I. AUTHORITY

The Commissioner of Corrections adopts this policy pursuant to the authority contained in Title 34-A M.R.S.A. Section 1403.

II. APPLICABILITY

All Departmental Juvenile Facilities

III. POLICY

Residents while being held may be allowed to possess certain personal property while at the facility based on the resident’s behaviors, housing unit assignment and Behavior Motivation Program level. Property which is disallowed shall be confiscated, inventoried, and stored or disposed of in accordance with a standardized process, which considers the legal rights of the resident, and the facility’s ability to maintain storage requirements.

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V. ATTACHMENTS

None
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Procedure A: Allowable Personal Property

1. Residents at various progression levels within the Behavior Motivation Program may possess and use personal property, which may include but not limited to:
   a. Legal documents
   b. Personal correspondence and telephone numbers
   c. Family Photos
   d. Items necessary for physical health (glasses, dental apparatus, other medical devices as approved by the facility’s medical director)
   e. Religious items, including, but not limited to prayer mats, religious medallions
   f. Watch
   g. Clothing/Footwear
   h. Personal Toiletries, purchased through the Commissary
   i. Wedding bands

2. Any item may be removed by the Juvenile Program Specialist/Worker from the resident on a temporary basis or the Juvenile Program Manager on a permanent basis if the resident intentionally violates rules relating to giving or swapping property or to protect from harm or as a sanction for behavioral misconduct.

3. Limits, as to the number of personal items, shall be established by the Behavior Motivation Program.

4. Personal property is the responsibility of the resident who owns the property and the facility shall replace or repair property damaged as a result of negligence on the part of the facility. The facility shall establish a maximum monetary value for the replacement of resident’s personal property. The resident is responsible to immediately notify the Housing Unit staff to follow rules associated with personal property and to immediately report any lost, stolen or damage to the housing unit staff.

Procedure B: Admitting Process

1. At the time of admission, the Admitting Staff shall collect all personal property from the resident. The Admitting Staff shall inventory all personal property using the appropriate form.

2. An inventory of all clothing, personal property, and effects shall include a notation of its general condition (e.g., excessive wear, non suggestive coloring – such as yellow in lieu of gold).
3. The resident shall sign the Inventory Form, after verifying the information. A copy of the receipt shall be provided to the resident. Should the resident refuse to sign, the Admitting Staff shall immediately notify the Juvenile Facility Operations Supervisor who shall verify the inventory and sign for the resident along with the Admitting Staff. A memo to the resident’s file shall be completed by the Juvenile Facility Operations Supervisor indicating this action.

4. Valuables, including money, checks, money orders, shall be placed in a sealed envelope and put in the admitting area safe. The resident shall sign a separate receipt for money. All money shall be forwarded to the Business Office to be placed in a Resident’s Canteen Account.

5. Other valuables, i.e., jewelry, watches, wallets, personal ID, shall be sealed in a separate envelope with the resident’s name and identification number and be placed in the valuables storage area of the property room.

6. Personal clothing shall be laundered and returned to the property room for storage.

7. Any illegal item found in the resident’s possession shall be confiscated and either saved until authorized to destroy or dispose of or tagged as evidence. The transporting agency shall be notified of the discovery of illegal items, i.e., knives, drugs, drug paraphernalia, other items such as cigarettes, tobacco, lighters, etc. shall be destroyed.

Procedure C: Stored Clothing

1. The resident shall be allowed to maintain one complete set of personal clothing at the facility, generally held in the property room unless status permits otherwise. Other property shall be either immediately turned back to the transporting officer or forwarded to the resident’s parents or legal guardians.

2. Clothing shall be limited to:

   a. 1 set, undergarments
   b. 1 pr. Pants, skirt/dress,
   c. 1 Shirt/Blouse,
   d. 1 Sweater,
   e. 1 pr socks or hose,
   f. 1 pr. footwear,
   g. 1 jacket or coat,
   h. 1 hat,
   i. 1 pr. gloves/mittens.
3. Residents may make arrangements to have personal property removed by mail or personal pick up at their expense.

