack
Vitamins					Pack or container approved by medical provider
Recreational Materials					
Books, Magazines, Newspapers					Equal to the amount that will fit into property box size limitations; No more than 2 library books
Playing Cards	1	1	1	1	Deck - Standard and Pinochle
Board Games	1	1	1	1	Dominoes, Chess, or Checkers only
Colored Pencils	1	1	1	1	Set
Musical Instrument	1	1	1	1	As authorized by each facility
Sketch Pad	1	1	1	1	
Jewelry					
Watch	1	1	1	1	Time, day, date, alarm, and stopwatch functions only; no gems/stones
Wedding Ring	1	1	1	1	No gems/stones; only authorized if the offender is married
Medallion	1	1	1	1	1.5" wide or 1" in diameter; no gems/stones; religious item

** Designates item must be engraved with inmate name & DOB
 Key: M = Male Facility; F = Female Facility; W = Work Camp; R = Re-entry Unit

ATTACHMENT 2 – SAMPLE

**INMATE ALLOWABLE PROPERTY MATRIX
RESTRICTIVE HOUSING STATUS**

ITEM	DISC-SEG	AD-SEG I	AD-SEG II	P/C **	C/C	COMMENTS
Underwear	7	7	7	7	7	Boxer Shorts, Briefs, Cotton/cotton blend. No thongs, G-string, or transparent fabric
Bras	1	1	1	2	2	No underwire – Female only
Shorts	0	0	1	1	1	No tight fitting; no cutoff or altered; no less than 6" inseam; no invisible pockets or reversible short; no open fly boxer style
Pajamas or Nightgown	1	1	2	2	2	Light colors only; no threat group colors. Nightgown – Female only; at least knee length
Pants or Jumpsuit	1	1	2	2	2	Sized proportionately to the offender; straight leg or boot cut leg; no tight fitting; no invisible pockets on pant leg; no hip-huggers or low-rise, no lanyard; no carpenter
Shoes or Sneakers	1	1	1	2	2	Closed toe - 6" or less from bottom of heel to top of shoe/sneaker. 1" or less heel thickness
Shower Shoes	1	1	1	1	1	For inside use only
Socks	2	2	3	4	4	Pair. Dress sock; standard crew or calf length; gym or dress
Sweatshirt	0	0	1	1	1	No jogging suits. Standard long sleeve pullover; crew or v-neck. Cotton/cotton blend only. No hood
Sweatpants	0	0	1	1	1	No jogging suits. Standard drawstring/elastic waist; elastic or open ankle Cotton/cotton blend only
Undershirts/T-shirts	3	3	3	4	4	Standard; short sleeved; plain white t-shirt, crew or v-neck

Hygiene & Snack Items Per Administrative Directive #410.06, Attachment #3

** May be limited based on Protective Custody Safety Plan

ATTACHMENT 3 – SAMPLE

RELEASE OF LIABILITY

Personal property worth more than, or with a replacement cost greater than, \$50.00 retained in the possession of an inmate is the responsibility of the individual. The Department of Corrections will not be responsible for the repair or replacement of retained personal property which is lost, stolen, damaged, or destroyed. Furthermore, in the absence of negligence the Department will not be liable for damage to personal property which may result from staff inspection of such property, notwithstanding any other provisions in this form. Any personal property worth more than, or with a replacement cost greater than, \$50.00 retained by an inmate in a correctional facility will not have a claim value greater than \$50.00. When an inmate is required to relinquish control of personal property to the Department, the Department will become responsible for safekeeping of the property.

I have read this release, and I agree not to hold the State of Vermont or its staff responsible for those items of personal property which I voluntarily bring into the institution for my personal use while incarcerated.

_____ (Inmate initials - entered by the inmate who is retaining the below property)

Description of item(s)

Inmate Name Printed: _____ DOB: _____ Facility: _____

Inmate's Signature: _____ Date: _____

Staff Signature (Witness): _____ Date: _____

DECLARATION OF VALUABLE PROPERTY

Inmate Name Printed: _____ DOB: _____ Facility: _____

The following inmate property items with an estimated value of over \$50.00 are being temporarily held in safekeeping by this Department correctional facility.

Description Of Property	Value Alleged By Inmate

STATEMENT OF RESPONSIBILITY TO SAFEGUARD PROPERTY

The Department of Corrections will provide a safe area with appropriate security to protect your property.

At the time of your release or disbursal of property, it is your responsibility to check property against your property receipt. If any of your property is missing, you must notify the releasing officer and request a Report of Lost or Damaged Property Form.

Inmate's Signature: _____ Date: _____

Staff Signature (Witness): _____ Date: _____

ATTACHMENT 4 Cont. – SAMPLE

GENERAL INSTRUCTIONS AND PROCEDURES FOR PROPERTY RECEIPT

The Officer preparing the property receipt is to list all property, including property identified as contraband.

There are items that are gender, unit or facility specific - (F) Designates Female Only and (*) Designates Work Camp or Re-Entry Unit Only.

The Officer is to show the quantity of each item in the "Qty." column preceding the name of the item.

The Officer will give the inmate all allowable items, and record this action by placing a "K" in the "Disp." space opposite the name of the item.

Property that will be stored will be marked with an "S" and stored until the inmate is able to receive the property (i.e., release from restrictive housing unit).

All property the inmate chooses to donate is recorded by placing a "D" in the "Disp." space.

Property which is to be mailed to another person is recorded by placing a "M" in the "Disp." space opposite the name of the item(s). When property is mailed out, each package is to be individually inventoried and accounted for and the inmates account will be charged.

If local procedures allow property to be picked up by another person, all items are to be recorded by placing a "P" in the "Disp." space opposite the name of the item(s).

