



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

APPLICABILITY

PRISON
OFFENDER/SPANISH MANUALS

REVISION DATE

1/1/13

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DOC 440.000

POLICY

TITLE

PERSONAL PROPERTY FOR OFFENDERS

REVIEW/REVISION HISTORY:

- Effective: 9/29/95
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- Revised: 8/1/11
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- Revised: 1/1/13

SUMMARY OF REVISION/REVIEW:

Added II.A.1. that identifying documentation found in an offender's possession will be considered contraband and result in an infraction
 II.A.2., IV.A., XI.B., and XIV.A. - Removed language for clarification
 II.B., X.B., and XI.A. - Adjusted language for clarification
 V.A.3. - Added clarifying language
 X.A. - Removed content covered in other policy


APPROVED:

Signature on file

BERNARD WARNER, Secretary
 Department of Corrections

12/14/12

 Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 11.04.015](#); [RCW 11.08](#); [RCW 11.62.005](#); [RCW 63.42](#); [RCW 72.02.045](#); [WAC 137-36-040](#); [ACA 4-4164](#); [ACA 4-4292](#); [ACA 4-4293](#); [ACA 4-4294](#); [DOC 100.100 Policy Development and Implementation](#); [DOC 200.000 Trust Accounts for Offenders](#); [DOC 320.255 IMU/ITU/Segregation/Mental Health Segregation Operations](#); [DOC 320.260 Secured Housing Units in Stand Alone Minimum Security Facilities](#); [DOC 420.320 Searches of Facilities](#); [DOC 420.375 Contraband and Evidence Handling](#); [DOC 440.020 Transport of Offender Property](#); [DOC 450.100 Mail for Offenders](#); [DOC 450.120 Packages for Offenders](#); [DOC 540.105 Recreation Program for Offenders](#); [DOC 560.200 Religious Programs](#); [DOC 590.500 Legal Access for Offenders](#)

POLICY:

- I. Offender retention of personal property will follow Department guidelines to meet safety, security, discipline, sanitation, accountability, and storage needs. [4-4164] [4-4292] [4-4294]
- II. All property authorized by this policy will be retained at the offender's risk.

DIRECTIVE:

- I. Allowable Property
 - A. The Maximum Allowable Personal Property Matrix (Attachments 1 and 2) identifies the type, value, and amount of personal property authorized for offender retention at the different housing security levels. [4-4293] Exceptions require Assistant Secretary of Prisons approval per DOC 100.100 Policy Development and Implementation.
 1. The value of personal property retained by offenders will not exceed the dollar amounts identified on Maximum Allowable Personal Property Matrix.
 - B. Offenders must comply with the Maximum Allowable Personal Property Matrix for the unit's designated security level.
 1. Offenders will dispose of unauthorized property from a less restrictive custody level per the Disposition Options section of this policy.
 2. A temporary segregation placement of an offender will result in the offender's property being inventoried and stored until a custody placement decision is made.
 - C. Offenders may only acquire personal property through the following sources:
 1. Offender commissaries,

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2. Department approved vendors,
3. Education or religious programs,
4. Non-profit organizations as approved by the Superintendent, and/or
5. Hobby craft items made by the offender and authorized for retention.

D. Offenders may not trade, sell, buy, barter, loan, or give away any personal property to another offender, another offender's family and/or friends, or an employee, contract staff, or volunteer.


II. Unauthorized Property

A. The following items will be considered contraband when found in an offender's possession and will result in an infraction:

1. Birth certificates, passports, driver's licenses, social security cards, and similar identifying documentation.
 - a. The document will be confiscated immediately and placed in the offender's central file.
2. Negotiable instruments (i.e., currency, checks, credit/gift cards, and money orders).
 - a. The negotiable instrument will be confiscated immediately, and any funds will be deposited in the Offender Welfare Betterment Fund.
 - b. The offender will be advised in writing of his/her right to request review of the decision to place the funds in the Offender Welfare Betterment Fund. The request must be made in writing to the Superintendent within 10 calendar days. The Superintendent will make the final decision.

B. The following items will be considered contraband when found in an offender's possession and will be disposed of per the Disposition section of this policy:

1. Any items found in the offender's possession having distorted or altered markings and/or are substantially modified from the manufacturer's original configurations.
2. Items not listed on the Maximum Allowable Personal Property Matrix or recorded on the offender's DOC 05-062 Offender Property.
 - a. Photographs, books, newspapers, catalogs, and other publications will not be recorded, but must comply with DOC 450.100 Mail for Offenders and be marked with the offender's DOC number.

