

State of Iowa Department of Corrections

Policy and Procedures

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Chapter 4: INSTITUTIONAL SERVICES

Sub Chapter: RECEPTION & ORIENTATION

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Administrative Code Reference: N/A

Subject: INCARCERATED INDIVIDUAL PERSONAL PROPERTY

PREA Standards: N/A

Responsibility: Randy Gibbs

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Authority:

1. PURPOSE

To describe the procedures that shall be used to process incarcerated individuals and their personal property into each Iowa Department of Corrections (IDOC) institution.

2. POLICY

It is the policy of the IDOC that property, including personal property authorized for possession by incarcerated individuals in IDOC institutions, shall be limited by security, sanitation, and life safety considerations as set forth by institutional procedures required by this policy.

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3. DEFINITIONS – As used in this document:

- A. Approved Mail Order Source - A recognized business/vendor that, as a usual and regular business provides mail order service to the public through a mail order catalog or department and normally engages in mail order sales as a substantial part of its business.

- B. Confiscated Property - Refers only to conversion of incarcerated individual personal property to state ownership following proper notice and completion of the appeal process.
- C. Seized Property - Incarcerated Individual personal property removed from an incarcerated individual's possession and placed in storage pending disposition.
- D. Contraband - Any item in the possession of an incarcerated individual which has not been specifically issued to or authorized for possession by the incarcerated individual in accordance with institution procedure, has been altered or otherwise authorized property that exceeds authorized limits. Contraband items may include, but are not limited to, the following:
 - 1. State property of any type that has not been specifically authorized for possession by an incarcerated individual.
 - 2. Personal property of any type not specifically authorized for the possession or use by an incarcerated individual by IDOC or institutional procedures.
 - 3. Personal property in the possession of an incarcerated individual which has not been properly received and issued to the incarcerated individual in accordance with IDOC or institutional procedures. This includes property belonging to another incarcerated individual.
 - 4. State-issued and/or personal property, regardless of how acquired, which has been modified or altered without written authorization.
 - 5. Any knife, tool, instrument, firearm, explosive or other object that presents a threat to the safety of staff, incarcerated individuals, or the general public.
 - 6. Any drug, chemical compound, or controlled substance which has not been issued to an incarcerated individual by a proper authority or if authorized, is accumulated beyond prescribed amounts or expiration dates.
 - 7. Any monies or other negotiable instruments, whether currency, coins, checks, lottery tickets, money orders, bank drafts, etc., in the possession of an incarcerated individual except where specifically authorized.

8. Any flammable substance or incendiary device or materials to manufacture such.
 9. Any personal property found to contain a hidden compartment.
 10. Any property that exceeds authorized limits.
- E. Personal Property - Any item of property not provided by state issue and acquired by an incarcerated individual in a manner authorized by this policy.
- F. See IDOC Policy **AD-GA-16** for additional Definitions.

4. PROCEDURES

A. General Guidelines

1. Possession of personal property is a privilege afforded to incarcerated individuals by the IDOC and is subject to all provisions of this policy. As such, the IDOC and/or its institutions may restrict or revoke the privilege and may make modifications to the list of allowable property at any time. Possession of personal property may be restricted as part of a transition incentive program.
2. Incarcerated individuals may possess personal property only with the understanding that the IDOC's liability is limited to that described in Section IV.C. of this policy.
3. Unless otherwise specified, incarcerated individuals in IDOC institutions may retain current non-compliant property/appliances until they wear out, or the item presents a safety hazard.
4. Incarcerated individuals entering the IDOC on or after the effective revision date of this policy may only acquire property authorized by this policy.
5. Personal property sent out or removed from the institution shall not be allowed back in unless approved in writing by the Warden.

B. Maximum Personal Property Allowed

Where items in the DOC listing of personal property are substantially the same as those issued by the institution (such as jeans, underwear, etc.), institutional procedures may allow an increase in the number of items of personal property with a corresponding decrease in the number of state items issued.

