



INTERNAL DOCUMENT

HANDLING OF PERSONAL PROPERTY IN VERMONT CORRECTIONAL FACILITIES

The purpose of this guidance document is to:

- Establish the amount and type of personal property and State-issued property that an inmate incarcerated in a correctional facility in Vermont may retain in their possession;
- Establish the volume of property a correctional facility in Vermont shall maintain in secure storage; and
- Describe procedures for the safekeeping, storage, access to, and disposal of personal property and property confiscated as contraband.

The DOC shall allow personal property in the types and amounts reasonably necessary for the comfort and rehabilitation of inmates, while ensuring that institutional order, safety, and security are maintained. To this end, the DOC may restrict clothing in terms of types, makeup, and color (e.g., colors or items regularly associated with security threat groups, camouflage in color, resembling correctional or law enforcement uniforms) that are deemed to be a threat to the safety and security of the correctional facility.

CORRECTIONAL FACILITY ADMISSION PROPERTY PROCEDURES

The admitting officer at the time of an inmate’s admission to a correctional facility in Vermont shall search all of the inmate’s property for contraband. An inmate shall only be allowed to retain those items that are approved, subject to their security risk classification.

All inmates admitted to a correctional facility in Vermont shall be advised of the personal property items permitted for retention, subject to their legal status and security risk classification. During the five-day classification process, the Facility Correctional Services Specialist (CSS) shall either make a copy of the [Resident Property Guide](#) available to the inmate or direct the inmate to the unit officer, law library, or other electronic resource where he or she can access a copy of the Resident Property Guide.

1. Inmate Allowable Property Matrix

- a. The type and quantity of inmate property shall be governed by the [Inmate Allowable Property Matrix](#).
- b. Superintendents shall adhere to the limits in the Inmate Allowable Property Matrix. Inmates are entitled to have:
 - i. Only those items listed under the category applicable to that inmate; and
 - ii. The total number of any particular item listed on the matrix. If an inmate does not have the total allowed number of a particular item, the DOC is not required to issue



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the inmate more of that item so that the inmate reaches the maximum allowable limit.

- c. The matrix shall be posted in all inmate living units and be included in the Inmate Handbook.

2. Property Inventory

During the booking process, property belonging to an inmate shall be inventoried electronically, utilizing the Personal Property Module in the Offender Management System (OMS), in accordance with the [Inmate Allowable Property Matrix](#).

- a. No item retained by an inmate should have a claimed value greater than \$50, regardless of its replacement cost.
- b. If an inmate chooses to retain an item with a value greater than \$50:
 - i. The inmate does so at his or her own risk;
 - ii. The inmate shall not be allowed to retain the item unless he or she signs the Release of Liability statement on the [Personal Property Report](#); and
 - iii. The DOC shall not provide reimbursement for any item in an amount greater than \$50.
- c. Any inventory of personal property shall be completed in the presence of the inmate when possible.
 - i. An inmate shall not be allowed to inventory or pack the property of another inmate.
 - ii. All items inventoried shall be listed using accurate descriptive terms, including:
 - a) A brief description for jewelry and electronics (e.g., yellow in color, not gold; brand, or serial number, etc.); and
 - b) The condition of the item, (e.g., torn, broken, etc.) – using the damaged disposition code (i.e., DMG).
- d. The Personal Property Module in OMS shall be completed for any property received into a correctional facility in Vermont, and a [Personal Property Report](#) shall be generated in OMS. Any time funds are received into a correctional facility in Vermont, they shall be accounted for using the [Receipt and Disbursement Form FI 61](#), and a receipt shall be given to the inmate.

STANDARD CORRECTIONAL FACILITY PROPERTY PROVISIONS

The following standard property provisions shall apply to all inmates:

1. Inmate Responsibility

- a. An inmate’s property is retained at his or her own risk.
- b. The DOC shall not be responsible for any property personally retained by the inmate, which is lost, stolen, damaged, consumed, or discarded while in the inmate’s possession.



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- c. No inmate should bring any property into a correctional facility that has a value over \$50. If an inmate chooses to do so and the item is lost, missing, or damaged due to the negligence of an employee of the State of Vermont acting within the scope of employment, the DOC shall not provide reimbursement for that item in an amount greater than \$50.
- d. An inmate may not loan, trade, sell, give, or transfer property to another inmate.
- e. Property transferred in violation of this policy shall be deemed contraband and shall be confiscated and disposed, in accordance with procedures established in this guidance document.
- f. Property that is used to cover sprinkler heads, lights, vents, windows, or safety/security equipment shall be considered contraband.