4. Residents who have or receive non-allowable personal property shall be given 30 days to have it removed from the facility. The Admitting Staff shall provide the resident with a Disposition of Non-Allowable Property Form to be completed, with a list of items, which must be disposed of.

5. Any property not disposed of or left abandoned after release may be donated to charity or otherwise disposed of 30 days after being notified to make removal.

Procedure D: Changes to a Personal Property Inventory

1. A copy of the Resident’s Personal Property Inventory shall be forwarded to the resident’s Housing Unit and placed in the resident’s Case Management File.

2. Whenever a resident receives personal property or sends personal property out of the facility, housing unit staff shall update the Personal Property Inventory Form. Both staff and the resident shall initial the change. The resident may only possess personal property listed on the inventory form. Any property in a resident’s possession, not listed on their personal property inventory, is considered contraband and shall be confiscated.

3. No resident may, give, swap, sell or exchange any personal property to another resident.

Procedure E: Release/Discharge

1. When a resident has been approved for release or discharge, the resident shall gather all personal property in their possession. Housing unit staff shall compare the items to the resident’s Personal Property Inventory Form and note the presence of the item. Any item not on the form shall be confiscated. Any missing items shall be noted and attempts to find them shall be made.

2. The resident shall be taken to the Admitting Area and the Admitting Staff shall retrieve all personal property in storage. The Admitting Staff shall inventory all stored items with the resident including valuables.

3. The Admitting Staff and resident shall sign that the property has been returned. Any missing stored property shall be immediately reported to the Juvenile Facility Operations Supervisor. Reasonable attempts shall be made to locate the items. A report of any discrepancy shall be made and forwarded to the Deputy Superintendent of Operations.
4. Any money on the resident’s account shall be given to the resident in the form of a check at the time of release if possible. If it is not possible, a check shall be forwarded (via mail, or transfer) to the resident within 10 days. See Chapter 2, Fiscal Management.

Procedure F: Contraband

1. Any item in the possession of the resident that is unauthorized based on that housing assignment, behavior management level, allowed by specific policy or used to violate rules is considered contraband and shall be confiscated.

2. Possession of any contraband item may subject the possessor to disciplinary sanctions and/or criminal prosecution.

3. At no time shall a resident be allowed to possess: weapons, money, keys, personal identification, alcohol/drugs, gang related articles, tobacco/tobacco products or any other item the facility determines detrimental to the health, safety, security or orderly management.

4. All seized contraband, being used as evidence in either an administrative or criminal process shall be handled in accordance with evidence collection procedures. See Policy 9.8, Control of Contraband and Policy 9.8.1, Preservation of Evidence.

VII. PROFESSIONAL STANDARDS

ACA:

4-JCF-4B-04 When juveniles are admitted, personal clothing shall be properly cleaned and, when necessary, disinfected before storage or before allowing the juvenile to keep and wear the clothes.

4-JCF-5A-01 Upon entry into the system the admission process includes, but is not limited to, the following:

1. Determination that the juvenile is legally committed to the facility
2. A thorough and complete search of the juvenile and of possessions
3. Inventory, storage, and/or disposition of personal property
4. Shower and hair care, if necessary
5. Issuance of clean, laundered property fitted clothing, as needed
6. Issuance of personal hygiene articles
7. Medical, dental, and mental health screenings
8. Assignment to and brief tour of the housing unit
9. Recording of basic personal data and information to be used for mail and visiting lists
10. Assistance to juveniles in notifying their families of their admission and procedures for mail and visiting
11. Assignment of a registered number to the juvenile
12. Provision of written orientation materials to the juvenile and verbal/multi-media orientation to facility and program

4-JCF-5A-04 Personal property retained at the facility is itemized in a written list, prepared by staff. It is signed and verified by the juvenile offender’s signature. The signed list is kept in the permanent case file; the juvenile receives a current copy of this list.

4-JCF-6B-05 The collection, safeguarding, and disbursement of monies comply with the accounting procedures established by the governing jurisdiction. All monies collected at the facility are placed in an officially designated and secure location daily. Reports of all monies collected and disbursed are regularly distributed to the parent agency and other designated authorities.