1. Clothing

- a. Jeans – limit of 2 pairs of solid navy-blue denim, with no flare. Shall be plain style with no extra pockets. No cloth trim and no beading. Jeans made of quilt material, leather, or cords, as well as those that have been bleached or light stonewashed, shall not be allowed.
- b. Shorts – limit of 2 pairs of mid-thigh or longer walking or gym shorts of solid navy blue or gray. Cutting off jeans to make shorts shall not be allowed nor shall see through mesh shorts be allowed.
- c. Shirts – limit of 9 shirts of solid navy blue or gray, to include casual or dress. May be either long or short sleeve with no beading, symbols, or pictures, other than manufacturer' logo (Nike, Reebok, etc.) May be either button or pullover. T-shirts, or athletic muscle shirt may be white.
- d. Sweatshirts – limit of 2 solid navy blue or gray, non-hooded sweatshirts. May be either long or short sleeve with no beading, symbols, or pictures, other than manufacture's logo (Nike, Reebok, etc.). May be either zipper or pullover.
- e. Sweatpants – limit of 2 solid navy blue or gray pairs with no beading, symbols, or pictures, other than manufacturer's logo (Nike, Reebok, etc.).
- f. Bras – limit of 4 solid white bras.
- g. Underwear– limit of 6 briefs, boxer, or panties of solid white color, limit of 2 sets of solid white thermal underwear.
- h. Socks- limit of 6 pairs of solid white socks.
- i. Shoes - limit of 3 pairs, to include athletic/casual shoes, slippers, and boots. In addition, shower thongs are not

counted as part of the 3 pair. There shall be a maximum of 1" heel and 1/2" soles on shoes or boots. Boots or work shoe shall not exceed 8" in height. Shoes with hollow construction (soles or heels), mountain or hiking boots, boots or shoes with steel toe, steel shank or cleats shall not be allowed. Footwear shall not have detachable Velcro straps. All athletic shoes must be solid white in color, except for the logo.

- j. Jacket – limit of 1 jacket with no hood, up to three-quarters length, of solid navy blue or gray, which shall be predominately one color without braiding, lettering, or symbols. Pile lining is acceptable. Jackets made of fur, leather, corduroy, or suede, and those with detachable sleeves, as well as vests, shall not be allowed.
- k. Gloves – limit 1 pair of cloth gloves which shall be 5-finger or mitten type. Vinyl or leather gloves shall not be allowed.
- l. Hats/Caps – limit of 2 hats/caps of which may be a stocking cap, a fisherman's hat, and/or a billed, baseball style cap. All hat styles shall be solid color of navy blue or gray. Lettering and symbols shall not be allowed. Limit of 1 scarf.
- m. Pajamas/Robes/Nightgowns – limit of 2 pairs of solid navy blue or gray pajamas/nightgown. Limit of 1 robe, solid navy blue or gray, up to three-quarters length, non-hooded. None of the above shall include lettering or worn as an under or outer garment.
- n. Belts/Suspenders– limit of 2 cloth or leather belts, not to include narrow, single strand, rope type, or macramé. Buckle shall not exceed 4 square inches. Suspenders limit one.
- o. Handkerchiefs – limit of 3 solid white only, not to exceed 18 inches square.

2. Athletic Equipment/Hobby Craft

- a. Athletic supporters - two athletic supporters (one cup) or one pair of supporter briefs (one cup) (male incarcerated individuals as well as those patients identified as male per **HSP-704**).

- b. The following equipment items shall be allowed only at institutions with corresponding facilities: limit of one pair of wristbands, one weightlifting belt, one pair of weightlifting gloves, one ball glove, and one batter's glove, limit of one tennis racquet, one racquetball racquet, one racquetball/handball glove, and one can of tennis balls (3), one can of racquetballs (3), one can of handballs (3), ping pong paddle, three ping pong balls, one Frisbee and one hacky sack. Institutions may prohibit personal ownership of these articles if supplied by the institution or there are no facilities for their use. Institutions may designate special storage areas for these items.
- c. Hobby Craft Items – specified by institution. Upon transfer to another institution, all hobby craft items must fit in with rest of property in the allowable footlockers or boxes and must be forwarded to R&D for inventory.

3. Electrical Items

All sound producing equipment must have an earphone jack. No equipment shall have detachable speakers or recording capability. Availability of these items may be limited to institutions that provide sufficient electrical services to accommodate the below listed items.