2. Personal Property Report

- a. A [Personal Property Report](#) shall be generated in OMS any time an inmate's personal property is
 - i. Admitted into or stored within a correctional facility in Vermont;
 - ii. Moved from one storage location to another, within a correctional facility in Vermont;
 - iii. Taken from an inmate, including items taken in accordance with [DOC policies concerning contraband](#);
 - iv. Returned;
 - v. Released to the inmate;
 - vi. Shipped to the inmate or another individual; or
 - vii. Disposed in accordance with this guidance document.
- b. The [Personal Property Report](#) shall account for:
 - i. Items authorized for retention according to the [Inmate Allowable Property Matrix](#);
 - ii. Items removed from an inmate for secure storage; and
 - iii. Items to be disposed of as contraband or excess property according to DOC policies and procedures, including this guidance document.
- c. The [Personal Property Report](#) shall be reviewed and signed by the inmate, then signed and dated by the correctional facility staff person. Should the inmate be unable or unwilling to sign the Personal Property Report, the admitting officer and a staff witness shall sign for verification and note that the inmate could not or would not sign.
- d. The [Personal Property Report](#) shall include language releasing the DOC from liability for lost, stolen, damaged, or destroyed property not caused by the negligence of an employee of the State of Vermont acting within the scope of employment and releasing the State of Vermont (DOC) from liability for the value of retained property exceeding \$50. An inmate's signature on the Personal Property Report shall indicate acceptance of the terms



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of the Limit of Liability, Release of Liability, and the Statement of Responsibility to Safeguard Property.

- f. The inmate shall receive a copy of the signed [Personal Property Report](#) and a copy shall be uploaded into the file in OMS. The inmate's copy of the report shall serve as a receipt and proof of ownership of any property brought into the facility.

3. Jewelry

No jewelry shall be accepted into correctional facilities in Vermont. This prohibition includes jewelry that is part of a body piercing. The following exceptions are authorized for retention by an inmate:

- a. One wedding band – Plain metal or other material with no gemstone or imitation gemstones;
- b. One watch; and
- c. One religious necklace or medallion as outlined in the [administrative policy on religious observances](#).

4. Cash and Valuable Documents

An inmate shall not be allowed to retain cash or money in any form, including checks or money orders, a driver's license, credit or debit cards, a social security card, or other valuable documents while incarcerated.

5. Altered Items

An inmate shall not be allowed to retain an item that has been altered in any way from its original form, in accordance with the DOC's [interim procedure](#) and [clarifying memo](#) on contraband classification and disposition.

6. Medications

No medications shall be accepted into correctional facilities in Vermont. Medications shall be:

- a. Taken from new lodgings;
- b. Logged into the Personal Property Module in OMS; and
- c. Destroyed at admission. The destruction of all medications brought into a facility by an inmate shall take place in the presence of at least two facility staff members, in a manner consistent with United States Food and Drug Administration [protocols](#).

7. Health Care Appliances and Prostheses

- a. Health care appliances and prostheses, including dentures and eyeglasses or other durable medical equipment, shall be evaluated by a QHCP for approval and inclusion on the inmate's property inventory.
- b. A QHCP, as appropriate, shall assist a designated security staff person in searching all such items, as necessary, prior to an inmate obtaining them.



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- c. When necessary, staff may ask the inmate to remove an item from their physical person or may request the assistance of a QHCP in removing them.
- d. If the inmate presents a risk due to his or her behavior, lack of cooperation, or inability to remove or search an item, the inmate may be subject to administrative segregation for the safety of others until such time as the item can be properly assessed and searched.

8. Gender Identity Accommodations

Inmates who identify as transgender or intersex may be eligible for additional property accommodations. After an inmate identifies as transgender or intersex, facilities shall consider whether special accommodations may be approved or denied on a case-by-case basis, in accordance with the DOC [administrative directive on gender identification, care, and custody](#).

9. Religious Property

The DOC shall permit inmates to have religious property in accordance with the religious property allowances outlined in the [administrative directive on religious observances](#).

10. Food and Hygiene Items

- a. Food items and hygiene items in the possession of an inmate at the time of admission shall not be retained unless:
 - i. The food items were purchased at another correctional facility in Vermont and they remained unopened and sealed; or
 - ii. Hygiene items were purchased through the commissary at another correctional facility in Vermont and are in good condition and able to be searched.
- b. Inmates transferring to or from an Out-of-State correctional facility may not retain any food items, opened or unopened, or open hygiene items.

