

STATE OF OHIO



DEPARTMENT OF REHABILITATION  
AND CORRECTION

SUBJECT: <b>Inmate Personal Property</b>	PAGE <u> 1 </u> OF <u> 10 </u>  NUMBER: 61-PRP-01
RULE/CODE REFERENCE:	SUPERSEDES: 61-PRP-01 dated 10/24/14
RELATED ACA STANDARDS: 4-4292, 4-4293, 4-4294	EFFECTIVE DATE: May 11, 2016
	APPROVED: 

**I. AUTHORITY**

This policy is issued in compliance with Ohio Revised Code 5120.01 which delegates to the Director of the Department of Rehabilitation and Correction the authority to manage and direct the total operations of the Department and to establish such rules and regulations as the Director prescribes.

**II. PURPOSE**

The purpose of this policy is to establish policy and procedures regarding authorized personal property items for inmates.

**III. APPLICABILITY**

This policy is applicable to all employees, vendors, and inmates under the jurisdiction of the Ohio Department of Rehabilitation and Correction (DRC) and inmate family members, friends, or anyone ordering a package for an inmate.

**IV. DEFINITIONS**

**Approved Source** - Commissaries and/or vendors, identified by the Director/designee, from whom an inmate may receive personal property.

**Commissary** - An area in the institution where inmates may purchase items for their personal use.

**Contraband** - Any item not permitted by law or expressly prohibited by the DRC and/or institutional policy. (See Administrative Rule 5120-9-55, Contraband)

**Grandfathered Item(s)** - Item(s) of personal property an inmate was authorized to possess before April 1, 2000 and which they have been permitted to retain after the effective date of this policy. Compact disc players and compact discs an inmate was authorized to possess before November 1, 2013 and which they have been permitted to retain after the effective date of this policy.

**Inmate Personal Property** - Any item, not issued by DRC, which the inmate has received permission to possess.

**Inmate Property File** – An electronic record maintained in OnBase for each inmate of all state issued items and property inventories that is completed and maintained by the quartermaster or assigned staff member. This file contains all current up-to-date copies of the Inmate Property Record – Disposition and Receipt (DRC2055-Male/DRC2369-Female), Reception Intake Property Record and Disposition (DRC2258), Approved Inmate Property Package Lists, Certificate of Ownership (DRC4063) and Inmate Clothing Issue (DRC4077-Male/DRC4055-Female). Each of these records shall be scanned into the inmate’s file in OnBase.

**Long-Term Storage** – Inmate property that an institution is holding in storage while the inmate is not permitted to possess it due to privilege or security level reasons.

**Package** - Any item(s) of personal property received by an inmate from a vendor except as noted in section VI.D.2. A package consists of one (1) box from the vendor not to exceed thirty (30) pounds in weight. The box size shall not exceed 12”x 24”x 28.”

**State Issued Property** - State issued items supplied to the inmate by DRC.

**Titled Property** - Identified items of personal property for which the institution and inmate maintain a Certificate of Ownership (DRC4063). Titled items include, but are not limited to, electronic devices such as CD players, MP3 players, JP4 players, televisions, radios, walkmans, typewriters, and any other high value items.

**Vendor** - Contractor(s) approved by the Director or designee from whom inmates, inmate family members, friends, and others may purchase personal property.

## **V. POLICY**

It is the policy of the Ohio Department of Rehabilitation and Correction (DRC) to provide inmates the opportunity to possess a reasonable amount of personal property.

## **VI. PROCEDURES**

### **A. Personal Property**

1. Inmates may receive personal property from sources approved by the Director/designee. Approved sources may include institutional commissaries and vendors. A copy of all documents that itemize inmate property shall be maintained in the inmate property file. The inmate shall retain a copy of the inmate property record. Any time an inmate’s property is inventoried (e.g. transferred, segregation placement/release), the inmate shall sign and retain a copy of the inmate property record and a copy shall be forwarded to the inmate property file.
2. Information on the amount of personal property allowed to inmates shall be provided to them during inmate orientation. In general, all institutions will permit or exclude personal property consistent with this policy, Administrative Rule 5120-9-33, Packages and Property Restrictions, and the property limits set forth on the Inmate Property Record - Disposition and Receipt - Male (DRC2055) or Female (DRC2369). However, each managing officer may request permission to include or exclude certain items of personal

property based on the security, safety, space, control or other need of a particular institution or individual. Such a request shall be made in writing to the Director's designee, the appropriate regional director. Approval of such requests shall be communicated in writing to the chief inspector and posted in the housing areas of the appropriate facilities.