- a. Television – limit of one no larger than a 15 1/2-inch television, black and white or color – with clear or minimal tint case allowing security staff to view the interior mechanisms. Limit of one microfiber cleaning cloth for the television. Remote control units may be allowed by institutional procedure.
- b. Antenna – must be manufactured with and attached to the television set. Antennas may not be allowed at institutions having a cable system.
- c. CD/radio Player or Tape Player/Radio/Combo one am/fm radio with or without clock and/or alarm, not to exceed maximum size of 12" x 4" x 7", or a combination of a cassette tape player or CD player and an am/fm radio, which shall not exceed 15 inches in length and 8 inches in height. No recording capability – clear.

- d. Walkman – limit of 1 cassette player/am/fm radio combination or CD Walkman – clear.
- e. MP3/MP4 armband with rubberized cover/screen protector – limit of 1 – clear.
- f. Headphone/earplug/earbuds – limit of 2 with a standard unaltered maximum cord length of 8 foot - clear.
- g. Cassette tapes or compact disc in a clear case– limit of 24 approved and professionally prerecorded cassette tapes, and/or compact discs (CD) to include 1 dry tape head cleaner and case to hold up to 24 tapes or compact discs. Tapes and CD/recordings bearing “Warnings” such as, but not limited to, parental advisory or explicit lyrics shall not be approved. Incarcerated individual must own a CD player to purchase CDs.
- h. Clock – limit of 1 electric or wind-up mechanical alarm clock - clear.
- i. Fan – limit of 1 electric fan, with 12-inch maximum plastic blade diameter and plastic shield - clear.
- j. Light – limit of 1 high intensity desk type light or lamp and a book light - clear.
- k. Hot pot – limit of 1 hot pot with 32-ounce maximum capacity - clear.
- l. Adapter – number limited to those needed for authorized appliances.
- m. Calculator – limit of 1 hand held calculator - clear.
- n. Batteries – limited in size to AA, AAA, or watch batteries.
- o. Electronic Handheld games – Limit 2
- p. Acoustic guitar or Banjo or other similar stringed instrument, beat drum, roll up keyboard/portable keyboard (61 keys or smaller) with self-listening amplifiers; guitar tuner, effects pedal and case. (7 foot cord)

- q. 1 curling iron
- r. 1 flat iron
- s. 1 hairdryer
- t. 1 Electrical Razor
- u. 1 Beard trimmer

4. Writing/Correspondence Supplies and Materials

- a. Typewriter/accessories – limit of one non-memory typewriter, electric or manual. Carrying case is optional. Limit of two ribbons, two reams of paper.
- b. Writing supplies and related items – limit of:
 - (1.) 12 colored pencils
 - (2.) 5 pencils with erasers
 - (3.) 3 ink pens, blue or black
 - (4.) 1 eraser
 - (5.) 8 folders
 - (6.) 3 notebooks (perforated paper) non-wire bound
 - (7.) 1 package of notebook paper, up to 200 sheets
 - (8.) 3 legal sized writing pads
 - (9.) 15 pre-stamped white envelopes
 - (10.) 10 pre-stamped manila envelopes of #6 or #10 size
 - (11.) 10 post cards
- c. Address book – limit of 1 address book (pocket size and non-wire bound).

- d. Photographs/albums – limit of 2 photo albums (non-wire bound) with maximum limit of 400 plus 4 photographs without frames and not to exceed 8" x 10" and 4 photographs with frames (non-glass) and not to exceed 8" x 10". All individuals in photographs shall be appropriately clothed.
- e. Letters – limit of 50 personal letters.

5. Jewelry/Religious Items/Eyewear – Maximum value of \$100.00 per item.

- a. Jewelry – limit of 1 wristwatch with leather, vinyl, cloth or metal band (not to exceed 1 inch in width). May be pocket watch (no chain or fob). A maximum value of \$100.00 for the watch.
- b. Limit of 1 Med Alert bracelet or Med Alert medallion on a light gauge chain which shall not exceed 24 inches in length.
- c. Limit of 1 wedding band (for married incarcerated individuals only, as a matter of record) with no raised or colored stones or gems. A maximum of \$100.00 for the ring.
- d. Limit of 1 pair of post earrings may be allowed as outlined in the procedures of the individual facilities.
- e. Religious Items

Incarcerated individuals may be authorized to designate three personal religious items, in addition to the medallion.