11. Personal Photographs

An inmate may possess photographs subject to the limitations established by the [administrative directive on inmate mail, publications, and audio-video regulations](#), and the exceptions to property limits allowed for in the following section of this guidance document concerning the storage of property. The following types of photographs shall not be allowed:

- a. Polaroid type pictures; or
- b. Photographs that feature nudity or are sexually explicit.

STORAGE OF PROPERTY WITHIN A CORRECTIONAL FACILITY

All inmates shall be required to store their personal property in their cells, rooms, or assigned dormitory space. Inmates are solely responsible for the care and safekeeping of their personal and state-issued property while it is in their possession. Local procedures concerning the storage of property may vary depending on the physical plant and the availability of lockers, storage boxes, or dressers.



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Inmates shall not retain personal property in excess of identified correctional facility limits, storage space, or in quantities that pose a danger to safety, security, or good hygiene practices.

1. Exceptions to Personal Property Limitations

The below items may be retained outside of the normal property levels and storage space requirements:

- a. Legal Materials – Inmates may retain legal work for all active legal cases. An inmate may store legal materials in his or her cell or personal living space, provided it does not interfere with the safety and security of the facility, and in accordance with any guidelines contained in the DOC policy concerning inmate access to courts. In the event that the inmate’s personal storage space cannot contain the legal work, the correctional facility shall store the legal work in such a way that the inmate may have reasonable access to it upon request;
- b. Prescribed medical equipment and authorized medications;
- c. The materials required for Correctional Risk and Needs Services;
- d. Approved appliances;
- e. Bed linen and special-issued work apparel; and
- f. Perishable commissary items (e.g., snacks, beverages, etc.) shall not be counted in an inmate’s overall allowance. However, individual items listed in the [Inmate Allowable Property Matrix](#) are limited to the quantity established by that document, even if purchased through commissary.

2. Correctional Facility Property Storage

The DOC’s storage capabilities vary from correctional facility to correctional facility. Some correctional facilities in Vermont have limited storage capability due to the limitations of the physical plant construction, fire safety, and security. However, all correctional facilities in Vermont shall have space for, and local procedures governing, the following:

- a. Temporary secure storage of valuables not authorized for retention by an inmate or Incapacitated Person (INCAP) – INCAP property shall only be stored for the duration of their stay;
- b. Temporary secure storage of funds in any negotiable form;
- c. Temporary storage for property removed from an inmate for:
 - i. Disposition;
 - ii. A pending due process appeal; or
 - iii. A grievance decision, including grievance decisions at the Central Office level;
- d. Provision for the storage of personal clothing to be worn at court; and



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- e. Storage of personal property for an inmate removed from general population and assigned to:
 - i. Administrative Segregation;
 - ii. Disciplinary Segregation;
 - iii. Close Custody; or
 - iv. Any type of protective status, where it is necessary to remove items for an inmate's protection or the safety or security of the facility.
- 3. All property stored shall be inventoried electronically, utilizing the Personal Property Module in OMS.

PROPERTY ACQUISITION WITHIN A CORRECTIONAL FACILITY

1. Approved Sources

After initial intake, inmates shall be permitted to acquire authorized personal and State property through approved sources. However, the increase in property shall not violate the property limitations and procedures established by this guidance document.

Approved sources are:

- a. Commissary purchase;
- b. An approved catalog or vendor;
- c. State issue;
- d. Personal possession at the time of admission to a correctional facility in Vermont; and
- e. Special package allowance (in non-uniformed correctional facilities in Vermont only), as described in this guidance document.

2. Commissary Ordering Guidelines

- a. All inmate commissary orders shall be completed using the appropriate system provided by the commissary company.
- b. The commissary spending limit for all correctional facilities in Vermont shall be an amount approved by the Director of Facilities and communicated to all inmates. This spending limit may be updated, also as communicated by the Director of Facilities. Exceptions include:
 - i. Inmates assigned to a restrictive housing unit and assigned to Administrative Segregation or Disciplinary Segregation are limited to the purchase and dollar value of items approved for the status to which they are assigned;
 - ii. Approved purchases such as subscriptions, electronics (e.g., hand-held radios, headphones, fans, hand-held electronic games, etc.) shall not be included in weekly spending limits;



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- iii. There is no limit on how much debit an inmate may purchase on phone accounts; and
- iv. During the holiday period of the first week after Thanksgiving through the first week of January, individual spending limits may be increased at the discretion of the Director of Facilities to accommodate special holiday packages.
- c. In accordance with local procedures, orders must be placed in a designated area by a specified time in order for inmates to receive commissary at the next scheduled delivery date. Notices shall be posted in all living units to advise inmates of any changes to the standard because of holidays or other events.
- d. The local procedures for inmates to follow for commissary shall be provided to the inmate in the correctional facility Inmate Handbook.
- e. The commissary ordering list shall be updated as necessary. The Director of Facilities or designee shall approve all such lists.

