I. PURPOSE:

This policy establishes limits, controls, and safeguards for offender personal property in OYA facilities.

II. POLICY DEFINITIONS: None

III. POLICY:

OYA allows offenders in its facilities to keep certain items of personal property limited by safety and security concerns, storage space, and behavioral level systems. OYA also establishes appropriate controls for the management of offender personal property in order to minimize damage, theft, or loss of personal items.
IV. GENERAL STANDARDS:

A. Personal Property Inventory

1. Staff must inspect offender personal property in the presence of the offender upon the offender’s admission to any OYA facility.

2. Staff must use universal precautions and personal protective equipment when handling incoming offender personal property to minimize the potential spread of infectious agents, such as lice or scabies.

3. Personal property that is not allowed at the facility must be sealed in a clear plastic bag in preparation for return to the offender’s family or other appropriate disposition as described below.

4. If an offender’s personal property contains valuables, electronic devices such as cell phones, checks, credit cards, prescription drugs in the offender’s name, or any item prohibited in the facility, staff must photograph the item, note it on the YA 4017 (Personal Property Record), and return it to the offender’s family.

5. Staff must count and receipt for any cash, place it into an OYA Property Envelope (YA 4010) and route it securely for deposit into the offender’s trust account.

6. If an offender’s personal property contains items such as weapons, suspected illegal drugs, stolen items, or evidence of a crime, staff must handle the items in accordance with OYA policies II-A-2.0 (Searches of Offenders and Offender Property in OYA Facilities) and II-A-1.2 (Preserving Chain of Evidence).

7. Staff must inventory allowable personal property on a form YA 4017 (Personal Property Record). Staff must update the YA 4017 when the inventory changes.

8. Upon an offender’s intake or transfer to an OYA facility, staff must launder machine-washable items prior to returning the items to the offender. Nonwashable items must be sealed in a clear plastic bag for seven days in order to ensure decontamination prior to returning the items to the offender.

9. Staff must allow the offender to review the YA 4017 to ensure all personal property is accounted for. The offender must sign and date the form. The original form must be kept by the treatment manager and a copy of the form and copies of any receipts for items must be given to the offender.

10. Staff must re-inventory an offender’s personal property and update the YA 4017 upon the offender’s transfer to another unit within the same facility or annually, whichever is sooner.
11. The YA 4017 must be filed in section seven of the offender’s case file upon the offender’s transfer from the facility.

B. Allowable Personal Property

1. Staff may allow offenders personal property items as listed on Attachment A (Allowable Offender Personal Property).

2. Additional items may be authorized by the facility’s administration to meet specific treatment, education, program, gender, religious, or cultural needs.

C. Unauthorized Personal Property

1. Staff may not allow offenders to have any items listed on OYA form YA 4008 (YCF Offender Prohibited Items) in their personal property.

2. Staff must prohibit offenders from directly or indirectly giving, trading, lending, or selling personal or other property to other offenders or other offenders’ families, or to staff.

D. Personal Property Limitations

Staff must limit the amount of personal property an offender may possess to the amount that the offender can store in the offender’s assigned storage area, with certain exceptions as noted below. Due to physical plant design differences, personal property storage space may differ between facilities.

E. Personal Property Secure Storage

1. OYA provides limited secure storage for offender personal property that does not fit in offender assigned storage areas, such as musical instruments or special project materials.

2. Staff must clearly mark all offender personal property in secure storage with the offender’s name and JJIS number.

3. Offender access to other offender’s personal property secure storage is strictly prohibited.

4. OYA does not provide secure storage for valuable offender personal property. Valuables must be retained by the offender’s family.

F. Property Searches

Staff may regularly or randomly search offender personal property as specified in OYA Policy II-A-2.0 (Searches of Offenders and Offender Property in OYA Facilities).
G. Receipt of Personal Property at Times Other Than Intake

1. An offender’s treatment manager may authorize the offender to order personal property.

2. Staff may allow offender families to send in preapproved items through the US mail or UPS.

3. Personal property items may only be dropped off at facilities or brought into facilities during visiting by approved visitors with prior facility administrative staff approval.

4. Staff must ensure offenders and offender families do not provide personal property items for other offenders, unless approved by facility administration.

5. Staff must ensure a YA 4017 is updated to reflect any change in an offender’s personal property inventory.

H. Disposition of Personal Property

1. Staff must dispose of excess offender personal property in one of these ways, at the offender’s choice:
   a) Send to family at the offender’s expense;
   b) Donate to the facility; or
   c) Donate to a charitable organization.

2. Staff must immediately store an escaped offender’s personal property. The property must be mailed to the escaped offender’s family within 30 days of the offender’s escape.

3. Staff must dispose of unclaimed or abandoned offender personal property by donating it to a charitable organization.

I. Property Disputes

Staff must resolve personal property disputes between offenders.

J. Lost, Stolen, or Damaged Personal Property

Staff must refer an offender to the following process if the offender believes loss of personal property is a result of OYA negligence.

The offender may file a claim letter with the Oregon Department of Administrative Services, Risk Management Division (RMD), 1225 Ferry St SE, U105, Salem OR 97301.
The letter must include:

a) The offender’s name and location;

b) The date of loss (within 90 days of loss or knowledge of loss);

c) Specifics regarding the loss (what, where, how);

d) The name(s) of staff witness(es) and work phone number(s);

e) The replacement value (attach receipts if possible); and

f) An explanation detailing how the state is liable for the loss.

2. The letter may be submitted by:

a) An offender’s parent/guardian; or

b) The offender, if the offender is over age 18, emancipated, or the offender’s parent/guardian is unavailable. The offender must explain why the offender is submitting the claim in lieu of the parent/guardian.

V. LOCAL OPERATING PROTOCOL REQUIRED: NO
Each offender may keep the following personal property items while in an OYA facility:

1. Unframed, approved photographs;
2. One wedding band (if married);
3. Personal letters, address booklet, and stamps (stamps may be secured in a staff office and labeled as belonging to a specific offender);
4. Religious items such as medicine bag or rosary; and
5. School work, treatment work, and journals.

Offenders in specific programs and on certain behavior management levels may be allowed the following personal property items, as authorized by facility administration and within the limits of the space allocated for such property:

1. Personal clothing items;
2. Soft-cover books, puzzle books, and magazines;
3. Personal footwear;
4. Musical instrument;
5. Electronic music or game device without Internet connectivity or capacity;
6. Pillow, bedding, stuffed toy;
7. Items purchased through canteen;
8. Wristwatch;
9. Finished artwork or crafts (if there is no safety or security risk);
10. Art supplies; and
11. Other personal items as specified in writing as part of a behavior management level or specific program.

Offenders in transition programs/camps involving community work are allowed personal property that supports maintaining employment, is within the program rules, and is within the space allotted to the offender.