- (1.) One religious medallion not to exceed one and one-half inches on a light gauge chain (which shall not exceed 24 inches in length). If the item is worn around the neck or wrist it is considered a medallion and must be placed on inventory.
- (2.) Rosaries and prayer beads shall be black in color.
- (3.) Items shall be allowed only upon approval of the appropriate chaplain or authorized staff member and must not jeopardize security.

- (4.) Religious cassette tapes, compact discs and religious books shall be included as part of the limits for all tapes and books.
- (5.) All items shall be placed on the incarcerated individual's property inventory.
- (6.) Refer to IDOC Policy **OP-RP-01**, *Religious Programming*, for further reference, if needed.

f. Eyewear

- (1.) Incarcerated individuals entering into the DOC with clear contact lenses shall be allowed to keep possession of those contact lenses, however replacement of those lenses is not allowed. Cleaning solution may be available through commissary.
- (2.) Incarcerated individuals entering into DOC with clear lens prescription eyeglasses will be allowed to keep possession of those eyeglasses so long as the frames of the eyeglasses do not pose a security or safety risk.
- (3.) Incarcerated individuals may possess one pair of state and one pair of personal eye glasses. Incarcerated individuals may obtain a copy of their eyeglass prescription through Health Services (incarcerated individual pays copy fee). Providing the eyeglass prescription shall be the only involvement by Health Services. Eye glasses may be ordered according to institutional procedure. Personal eye glasses are limited to gold colored, silver colored, black or grey frames. Frames which pose a security or safety risk shall not be allowed.
- (4.) Incarcerated individual may possess one pair of non-mirrored sunglasses, which shall only be worn outdoors unless medically authorized to wear inside;
- (5.) Incarcerated individual may possess one pair of non-prescription reading glasses.

6. Hygiene/Health Products

a. Hygiene Items – limit of 1 each of the following plus partial where appropriate:

- (1.) Toothbrush
- (2.) Toothbrush Case
- (3.) Denture brush
- (4.) Efferdent or Effergrip
- (5.) Denture container
- (6.) Toothpaste or tooth polish
- (7.) Mouthwash (Plastic bottle/maximum of 16 ounces)
- (8.) Comb (not to exceed 5 inches)
- (9.) Hairbrush
- (10.) Hair pick (handle not to exceed 3 inches)
- (11.) Hair rollers
- (12.) Hair ties (bands/barrettes) solid neutral color (1 package)
- (13.) Shampoo (Plastic bottle/maximum of 16 ounces)
- (14.) Hair conditioner (Plastic bottle/maximum of 16 ounces)
- (15.) Moisturizer (plastic bottle/maximum of 16 ounces)
- (16.) Hair remover-powder (maximum of 8 ounces)
- (17.) Hair dressing
- (18.) Soap bar
- (19.) Soap dish

- (20.) Hand or body lotion (plastic/maximum of 16 ounces)
- (21.) Shaving cream or soap
- (22.) Razors (disposable/package of 2 or 3)
- (23.) After-shave - (plastic bottle/non-alcohol/ maximum of 5 ounces/crème/ solid roll-on)
- (24.) Deodorant (non-aerosol)
- (25.) Permanent
- (26.) Ace Wraps
- (27.) Mirror (up to 4 x 6 ½ in size)

b. Health Items – a limit of 1 on all items as authorized by the IDOC Pharmacy and Therapeutics Committee.

7. Cell Extras

- a. 1 wallet (billfold) not to exceed 4" x 9" unfolded
- b. 2 padlocks – master combination (v-54)
- c. 2 bath towels non-white only (maximum size of 27" x 52")
- d. 2 washcloths non-white only
- e. 1 shoe polish plastic container of liquid or paste
- f. 1 shoeshine brush
- g. 1 pair of shoelaces up to 54 inches in length
- h. 1 calendar (maximum size of 12" x 18"-not spiral-type)
- i. 1 plastic pitcher (2-quart maximum)
- j. 2 plastic drinking glasses (maximum size of 22 ounces)