3. Vendor/Catalog Orders

The Facility Superintendent or designee may approve the purchase of items not available through commissary from an outside vendor or catalog source. Items available through commissary cannot be purchased through an outside vendor.

- a. Inmates may request to purchase an item not available through the contractual commissary service from an external vendor or catalog source. Such request shall be in writing, using the [Outside Purchase/Special Package Request Form](#).
- b. Each correctional facility in Vermont shall maintain a resource of approved vendors or catalogs for inmates to review when making an external purchase.
- c. All items purchased shall be received directly from the vendor.
- d. All items received from external vendors or catalog sources shall be subject to security review and approval by the Security and Operations Supervisor (SOS). All rejected items shall be returned to the vendor at the inmate's expense or sent to a person, designated by the inmate, at the inmate's expense.
- e. Family or friends may make a purchase for an inmate, following the procedures in this section. All orders shall be forwarded directly through the vendor.
- f. The Director of Facilities or designee shall issue a list of approved catalog vendors. The list shall be updated as needed.

The Facility Superintendent or designee shall disapprove and decline to accept any purchase not in compliance with this directive.

- g. Cash on delivery (COD) orders shall not be accepted. The inmate or purchaser shall pay all costs associated with a vendor or catalog purchase at the time of ordering.
- h. Items that need to be returned to a vendor shall be done so at the inmate's expense, unless the item must be returned due to the actions of a correctional facility staff member. Non-returnable items shall be considered contraband and be disposed, in accordance with procedures established in this guidance document.



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- i. Repairs to items purchased from a vendor shall be at the inmate's expense.
- j. All items received from a catalog source or a vendor shall be thoroughly searched by staff.
- k. Some items received from a catalog source or a vendor may be marked by facility staff with a unique identification (ID) number.
 - i. The unique ID number shall be created and tracked by the correctional facility.
 - ii. If a unique ID number is marked on the item, that number shall be entered into the description field for that item in the Personal Property Module in OMS.
- l. All items ordered must have a complete invoice and/or packing slip before being issued to the inmate. All items received without a proper invoice and/or packing slip shall be shipped back to the vendor at the inmate's expense.

4. State-Issued Property

Upon admission, each inmate, dependent upon need and available resources, shall be issued property items as indicated below. State-issued items, except for correctional facility-issued uniforms and linens, shall be issued based on need. State-issued clothing items shall be provided to indigent inmates to ensure that they have the minimum basic items needed.

The DOC is not required to issue an inmate an item listed on the matrix solely because the inmate does not have the total number allowed. However, uniformed correctional facilities in Vermont shall issue the specified number of each type of item included in the appropriate list below.

All Correctional Facilities in Vermont shall issue the following:

- a. Linens – All inmates shall receive:
 - i. Two sheets;
 - ii. Two blankets;
 - iii. One pillow;
 - iv. One pillowcase;
 - v. One mattress;
 - vi. One bath towel; and
 - vii. One mesh laundry bag.
- b. Clothing – Inmates assigned to a correctional facility in Vermont providing uniforms shall receive uniforms and other issued items as indicated within this section.
- c. Uniforms provided for work assignments shall be used only for the intended purposes and shall not be counted as part of an inmate's allowable property limits.



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- d. Footwear – Indigent inmates and inmates with footwear that would pose a danger or security risk (e.g., steel-toed shoes, steel support shanks, or severely damaged footwear) may receive one pair of state-issued footwear and shower shoes.
- e. Hygiene Items – Newly admitted and indigent inmates, inmates assigned to a restrictive housing unit, assigned to Administrative Segregation or Disciplinary Segregation, as well as other inmates upon request, shall have available or be issued the following basic hygiene items:
 - i. Soap;
 - ii. Toothpaste;
 - iii. Toothbrush;
 - iv. Shampoo;
 - v. Deodorant;
 - vi. Feminine products, as necessary;
 - vii. Shaving equipment, upon request and according to local procedure; and
 - viii. Sleep mask.

