

GEORGIA DEPARTMENT OF CORRECTIONS Standard Operating Procedures		
Functional Area: Facilities Operations	Reference Number: (IIE07-0004) 213.18	Revises Previous Effective Date: 3/01/2005
Subject: Management of Detainee Property/Contraband		
Authority: Bryson/Ward	Effective Date: 09/08/15	Page 1 of <p style="text-align: center;">8</p>

I. POLICY:

Each Center shall manage and control detainee property and contraband. Specific limitations on property will be enforced. Through the performance of inventories, searches and the maintenance of accurate records of authorized detainee personal property and contraband, accountability and control will be maintained.

II. APPLICABILITY:

Probation Detention Centers and Probation Boot Camps.

III. RELATED DIRECTIVES:

- A. Board Rules: 125-2-4-.06 and 125-3-1-.06.
- B. GDC-SOP: IIE07-0005.
- C. ACA Standards: 1-ACBC-4A-12, 13 and 14.

IV. DEFINITIONS:

NONE.

V. ATTACHMENTS:

ATTACHMENT 1 - Personal Property Inventory

Attachment 2 - Receipt/Disposal Agreement for Detainee Property/Contraband

VI. PROCEDURE:

- A. Staff, primarily correctional officers, shall be responsible for the control of detainee property.

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- B. Standard form, Personal Property Inventory, will be utilized to document personal property authorized to be in the possession of a detainee. The standard form "Receipt/Disposal Agreement for Detainee Property/Contraband" will be utilized whenever any detainee property or contraband is confiscated.
- C. The following property management and documentation procedures will be followed:
1. Original inventory of authorized personal property. Upon arrival, all detainee's property will be surveyed during the admission process. A list of all authorized property that the detainee will be allowed to keep in his/her possession will be made using the Personal Property Inventory form. Only property on the authorized list will be allowed to be retained. The detainee will be given a copy of his/her inventory, a copy placed in his/her case file, and a copy maintained in the admission office. The detainee and processing officer must sign the inventory. Name of detainee and I.D. number must be included.
 2. Should the detainee later receive or acquire additional authorized personal property, it also will be inventoried and documented utilizing the Personal Property Inventory form. This does not apply to commissary items but rather to items received such as shoes, glasses or other items not routinely issued or sold within the Center.
 3. Original disposition of unauthorized property (not hard contraband - see #7). During the initial inventory, detainees will often be in possession of items that are not on the list of authorized items or are in excess of quantities allowed. These items will not be allowed into the Center and will be confiscated by staff. The form designated to record these items (Receipt/Disposal Agreement for Detainee Property/Contraband) will be utilized. The detainee will be given a copy of the form as his/her receipt. This form must be signed by the detainee and the processing officer. All items confiscated will be

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listed and described on the form. The detainee will have the following options for disposition of his/her unauthorized property:

- a. Mail it home at his/her expense.
- b. Place it in secure storage for visitor pickup during visitation day.
- c. The property may be destroyed.
- d. The property may be donated to a charitable organization.
- e. Storage of clothing, etc. to wear or take home at discharge.

4. The above dispositions will be initiated as follows:

- a. If a detainee wishes to mail property, an officer will escort the detainee and property to the mail room and turn the property over to the mail room staff who will assist the detainee in preparing and mailing the property. All copies of the property receipt will indicate what was done, by whom and when. The detainee will keep a copy, a copy will be placed in his/her case file, and a copy maintained in the mail room files.
- b. If a detainee wishes to have a visitor pick up property, the items will be securely packaged and locked in a designated storage room until visitation day. A copy of the property receipt, properly completed, will be firmly attached to the package. The detainee will use his/her copy of the receipt to retrieve. Property must be picked up within 30 days. If not, the detainee must choose another option.
- c. If a detainee wishes to destroy property, he/she will so indicate on the receipt form and sign. The processing officer will also sign. The property will then be turned over to the

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property manager who, with a witness, will destroy the property. The property manager will indicate "Destroyed" on the receipt form, date and sign it. The witness will co-sign.

- d. If a detainee wishes to donate property, he/she will so indicate on his/her receipt form and sign the form. The processing officer will sign and deliver to the property manager or designee. The property manager or designee shall then deliver the item to a charitable organization. An agent of the organization will sign the receipt verifying that the property has been received and by what organization. The detainee will receive a completed copy of the receipt. The property manager or designee will sign and date the form.
 - e. If the property is to be stored until discharge, the procedure outlined in Section B above will be utilized except that the property will be maintained until discharge.
5. Abandoned Personal Property and Funds. Property and/or funds abandoned by detainees shall be handled as directed in Rules of the Board of Corrections 125-2-4.06(d) (e).
 6. The detainee property manager will be responsible for:
 - a. Insuring by frequent inspection that property procedures and documentation are being properly performed.
 - b. Maintaining independent files on documentation related to detainee property. Documents will be maintained for two years computed from detainee discharge date.
 - c. Management of the detainee property storage room.