- k. 1 coffee mug
- l. 1 water bottle
- m. 1 nylon laundry bag
- n. 1 toenail clipper without file
- o. 1 fingernail clipper without file
- p. 1 smart chip debit card
- q. 10 personal books - regardless of the type of book
- r. 10 magazines
- s. 2 table games (to include chess, checkers, scrabble, dominoes, and cribbage)
- t. 2 decks of cards (to include standard and pinochle)
- u. 2 cassette tape case or compact disc case
- v. 1 harmonica and case
- w. 1 soup bowl
- x. 1 plastic spoon and fork
- y. 1 plastic storage container 12" X 12" maximum
- z. 1 cosmetic bag or toiletry bag
- aa. 1 27' X 45" rug
- bb. 2 Afghan/Quilt/ Blanket (may be allowed with individual institution level system)
- cc. 1 pillow (may be allowed with individual institution level system)
- dd. 1 sheet set (may be allowed with individual institution level system)

ee. 1 pedometer

Any item(s) sold in canteen (as authorized by the institution).

C. Extent of Liability

1. Possession of personal property is allowable only under the following conditions:
 - a. Proper use, safeguarding and storage of personal property are responsibilities of the incarcerated individual. The IDOC is not responsible for loss, theft, or damage to personal property except as otherwise authorized by this policy.
 - b. Employees of the IDOC may inspect, transport, store, or otherwise take control of personal property.
2. Liability of the IDOC for damage, loss, or theft of an incarcerated individual's personal property is limited to a total of \$100 for a single instance irrespective of initial cost or present value of the item(s). Items of personal property are retained solely at the incarcerated individual's risk and shall not be reimbursed by the IDOC beyond the \$100 maximum limit.
3. "If over \$100, incarcerated individuals may submit a tort claim to the State Appeal Board (address found on the form).
 - a. The tort claim form must be notarized.
 - b. Three sets must be sent.
 - c. Receipts/proof of purchase/ownership must be sent with the completed tort claim form.
 - d. Tort claims are mailed at the incarcerated individual's expense.
4. The Department's liability for damage, loss, or theft of personal property is limited to instances in which the property is handled by or in the possession of an employee of the IDOC and in which negligence in the handling of the incarcerated individual's property is shown. This shall not include normal wear, loss or damage due to

fire, disturbances, or theft by another incarcerated individual, or damage occurring during transport of property that has been improperly stored or packaged by the incarcerated individual.

5. Incarcerated individuals alleging loss or damage covered by the provisions of this policy may file a grievance through normal institutional procedures. The response to a sustained grievance shall indicate the determined amount of loss. Reimbursement is limited to a maximum of \$100.
6. In lieu of reimbursement for an item the institution may, with the written agreement of the incarcerated individual, choose to replace the item with a similar new or used item.
7. Responses to sustained grievances that are not satisfied by replacement of the item shall be submitted to IDOC Central Office for payment.
8. Nothing in this section precludes an incarcerated individual's option to directly file for damages with the State Appeal Board.

D. Institutional Procedures

1. Each institution shall establish and communicate written procedures regulating allowable personal property, the storage of personal property and requiring a continuous inventory of allowable, non-consumable personal property.
2. Allowable personal property may be further regulated at each institution consistent with security requirements or facility custody designation, sanitation, safety, and health requirements.
3. To adjust for space restrictions or to adhere to regulatory agencies (e.g. State Fire Marshal's Office), some institutions may establish property restrictions and limits below the maximum amount of property allowable.
4. Generally, personal property must be stored in a locker or cabinet and in such a manner as to not interfere with fire safety, sanitation, insect and rodent control.
5. The total personal property that each incarcerated individual possesses, other than TV's, musical instruments, fans, typewriters

and other similar appliances, must be stored in designated storage provided by the institution.

6. Institutions that do not provide, or are limited in, electrical service in incarcerated individual living areas may restrict electrical or electronic possessions.
7. Wardens of Minimum Custody Facilities may approve additional personal property and/or extend personal property limits.
8. Some personal hobby craft and art property may not be allowed at all institutions.
9. An incarcerated individual transferred to an institution, which does not permit an item authorized under this procedure, must arrange for disposition of the item as provided for in this policy.