3. Inmates may possess up to 2.4 cubic feet of combined state and personal property, excluding large titled items, state issued bedding, coats/jackets, permitted shoes, and any other property specifically exempted pursuant to DRC policy 59-LEG-01, Inmate Access to Court and Counsel. The managing officer shall determine whether commissary items shall also be excludable from the 2.4 cubic feet requirement. This determination shall be communicated to both staff and inmates. The managing officer shall also have the authority to establish institutional rules governing the storage of inmate legal materials. The institution shall make available to all inmates a means of securing 2.4 cubic feet of property.
4. Individual possession limits for any property, as indicated in section VI.D.2 of this policy and on the Inmate Property Record - Disposition and Receipt - Male (DRC2055) or Female (DRC2369), shall be the total amount of combined state and personal property that an inmate may possess.
5. Any property which exceeds the limits stated in VI.A.3 or 4 above, or is otherwise deemed contraband shall be disposed of in accordance with Administrative Rule 5120-9-55, Contraband, utilizing the Contraband Control Slip (DRC4086). With the exception of any property excluded pursuant to VI.A.2 above, personal property legitimately possessed prior to April 1, 2000, and compact disc players, or compact discs an inmate was authorized to possess prior to November 1, 2013, may be retained until such time as said property becomes unusable. The inmate must still conform to the 2.4 cubic feet property restriction.
6. Inmates shall not trade, sell, barter, loan, or give away any item of their state or personal property at any time. Inmates shall not make or facilitate commissary or vendor purchases for other inmates. Upon an inmate's release or other departure from an institution, the inmate may, with the managing officer's written approval, donate personal property to the institution. In all cases, the inmate must sign a statement documenting the property being donated, to what institution it is being donated, and the effective dates of the donation. Such document and the inmate signature must be witnessed and signed by a staff member. The managing officer shall then sign indicating approval or disapproval of the donation. If approved, the institution may then utilize the property in any manner they deem appropriate. This may include loaning the property to another inmate. Any property where ownership is being transferred from an inmate to the institution shall be properly re-titled, stipulating ownership of the item to the institution and shall include the date of the transfer, who the original owner was, and the initial value listed on the original receipt or title. Property donated to the institution and subsequently loaned to an inmate remains the property of the institution and shall remain at the institution upon the inmate's release or transfer.

7. Inmates may be required to provide proof of ownership for any item of their personal property at any time.
8. A Certificate of Ownership (DRC4063) or other appropriate certificate as approved by the regional director shall be issued for certain items of personal property. Whenever possible, the inmate/owner's institutional number shall be permanently affixed to such titled items.
9. Inmates shall be required to send their personal property, such as birth certificate, driver's license/state identification, social security card etc., outside the institution unless s/he has sixty (60) days or less to serve. In such instances, the property shall be held in the cashier's office until the inmate's release.

**B. Eligibility to Receive Packages**

1. Most inmates are eligible to order and receive packages from vendors. However, Level 5 and Level 4B inmates, reception inmates, intensive program prison inmates and short-time offenders serving less than ninety (90) days assigned to Correctional Reception Center (CRC), Lorain Correctional Institution (LORCI) or the Ohio Reformatory for Women (ORW) are ineligible to order or receive packages. Patients with long-term placements at Franklin Medical Center (FMC) and Pickaway Correctional Institution (PCI) Frazier Health Center may receive packages with the approval of the managing officer. If approved by the managing officer, patients with long-term placements at FMC and PCI's Frazier Health Center may receive packages consistent with the provisions of Administrative Rule 5120-9-33, Packages and Property Restrictions, as they relate to their designated security level and consistent with their medical condition. Inmates who have been assigned to a medical center or sent to an outside hospital or who are assigned to disciplinary control or local control are ineligible to order or receive packages.
2. Consistent with Administrative Rule 5120-9-33, Packages and Property Restrictions, the following are the number of packages an inmate may receive only from the approved vendors:

