HOWARD COUNTY DEPARTMENT OF CORRECTIONS POLICY & PROCEDURE

	SUBJECT:	Inmate Rights, Discipline and Services	
	P & P #:	H-704	
REV	TITLE:	Allowable Inmate/Detainee Property and Packages	
	EFFECTIVE DATE:	November 27, 2019	
	REVIEWED BY:	Prince Asempa, Administrative Captain	
	REVIEWED BY:	Elhert G. Slumy Elhart Flurry, Security Chief	
	REVIEWED BY:	Andrea King Wessels, Deputy Director	
	AUTHORITY:	Jack Kavanagh, Director	

POLICY: It is the policy of Howard County Department of Corrections to allow inmates/detainees to receive and retain certain personal property items through packages received from authorized commissary vendors or in certain circumstances, such as work release or through items brought with them from other correctional agencies, in amounts reasonably necessary, while ensuring that institutional order and security are not compromised. Constant and consistent enforcement of the policy by all staff is central to this policy.

REFERENCE: Maryland Commission on Correctional Standards (MCCS), Adult Detention Center Standards 01. I, J; 04. E, F, 05 E, Performance Based National Detention Standards (PBNDS) 2011, 2.5 E, HCDC Policies C-200 Intake, C-204 Safekeeping Inmate/Detainee Jewelry/Valuables, D-304 Inmate/Detainee Disciplinary Segregation, D-306 Inmate/Detainee Administrative Segregation and Medical Housing, E-402 Searches, E-409 Full Body X-ray Scanner, E-422 Evidence Storage and Control, H-702 Inmate/Detainee Hygiene, Grooming and Dress Code, H-720 Commissary Services, and Post Order 20 Upper Level Security.

DEFINITIONS:

<u>Package</u> - Any pre-assembled unit and/or quantity of any of the authorized items and/or commodities listed and identified in this policy as "Approved Items for Secure Inmate/Detainee Packages".

<u>Court Clothes</u> – Clothing considered to be proper attire for court appearance. Sweatsuits/shorts are not allowed.

<u>Property Officer</u> - A Correctional Officer assigned to handle inmate/detainee property as a collateral assignment.

PROCEDURES:

I. <u>Allowable Property</u>

A. General

- 1. The Administrative Captain shall be responsible for the administering and control of inmate/detainee property.
- 2. Inmates/detainees can have in their possession certain items which generally are authorized at intake, or purchased through commissary on the kiosk. Inmates/detainees may have only that property which is authorized for their status. The property allowed is different for inmates/detainees in general population, work release, disciplinary or administrative segregation. In addition, the Security Chief, Deputy Director or Director may authorize that an inmate/detainee not be allowed certain items, based on security reasons.
- 3. A Shift Leader may remove an inmate's/detainee's property based on security reasons and shall provide an Incident Report to the Security Chief indicating the reason for the removal. The removal and return of this property shall be handled in accordance with Section IX. C. below.
- 4. The Director, Deputy Director or Security Chief may authorize an inmate to have special property items as part of a program. The allowable item shall be documented in the electronic SallyPort Notes Section and a copy shall be placed in the inmate's basefile.
- 5. Inmates/detainees transferring in from other facilities may keep any clothing that complies with our allowable list of clothing attached as Appendix 1, if there are no signs of the clothing being altered, defaced, etc.

B. General Inmate/Detainee Population

- 1. Inmates/detainees may have in their possession and/or in their living area ONLY those items/property specifically identified in Appendix 1, Allowable Inmate/Detainee Property or those items approved and available for purchase through commissary on the kiosk.
- 2. Further guidance regarding inmate/detainee property is included in the following policy and procedures:
 - a. HCDC Policy C-200 Intake;
 - b. HCDC Policy C-201 Lost and Abandoned Inmate Property;
 - c. HCDC Policy C-204 Safekeeping Inmate/Detainee Jewelry/Valuable Items;
 - d. HCDC Policy D-304 Inmate/Detainee Disciplinary Segregation;
 - e. HCDC Policy D-306 Inmate Administrative Segregation & Medical Housing;
 - f. HCDC Policy E-402 Searches;
 - g. HCDC Policy E-409 Full Body X-ray Scanner;
 - h. HCDC Policy H-702 Inmate/Detainee Hygiene, Grooming and Dress Code;
 - i. HCDC Policy H-720 Commissary Services; and
- C. Inmates/Detainees on a segregation status shall have property handled in accordance

with HCDC Policies D-304 Inmate/Detainee Disciplinary Segregation and D-306 Inmate/Detainee Administrative Segregation and Medical Housing.