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7. The confiscation of unauthorized property including hard contraband (possession of which may constitute a crime) and nuisance contraband will require that the following procedures be followed:
- a. Form Receipt/Disposal Agreement for Detainee Property/Contraband is filled out identifying what was taken, by whom, why and when. A copy is given to the detainee, a copy placed in the detainee file, a copy will be retained by the property manager, and a copy will be attached to the contraband.
 - b. The contraband property, if of a nuisance variety, is delivered to the contraband/property manager who shall sign for the property and securely store, pending disposition.
 - c. If contraband property is of such a nature that possession constitutes a crime (drugs, weapons or stolen property), the property must be treated as evidence and a chain of custody maintained. Such items are considered hard contraband. (Note: Fingerprints may be taken so care in handling is necessary.) In such cases, property will be maintained pending resolution. Any person who receives or assumes custody of property must document such receipt.
 - d. If property is of a nuisance variety, the property will be retained by the property control manager who will determine a disposition. A detainee will be given seven days to prove legal and authorized ownership of any item taken from him/her. If the detainee can prove that he/she is in fact the owner (and the item is not hard contraband or illegal), he/she will be given the opportunity to dispose of the item as with any unauthorized item as previously discussed in section 3 above. If ownership cannot be determined, the property manager will document his/her attempts to

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discover the rightful owner and then consult with the Superintendent who may:

- 1) Direct that it be destroyed (if of insignificant value).
 - 2) Direct that it be donated to a charitable organization (if of significant value).
 - 3) Direct that the item be turned over to state authorities for public auction with proceeds going to the state treasury (only for items of significant value).
 - 4) Direct that property be retained as evidence or for further investigation as appropriate.
- e. All actions will be documented. It should also be remembered that possession of unauthorized items is a disciplinary infraction or may be a violation of law. The items confiscated may be needed as evidence at disciplinary hearings or in a court of law.
- f. The Superintendent will establish a separate, secure area for the storage of hard contraband. Access will be restricted to designated staff only. Records maintained regarding placement/removal of hard contraband items into storage will be as those used for the detainee property storage room. Chain of custody of hard contraband items will be maintained.
8. Property Storage Room. Each Center will establish a property storage room. The purpose of this room is the storage of a detainee's property awaiting pickup by family, temporary removal from the Center, discharge clothing, disciplinary or security reasons, or for any other reason a detainee's property needs to be stored. The following will be adhered to in the management of detainee property storage rooms:

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- a. Storage rooms will be secured with restricted access. Only designated staff will have access. An entry log will be maintained.
- b. Property will not be placed in storage unless it has been properly inventoried. Detainees should be present during the inventory if at all possible. The processing officer and detainee will sign an inventory form, with a copy to the detainee, a copy attached to the property, and a copy filed. Additionally, when needed and appropriate, stored items should be cleaned prior to storage.
- c. Property will be securely boxed or packaged and clearly labeled. A copy of the inventory will be left with the property.
- d. Property will be re-inventoried when returned. When possible, the detainee should be present. All involved parties will sign confirming inventory. Discrepancies will be reported immediately to the processing officer's supervisor who shall initiate an investigation and notify the detainee property manager.
- e. A log book will be kept indicating which detainee's package is placed in storage, when removed from storage and the processing officer's name.
- f. Normally, property placed in storage for visitor pickup will be held no more than 30 days, after which the detainee will have to mail home at his/her expense, donate or destroy. This does not include items held for discharge clothing.
- g. Detainees will not be utilized as workers or helpers in the property room.
- h. Before a detainee is given his/her property from storage, he/she must show proof of identity and ownership.

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- i. The property manager will inspect the property room on a regular basis and insure procedures are being followed.
- j. The property room is not intended for the storage of hard contraband or evidence (see 7f).

VII. RETENTION SCHEDULE:

- A. Attachment 1 of this SOP, when completed will be placed in the Detainee case file. Upon completion of sentence, the file will be transferred to the State Record Center where it is kept for four years, then destroyed.
- B. Attachment 2 of this SOP, when completed will be placed in the Detainee case file. Upon completion of sentence, the file will be transferred to the State Record Center where it is kept for four years, then destroyed.