<b>Inmate Security Level and Housing Locations</b>	<b>Total Number of Packages Per Year</b>	<b>Maximum Number of Food packages Per Year*</b>	<b>Special Consideration if Approved by:</b>
Level 1	4	2	
Level 2	3	2	
Level 3	3	1	
Level 4A	2	1	
Level 4B and 5	1	0	Managing Officer
Death Row	3	2	
None-cadre inmates assigned to reception centers, inmates in Intensive Prison Programs, and inmates serving less than 90 days assigned to CRC, LORCI, or ORW	0	0	
Inmates in disciplinary control or local control	0	0	
Inmates temporarily assigned to a medical center or inmates sent to	0	0	

outside hospitals			
Long-term placements at FMC and PCI's Frazier Health Center	Consistent with the provisions of AR 5120-9-33, Packages and Property Restrictions, as they relate to inmate's designated security level.	Consistent with the provisions of AR 5120-9-33, Packages and Property Restrictions, as they relate to inmate's designated security level.	Managing Officer

\* The number of food packages is included in the total number of packages per year, not in addition to the total number of packages.

3. Institutions whose physical construction facilitates the housing of inmates with different security designations shall permit inmates to receive packages according to their individual security level.

**C. Ordering Packages from Approved Vendors**

1. Specific information regarding the approved vendors, available items, and how to make a purchase from a vendor shall be provided to inmates at their current institution.
2. Information concerning making purchases from the approved vendor shall be provided to inmate family members, friends and others in the institution visiting room, through the DRC website and upon request from the vendor.
3. Items may only be ordered from the current DRC approved vendor catalog.
4. Each institution shall establish a method of processing inmate vendor purchases so that both the institution and the vendor can track the order to the individual inmate.
5. All such purchases by an inmate, inmate family member, friend, or other from an approved vendor are a business transaction strictly between the ordering individual and the approved vendor.

**D. Packages from Approved Vendors**

1. Inmates may receive the designated number of packages from the approved vendors consistent with the limitations set forth in section VI.B.2 of this policy. Food and non-food items cannot be contained in the same package.
2. For purposes of this policy, the following items (listed on the next page) shall not be considered a package when purchased from an approved vendor separately from any other items.

ITEM	VALUE LIMIT	POSSESSION LIMIT
Headphones/Ear Bud/Ear Plug (Clear plastic only, maximum 6' cord length)	\$25.00	1
Radio/Radio Cassette, Walkman style (Clear plastic case only, Clear plastic ear bud, ear plug) non-recording, battery operated)	\$50.00	1
Television (Clear case only, LCD, cable ready, color, ear phone jack, clear plastic ear bud and remote included, (no battery operation ).	\$250.00	1
Television Remote	\$12.00	1
*JP4 Player (8GB, clear plastic case only, clear ear buds included)	\$75.00	1
Hand Held Gaming Device (Sudoku, Word, Clear Tunes 50 N' 1 Model HG-503)	\$20.00	2
Plug and Play Device	\$35.00	1
Coaxial Cable (Maximum 6' in length)	\$5.00	1
Digital Television Signal Converter Box (Clear case)	\$75.00	1
Typewriter (Manual or electric, clear plastic case only, one line correction memory, no other memory capability, no password capability)	\$250.00	1
Dress shoes (Black or brown, no patent leather or suede, 1" heel limit, no platforms, no steel/metal shank	\$80.00	1
Work Boots (Written approval of Managing Officer only, black or brown, no steel toes, no steel/metal shanks, height no more than 8" as measured from floor)	\$80.00	1 Written Approval
Tennis shoes (predominantly black or white)	\$75.00	1
Sports shoe (turf or multi-purpose as approved by the institution) (predominantly black or white)	\$75.00	1
Chain (Necklace) With Religious Medallion (2" maximum size of medallion)	\$60.00	1
Prayer Robe (White)	\$40.00	1
Prayer Beads (Wood, no red)	\$5.00	1
Prayer Rug (Solid or multicolored, no solid red, maximum size of 44" x 26")	\$20.00	1
Japa Mala Beads (Wood, no red)	\$11.00	1
Skull Cap (Yarmulke) (White, cloth)	\$5.00	1
Musical Keyboard – Clear Silicone ONLY	\$100.00	1
** Compact Disc (CD) player (Clear plastic case only, Clear plastic ear bud, ear plug) non-recording, battery operated (L4B, L5 only)		1 Written Approval

