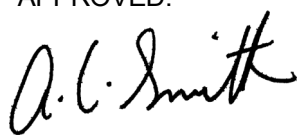




Department of
Rehabilitation & Correction

SUBJECT: Personal Property - Incarcerated Persons	PAGE <u> 1 </u> OF <u> 11 </u>
	NUMBER: 61-PRP-01
RULE/CODE REFERENCE: ORC 5120.01; AR5120-9-33, 5120-9-55	SUPERSEDES: 61-PRP-01 dated 12/02/2019
RELATED ACA STANDARDS: 5-ACI-5A-06 (4292), 5A-07(4293), 5-ACI-5A-08 (4294)	EFFECTIVE DATE: September 1, 2021
	APPROVED: 

I. AUTHORITY

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

II. PURPOSE

The purpose of this policy is to establish policy and procedures regarding authorized personal property items for incarcerated individual.

III. APPLICABILITY

This policy is applicable to all employees, vendors, and incarcerated individuals under the jurisdiction of the Ohio Department of Rehabilitation and Correction (ODRC) and incarcerated individual family members, friends, or anyone ordering a package for an incarcerated individual.

IV. DEFINITIONS

The definitions for the below listed terms can be found at the top of the policies page on the ODRC Intranet at the following:

[Definitions Link](#)

- **Approved Source**
- **Commissary**
- **Contraband**
- **Extended Restrictive Housing (ERH)**
- **Incarcerated Individual Personal Property**
- **Incarcerated Individual Property File**
- **Limited Privilege Housing (LPH)**
- **Long-Term Storage**
- **Package**
- **Previously Authorized Item(s)**
- **Restrictive Housing (RH)**

- **State Issued Property**
- **Titled Property**
- **Transitional Program Unit (TPU)**
- **Vendor**

V. POLICY

It is the policy of the ODRC to provide incarcerated individuals the opportunity to possess a reasonable amount of personal property.

VI. PROCEDURES

A. Personal Property

1. Incarcerated individuals may receive personal property from sources approved by the Director/designee. Approved sources may include institutional commissaries and vendors. A copy of all documents that itemize property shall be maintained in the individual's property file. The incarcerated individual shall retain a copy of the property record. Any time an incarcerated individual's property is inventoried (e.g., transferred, TPU placement/release), the incarcerated individual shall sign and retain a copy of the property record and a copy shall be forwarded to the incarcerated individual's property file.
2. Information on the amount of personal property allowed shall be provided to incarcerated individuals during orientation. In general, all institutions shall permit or exclude personal property consistent with this policy, Administrative Rule 5120-9-33, Packages and Property Restrictions, and the property limits set forth on the Individual Property Record - Disposition and Receipt (DRC2369). However, each managing officer may request permission to include or exclude certain items of personal property based on the security, safety, space, control, or other need of the institution or individual. Such a request shall be made in writing to the regional director. Approval of such requests shall be communicated in writing to the chief inspector and posted in the housing areas of the correctional facilities.
3. Incarcerated individuals may possess up to 2.4 cubic feet of combined state and personal property, excluding large titled items, state issued bedding, coats/jackets, permitted shoes, and any other property specifically exempted pursuant to ODRC Policy 59-LEG-01, Incarcerated Individual Access to Court and Counsel. The managing officer shall determine whether commissary items shall also be excludable from the 2.4 cubic feet requirement. This determination shall be communicated to both staff and incarcerated individuals. The managing officer shall also have the authority to establish institutional rules governing the storage of individual legal materials. The institution shall make available to all incarcerated individuals a means of securing 2.4 cubic feet of property.
4. Individual possession limits for any property, as indicated in section VI.D.2 of this policy and on the Individual Property Record - Disposition and Receipt (DRC2369), shall be the total amount of combined state and personal property that an incarcerated individual may possess.