E. Incarcerated individual Responsibilities

1. Personal property in the incarcerated individual's possession is the sole responsibility of the owner. The IDOC assumes no responsibility for incarcerated individual personal property except as stated in Section IV. C, above.
2. It is the responsibility of the owner to safeguard property, keep it securely stored, bear the cost of upkeep, repairs, or maintenance and keep copies of receipts when purchasing items to use as proof of ownership.
3. Permission to keep personal property is considered a privilege that may be withdrawn either administratively or through disciplinary action.
4. Some items may be returned to an approved vendor at the incarcerated individual's expense by mail or delivery service for warranty service, or repaired at a local repair shop if such service has been arranged through the institution. Incarcerated individual personal property may not be repaired by institutional employees or in institutional shops. Personal property may not be sent out to family or friends for repair, and any personal property sent from the institution other than to an approved vendor or repair shop shall not be allowed to return.

5. An incarcerated individual must not loan, trade, sell, or transfer personal property to another incarcerated individual. The Warden may authorize the transfer of major items of personal property from one member of the immediate family to another upon release of one from custody.
6. If shipment of personal property is necessary, all expenses related to that shipment including packaging, shipping costs, and insurance are the responsibility of the incarcerated individual. The institution's Business Office is authorized to deduct these costs from the incarcerated individuals account. If the incarcerated individual does not currently have sufficient funds to cover the costs, the Business Office may deduct these costs from the incarcerated individual's account when funds become available.

F. Regulation of Personal Property

1. Institutional procedures shall specify staff to be responsible for personal property inventory and control.
2. Institutional procedures shall specify the manner in which incarcerated individuals are notified of institutional specific personal property allowances, limitations and procedures.
3. Personal property staff shall, maintain a continuous inventory of property in ICON, adding or deleting property, identifying property and disposing of property.
4. An engraver or indelible marker shall be available to staff for identifying incarcerated individual's personal property with their number.
5. Incarcerated individuals shall not have unsupervised access to personal property storage areas.
6. All personal and state property in the possession of an incarcerated individual must be stored in the locker(s) assigned to that incarcerated individual; property, which exceeds the capacity of the locker(s), must be disposed of in accordance with this policy.

G. Initial Admission

1. Upon initial admission all personal property shall be inventoried. This inventory shall determine which items may be retained by the incarcerated individual and which items shall be disposed in accordance with this policy.
2. Any money or negotiable instruments and personal documents, such as a driver's license, shall be securely controlled and inventoried. All funds should be counted and receipted in accordance with the department's incarcerated individual accounting procedures. Personal documents may be stored in the incarcerated individual property envelope in the institutional file or, if the incarcerated individual desires, disposed of in the manner provided for in this policy.
3. Authorized personal property as described in this policy may be retained by the incarcerated individual unless institutional restrictions or special circumstances dictate otherwise. Other items shall be inventoried and stored until disposed of in accordance with this policy. The incarcerated individual shall review all applicable ICON generated property forms.

H. Transfers

1. Prior to an incarcerated individual being transferred from one institution to another, the incarcerated individual's personal property shall be inventoried by the personal property officer and documented in ICON.
2. A copy of the Property Inventory Report shall be provided to the incarcerated individual and one copy kept with the property.
3. Consumables may be inventoried and itemized on the Property Inventory Report before packing for transport and the inventory reviewed upon issuance to the incarcerated individual at the receiving institution. In lieu of that, consumables may be placed in a clearly identified bag or box sealed with tamperproof tape.
4. The number of packages shall be noted on the Property Inventory Report reviewed upon issuance to the incarcerated individual at the receiving institution.

I. Temporary Transfers/Storage of Personal Property

1. Each institution shall develop procedures designed to protect the incarcerated individual's property during temporary transfer to hospital, court order, etc or during a temporary movement within the facility such as movement to segregation. This shall be documented in ICON property by using the Property Inventory Change report. This may involve locking the personal property in the incarcerated individual's locker or inventory and movement to a secure central storage area and utilizing the Property Storage Label Inventory report.
2. Each institution shall designate a secure area for the safekeeping of incarcerated individual personal property.

J. Purchase of Property

Incarcerated individuals shall purchase personal items through IPI central canteen and when not available they can purchase through an approved mail order vendor.