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- C. Illegal items found in the possession of an offender will be confiscated per DOC 420.320 Searches of Facilities.

III. Reception Diagnostic Centers


- A. Newly received offenders at the Washington Corrections Center (WCC) or Washington Corrections Center for Women (WCCW) will receive a copy of the Maximum Allowable Personal Property Matrix (Attachments 1 and 2) during orientation. [4-4292]
- B. Newly received offenders will identify how unauthorized property currently in their possession will be handled using DOC 21-139 Property Disposition, which will be scanned into their electronic imaging file.
1. The property may not be shipped to another offender housed in a correctional facility.
- C. Authorized funds arriving with offenders will be processed per DOC 200.000 Trust Accounts for Offenders.

IV. Property Inventory

- A. All personal property retained by an offender will be itemized and recorded on DOC 05-062 Offender Property or local computer version. [4-4294]
1. Items will be marked with the offender's DOC number for identification, when possible.
 - a. Items than cannot be marked items (e.g., glasses) must be thoroughly described and identified as unmarked on DOC 05-062 Offender Property or local computer version.
- B. Any inventory of personal property will be completed in the presence of the offender when possible.
1. All items will be listed using accurate, descriptive information, including:
 - a. Size
 - b. Color
 - c. Make or brand
 - d. Serial or identification number
 - e. Condition of the item

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2. When possible, offenders will be permitted to review the completed DOC 05-062 Offender Property before signing. The designated employee will witness the signature.
- C. Offenders will be responsible for ensuring their DOC 05-062 Offender Property remains accurate and current.
1. Additions or deletions on DOC 05-062 Offender Property will be made by an employee.
- D. Employees will handle offender property with care to avoid damage, destruction, or misrouting.
1. Offenders will not be authorized to handle or process the personal property of other offenders.
- V. General Housing Units
- A. In addition to the items listed in the Maximum Allowable Personal Property Matrix, the following are authorized for in-cell retention for general population offenders:
1. Books, newspapers, catalogs, and other publications, which must comply with DOC 450.100 Mail for Offenders and be stored in a space not to exceed 18" x 12" x 10" as identified by the facility except when in use.
 2. Legal materials, which must comply with DOC 590.500 Legal Access for Offenders and be stored in a space not to exceed 18" x 12" x 10".
 3. Unframed personal/family photographs, personal mail/papers, journals or diaries, writing pads, pencils, and pens, which must be stored in a space not to exceed 0.25 cubic feet (e.g., 12" x 6" x 6").
 4. Hygiene items authorized for sale in the offender commissary, which must be stored in a space not to exceed 0.25 cubic feet (e.g., 12" x 6" x 6").
- B. Musical instruments must be retained in compliance with the Maximum Allowable Personal Property Matrix and DOC 540.105 Recreation Program for Offenders.
- C. Completed hobby craft items, as determined by recreation employees, will be mailed out of the facility at the offender's expense.
1. Completed items that are allowed by the Maximum Allowable Personal Property Matrix will be added to the offender's property inventory on DOC 05-062 Offender Property.

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VI. Special Housing Units


- A. DOC 320.255 IMU/ITU/Segregation/Mental Health Segregation Operations will govern personal property in Intensive Management Units (IMUs), Intensive Treatment Units (ITUs), Segregation Units, and Mental Health Segregation Units.
- B. DOC 320.260 Secured Housing Units in Stand Alone Minimum Security Facilities will govern personal property in Secured Housing Units.

VII. Religious Items

- A. DOC 560.200 Religious Programs identifies the types and amount of religious items an offender may possess. Items will be stored in an approved religious items box, except as specified in DOC 560.200 Religious Programs.
 - 1. Searches will comply with DOC 420.320 Searches of Facilities.

VIII. Major Non-Consumable Items

- A. Offenders will be responsible for the cost of shipping certain major non-consumable items when transferring to another facility or mailing the item out.
 - 1. Applicable major non-consumable items include:
 - a. Cassette/CD player/Radio
 - b. Musical instrument
 - c. Television
 - d. Typewriter
 - 2. Upon purchase/receipt of each item, offenders must complete DOC 02-003 Postage Transfer and a DOC 06-075 Offender Request to Transfer Funds for \$15.00 to cover the shipping charges for the item(s).
 - a. If an offender does not choose a carrier, employees will mail the item via the carrier that is the lowest cost to the offender.
 - b. If the actual shipping cost exceeds \$15.00, the offender must pay the difference.
- B. The major non-consumable(s) will be inspected for operability and condition in the offender's presence prior to shipping/receiving using DOC 19-081 Major Non-Consumables Inspection. If the offender is not available, another employee will witness the inspection.