Inmates being transferred from one correctional facility in Vermont to another shall be excluded from receiving such items unless it is proven that the items were not issued at the previous correctional facility.

Uniformed Correctional Facilities in Vermont shall issue uniforms as outlined below. Local procedure may allow for more or additional items to be issued depending on status and/or work assignment.

- a. All inmates shall receive:
 - i. Three pants;
 - ii. Three pants;
 - iii. Three shirts;
 - iv. Three undershirts;
 - v. Three bras (females and transgender females only);
 - vi. Three pairs of underwear;
 - vii. Three pairs of socks;
 - viii. One pair of shorts;
 - ix. One set of sweat clothes (top and bottom);
 - x. One pair of shoes (only if inmate does not possess personal shoes in compliance with safety and security);



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- xi. One set of long underwear (seasonal issue);
 - xii. One winter jacket (seasonal issue); and
 - xiii. One winter hat (seasonal issue).
- b. State-issued property shall count toward the total property allowance as outlined in the [Inmate Allowable Property Matrix](#). Additional property may be acquired through commissary or an approved vendor as outlined in this document.

5. Special Packages

Non Uniformed Correctional Facilities in Vermont: In non-uniformed correctional facilities in Vermont, inmates may receive special packages from approved friends or family members, according to local procedures the following:

- a. During their first fourteen days of incarceration in a non-uniformed correctional facility in Vermont, an inmate may receive only one *initial* special clothing package containing the items listed below.
- b. Special clothing package allowable items may include, but are not limited to:
 - i. Undergarments;
 - ii. Slacks/pants/jeans;
 - iii. Shirts/blouses;
 - iv. Socks;
 - v. Sweatpants (no logos);
 - vi. Sweatshirts (no hoods – no logos);
 - vii. Coats – plastic zipper, no leather;
 - viii. Gym shorts (no pockets);
 - ix. Shower shoes;
 - x. Work boots (work camp only, no steel toe allowed); and
 - xi. Approved gender identity accommodations.
- c. Inmates who are transferred in the following situations may have a special clothing package within the first fourteen days of their transfer:
 - i. Inmates transferred from an out of state correctional facility to a non-uniformed correctional facility in Vermont;
 - ii. Inmates transferred from a uniformed correctional facility in Vermont to a non-uniformed correctional facility in Vermont; or
 - iii. Inmates transferred from any correctional facility to a work camp.
- d. Correctional facilities in Vermont which require specific types or colors of items shall notify their inmate population.



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- e. If a correctional facility in Vermont issues a particular item, then that item shall not be allowable in a special package.
- f. Special Package Limitations
 - i. Special package items may not exceed the allowable property limits for a specific category item established by the [Inmate Allowable Property Matrix](#).
 - ii. Special package items may not include jewelry, cosmetics, or food items.
 - iii. In order to receive a special package, the inmate shall submit a completed [Outside Purchase/Special Package Request Form](#). Special packages may be received only if advance written permission has been granted, and at times established by local procedure (e.g., through U.S. mail, UPS, non-visiting days, etc.).
 - iv. Special packages, other than those coming directly from a vendor or catalog source, shall only be received from an individual on an inmate's approved visiting list.
 - v. Special packages containing items of contraband or dirty clothing shall be rejected. They may be retained or turned over to law enforcement for criminal investigation.

COURT CLOTHING FOR INMATES

All non-uniformed correctional facilities in Vermont shall permit inmates to appear in court in civilian clothing unless security concerns require them to wear security clothing.

It is the policy of the DOC that all inmates in correctional facilities in Vermont where they are issued a DOC inmate uniform shall appear in court attired in the inmate uniform except when:

- Appearing for jury selection;
 - Appearing before a jury during trial; or
 - A court orders that an inmate is to appear in civilian clothing.
1. A uniformed correctional facility in Vermont shall maintain no less than one set of civilian clothing for an inmate who is appearing in court.
 2. The correctional facility in Vermont may maintain more than one set at the permission of the Superintendent or designee.
 3. Clothing for court shall be requested by the inmate and shall enter the correctional facility and be searched according to direction from the Superintendent or designee.
 4. Correctional facility personnel shall control civilian clothing that is stored within the correctional facility, until such time the inmate requires them for an appearance in court.
 5. Local procedures shall govern the storage of civilian clothing.

Release from Court



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When it is anticipated that an inmate may be released from court, the sending correctional facility in Vermont shall permit the inmate to be attired in civilian clothing regardless of the type of court appearance.

