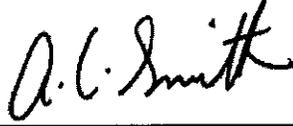




Department of
Rehabilitation & Correction

SUBJECT: Inmate Personal Property	PAGE <u>1</u> OF <u>12</u>
	NUMBER: 61-PRP-01
RULE/CODE REFERENCE: 5120-9-33, 5120-9-55	SUPERSEDES: 61-PRP-01 dated 02/25/2019
RELATED ACA STANDARDS: 4292, 4293, 4294	EFFECTIVE DATE: December 2, 2019
	APPROVED: 

I. AUTHORITY

Ohio Revised Code 5120.01 authorizes the Director of the Department of Rehabilitation and Correction, as the executive head of the department, to direct the total operations and management of the department by establishing procedures as set forth in this policy.

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 (ODRC) 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 his/her personal use.

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

Extended Restrictive Housing (ERH) - A security classification level represented as "E" in the Departmental Offender Tracking System (DOTS). ERH is the most restrictive security level in the ODRC reserved for inmates who constitute the greatest threat to the safety and security of the community, staff, others, and/or the secure operations of a correctional facility.

Grandfathered Item(s) - Item(s) of personal property an inmate was authorized to possess before April 1, 2000 and which he/she has 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 he/she has been permitted to retain after the effective date of this policy.

Inmate Personal Property - Any item, not issued by ODRC, 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.

Limited Privilege Housing (LPH) - Assignment of an inmate to a designated area for the purpose of reducing his/her privileges, controlling movement, and reducing his/her access to other inmates. An LPH inmate is considered general population and shall have access to prison services, although that access can be reasonably limited as part of his/her privilege reduction. Designated out-of-cell time shall be more than two (2) hours daily.

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."

Restrictive Housing (RH) - Housing that separates an inmate from the general population and restricts the inmate to his/her cell twenty-two (22) hours or more per day.

Serious Misconduct Panel (SMP) - A panel of two (2) correctional staff selected and assigned by a regional director and trained by Legal Services, who are authorized to conduct all misconduct hearings for offenses that would qualify for placement in ERH.

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

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.

Transitional Program Unit (TPU) - A specialized housing unit requiring close supervision of inmates that are placed in Restrictive Housing, Extended Restrictive Housing, or may be placed in Limited Privilege Housing.

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 (ODRC) 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, Transitional Program Unit 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 the 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 ODRC 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) and Inmate Contraband Slip (DRC4219). Apart from 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

- Most inmates are eligible to order and receive packages from vendors. However, ERH 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, except for ERH inmates as outlined in ODRC policy 55-SPC-02, Restrictive Housing Procedures. 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 or status 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 a TPU as a result of a finding of guilt by the rules infraction board (RIB) or serious misconduct panel (SMP) are ineligible to order or receive packages.
- 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:

Inmate Security Level and Housing Locations	Total Number of Packages Per Year	Maximum Number of Food Packages Per Year*	Special Consideration if Approved by:
Level 1	4	2	
Level 2	3	2	
Level 3	3	1	
Level 4A	2	1	
ERH	see 55-SPC-02	See 55-SPC-02	managing officer
Death Row	3	2	
Non-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 TPU as a result of a finding of guilt by the RIB or SMP	0	0	
Inmates temporarily assigned to a medical center or inmates sent to outside hospitals	0	0	
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.

- Institutions whose physical construction facilitates the housing of inmates with different security designations and statuses shall permit inmates to receive packages according to their individual security level or status.

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 ODRC website and upon request from the vendor.
3. Items may only be ordered from the current ODRC 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 shall not be considered a package when purchased from an approved vendor separately from any other items.

	VALUE LIMIT	POSITION
Chain (necklace) with religious medallion (2" max size of medallion)	\$60.00	1
Coaxial Cable (max 6' in length)	\$5.00	1
Compact Disc (CD) player (clear plastic only, non-recording, battery operated, clear plastic ear bud/plug) – Level 4 & 5 only		1 Written approval
Digital Television Signal Converter Box (clear case only)	\$75.00	1
Dress Shoes (black or brown, no patent leather or suede, 1" heel limit, no platforms, no steel/metal shank)	\$80.00	1
Handheld Gaming Device (i.e., Clear Tunes 50 N'1 Model HG-503, Sudoku, Word)	\$20.00	1
Headphones/Ear Buds/Ear Plugs (Clear plastic only, max 6' cord length)	\$31.00	1
Japa Mala Beads (wood, no red)	\$11.00	1
*JP4/5 Player (8GB, clear plastic case only, clear ear buds included)	\$75.00	1
Musical Keyboard (clear silicone only)	\$100.00	1
Plug and Play Device	\$35.00	1
Prayer Beads (wood, no red)	\$5.00	1
Prayer Robe (white)	\$40.00	1
Prayer Rug (solid or multicolored, no solid red; max size 44" x 26")	\$20.00	1
Radio/Radio Cassette (Walkman style; clear plastic case only, non-recording, battery operated, clear plastic ear buds/plugs)	\$50.00	1
Skull Cap (Yarmulke, Kufi; white or beige cloth)	\$5.00	2
Sports Shoe (turf or multi-purpose as approved by institution, predominantly black or white)	\$75.00	1
Television (clear case only, LCD, cable ready, color screen, earphone jack, clear plastic ear buds and remote included (no battery operation)	\$250.00	1
Television Remote	\$12.00	1
Tennis Shoes (predominantly black or white)	\$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

*May also possess JP4 player with either previously authorized MP3 player. Inmates may possess both a JPay tablet AND a GTL tablet.