II. Notice to Inmates/Detainees

Information about packages shall be included in the Inmate/Detainee Handbooks and on the kiosk.

III. Authorized Packages for Minimum Security and Work Release Inmates Brought by Visitors

A. Minimum security and work release inmates may have packages brought in by visitors with prior approval by Work Release Staff. The approved items shall be noted by Work Release Staff in electronic SallyPort notes section.

B. Work Release

- 1. Due to the requirements for working in community jobs, work release inmates can have additional property as indicated on Appendix 2 Allowable Work Release Inmate Property. Certain approved items such as cell phones shall not be allowed in the living area of the housing unit's. Inmates housed on Hendricks Hall shall relinquish their cell phone to the Hendricks Hall Officer to be stored in a secured box within the Hendricks Hall Control Center and inmates housed in H-1 shall secure their cell phones in the property lockers located in front of the Property Room.
- 2. A cell phone may only be approved by the assigned Work Release Counselor.
- 3. Work Release Inmates are permitted to have items listed on Appendix 2 while on work release.
- 4. As noted in Appendix 2, the Work Release Counselor may recommend, with the authorization of the Security Chief or above, specific items not on the list, where there is justification for the need of the item. This authorization shall be maintained in the inmate's basefile and with the housing unit officer.
- C. Authorized packages shall be generally accepted Monday through Friday between the hours of 4:00 p.m. and 9:00 p.m. ONLY. Any exception must be approved by the Shift Leader, Administrative Captain or above.
- D. Any items delivered by a visitor shall be considered an "authorized package" regardless of quantity and/or amount. This includes work release items, special preapproved items or items requested for approval through the medical department.
- E. Visitors including those who deliver a pre-approved package for an inmate/detainee expressly approved by the Security Chief or above must present a valid driver's license or other government-issued photo ID and provide a valid address and phone number prior to the package being received. The officer accepting the authorized package MUST verify the identity of the person delivering it and document on inmate/detainee's SallyPort Note sections.

- F. Personnel who accept authorized packages MUST:
 - 1. Inspect the package thoroughly for contraband (hold any suspicious items) for further evaluation by the Administrative Captain or Security Chief;
 - 2. Verify that ONLY approved items and quantities are enclosed;
 - 3. Non-allowable items shall be returned to the visitor or placed in property (if preapproved).
 - 4. Complete Receipt and Release for Authorized Property, HCDC Form H-704e (formerly H-728a) attached as Appendix 5 and distribute copies appropriately; and
 - 5. Make notation on the inmate/detainee's electronic SallyPort Notes Section.

That notation must include:

- a. Date package received;
- b. The name and address of the visitor/person delivering the package; and
- c. Identity of officer accepting the package.
- 6. Forward the package to the office of the Administrative Captain for further inspection and processing. The Administrative Captain's Staff shall ensure that the package has been thoroughly searched and shall utilize the Full Body X-ray Scanner (refer to Policy E-409) where possible and practical.
- G. When inmate/detainee property is picked up by a Property Officer, he/she shall sign the logbook to verify receipt of package(s).

IV. Packages Expressly Approved for Delivery Mail

- A. The instances of approvals for mail delivery packages are minimal. A Property Officer shall be designated by the Administrative Captain for accountability and control of the approved incoming inmate/detainee packages.
 - 1. The Property Officer shall maintain control of all Authorized Package Approvals through the inmates/detainees assigned counselor by kiosk.
 - 2. At the time a package is received, it shall be opened and thoroughly searched for contraband and accountability of contents by the Property Officer.
 - 3. The package may contain LESS but not MORE than is allowed.
 - 4. The package shall be placed through the parcel conveyor belt x-ray scanner (refer to Post Order #20, Section IX) or Full Body X-ray Scanner (Policy E-409).
 - 5. The package shall be scanned by K-9 drug detection dogs as available.
 - 6. If contraband is found, refer to above procedures. If all is in order, the package shall be delivered to the inmate/detainee.