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IX. Property Storage


- A. Offenders will store personal property per facility requirements.
- B. Facilities will only store offender personal property when:
 - 1. Offenders are placed in segregation, the hospital, are out to court, or other situations where they temporarily lose control of their personal property.
 - 2. An offender's legal materials exceed the amount allowable for in-cell retention.
- C. In the event of an extended absence, the offender's personal property will be inventoried, boxed, taped, and stored in a secure area. Large items that cannot be boxed will be tagged.
- D. In the event of an escape or death, the offender's personal property will be secured as evidence per DOC 420.320 Searches of Facilities until released for storage.

X. Property Transfer

- A. The Department will transport a limited amount of offender property per DOC 440.020 Transport of Offender Property.
 - 1. Offenders will be notified on DOC 21-139 Property Disposition when any portion of their outgoing personal property is restricted.
 - 2. Offenders will be responsible for arranging the disposition, or shipment at their own expense, of authorized property that exceeds the property transport limit. The Department assumes no responsibility in transporting property that exceeds the property transport limit.
 - a. Failure to comply will result in the property being declared abandoned and disposed of per WAC 137-36-040.
- B. All offender personal property secured for transport, regardless of carrier, may not exceed 25 pounds per box.

XI. Disposition

- A. Offenders will have 90 days to dispose of property identified as unauthorized or which exceeds the property transport limit, including restricted incoming and outgoing property, using DOC 21-139 Property Disposition.

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1. If the offender lacks funds, refuses to pay the required postage, or refuses to designate a person to receive the property, the items will be:

- a. Donated to a charitable organization per WAC 137-36-040, or
- b. Destroyed per DOC 420.375 Contraband and Evidence Handling.

2. Each Superintendent/designee will develop a facility appeal process to address property disposition. The process will include, but not be limited to, the retention of offender property during the appeal process.

B. Abandoned personal property will be disposed of per WAC 137-36-040.

C. In the event of death, the offender's personal property will be disposed of as follows:

1. Any person claiming to be a successor, as defined in RCW 11.62.005, must submit DOC 05-698 Affidavit for Disposition of Personal Property and provide proof of qualification before the Superintendent may transfer property. A copy of DOC 05-062 Offender Property will be provided to the successor with any property released.

- a. Offenders may not receive a deceased offender's property by Will.
- b. A copy of the affidavit will be mailed, along with the deceased offender's social security number, to the Washington State Department of Social and Health Services' Office of Financial Recovery.

2. Property not released to a successor or disposed of as abandoned per WAC 137-36-040 will be disposed of per RCW 11.08.


XII. Personal Release Clothing

A. Offenders may receive one set of new or used personal clothing no more than 30 days prior to release.

- 1. Release clothing may be sent or brought in by family or friends, or offenders may order new release clothing from an approved vendor.
- 2. The clothing will be stored in the property room until the day of release.

XIII. Return of Authorized Personal Property Upon Release

A. Authorized offender personal property will be returned upon formal release from a Prison.

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1. Offenders will acknowledge return of all personal property upon release by signing DOC 05-062 Offender Property, which will be scanned into their electronic imaging file.

XIV. Compliance Audits

- A. Each facility will establish written procedures to ensure each offender's property is inventoried at least once each year. Unauthorized property will be disposed of per this policy.

DEFINITIONS:

The following words/terms are important to this policy and are defined in the glossary section of the Policy Manual: Contraband, Illegal Items, Legal Materials, Offender's Expense. Other words/terms appearing in this policy may also be defined in the glossary.

ATTACHMENTS:

[Maximum Allowable Personal Property Matrix - Men's Facilities \(Attachment 1\)](#) [4-4293]

[Maximum Allowable Personal Property Matrix - Women's Facilities \(Attachment 2\)](#) [4-4293]

DOC FORMS:

[DOC 02-003 Postage Transfer](#)

[DOC 05-062 Offender Property](#) [4-4294]

[DOC 05-698 Affidavit for Disposition of Personal Property](#)

[DOC 06-075 Offender Request to Transfer Funds](#)

[DOC 19-081 Major Non-Consumables Inspection](#)

[DOC 21-139 Property Disposition](#)