



**State of North Carolina
Department of Correction
Division of Prisons**

Chapter: F
Section: .0500
Title: **Inmate Personal Property**
Issue Date: 10/05/07
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POLICY & PROCEDURES

.0501 GENERAL

- (a) The provisions of this policy apply to all confined inmates of the Division of Prisons, except where security and custody precautions require additional provisions pertaining to particular institutions or to special inmate classifications. These additions must be specifically approved by the Director of Prisons.
- (b) A partial list of personal items and clothes that inmates are authorized to possess appears below. When an inmate arrives at a reception center, the inmate will be informed that they will be allowed to keep these items but that the Division of Prisons assumes no responsibility for replacing any item if it is damaged, destroyed or lost. The amount of authorized items may be limited where necessary to provide for proper accountability, control, storage space, sanitary conditions and inmate morale.

.0502 PERSONAL CLOTHING

- (a) Reception
 - (1) Inmates with sentences of more than one year will be required to dispose of all items of personal clothing, except handkerchiefs, unless they are eligible for work release under G.S. 143-33.1(a), or are safekeepers.
 - (2) Inmates with a maximum sentence of one year or less will be required to retain useable items of personal clothing which will be stored in a secure place so that they may be made available to them when they are promoted to minimum custody and/or released.
 - (3) Inmates eligible for work release under G.S.148-33.1(a) will be able to retain all items that other inmates so classified are allowed to retain.
- (b) Clothing Authorization
 - (1) Inmates classified in Close, Medium and Minimum Custody Level I will not be allowed to possess any item of personal clothing except handkerchiefs and shoes as authorized by F.0503 (a)(13).
 - (2) This item (shoes) has been moved to section F.0503 (a) (13) of this policy.
 - (3) Inmates demoted to Minimum Custody Level I or below will be required to dispose of all personal clothing except shoes as authorized by F.0503 (a) (13) and

handkerchiefs. Disposal will be the sending facility's responsibility.

- (4) The personal clothing of inmates removed from community based programs due to disciplinary, medical, administrative, etc., may be, at the discretion of the Facility Head or designee:
 - (A) retained by the inmate;
 - (B) stored by the Division of Prisons; or
 - (C) disposed of by the inmate.
- (c) Facility Exceptions
 - (1) Minimum custody facilities with authorized special missions can allow inmates to wear clothing other than prison issued clothing if approved by the appropriate Region Director.

.0503 AUTHORIZED ITEMS

- (a) Subject to any additional provisions regarding the possession of personal property approved by the Director of the Division of Prisons under F.0501, the following items are authorized to be retained by inmates during confinement:
 - (1) books and periodicals (see publication policy D.0100);
 - (2) personal funds: No inmate will be allowed to have more than forty (\$40.00) dollars in their possession at any time. The only exception is that an inmate in minimum custody that is approved for public or private transportation for a community based program may, at the discretion of the facility head, be authorized a specified amount of funds in excess of forty dollars to pay for the transportation. All other funds must be deposited in trust fund accounts. No inmate will be allowed to possess currency in denominations greater than a five dollar (\$5.00) bill. No inmate assigned to a cashless facility will be allowed to possess any funds at any time;
 - (3) eyeglasses and nonmetallic cases. Sunglasses must be non-reflective and not of the wrap-around type.
 - (4) religious items (medals, rosaries). For more specifics on these authorized items, refer to the DOP Religious Practices Reference Manual;
 - (5) approved jewelry, as described below, will not exceed a total value of one hundred dollars (\$ 100.00);
 - (A) The canteen will be the only source from which an inmate will be allowed

to obtain a watch. Exceptions may be granted by the Social Work Program Director for the Division of Prisons for inmates with documented disabilities who have severe visual impairment or severe hearing deficit.

- (B) One wedding band (no gemstone) for male inmates is allowed. If an inmate marries while incarcerated, a wedding band may be received by any method approved by the Facility Head.
- (C) Female inmates are allowed one engagement ring. If the female is admitted to prison without an engagement ring and marries while incarcerated, the engagement ring may be received at /after the ceremony has taken place.
- (D) Female inmates are allowed to retain and/or received up to the maximum amount of jewelry items by any methods approved by the Facility Head:
 - (i) Two (2) rings (includes wedding ring/s)
 - (ii) One (1) bracelet, not wider than 1 inch
 - (iii) One (1) necklace, not wider than ½ inch
 - * The bracelets and necklaces must be plain, free of pendants, charms or fixed gemstones.
 - (iv) Two (2) pair of earrings, no larger than 1 ¼ in circumference and no longer than 1 inch.

The wearing of jewelry on any part of the body other than the finger, earlobe, neck and wrist is not permitted.

- (6) inmates will be permitted to own/possess one battery operated transistor radio, "walk-man" style, with ear buds and AM/FM bands. Radios will be no larger than 5"x3"x1". The radios will be requisitioned from D.O.C. Purchasing and Services and sold exclusively to inmates through the facility canteens. The prices will be determined at a reasonable level and will be posted.