7. The inmate/detainee shall be required to sign for receipt of an approved package on the Receipt and Release for Authorized Articles form. The report shall be placed in the inmate's/detainee's basefile.

V. Inmate/Detainee Authorized Commissary Vender Packages

- A. The authorized package shall be delivered by the authorized commissary vendor, which are approved items for secure inmate/detainee packages.
- B. Any initial package other than the authorized commissary vender must have the express prior approval of the Security Chief or above. This would be for specific reasons which would be documented.
- C. All initial packages must be inspected by the staff of the Administrative Captain before issue to the inmate/detainee. Such packages are to be scanned by the body scanner or a drug detection K-9 as available.
- D. Packages or property may also be received from other correctional agencies (see section VI below); by visitors; or in certain, approved circumstances, through the mail.
- E. Authorized packages received for inmates housed on Disciplinary Segregation status shall be held until the inmate is released into general population.

VI. Packaged Contraband Items According to Local, State or Federal Law

- A. In the event illegal contraband which is illegal and in violation of County, State and/or Federal laws is in the package, the Administrative Captain, Security Chief and/or Deputy Director/Director shall immediately be notified. As appropriate, the contraband items shall be turned over to law enforcement for processing, with necessary Chain of Custody completed (form E-422a). The remainder of the package shall be considered contraband and disposed of in accordance with policy and procedure.
- B. Other non-allowable items shall be returned to the visitor or placed in property (if pre-approved).

VII. Non-Allowable or Contraband Items and Removal of Property

- A. Items and/or property identified as contraband shall be immediately confiscated and handled in accordance with existing HCDC Policy E-402 Searches.
- B. All non-approved or excess items and/or property found in an inmate's/detainee's possession or living area shall be considered contraband.
- C. In the event it becomes necessary for the property of an inmate/detainee to be removed from his/her housing unit, it is the responsibility of all shifts to ensure the safekeeping and proper handling of that property. Therefore, the following guidelines shall be followed:

- 1. The assigned officer shall inventory all property removed from the inmates/detainees living area and compile a detailed, itemized list on the Receipt for Confiscated Property HCDC Form E-402a. Whenever possible, the inmate/detainee shall be allowed to review this list, acknowledging the confiscated items with a required signature. The original shall be placed in the inmate's/detainee's basefile and the second copy shall be given to the inmate/detainee as a receipt for his/her property.
- 2. Any items that are illegal according to local, state or federal law shall be forwarded to the Security Chief with a Chain of Custody HCDC Form E-422b for appropriate disposition.
- 3. All other items shall be placed in the inmate's/detainees assigned property bag for storage.
- 4. In the event the storage bag does not hold all the property confiscated, the inmate/detainee shall be instructed to have someone pick-up the excess items as soon as possible. If the excess property is not picked up within thirty (30) days it shall be considered "abandoned property" and disposed of in accordance with HCDC Policy C-201 Lost and Abandoned Inmate/Detainee Property.
- 5. In the event there is a dispute over proper ownership of an item, that item shall be forwarded to the Security Chief until proper ownership can be determined. If proper ownership cannot be established, the property in question shall be handled as abandoned property, in accordance with HCDC Policy C-201, Lost and Abandoned Inmate/Detainee Property.
- 6. If all the confiscated property is returned to the inmate/detainee prior to his/her release from this facility, the inmate/detainee and the staff returning the property MUST sign the Receipt for Confiscated Property HCDC Form E-402a to verify the return. Items returned to the inmate/detainee prior to release from HCDC must be approved by the supervisor who authorized the confiscation, or the Security Chief/Deputy Director or Director.
- 7. If only a portion of the confiscated property is to be returned to the inmate/detainee prior to his/her release from this facility, a separate Receipt and Release for Authorized Articles form shall be filled out to identify the items returned and distinguish them from the items retained in storage. The inmate/detainee and the staff returning the property MUST sign the property sheet to verify return of the property. Items returned to the inmate/detainee prior to release from HCDC <u>must</u> be approved by the supervisor who authorized the confiscation, or the Security Chief/Deputy Director or Director.
- 8. At no time will confiscated property be returned to an inmate/detainee without the express approval of the supervisor who authorized confiscation or the Security Chief/Deputy Director or Director.
- D. Whenever an item of contraband which is illegal according to local, state or federal law is confiscated by an officer, the evidence is seized and is the responsibility of that