5. Any property which exceeds the limits stated in VI.A.3 or 4 above or is otherwise deemed contraband shall be disposed of in accordance with Administrative Rule 5120-9-55, Contraband, utilizing the Contraband Control Slip (DRC4086) and Individual Contraband Slip (DRC4219). Apart from any property excluded pursuant to VI.A.2 above, personal property legitimately possessed prior to April 1, 2000, and compact disc players, or compact discs an incarcerated individual was authorized to possess prior to November 1, 2013, may be retained until such time as said property becomes unusable. The incarcerated individual must still conform to the 2.4 cubic feet property restriction.
6. Incarcerated individuals shall not trade, sell, barter, loan, or give away any item of their state or personal property at any time. They shall not make or facilitate commissary or vendor purchases for other incarcerated individuals. Upon an individual's release or other departure from an institution, they may, with the managing officer's written approval, donate personal property to the institution. In all cases, the individual must sign a statement documenting the property being donated, to what institution it is being donated, and the effective dates of the donation. Such document and the incarcerated individual's signature must be witnessed and signed by a staff member. The managing officer shall then sign indicating approval or disapproval of the donation. If approved, the institution may then utilize the property in any manner they deem appropriate. This may include loaning the property to another incarcerated individual. Any property where ownership is being transferred from an incarcerated individual to the institution shall be properly re-titled, stipulating ownership of the item to the institution and shall include the date of the transfer, who the original owner was, and the initial value listed on the original receipt or title. Property donated to the institution and subsequently loaned to an incarcerated individual remains the property of the institution and shall remain at the institution upon the individual's release or transfer.
7. Incarcerated individuals may be required to provide proof of ownership for any item of their personal property at any time.
8. A Certificate of Ownership (DRC4063) shall be issued for certain items of personal property. Whenever possible, the individual's/owner's institutional number shall be permanently affixed to such titled items.
9. Incarcerated individuals shall be required to send their personal property, such as birth certificate, driver's license/state identification, social security card etc., outside the institution unless they have sixty (60) days or less to serve. In such instances, the property shall be held in the Cashier's Office until the individual's release.

B. Eligibility to Receive Packages

1. Most incarcerated individuals are eligible to order and receive packages from vendors. However, those in ERH, reception, and short-time incarcerated individuals serving less than ninety (90) days assigned to Correctional Reception Center (CRC), Lorain Correctional Institution (LORCI) or the Ohio Reformatory for Women (ORW) are ineligible to order or receive packages, except for ERH incarcerated individuals as outlined in ODRC Policy 55-SPC-02, Restrictive Housing Procedures. Patients with long-term placements at Franklin Medical Center (FMC) and Pickaway Correctional Institution (PCI) Frazier Health Center may receive packages with the approval of the

managing officer. If approved by the managing officer, patients with long-term placements at FMC and PCI’s Frazier Health Center may receive packages consistent with the provisions of AR 5120-9-33, Packages and Property Restrictions, as they relate to their designated security level or status and consistent with their medical condition. Incarcerated individuals who have been assigned to a medical center, or sent to an outside hospital, or who are assigned to a TPU because of a finding of guilt by the rules infraction board (RIB) are ineligible to order or receive packages.

2. Consistent with AR 5120-9-33, Packages and Property Restrictions, the following are the number of packages an incarcerated individual may receive only from the approved vendors:

Incarcerated Individual Security Level and Housing Locations	Total Number of Packages Per Year	Maximum Number of Food Packages Per Year*	Special Consideration if Approved by:
Level 1	4	2	
Level 2	3	2	
Level 3	3	1	
Level 4A	2	1	
ERH	see 55-SPC-02	See 55-SPC-02	managing officer
Death Row	3	2	
Non-cadre incarcerated individuals assigned to reception centers and those serving less than 90 days assigned to CRC, LORCI, or ORW	0	0	
Incarcerated individuals in TPU because of a finding of guilt by the RIB	0	0	
Incarcerated individuals temporarily assigned to a medical center or sent to outside hospitals	0	0	
Long-term placements at FMC and PCI’s Frazier Health Center	Consistent with the provisions of AR 5120-9-33, Packages and Property Restrictions, as they relate to incarcerated individual’s designated security level.	Consistent with the provisions of AR 5120-9-33, Packages and Property Restrictions, as they relate to incarcerated individual’s designated security level.	managing officer

* The number of food packages is included in the total number of packages per year, not in addition to the total number of packages.

3. Institutions whose physical construction facilitates the housing of incarcerated individuals with different security designations and statuses shall permit receipt of packages according to the individual’s security level or status.

C. Ordering Packages from Approved Vendors

1. Specific information regarding the approved vendors, available items, and how to make a purchase from a vendor shall be provided to incarcerated individuals at their current institution.
2. Information concerning making purchases from the approved vendor shall be provided to incarcerated individual’s family members, friends and others in the institution visiting room, through the ODRC website and upon request from the vendor.

3. Items may only be ordered from the current ODRC approved vendor catalog.
4. Each institution shall establish a method of processing incarcerated individual vendor purchases so that both the institution and the vendor can track the order to the specific individual.
5. All such purchases by an incarcerated individual, their family member, friend, or other from an approved vendor are a business transaction strictly between the ordering individual and the approved vendor.

D. Packages from Approved Vendors

1. Incarcerated individuals may receive the designated number of packages from the approved vendors consistent with the limitations set forth in section VI.B.2 of this policy. Food and non-food items cannot be contained in the same package.
2. For purposes of this policy, the following items shall not be considered a package when purchased from an approved vendor separately from any other items.