When property is to be picked up, all items will be inventoried, packaged and sealed until picked up. Upon pick-up, the property will be opened and signed for by the person receiving the property.

For all property Donated "D", Mailed out "M" or Picked-Up "P", a *Property Disposition Form* must be completed.

Property identified as contraband is recorded by placing a "C" in the "Disp." space opposite the name of the property. A *Confiscation of Inmate Property* form also to be completed.

If the inmate has currency, the amount and R&D number need to be denoted on the Property Receipt along with the *Receipt & Disbursement Form F161* being filled out.

When an inmate alleges that item(s) are valued above \$50.00, a *Declaration of Personal Property* and/or a *Release of Liability* form needs to be completed.

Upon the completion any property inventory both the inmate and Officer will verify and sign and date the property receipt the appropriate signature boxes provided.

By signing this form the Officer and inmate, certifies the accuracy of the inventory, except as noted on the form, relinquishing of all claim to articles listed as donated "D", receipt of all allowable items "K", and receipt of a copy of the inventory.

When the inmate claims a discrepancy in the inventory, the receiving officer shall attempt to resolve the discrepancy.

GENERAL INSTRUCTIONS AND PROCEDURES FOR OUTSIDE PURCHASE/SPECIAL PACKAGE REQUEST

The inmate requesting an outside purchase or special package must legibly complete the Outside Purchase/Special Package Request portion of this form.

The vendor's name and address must be listed in the appropriate box. Any packages must be shipped directly from the vendor with the vendor's stamp or label affixed.

A complete description of the item(s) needs to be listed along with the price.

The inmate needs to sign the form when the form is submitted to facility staff.

Facility Staff will either deny or approve the package in compliance with Directive.

Any approval for purchase is conditional - If the article is not authorized, is disapproved, or fails to meet the requirement of the Property directive, it will be returned to the sender at the inmate's expense.

All approvals are valid for 90 days.

**ATTACHMENT 5 – SAMPLE
RECEIPT AND DISBURSEMENT FORM FI 61**

Inmate: _____ Inmate ID #: _____ DOB: _____
Please print

RECEIVED: _____ Date: _____

Mail: _____ Intake: _____ Sender Name & Address: _____

Currency: _____ \$ _____

Bank Check/Money Order #: _____ \$ _____

Other: _____ \$ _____
Description of Item(s)

Officer Name: _____ Officer Initials: _____
(please print)

Inmate Signature: _____

DISBURSED: *(given back to inmate)* _____ Date: _____

Currency: _____ \$ _____

Bank Check/Money Order #: _____ \$ _____

Other: _____ \$ _____
Description of Item(s)

Officer Name: _____ Officer Initials: _____
(please print)

Inmate Signature: _____

Items unacceptable for deposit will be "Returned to Sender" using the following address:

Name: _____

Street/PO BOX #: _____

City: _____ State: _____ Zip: _____

Description of Items returned: _____

Officer Name: _____ Officer Initials: _____
(please print)

Inmate Signature: _____ Date: _____

ATTACHMENT 6 - SAMPLE

REFUSAL OF COURT CLOTHES

Date: _____

Court Jurisdiction: _____

Presiding Judge: _____

Staff Offering Court Clothes: _____

I _____ was provided the opportunity to wear the court clothing
(*Inmate's printed name*)
provided to me on this date and hereby refuse on my own accord.

Inmate's Signature

DOB

Date

Staff Signature

Date

Witness Signature

Date

**ATTACHMENT 7 - SAMPLE
PROPERTY DISPOSAL FORM**

Facility: _____ Date: _____

Inmate: _____ DOB: _____

I understand that I have thirty (30) calendar days to decide the disposition of the non-allowable property listed below. I have indicated below the manner in which I choose to dispose of such property within thirty (30) days.

Non-Allowable Property:

ITEM	QUANTITY	DESCRIPTION

The items listed above will be disposed of in the following manner:

- Destroyed
- Donated to: _____
(May not be another inmate or staff member)
- Disposed of by the Facility
- Mailed to the person listed below
- Picked up by the person listed below

Name: _____

Mailing Address: _____

Phone Number: _____

Signature: _____ Date: _____
(Person picking up property)

Inmate Signature: _____ Date: _____

Staff Witness Signature: _____ Date: _____

**ATTACHMENT 9 – SAMPLE
CONFISCATION OF INMATE PROPERTY**

Facility: _____

This receipt will verify that the indicated item(s) of inmate property were confiscated for the reason(s) shown below:

ARTICLE IDENTIFYING INFORMATION

ITEM: _____

MAKE: _____ REASON CONFISCATED: ()A ()B ()C ()D ()E

OTHER INFO/ID: _____

- A. Unable to Prove Ownership: No proof of ownership could be established for the above listed item(s). Inmate is given notice that they have thirty (30) calendar days to verify ownership from the date of confiscation. If unable to prove rightful ownership, then property will be disposed of according to procedures outlined in the Property directive.
- B. Assigned Segregation Status: The item(s) listed is not allowable property for inmates on segregation status. Confiscated item(s) will be held until release from this status.
- C. Illegal Modification: Confiscated property has been altered or modified.
- D. Excessive/Unauthorized: Confiscated property has been determined to be in excess of allowable limits or unauthorized.
- E. Pending Due Process Hearing: Confiscated property is being held as evidence pending a due process hearing. Disposition will be made according to the Property directive.

_____	_____	_____
<i>Inmate's Printed Name</i>	<i>Inmate's Signature</i>	<i>Date</i>

_____	_____	_____
<i>Officer's Printed Name</i>	<i>Officer's Signature</i>	<i>Shift</i>