The officer-in-charge may designate areas where radios may be used without ear buds. The Division of Prisons will not be responsible for replacement due to loss, theft, or breakage. Each facility should keep a sufficient supply of these radios on hand for sale to the inmates.

- (7) toothbrushes, shaving cream, safety razors and blades, white handkerchief;
- (8) unframed photographs are authorized as follows: single sheet photos such as

digital photos are allowed; Polaroid photos are prohibited except those that were in inmate's possession prior to September 1, 2005. These Polaroid photos will be stamped on the back "DOP approved".

- (9) standard canteen purchases including items bought at one facility of the prison system by an inmate subsequently transferred to another facility;
- (10) wallets or pocketbooks;
- (11) inmates will be permitted to retain items in accordance with Section D.0309(c) of the Inmate Use of the Mails policy.
- (12) any drug, chemical compound or controlled substances which has been issued to an inmate by a proper authority except such items will not be permitted to accumulate beyond prescribed or authorized levels. Note: Inmates will be provided two Tylenol tablets and two antacid tablets per day upon request. There will be no charge to the inmate for these tablets. The officer in charge of the housing unit will maintain a log that must be completed prior to dispensing these medications. The log will list the following information: inmate name and number, housing location, date, time inmate signature and officer's initials. A log includes a disclaimer statement which the inmate must sign in order to receive the medication. This log will be submitted daily to the Nurse Supervisor/Lead Nurse. A medical staff person will daily review the log to ensure the medication is not being misused or that an individual inmate is not receiving daily dosages that medical staff is not aware of.
- (13) shoes * - inmates will be permitted to possess one (1) pair of state-issued work shoes (steel toe brogans), one pair of tennis shoes purchased from Division of Prisons canteens and one pair of shower shoes (flip-flops) purchased from the Division of Prisons canteens. Tennis shoes shall be requisitioned from D.O.C. Purchasing and Services and sold exclusively to inmates through the facility canteens. Work shoes for inmates on work release may be state-issued or purchased by the inmate. No shoe, whether purchased by the inmate or state-issued, can exceed the overall height of nine (9) inches from bottom of the heel to the top of the shoe. Heel height of any shoe cannot exceed one and a half (1 & 1/2") inches. Inmates classified in Minimum Custody Level II and Level III participating in community based programs such as work release, study release, off-site community volunteer passes and home leaves will be allowed to possess up to 15 items of personal outer clothing and one (1) additional pair of personal shoes (example: dress shoes). Uniforms required for work release shall not be counted as part of the 15 authorized items. At no time will inmates be allowed to possess more than one pair each of tennis shoes, work boots or shower shoes.

Exceptions may be issued by the Facility Head for medical or work related purposes only.
- (14) The number of postage stamps an inmate will be allowed to possess at one time is

limited to twenty five (25). Inmates found to be in possession of more than twenty five stamps will be subject to disciplinary action. Excess stamps will be confiscated and held in a secure manner pending disciplinary proceedings. Facilities with a cash drop box will drop the excess stamps in the box in the same manner they drop cash. Facilities should modify their facility form to add a category for stamps. Facilities without cash drop boxes will maintain the excess stamps in a safe. In both instances, the excess stamps will go into a facility safe as soon as possible. Once the inmate pleads guilty or is found guilty of the disciplinary offense, the stamps will be transferred into the indigent stamp inventory. Those stamps will be utilized to mail letters for indigent inmates. Each facility will be responsible for making provisions to allow inmates, including those on Control Status, to mail his/her legal mail, if the inmate can demonstrate that additional stamps are required. This process will not hinder the inmate's right to mail legal documents.

- (15) Authorized personal property for inmates in Control Status is outlined in the DOP Religious Practices Manual.
 - (16) Assistive devices related to impairments. Inmates will be allowed, at the discretion of the Facility Head and the Division of Prisons' Social Work Program Director, to maintain possession of assistive devices necessary to access communication or services due to a disability. The Facility Head will evaluate the security risk posed by the device. The Social Work Program Director will verify the medical necessity of the device and the level of disability of the inmate. Assistive devices include, but are not limited to: amplification aids for telephones or televisions, tape players and "Books on Tape" received from Services for the Blind, "fat line" or raised line paper, bold pens, Braille books, Braille writing implements and large print books. Any other item is considered on an item by item basis.
- (b) Legal papers. Inmates will be permitted to possess legal papers relevant that are or may be pending before the courts and papers relating to legal transactions where possession is necessary for the proper handling of the matter. Other legal matters may be kept, but the amount of such material may be limited where necessary to maintain adequate sanitary conditions, storage space, and security. If there is doubt as to whether an inmate should be allowed to possess legal papers or material the matter should be referred directly to the Director of Prisons or his/her representative who will consult legal authorities and make a decision in the matter. Where an inmate is not allowed to keep legal materials, they will be stored in a secure place at the facility. The inmate will be allowed access to specific materials that he/she requests if the request does not threaten security interests as enumerated in this regulation.
 - (c) If authorized personal property is offered to an inmate and he/she denies the property belongs to them, this will be documented on form DC-160 and maintained on file. The officer-in-charge will make a reasonable effort to determine who the property does

belong to. If it is not possible to determine who the property belongs to, then the property will be disposed of in accordance with section F.0504 of this policy. Generally, no disciplinary action will be taken in such instances.