K. Personal Property Request Form

1. An incarcerated individual must submit a Personal Property Request Form to obtain approval of the Warden or designee prior to any mail order purchase of items not available at the central canteen.
2. A vendor purchase order or letter to the vendor from the incarcerated individual, an institutional cash withdrawal form in the amount of the purchase (including shipping, handling and applicable taxes) and a stamped, addressed envelope shall be submitted with the Personal Property Request Form.
3. If approved, the order shall be forwarded to accounting for processing.
4. Disapproved orders, with associated materials, shall be returned to the incarcerated individual.
5. Original copies of Personal Property Request Forms should not be returned to incarcerated individuals to prevent alterations or other abuses.

L. Payment to Vendor

1. Upon receipt of an approved Personal Property Request Form, the accounting department may issue a check or money order in the amount requested, which shall be drawn, with the money order fee, against the incarcerated individual's account. The payment shall be placed in the incarcerated individual's order and mailed only to the vendor.
2. Outgoing orders should be stamped with the IDOC disclaimer required on all incarcerated individual mail.
3. The accounting department shall forward the approved copy of the Personal Property Request Form to the property control officer or institutional mailroom as specified by institutional procedure.
4. If the incarcerated individual has insufficient funds in their account to cover the amount of the purchase, the order is to be returned to the incarcerated individual.

M. Receiving Purchases

1. When an order is received for an incarcerated individual by mail or delivery service, the order must be verified against the original Personal Property Request Form.
2. Verification should also be made that the order has not been tampered with in any way.
3. If the order is correct, it, shall be engraved or marked with the incarcerated individual number, be inventoried, and delivered as provided for in the institutional procedure.
4. Containers and packing materials shall not be given to the incarcerated individual.

N. Add/Drop Sheet

Each time an incarcerated individual adds property to inventory or deletes property, an add/drop designation must be completed in ICON.

O. Disposal of Personal Property – Voluntary Disposition

An incarcerated individual may choose to dispose of unauthorized, excess, or unwanted property for which ownership has been established. Disposition shall be accomplished by one of the following means:

1. Mail or Delivery Service

An incarcerated individual may elect to send property out by mail, UPS, or other delivery service at the incarcerated individual's own expense. The staff shall pack or the incarcerated individual may pack property in staff's presence.

2. Visitor Pick-up

If permitted by the institution, an incarcerated individual may make arrangements through the personal property officer to have property picked up by a visitor on his/her approved visiting list. The property must be picked up and signed for after the visit, in accordance with institutional operating procedures. Property should normally be picked up by the visitor within 15 days during normal business hours.

3. Donation to Charity

If permitted by the institution, an incarcerated individual may donate property to a recognized charity. Each institution's Institutional Procedure should designate charitable organizations and how the property shall be transferred to the organization. In addition incarcerated individual may donate appropriate items of personal property to the institution.

4. Destruction

- a. When the incarcerated individual requests destruction of property, the item may be disposed through the regular trash removal system used by the institution. Discarded items may not be given to other incarcerated individuals or employees and shall not be placed in trash receptacles accessible to

incarcerated individuals. The voluntary destruction or disposal of property shall be documented in accordance with institutional procedures.

- b. The property officer is to complete the ICON Property Inventory Change report indicating when and how the property was disposed.

P. Confiscation of Property – Involuntary Disposition

1. Property may be seized for the following reasons:
 - a. The property is contraband as defined by state or federal law or regulation, IDOC policies, or institutional operating procedures;
 - b. The property is determined to have been stolen, in which case it should be returned to its proper owner, providing the property is not contraband, and was properly acquired by the rightful owner. If the owner cannot be identified, the property may be confiscated;
 - c. The property has been loaned, traded, sold, or given to another incarcerated individual. The incarcerated individual in possession of the property and the original owner are both subject to disciplinary related action and the property shall not be returned to either party but shall be disposed of per confiscated property regulations.
 - d. The incarcerated individual refuses to voluntarily dispose of excess or unauthorized property.
2. Personal property, which has been confiscated, should be donated to a charitable organization, institution or destroyed in accordance with this policy.

Q. Disposition of Seized State Property

State property, which has been seized as contraband should be returned to the issuing authority. In cases where the item is needed for disciplinary action, litigation, criminal prosecution, or investigation, appropriate staff may retain the seized property until the administrative action is complete.