** With managing officer's approval, ERH 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. Universal precautions, including minimum risk level personal protection equipment (PPE) as defined in ODRC Policy 10-SAF-19, Fentanyl Exposure - Prevention and Response, should be used when opening and processing incoming packages. Each institution shall have a written plan to address the proper handling of suspicious packages or envelopes to include isolation of the package and notification of appropriate staff and, if necessary, outside agencies.
2. All incoming packages shall be processed in an area located outside of the facility or in an area of the facility as designated by the managing officer and approved by the appropriate regional director to minimize possible exposure. Each package shall be passed through a scanning device capable of allowing mailroom staff the ability to inspect the package contents for the presence of contraband prior to the package being opened. Institutions not in possession of this equipment shall open and search all packages under a vent hood system designed to prevent the exposure of staff to potentially hazardous substances and contamination of the area.
3. Packages suspected of containing contraband items shall be placed in an isolated area until such time as they can be opened by an ODRC staff member who has been trained to handle potentially hazardous materials.
4. Packages that have been scanned and determined to be free of contraband shall be opened and processed, size permitting, under a vent hood system described above in section V.I.E.2. Once the package item(s) have been processed, they will be delivered inside the facility for distribution to the inmate. Employee packages shall be opened after they have been scanned and picked up only by the employee for whom the package is intended.

5. Package items shall be distributed to inmates as detailed in ODRC Policy 310-SEC-01, Inmate and Physical Plant Searches.
6. 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 (i.e., 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.
7. 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.
8. 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.
9. 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 against the inmate. The package shall not count against the inmate's permitted package total.
10. If an approved vendor sends a package to an inmate who is Out-to-Court and/or AWL status in DOTS Portal, then the package shall be returned to the vendor at the vendor's expense. The package shall not count against the inmate's permitted package total. The inmate may reorder the items when he/she returns to the institution.

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:
 - a. Legal Kits (see ODRC Policy 59-LEG-01, Inmate Access to Court and Counsel);
 - b. ODRC approved over-the-counter medications (see ODRC Policy 69-OCH-02, Commissary Purchase of OTC Medication and Health Care Items);
 - c. Personal hygiene items (including cosmetics for female inmates only);
 - d. Stationery supplies to include postage and embossed envelopes.
2. Institutional commissaries may sell the electronic items identified in section VI.D.2 of this policy. 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

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:

1. Religious Items: Requests to possess personal property of a religious nature must be made in accordance with ODRC Policy 72-REG-02, Religious Accommodations. Items received pursuant to ODRC Policy 72-REG-02, Religious Accommodations, shall not be considered a package. An inmate may possess a religious medallion provided by a religious organization.
2. 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 ODRC Policy 75-MAL-02, Printed Material. Receipt of such items shall not be considered as a package.
3. Legal Materials: Inmates are permitted to receive and possess a reasonable amount of legal materials pursuant to ODRC Policy 59-LEG-01, Inmate Access to Courts and Counsel.
4. 1st Class Mail Enclosures: Inmates may receive the following in a first-class letter:
 - a. Photographs (5) no nude, no Polaroid (no larger than 8 ½" x 11");
 - b. Newspaper clippings (5) (no larger than 8 ½ " by 11");
 - c. Pamphlets or brochures (5) (simple, single page, no larger than 8½ " by 11"), bi fold or tri fold;
 - d. Blank stationary or copied material (5) single pages, one side, 8½" by 11" (including materials copied from the Internet);
 - e. Color greeting cards are permitted if they are commercially manufactured and have not been tampered with. Greeting cards must be single fold only (multi-fold, musical, and/or "pop out" cards are prohibited);
 - f. Postage stamps, laminated stickers, glue, glitter, lipstick, perfume, etc. are prohibited.

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

5. Prescription Glasses:

- a. Requests to obtain prescription eyeglasses shall be pursuant to ODRC Policy 68-MED-01, Medical Services.
- b. Inmates may request glasses be sent from home per ODRC Policy 68-MED-14, Specialty Health Care Services.
- c. Ohio Penal Industries (OPI) 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. ERH 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 ERH, the sending institution shall ensure the inmate is within the property limits established within ODRC Policies 61-PRP-01 (Inmate Personal Property), 55-SPC-02 (Restrictive Housing Procedures) and 59-LEG-01 (Inmate Access to Court and Counsel). 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 utilizing the electronic forms catalog 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/designee.

5. If 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
Inmate 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
Inmate Contraband Slip	DRC4219