Refusal of Court Clothes

In cases when an inmate refuses to wear civilian clothing for a jury selection, jury trial, or pursuant to a court order, he or she shall be asked to electronically sign a Refusal of Court Clothes statement in OMS.

1. This statement shall indicate that the inmate was provided an opportunity to wear civilian clothing, and he or she refused to do so on his or her own accord.
2. If the inmate refuses to electronically sign the statement acknowledging the refusal:
 - a. The words “Refused to Sign” will be written in the inmate signature line; and
 - b. Two facility staff members shall sign the Refusal of Court Clothes statement as witnesses to the refusal.
3. A copy of the Refusal of Court Clothes statement shall be generated in OMS and shall be sent to court with the transporting agency.

RESTRICTIVE HOUSING UNIT PROPERTY LIMITATIONS

Inmates assigned to a restrictive housing unit and assigned to Administrative Segregation or Disciplinary Segregation shall adhere to the commissary and property limitations outlined in the appropriate category of the [Inmate Allowable Property Matrix](#). Hygiene items shall be provided to these inmates, to ensure that they have access to the basic items needed.

1. Special Packages

An inmate on Administrative Segregation or Disciplinary Segregation may not receive a special package or vendor or catalog order, with the exception of necessary religious accommodations.

2. Property Inventory

When an inmate is assigned to a restrictive housing status, a staff member shall inventory the inmate’s property. The property shall be sorted and the inmate may retain authorized items.

PROPERTY GUIDELINES FOR CORRECTIONAL FACILITY TRANSFERS

When an inmate is transferred from one correctional facility in Vermont to another, the following procedures shall be followed.

1. Inventory and Packing

Each inmate shall be provided with a container to pack his or her own property.

- a. All of an inmate’s property, whether from their cell or from secure storage, shall be searched and inventoried by the sending correctional facility at the time of the transfer.



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- b. The completed inventory shall be compared to a [Personal Property Report](#) generated in OMS for the inmate. State-issued items not approved for retention, contraband items, excess property, and property obtained in an unauthorized manner shall be subject to disposal according to the procedures outlined in this guidance document.
- c. The sending correctional facility, receiving correctional facility, and the inmate shall retain a copy of the [Personal Property Report](#) generated in OMS.
- d. If an inmate is on restrictive housing status or refuses to prepare the property for transfer, staff shall inventory and prepare the property for transport.
- e. Valuable property, official records, and medication not authorized for possession by the inmate shall remain in staff control at all times.
- f. The receiving correctional facility shall search all incoming property and have the inmate sign a newly generated [Personal Property Report](#) for their retained property.

2. Return of State-Issued Items

- a. An inmate transferring to another correctional facility, instate or out of state, shall return all State-issued items, with the following exceptions:
 - i. Items issued to an inmate to wear during the transport;
 - ii. Authorized medical devices;
 - iii. Socks
 - iv. Underwear; and
 - vi. Certain religious items
- b. Should an inmate fail to return an item in reasonably good condition allowing for normal wear, the following actions shall occur:
 - i. The inmate shall receive the appropriate disciplinary report (DR) for the value of the items not returned or damaged; and
 - ii. A hold shall be placed on any funds in the inmate’s account for the value of the items in question.
 - a) The hold shall remain in effect until all appeals have been exhausted and final determination is made by the Superintendent, during which time the inmate shall have the opportunity to challenge the hold through administrative channels.
 - b) After final determination is made, the funds may be applied to restitution.

3. Time Frames

An inmate’s property, including all legal property and any special medications, medical devices, gender-identity accommodations, and required records, shall be transferred with the inmate.

In the case of an emergency transfer or transport space restrictions, an inmate may be transferred without personal property. In such cases, the property shall be forwarded with the next available transport.



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4. Perishable Items

The DOC shall not transport any perishable items that have been opened. Such items received by correctional facilities in Vermont shall be disposed.

5. Excess Property Disposed by Sending Facility

If the inmate has excess property, it shall not be transported to the receiving correctional facility when an inmate is transferred. Any excess property shall be disposed of by the sending correctional facility, as outlined in [section 1 of the Disposal of Excess, Unauthorized, and/or Abandoned Personal Property by a Correctional Facility](#) portion of this guidance document.

CORRECTIONAL FACILITY DISCHARGE PROPERTY PROCEDURES

Upon the legal release of an inmate from a correctional facility in Vermont, staff shall return all of the inmate’s personal property to them with the exception of any items or property taken as evidence or contraband.