R. Alteration or Modification of Personal or State Property

Any state issue or personal property, which has been altered or modified without written authorization, is contraband and may be seized and confiscated. An incarcerated individual may be assessed the cost of state issued property which has been altered without authorization through the disciplinary hearing procedure.

S. Notification of Confiscation

1. If property seized from an incarcerated individual does not belong to that incarcerated individual, or if ownership cannot be verified, or if an incarcerated individual refuses to voluntarily dispose of disapproved personal property for which the incarcerated individual can verify ownership, the incarcerated individual should be served with a Property Cell Search/Movement report.
2. If the ownership of a property has already been established, the incarcerated individual may be given a Property Inventory Change report.
3. Property seized as evidence shall require only the disciplinary notice as notification. If an incarcerated individual is found guilty of any property related disciplinary violation the property will be deemed to be contraband and shall be disposed of after completion of appeal process.
4. Property confiscated as evidence may be returned to the established owner. When ownership of evidence is not established, it shall be disposed of or destroyed after 30 days after completion of appeal process.

T. Administrative Review and Grievance Process

1. Possession of property that is unauthorized may be a violation of institutional regulations. In such cases, the item(s) may be seized and the incarcerated individual subject to disciplinary action. Disciplinary action and disposition of any items seized may be appealed per IDOC disciplinary policy and are, therefore, not subject to the grievance process. Where items are administratively seized

and disciplinary action is not imposed the incarcerated individual may grieve the decision.

2. Incarcerated individuals may grieve confiscation through the IDOC policy **IO-OR-06**, *Incarcerated Individual Grievance Procedure*. Incarcerated individuals have 30 days of receipt of Property Cell Search/Movement Report to file a grievance. Disposition of property shall be held in abeyance pending completion of the grievance process.
3. If it is verified that the seized property belongs to the incarcerated individual, but he/she is not authorized to have possession of the property (e.g. it is excess or non-conforming or has been altered), the incarcerated individual may choose to voluntarily dispose of the property, in accordance with this policy.
4. If the ownership of the property is disputed or cannot be established and if the incarcerated individual grieves the confiscation, the incarcerated individual must provide evidence of ownership. If the incarcerated individual cannot support this claim of ownership, the property shall be confiscated. If the ownership of the item is another incarcerated individual and if there was a timely report of loss or theft, the item shall be returned to its owner. An incarcerated individual cannot make a claim of ownership for state property or for any item made from the misuse of state property.
5. If the incarcerated individual establishes ownership, but the item is unauthorized for their possession, a Property Inventory Change report must be completed by the incarcerated individual within five days designating the disposal method. If the incarcerated individual fails to return the completed form within the specified time, the property shall be disposed of per this policy.
6. Items for which the incarcerated individual has not established ownership, or for which the incarcerated individual did not grieve the confiscation within the designated time limits, or for which the incarcerated individual did not designate or refused to designate a method of disposal, the item(s) shall be confiscated and be disposed of by the institution.
7. The Property Officer shall complete Property Cell Search/Movement Report indicating the item(s) of property that was confiscated and when and how the property was disposed.

U. Disposition of Personal Property

1. Release from Custody

Upon release of an incarcerated individual from confinement, all personal property belonging to the incarcerated individual is to be returned to the incarcerated individual along with a final property inventory form. Property is to be verified against the inventory. Any claim for missing or damaged property must be made at that time by written notation on the inventory form. The property officer shall forward claims to the Warden or designee for resolution. The incarcerated individual must remove all personal property when released from custody. Any property left behind by the incarcerated individual may be discarded or donated to charity, at the option of the Warden.

2. Disposition in the Event of Escape

- a. All known personal property belonging to the escapee shall be collected, inventoried, and secured. A copy of the inventory shall be kept with the stored property.
- b. Property should be retained for six months. If the incarcerated individual has not returned to custody after six months, the property may be converted to unclaimed property and may be disposed of as provided for in this policy.
- c. A record is to be kept noting the date of escape, the date of conversion to unclaimed property, and the method of disposal.

3. Disposition in the Event of Death

Upon the death of an incarcerated individual, all personal property shall be gathered and inventoried. The employee conducting the inventory and an employee witness shall sign the inventory. Disbursement of the deceased incarcerated individual's monies and property shall be in accord with **Code of Iowa 904.508**.