officer to immediately establish a chain of custody to ensure that the items and/or evidence is not lost, destroyed, altered, contaminated or tainted.

- The officer who **first** takes possession of the item/evidence shall obtain and complete a HCDC E-422b Official Chain of Custody and HCDC E-422a Evidence Inventory Sheet. All articles shall be listed and described as specifically as possible by that officer.
- 2. The items shall NOT be left unattended at any time, but shall be immediately surrendered to the Shift Leader with a detailed report giving all circumstances involved in the obtaining of this property.
- 3. The Shift Leader shall forward the property, along with the report, to the Security Chief as soon as possible. At no time shall the Shift Leader allow the property to be unattended, unless the property is locked in a secure place, with no other access, until the Shift Leader returns to retrieve the property.
- 4. Upon receiving the property, the Security Chief shall maintain custody of same until it can be surrendered to the proper authorities (i.e. police, test laboratory, etc.).

VIII. Inmate/Detainees Delivered from Other Correctional Facilities

- A. Any inmate/detainee delivered to this facility from another jail, prison, detention facility, etc. by law enforcement officials or HCDC personnel may bring <u>ONLY</u> the below listed articles with them:
 - 1. Funds (Money, money orders, approved checks);
 - 2. Legal papers and/or related materials (1 cubic foot);
 - 3. Photos (black and white only) no more than twelve, on standard white paper only, no larger than 8" X 10" <u>WITHOUT</u> frames, holders, and/or albums, (no altered/color paper);
 - 4. Personal outer clothing that is being worn at the time of delivery. (There shall be NO "extra" clothing and/or shoes accepted.); and
 - 5. Maximum three (3) each, ICE detainees seven (7) of the following:
 - pairs of socks (white only);
 - underwear and undershirts (white or gray) for male inmates/detainees; and
 - underwear and bras/sport bras (white or gray, no underwire) for female inmates/detainees.
- B. Staff escorting the inmate/detainee into the facility shall check any bags, packages, containers and/or parcels being delivered by the transporting personnel <u>prior to allowing them to be carried into the facility</u>.
 - 1. Items not specifically listed above shall be rejected.

- 2. Disposition of items not listed above shall be the responsibility of transporting personnel.
- C. There shall be NO cosmetics and/or toiletry articles accepted.

IX. Court Clothes

- A. The Detention Center shall provide sufficient civilian clothing required to attend circuit court cases. Therefore, court clothes are not accepted.
- B. All court clothing issued is the property of the Detention Center and shall be returned after the daily court appearance and prior to the inmate returning to his housing unit.
- C. The inmate shall sign the Issuance and Return of Court Clothing form HCDC H-704c attached as Appendix 3.
- D. In cases involving destruction of Department of Corrections' property, the Disciplinary Committee may impose restitution as a sanction. Attached as Appendix 3 is the current general list of items with the associated costs. The list will be updated from time-to-time. It shall be available at the time of the hearing. Other determination of value of these items may be used to determine the amount of restitution. Prices are subject to change based on determined costs at which time the inmate will be advised at the hearing.

X. Directors Prerogative

The Director has the authority to revise/change a policy or post order as needed to meet the operational demands of the Department. As the changes are initiated, they may be communicated by an email, memoranda or in rare circumstances verbal due to unforeseen situations.

ATTACHMENTS: Appendix 1, Allowable Inmate/Detainee Property: General Population HCDC Form H-704a.

Appendix 2, Allowable Inmate Property: Work Release Inmates HCDC Form H-704b.

Appendix 3, Issuance and Return of Court Clothing HCDC Form H-704c.

Appendix 4, Issuance and Return of USB Flash Drive (ICE Detainee's) H-704d.