- (d) Inmates are normally restricted to possession of three standard transfer bags of personal property. When inmates accumulate in excess of three bags of personal property, they are required to mail out or dispose of property in accordance with Section F.0504 of this policy and the following statements: Inmates may be allowed to possess in excess of three bags of personal property based on medical equipment such as a special mattress or a breathing machine. Inmates in hobby craft activities may be permitted to retain one additional bag for approved hobby craft materials. They are also allowed to possess legal materials in excess of the three bag limit if the legal materials are relevant to pending matters before the courts. In these cases, efforts should be made to limit the inmate's other personal property to essential hygiene items and religious materials/items in an effort to comply with the three bag limit. Questionable cases, regarding excess legal materials, should be referred to the Region Director who will consult with DIC legal staff. As stated in Section F.0503 (b), if an inmate is not allowed to maintain possession of legal materials, they are to be stored at the facility. Inmate are to be given access to their materials if their request does not threaten security. An inmate being allowed to possess in excess of three bags of personal property will not be transported by special vehicle for that reason. This inmate may be transported on the transfer bus.

.0504 DISPOSITION OF UNAUTHORIZED ITEMS

- (a) Upon commitment of an inmate to the custody of the Department of Correction, the receiving officer shall retain any items of personal property in the possession of the inmate which are not authorized by this Section (F.0500). Unauthorized funds shall be deposited to the inmate's trust fund account. Other items of unauthorized personal property may be turned over to local law enforcement authorities for criminal prosecution, if appropriate, or mailed at the inmate's expense to an addressee designated by the inmate. However, if the inmate is without funds, such items may be mailed to the designated addressee with mailing costs paid from the Inmate Welfare Fund. If the inmate is unwilling or unable to designate an addressee to whom the prohibited property may be sent, the prohibited items will be donated to a charitable organization or otherwise disposed of as surplus property. The Division of Prisons will not assume responsibility for the maintenance or handling of prohibited items. A reception inventory will be completed as provided by Section F.0505 of this policy on each occasion an inmate is admitted to a correctional facility for housing purposes.
- (b) Items of personal property found in the possession of an inmate which are not authorized by this section shall be confiscated and disposed of as follows:
- (1) weapons, controlled substances, and other items which are of no value or practical

- use shall be destroyed;
- (2) items of personal property, such as clothing, **or excess hobby craft materials**, may be sold as surplus property, donated to a charitable organization, or retained by the Division of Prisons for the use of inmates in the prison population;
 - (3) unauthorized funds or the proceeds from the sale of items of personal property shall be deposited to the Inmate Welfare Fund. No unauthorized personal property shall be confiscated and disposed of as provided herein except upon the initiation of disciplinary proceedings against the inmate for possession of such property. In the case of possession by an inmate of unauthorized property where disciplinary proceedings are not commenced, such property shall be disposed of as provided by Paragraph (a) of this policy. Staff members are not allowed to personally benefit from or take personal possession of confiscated property of an inmate.
 - (4) Items of significant value that are confiscated because of being unauthorized, may at the discretion of the Facility Head, be mailed out by the inmate found in possession of the items. Disciplinary action could still be initiated.

.0505 RECEPTION INVENTORY

- (a) All authorized personal property that an inmate possesses will be listed on Form DC-160. This form will be dated and signed by the receiving officer and the inmate, certifying that the list and the disposition indicated is accurate. It will be filed in the inmate's field jacket.
- (b) Personal property, such as a radio, which is confiscated or otherwise retained by authorized correctional staff for disciplinary or other security reasons, will be listed on the personal property inventory and tagged for identification purposes.
- (c) It is the responsibility of each inmate to request items of personal property be documented in writing on his/her personal property inventory (DC-160). The inventory should be revised and updated as necessary to accurately reflect the items of personal property in the possession of the inmate. The Department of Correction has no responsibility for items of personal property in the possession of the inmate, and it will not entertain any claims for the loss of property items during transfer unless the items lost have been inventoried.

.0506 RETURN OF PERSONAL PROPERTY UPON RELEASE

The inmate will be required to sign for receipt for all personal property on Form DC-160 before being released. The Division of Prisons assumes no liability for items that are damaged or stolen, or for items lost due to the negligence of the inmate. If the inmate believes that property of value belonging to him/she has been lost due to negligence or intentional acts of personnel of the Division of Prisons, the inmate may appeal directly to the Director of Prisons or designee. If the

Director's designee determines that the inmate's appeal is meritorious, the inmate will be reasonably compensated for the items lost.

Boyd Bennett 10-05-07

Director of Prisons

Date

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