1. Inventory

Prior to an inmate’s release, all stored property, valuables, and property in the possession of the inmate being released shall be inventoried, preferably in the presence of the inmate, and given to the inmate. The inmate shall sign the [Personal Property Report](#) generated in OMS to verify receipt of the property.

2. State-Issued Items

The inmate shall return all State-issued items and other property belonging to the DOC, with the exception of socks and underwear, to the correctional facility in Vermont, and staff shall account for it in accordance with local procedures.

3. Clothing

If an inmate does not have personal clothing items to wear at the time of discharge, donated items retained by the correctional facility in Vermont may be issued.

4. Funds

The balance of the inmate’s funds shall be given to the inmate or be made available the next business day. If funds are not picked up the next business day, a check shall be mailed to the address provided by the inmate.

5. Bail or Release from Court

An inmate released at court or bailed may reclaim his or her personal property within ninety days. All property belonging to an inmate released at court or bailed that remains at the correctional facility after this time frame shall be considered abandoned, and handled as outlined in [section 5 of the Disposal of Excess, Unauthorized, and/or Abandoned Personal Property by a Correctional Facility](#) portion of this guidance document.



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DEATH OF AN INMATE IN A CORRECTIONAL FACILITY

Upon the death of an inmate, these procedures shall be followed:

1. The Superintendent or designee shall ensure that all of the inmate's property is inventoried by a staff member and secured in accordance with the [administrative directive on terminal illness and inmate death](#).
2. The staff member conducting the inventory shall sign the [Personal Property Report](#) generated in OMS.
3. A copy of the signed report shall be uploaded into the inmate's file in OMS and a copy retained with the property.
4. The property shall be retained until any investigation of the inmate's death is completed or it is released by the investigating agency.
5. The deceased inmate's property shall be released to the inmate's next of kin, administrator or executor of the estate of the inmate, or other person designated by the inmate. If the next of kin or designated person does not wish to claim the personal effects, the property may be disposed of after thirty days as unclaimed property, unless an estate has been established.
6. Property may be forwarded to an address specified by the next of kin or designated person, at the expense of the DOC, if requested by that person.

LOST, MISSING, OR DAMAGED PROPERTY IN A CORRECTIONAL FACILITY

Any personal property that an inmate retains in a correctional facility in Vermont shall be brought into the correctional facility at the inmate's own risk. The DOC is not responsible for retained personal property.

1. An inmate who claims to have property that has been lost, misplaced, or damaged due to the negligence of an employee of the State of Vermont acting within the scope of employment may request that his or her claim to be investigated.
 - a. The inmate making a claim shall fill out the top portion of the [Report of Lost or Damaged Property Form](#) and submit it to the SOS.
 - b. An investigation will only be made for claims of lost, misplaced, or damaged items of personal property that is listed on the inmate's [Personal Property Report](#), which shall serve as proof of ownership. As such, the SOS shall verify ownership by checking the Personal Property Module in OMS.
 - i. If ownership cannot be verified, there shall not be an investigation and the form shall be returned to the inmate.
 - ii. If ownership is confirmed, the SOS shall sign and date the form acknowledging its receipt and confirming that the claim is eligible for an investigation.
 - c. Once signed by the SOS, the correctional facility in Vermont has fifteen business days from the date of signing to investigate and resolve a claim of lost or damaged property.



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- d. If the claim involves another correctional facility in Vermont, the time period for resolution may be extended an additional fifteen business days. The investigation shall be conducted at the correctional facility in which the property is believed to have been lost, misplaced, or damaged.
 - e. The Superintendent or designee shall assign the investigation to a staff member.
 - f. The investigating staff member shall complete the investigative summary on the [Report of Lost or Damaged Property Form](#) before forwarding their findings to the Superintendent.
 - g. The Superintendent shall make a determination to either approve or deny replacement, or reimbursement at the estimated current value, up to \$50. No replacement or reimbursement shall be greater than \$50.
2. A copy of all lost or damaged property reports shall be retained by the correctional facility in Vermont where the claim was resolved.
3. All claims that are found to be valid and resolved by replacement or reimbursement shall be finalized by having the claimant inmate and a staff witness sign the bottom of the [Report of Lost or Damaged Property Form](#). Their signatures shall indicate and acknowledge:
- a. That the inmate received the lost item, a replacement, or reimbursement;
 - b. That the claim is satisfied and the inmate has no further claim; and
 - c. The claim is concluded.

DISPOSAL OF EXCESS, UNAUTHORIZED, AND/OR ABANDONED PERSONAL PROPERTY BY A CORRECTIONAL FACILITY

Staff shall indicate the confiscation of property in OMS for property confiscated from an inmate.