ITEM	VALUE LIMIT	POSSESSION LIMIT
Chain (necklace no thicker than 4mm) with religious medallion (2" max size of medallion)	\$60.00	1
Wedding Ring	\$100	1
Coaxial Cable (max 6' in length)	\$5.00	1
Compact Disc (CD) player (clear plastic only, non-recording, battery operated, clear plastic ear bud/plug) – Level 4 & 5 only		1 Written approval
Digital Television Signal Converter Box (clear case only)	\$75.00	1
Dress Shoes (black or brown, no patent leather or suede, 1" heel limit, no platforms, no steel/metal shank)	\$80.00	1
Handheld Gaming Device (i.e., Clear Tunes 50 N'1 Model HG-503, Sudoku, Word)	\$20.00	1
Headphones/Ear Buds/Ear Plugs (Clear plastic only, max 6' cord length)	\$31.00	1
*JP Player (8GB, clear plastic case only, clear ear buds included)	\$75.00	1
Musical Keyboard (clear silicone only)	\$100.00	1
Plug and Play Device	\$35.00	1
Prayer Beads (wood, no red)	\$5.00	2
Religious Ring	\$60	1
Prayer Robe (white)	\$40.00	1
Prayer Rug (solid or multicolored, no solid red; max size 44" x 26")	\$20.00	1
Radio (Walkman style; clear plastic case only, non-recording, battery operated, clear plastic ear buds/plugs)	\$50.00	1
Skull Cap (Yarmulke, Kufi; white or beige cloth)	\$5.00	2
Sports Shoe (turf or multi-purpose as approved by institution, predominantly black or white)	\$75.00	1
Television (clear case only, LCD, cable ready, color screen, earphone jack, clear plastic ear buds and remote included (no battery operation)	\$265.00	1
Television Remote	\$12.00	1
Tennis Shoes (predominantly black or white)	\$75.00	1
Typewriter (manual or electric, clear plastic case only, one-line correction memory, no other memory capability, no password capability)	\$365.00	1

*May also possess JP player with previously authorized MP3 player. Incarcerated individuals may possess both a JPay tablet AND a GTL tablet.

** With managing officer's approval, ERH individuals may order/possess one (1) CD player. Exemption supports violence reduction and safety by offering a management tool for Ohio's most violent and disruptive incarcerated individuals.

3. Two (2) copies of a list itemizing the contents of the package with values for each item shall accompany the package from the approved vendor. The incarcerated recipient shall be required to sign the list of contents prior to receiving the package.
4. Packages from the approved vendors may not weigh more than thirty (30) pounds. The box size shall not exceed 12" x 24" x 28".

5. Personal clothing received in a package from an approved vendor shall be blue or green solid color only. Exceptions include the following:
 - a. Clear - Vinyl Poncho,
 - b. Brown - Work gloves,
 - c. White - Underwear, handkerchief, socks, and
 - d. Black - Belt, socks.

Zippers, hoods, hidden compartments, and manufacturer labeled emblems and insignias on the exterior of the clothing are prohibited.
6. General prohibitions for food packages received from an approved vendor are noted below:
 - a. No chewing gum,
 - b. No hidden compartments,
 - c. No food items packaged in cans,
 - d. No food items packaged in glass, and
 - e. No peppers beyond the rating of mild (e.g., jalapeno, etc.).

E. Processing Packages

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

5. Package items shall be distributed to incarcerated individuals as detailed in ODRC Policy 310-SEC-01, Incarcerated Individual and Physical Plant Searches.
6. Institutions shall maintain a record of packages received by each incarcerated individual and shall ensure that the total allowable number of packages is not exceeded. Such record shall include the date the package was received, package type (i.e., food, sundry, or exempt), the recipient's name and number, the date the package was distributed, and identification of the issuing staff member. Excluding weekends and holidays or emergency situations, incoming and outgoing packages shall not be held for more than seventy-two (72) hours.
7. Copies of the package invoice shall be maintained in the incarcerated individual's electronic file. Incarcerated individuals shall be given a copy of the list upon receipt of the package.
8. If an incarcerated individual is sent a package from an unapproved source or refuses to accept a package from the approved vendor, then they shall have the option of returning the package to the vendor at their expense or have the package destroyed. If the individual chooses to return the package, the package shall not count against their permitted package total. If the individual chooses to have the package destroyed or refuses to make disposition on the package, the package shall count against the incarcerated individual's permitted total.
9. If an approved vendor sends a package to an incarcerated individual who is not eligible to receive a package, then the package shall be returned to the vendor at the vendor's expense. No disciplinary action shall be taken against the individual. The package shall not count against their permitted package total.
10. If an approved vendor sends a package to an incarcerated individual who is Out-to-Court and/or AWL status in DOTS Portal, the package shall be returned to the vendor at the vendor's expense. The package shall not count against the individual's permitted package total. The incarcerated individual may reorder the items when they have returned to the institution.