Appendix 5, Receipt and Release for Authorized Property, HCDC Form H-704e (formerly H-728a).

RESCISSIONS:

HCDC Policy H-704, effective July 19, 2019, July 31, 2018, August 6, 2017. Note: Policy H-728 Inmate/Detainee Authorized Packages has been phased out and combined with this policy.

Allowable Inmate/Detainee Property General Population Inmates and ICE Detainees

CLOTHING

QUANTITY ALLOWED

•Slip-on or Velcro (no shoe strings) ······ •Bra/Sport Bra-Women •Gym Shorts ······ •Gym Shorts (Minimum Security (Hendricks Hall) ··· •Pajamas ······	
•Personal photographs·····	(max. size 8" x 10" no Polaroid's- max. 6) Black and white only.
•Socks····	(max. 7 pairs white only).
•Shower shoes·····	(1 pair – one piece construction)
•Sweat pants·····	(max. 2 gray only, no draw strings)
•Sweat shirt·····	(max. 2 gray only, no hoods)
•T-Shirts·····	(max. 7 white or gray only)
•Thermal Bottoms·····	(max. 2 white or gray only)
•Thermal Tops·····	(max. 2 white or gray only)
•Underwear–men only–boxers or briefs······	(max. 7 white or gray only)
•Underwear–women only "no thongs" ······	(max. 7 white or gray only)
•Washcloths and Towels·····	(max. 2 each white or beige only)

NOTE: There will be no lettering, logo or graphics allowed on items of clothing. Lettering and/or graphics on other items are subject to approval at time of delivery.

PERSONAL CARE ITEMS

OUANTITY ALLOWED

Items on the commissary list are generally allowed at the limit of one order, or an amount which would reasonably be consumed or used by the inmate.

Contact Lens Care Kit········ 2 Sets (as medically indicated.)

Contact Lens Care Kit··············· 1 (as medically indicated.)

BEVERAGES/FOOD

QUANTITY ALLOWED

Items on the commissary list are generally allowed at the limit of one order, or an amount which would reasonably be consumed or used by the inmate/detainee. This generally would be considered as one multi-count box or 20 individual items.

COMMISSARY ITEMS

QUANTITY ALLOWED

Items on the commissary list are generally allowed at the limit of one order, or an amount which would reasonably be consumed or used by the inmate/detainee.

 Dictionary (pocket)
 1

 Earphones
 1 set

HCDC Form H-704a (revised 12/15/16) Page 1 of 2

Appendix 1 to HCDC Policy H-704 Allowable Inmate Propert
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	Appendix I to HCDC Policy H-/04 Allowable Inmate Property
Envelopes, #10·····	20 pre-stamped
Envelopes, large·····	
Greeting cards······	
Pencils (#2 regular) ······	3
Playing/pinochle cards······	
Radio (Walkman type) ······	
Sketch pads·····	2 packs or pads
Soap dish·····	
Stamped envelopes·····	
Toothbrush holder·····	
Towels·····	
Tumblers ·····	
Washcloths·····	2 (white or beige only)
Writing pads·····	
Personal books·····	1 (religious book issued by CJM or approved by Security
	Chief/Deputy Director/Director)
MISCELLANEOUS	QUANTITY ALOWED
Resource Center books/magazines·····	4
Court papers/personal documents······	
Medical/Healthcare Items·····	as approved by HCDC Medical.
Personal Jewelry/Valuables	
(on- person at Intake only)	QUANTITY ALLOWED
Wedge (Augles outs)	1 (
Watch (Analog only)	
Wedding ring·····	· 1 (maximum value \$65.00)

Note: Maximum size shall NOT exceed one (1) inch in diameter, height, width, length, and/or circumference (dependent upon shape of the item.) Religious article must meet stipulations of HCDC Policy C-200 Intake.

Religious jewelry······ 1 (maximum value \$65.00)

Allowable Inmate Property Work Release Inmates

Work Release inmates are authorized to have in their possession the additional following items. On a case-by-case basis the Work Release Supervisor may authorize specific items or additional quantity based on the inmate's employment. A copy of such authorization shall be maintained in the inmate's base file.