1. Excess Property

Inmates shall be allowed to dispose of their own excess personal property that is not considered dangerous, by choosing from among the following options:

- a. Excess property may be mailed to a designated person at the inmate's expense. If the property is returned as being undeliverable, a subsequent attempt to mail it to another designated person may be made at the inmate's expense or the property may be disposed as contraband, at the discretion of the Superintendent. No mailings shall be addressed to a Post Office box;
- b. When local procedures allow for property to be picked-up at the correctional facility in Vermont, the inmate may have someone do so. In such cases, the person picking up the property shall sign a [Property Release Receipt](#) generated in OMS that indicates the release of the property; or
- c. The property may be donated to a charity or destroyed.



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In no case shall excess property be used by, or given to, DOC staff, including volunteers and contractors. State-issued property cannot be sent out from a correctional facility in Vermont.

Staff shall give an inmate a [Personal Property Report](#) generated in OMS as a receipt for all property disposed through any of the methods in this section, including when property is released to someone other than the offender.

Failure of an inmate to choose one of the disposal options noted above shall represent a forfeiture of any claim to the property after thirty calendar days from when the inmate is informed of the excess property.

2. Unauthorized Property

The following circumstances are exceptions to the provisions allowing inmates to dispose of their own excess personal property that is not considered dangerous:

- a. Property confiscated as evidence of a crime;
- b. Property confiscated as evidence in an administrative due process hearing;
- c. Property designated as contraband as outlined in the [administrative directive on contraband and disposition](#); and
- d. Property held for a grievance appeal.

In these circumstances, the property shall be confiscated, searched, inventoried, and placed in a secure location as possible evidence. The chain of custody shall be maintained.

3. Extradition or Taken Out of State Custody

Inmates being extradited, or in any way being taken out of the custody of the State of Vermont, shall take any property that they will be allowed to retain at their new location with them. The inmate may then choose one of the following options for the disposal of their remaining property:

- a. Mailing to a designated person at the inmate's expense. State funds shall not be used to mail this property without approval of the Superintendent or designee. Mailings shall not be addressed to a Post Office box. If the property is returned as being undeliverable, the property may be disposed as contraband;
- b. When local procedures allow for property to be picked-up at the correctional facility in Vermont, the inmate may have someone do so. In such cases, the person picking up the property shall sign a [Property Release Receipt](#) generated in OMS that indicates the release of the property; or
- c. The property may be donated to a charity or destroyed.

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Property shall not be stored at any correctional facility in Vermont longer than thirty days. After thirty days, the property shall be considered contraband for the purposes of disposal proceedings.

4. Unclaimed Property

Unclaimed property, for which the inmate refuses to choose a disposal option, shall be disposed of by:

- a. Designating it for use by the correctional facility in Vermont;
- b. Donation to a charity;
- c. Transfer to another State agency or department; or
- d. Being destroyed.

5. Abandoned Property

The DOC shall not be responsible for property abandoned by an inmate because of their escape or failure to return from a furlough, bailed status, or court release. In instances other than escape, an attempt shall be made to contact the inmate for alternate disposition of property prior to its disposal.

- a. In the event of an escape, the inmate's property shall be confiscated, searched, inventoried, and placed in a secure location as possible evidence. The chain of custody shall be maintained.
- b. If the inmate is not returned to the custody of the DOC within ninety days, and the property is not being held as evidence, the DOC shall dispose of the property pursuant to the procedures outlined in this guidance document.
- c. If the inmate released at court or on bail does not return within thirty days, the DOC shall dispose of the property pursuant to the procedures outlined for unclaimed property in this guidance document.

**SUPERINTENDENT RESPONSIBILITIES CONCERNING PERSONAL PROPERTY IN
CORRECTIONAL FACILITIES**

Each Superintendent shall ensure:

1. An up-to-date local procedure on inmate property is maintained at their correctional facility in Vermont;
2. Correctional facility staff are trained in the provisions of this directive;
3. Inmates have access to pertinent information concerning the handling of personal property in correctional facilities in Vermont;
4. Information concerning the handling of personal property within correctional facilities in Vermont is included in the facility handbook; and
5. Copies of the following documents are distributed as required:



INTERNAL DOCUMENT

- a. [Inmate Allowable Property Matrix](#);
- b. [Outside Purchase/Special Package Request Forms](#);
- c. [Report of Lost or Damaged Property forms](#); and
- d. [Resident Property Guides](#).