\*May also possess JP4 player with either previously authorized MP3 player

\*\* With managing officer's approval, Level 4B and Level 5 inmates may order/possess one (1) CD player. Exemption supports violence reduction and safety by offering a management tool for Ohio's most violent and disruptive inmates.

3. Two (2) copies of a list itemizing the contents of the package with values for each item shall accompany the package from the approved vendor. The inmate recipient shall be required to sign the list of contents prior to receiving the package.
4. Packages from the approved vendors may not weigh more than thirty (30) pounds. The box size shall not exceed 12" x 24" x 28."
5. Personal clothing received in a package from an approved vendor shall be blue or green solid color only. Exceptions include the following:
  - a. Clear - Vinyl Poncho;
  - b. Brown - Work gloves;
  - c. White - Underwear, handkerchief, socks; and
  - d. Black - Belt, socks.

Zippers, hoods, hidden compartments, and manufacturer labeled emblems and insignias on the exterior of the clothing are prohibited.
6. General prohibitions for food packages received from an approved vendor are noted below:
  - a. No chewing gum;
  - b. No hidden compartments;
  - c. No food items packaged in cans;
  - d. No food items packaged in glass; and
  - e. No peppers beyond the rating of mild (e.g. jalapeno, etc).

#### **E. Processing Packages**

1. Institutions shall maintain a record of packages received by each inmate and shall ensure that the total allowable number of packages is not exceeded. Such record shall include the date the package was received, package type (food, sundry or exempt), the recipient's name and number, the date the package was distributed, and identification of the issuing staff member. Excluding weekends and holidays or emergency situations, incoming and outgoing packages shall not be held for more than seventy-two (72) hours.
2. Copies of the package invoice shall be maintained in the inmate's electronic file. Inmates shall be given a copy of the list upon receipt of the package.
3. If an inmate is sent a package from an unapproved source or refuses to accept a package from the approved vendor, then the inmate shall have the option of returning the package to the vendor at the inmate's expense or having the package destroyed. If the inmate chooses to return the package, the package shall not count against the inmate's permitted package total. If the inmate chooses to have the package destroyed or refuses to make disposition on the package, the package shall count against the inmate's permitted total.
4. If an approved vendor sends a package to an inmate who is not eligible to receive a package, then the package shall be returned to the vendor at the vendor's expense. No

disciplinary action shall be taken. The package shall not count against the inmate's permitted package total.

#### **F. Commissary Provisions**

1. Inmates may also purchase property from institutional commissaries. Although items carried by institutional commissaries shall vary somewhat by institution, all commissaries shall have the following items available for sale:
  - Legal Kits (see DRC policy 59-LEG-01, Inmate Access to Court and Counsel)
  - DRC approved over-the-counter medications (see DRC policy 69-OCH-02, Commissary Purchase of OTC Medication and Health Care Items)
  - Personal hygiene items (including cosmetics for female inmates only)
  - Stationery supplies
2. Institutional commissaries may sell the electronic items identified in section VI.D.2. When such items are offered for sale they shall conform to the stated specifications. Items offered in the commissaries shall be consistent with the guidelines of the items offered in the approved vendor catalogs and shall not be conflicting. Purchases made from the commissary shall not be counted as a package for purposes of section VI.B.2.
3. Items sold in commissaries may or may not be permitted at receiving institutions upon transfer. Commissaries shall ensure that inmates are aware of this provision. Receiving institutions not permitting items shall make arrangements for the inmate to send the items home.