NOTE: Only regular HCDC institutional approved items may be worn in the Detention Center, unless preparing to leave or upon returning from employment or job seeking.

CLOTHING QUANTITY ALLOWED locker) Shoes (suitable for interview or required for work).......... 2 pairs (additional; may have shoestrings) Personal Care Items (Women Only) QUANTITY ALLOWED mascara, foundation, blush). No glass containers. Make-up Brush 1 Personal Jewelry/Valuables/Documents QUANTITY ALLOWED U.S. Currency \$75.00 Identification documents (Approved by Work Release Staff). Example: birth certificates, government issued ID cards, social security cards, special license documents, etc. stored in foot locker Wallet and contents (Approved by Work Release Staff).... stored in foot locker

Issuance and Return of Court Clothing

Inmate Name (Prin	nt):		Inmate Signature:
ID#:		Date:	
<u>Issuance</u> - Inspect	ion of court clothi	ing upon being iss	sued.
Khaki pants Comment:			☐ Satisfactory
Collared shirt Comment:			☐ Satisfactory
Items provided by	: OIC/Intake Offi	cer (print):	Date:
Return – Inspection	on of court clothin	ng upon being retu	urned.
Khaki pants Comment:			☐ Satisfactory
Collared shirt Comment:			☐ Satisfactory
Inmate Name (Prin	nt):		Inmate Signature:
ID#:		Date:	
OIC/Intake Office	r Signature:		Date:
maintainii	ng proper ware. T	The clothing items	ur Circuit Court case. You are responsible for shall be returned at the conclusion of your court Detention Center.
	e may be taken the unt for reimburse		hment/withdrawal of funds from your commissary of the following:
• Any	damage (outside o	of normal wear/te	ar);
	<u>Items I</u>	ssued/Cost Repl	acement if Damaged
	_	ts - \$15.00 Shirt - \$10.00	
Each inmate shall	sign acknowledgi	ng their understar	ding and intent to comply with the regulations
Original: Inmate ba	sefile Copy: In	mate	

HCDC Form H-704c (revised 5/121/15)

Issuance and Return of USB Flash Drive

Log Number:	
Having accepted the USB Flash Drive offered to me by the Howard further accept the terms and conditions of my responsibility below, any violation of these terms and conditions can result in confiscation action.	with a clear understanding on my part that
Al haber aceptado la unidad flash USB que me ofrece el Departame Howard, acepto los términos y condiciones de mi responsabilidad a de mi parte de que cualquier violación de estos términos y condicio dispositivo y posible acción disciplinaria.	a continuación, con una clara comprensión
 I will not lend, give or destroy the USB flash drive. I will only use the USB flash drive to save my legal data. I will keep all saved data on my flash drive confidential. I will provide my flash drive upon request for inspection at any I will surrender my flash drive at my time of release from this fa 	
Detainee Name (Print):	ID#:
Detainee Signature:	Date:
Staff/Officer Issuing: (print)	
Date:	(signature)
Return Upon my agreement above, I have surrendered the USB Flash Drive	e at my time of release.
Tras mi acuerdo anterior, he entregado la unidad flash USB en mi	•
\square Yes (Si) \square No	
Detainee Name/Nombre (Print/Impresión):	ID#:
Detainee Signature/Firma:	Date/Fecha:
Staff/Officer Receiving: (print)	(signature)
Date:	

Receipt and Release for Authorized Articles

	ID#:	Date:
Section One: Rele	ease of Inmate/Detainee Prop	perty
ticles to be released	d to:	
	Pri	nt Name
	Witness:	Date:
gnature	Signatur	re
/Drint	Driver License #:	
		m.
	Date:	Time:
n Two: Receipt o	f Authorized Inmate/Detain	ee Articles
rticles were:		
Name	Signature	Date
City	State	Zip code
	Date:	Time:
	Date:	
Name		
City	State	Zip code
ed articles:		
	ID#:	Date:
	Date:	Time:
Item		Quantity
	gnature e/Print Two: Receipt of ticles were: Name City Name City ed articles:	Section One: Release of Inmate/Detainee Properticles to be released to: Prince