#### **G. Other Property**

1. In addition to the provisions of Administrative Regulation 5120-9-33, Package and Property Restrictions, the limitations listed below shall apply to the following types of property:
  - a. Religious Items: Requests to possess personal property of a religious nature must be made in accordance with DRC policy 79-REG-02, Religious Accommodations. Items received pursuant to DRC policy 72-REG-02, Religious Accommodations, shall not be considered a package. An inmate may possess a religious medallion provided by a religious organization.
  - b. Printed Material: Inmates are permitted to receive and possess a reasonable number of printed materials pursuant to the provisions of Administrative Regulation 5120-9-19, Printed Material, and DRC policy 75-MAL-02, Printed Material. Receipt of such items shall not be considered as a package.
  - c. Legal Materials: Inmates are permitted to receive and possess a reasonable amount of legal materials pursuant to DRC policy 59-LEG-01, Inmate Access to Courts and Counsel.

d. 1st Class Mail Enclosures: Inmates may receive the following in a first class letter:

- Photographs (5) no nude, no Polaroid (no larger than 5 x 7)
- Embossed envelopes (3)
- Newspaper clippings (5) (no larger than 8 ½ " by 11")
- Pamphlets or brochures (5) (simple, single page, no larger than 8½ " by 11"); bi fold or tri fold
- Blank stationary or copied material (5) single pages, one side, 8½" by 11" (including materials copied from the Internet)

Such enclosures are still subject to screening and possible exclusion from the institution under Administrative Rule 5120-9-19, Printed Material, and DRC policy 75-MAL-02, Printed Material.

e. Prescription Glasses:

- Requests to obtain prescription eyeglasses shall be pursuant to DRC policy 68-MED-01, Medical Services.
- Inmates may request glasses be sent from home per DRC policy 68-MED-14, Specialty Health Care Services.
- Ohio Penal Industries does not repair prescription glasses sent from home.

## **H. Inter-Institutional Transfer of Inmate Property**

1. Whenever an inmate is transferred from, and/or received into, an institution, their personal property shall be inventoried and documented on an Inmate Property Record - Disposition and Receipt - Male (DRC2055) or Female (DRC2369). The Inmate Property Record shall be maintained in the inmate's electronic file (or equivalent), and a copy of the form shall be given to the inmate.
2. Level 5 inmates and patients at PCI's Frazier Health Center and FMC shall be required to conform to the property guidelines of those specific institutions.
3. All legitimately possessed inmate personal property shall be transferred with the inmate when they are transferred to another state correctional institution. Any personal property not permitted in the inmate's immediate possession at a receiving institution pursuant to section VI.A.2 or VI.F.3 of this policy, shall be sent home at the inmate's expense or disposed of in accordance with Administrative Rule 5120-9-55, Contraband.
4. Following an inmate's approval to Level 4 or Level 5, the sending institution shall ensure the inmate is within the property limits established within DRC policies 61-PRP-01, Inmate Personal Property, and 59-LEG-01, Inmate Access to Court and Counsel. It is the sending institution's responsibility to ensure that the inmate meets the property limits of the receiving institution. The inmate will be required to donate, destroy or mail home at his/her expense any excess property.

**I. Inmate Property Theft/Loss**

1. Upon notification by an inmate of a property theft/loss, the employee receiving said notification shall immediately search or cause a search to be conducted and shall notify the appropriate unit manager/designee.
2. The unit manager/designee may send a staff person to assist in conducting a search for the missing item(s), investigate the incident and complete the Inmate Property Theft/Loss Report (DRC4194) in lieu of an incident report.
3. The Inmate Property Theft/Loss Report (DRC4194) shall be completed in detail by the officer and/or staff person and forwarded to the unit manager/designee.
4. The unit manager/designee may review the Inmate Property Theft/Loss Report (DRC4194) for completeness and forward it to the security chief (major)/designee.
5. In the event that an additional investigation is required, the security chief/designee shall appoint a staff person to conduct the investigation.

**Related Department Forms:**

Inmate Property Record - Disposition and Receipt - Male	DRC2055
Reception Intake Property Record and Disposition	DRC2258
Property Record - Disposition and Receipt - Female	DRC2369
Inmate Clothing Issue – Female	DRC4055
Certificate of Ownership	DRC4063
Inmate Clothing Issue – Male	DRC4077
Contraband Control Slip	DRC4086
Inmate Property Theft/Loss Report	DRC4194