F. Commissary Provisions

1. Incarcerated individuals may also purchase property from institutional commissaries. Although items carried by institutional commissaries shall vary somewhat by institution, all commissaries shall have the following items available for sale:
 - a. Legal Kits (see ODRC Policy 59-LEG-01, Incarcerated Individual Access to Court and Counsel).
 - b. ODRC approved over-the-counter medications (see ODRC Policy 69-OCH-02, Commissary Purchase of OTC Medication and Health Care Items).
 - c. Personal hygiene items (including cosmetics).
 - d. Stationery supplies to include postage and embossed envelopes.
2. Institutional commissaries may sell the electronic items identified in section VI.D.2 of this policy. When such items are offered for sale, they shall conform to the stated

specifications. Items offered in the commissaries shall be consistent with the guidelines of the items offered in the approved vendor catalogs and shall not be conflicting. Purchases made from the commissary shall not be counted as a package for purposes of section VI.B.2.

3. Items sold in commissaries may or may not be permitted at receiving institutions upon transfer. Commissaries shall ensure that incarcerated individuals are aware of this provision. Receiving institutions not permitting items shall arrange for the individual to send the items home.

G. Other Property

In addition to the provisions of Administrative Regulation 5120-9-33, Package and Property Restrictions, the limitations listed below shall apply to the following types of property:

1. Religious Items: Requests to possess personal property of a religious nature must be made in accordance with ODRC Policy 72-REG-02, Religious Accommodations. Items received pursuant to ODRC Policy 72-REG-02, Religious Accommodations, shall not be considered a package. An incarcerated individual may possess a religious medallion provided by a religious organization.
2. Printed Material: Incarcerated individuals are permitted to receive and possess a reasonable number of printed materials pursuant to the provisions of Administrative Regulation 5120-9-19, Printed Material, and ODRC Policy 75-MAL-02, Printed Material. Receipt of such items shall not be considered as a package.
3. Legal Materials: Incarcerated individuals are permitted to receive and possess a reasonable amount of legal materials pursuant to ODRC Policy 59-LEG-01, Incarcerated Individual Access to Courts and Counsel.
4. 1st Class Mail Enclosures: Incarcerated individuals may receive the following in a first-class letter:
 - a. Photographs (5) no nude, no Polaroid (no larger than 8 ½" x 11").
 - b. Newspaper clippings (5) (no larger than 8 ½ " by 11").
 - c. Pamphlets or brochures (5) (simple, single page, no larger than 8½ " by 11"), bi fold or tri fold.
 - d. Blank stationary or copied material (5) single pages, one side, 8½" by 11" (including materials copied from the Internet).
 - e. Color greeting cards are permitted if they are commercially manufactured and have not been tampered with. Greeting cards must be single fold only (multi-fold, musical, and/or "pop out" cards are prohibited).

Postage stamps, laminated stickers, glue, glitter, lipstick, perfume, etc. are prohibited.

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

5. Prescription Glasses:

- a. Requests to obtain prescription eyeglasses shall be pursuant to ODRC Policy 68-MED-01, Medical Services.
- b. Incarcerated individuals may request glasses be sent from home per ODRC Policy 68-MED-14, Specialty Health Care Services.
- c. Ohio Penal Industries (OPI) does not repair prescription glasses sent from home.

H. Inter-Institutional Transfer of Incarcerated Individual Property

1. Whenever an incarcerated individual is transferred from and/or received into an institution, their personal property shall be inventoried and documented on an Individual Property Record - Disposition and Receipt (DRC2369). The Individual Property Record shall be maintained in the incarcerated individual's electronic file (or equivalent), and a copy of the form shall be given to them.
2. ERH individuals and patients at PCI's Frazier Health Center and FMC shall be required to conform to the property guidelines of those specific institutions.
3. All legitimately possessed individual personal property shall be transferred with the incarcerated individual when they are transferred to another state correctional institution. Any personal property not permitted in their immediate possession at a receiving institution pursuant to section VI.A.2 or VI.F.3 of this policy shall be sent home at their expense or disposed of in accordance with Administrative Rule 5120-9-55, Contraband.
4. Following an incarcerated individual's approval to be placed in ERH, the sending institution shall ensure the individual is within the property limits established in ODRC Policies 55-SPC-02 (Restrictive Housing Procedures), 59-LEG-01 (Incarcerated Individual Access to Court and Counsel), and this policy. The incarcerated individual will be required to donate, destroy, or mail home any excess property at their expense.

I. Incarcerated Individual Property Theft/Loss

1. Upon notification by an incarcerated individual of a property theft/loss, the employee receiving said notification shall immediately search or cause a search to be conducted and shall notify the appropriate unit manager/designee.
2. The unit manager/designee may send a staff person to assist in conducting a search for the missing item(s), investigate the incident and complete the Incarcerated Individual Property Theft/Loss Report (DRC4194) in lieu of an incident report.
3. The Individual Property Theft/Loss Report (DRC4194) shall be completed utilizing the electronic forms catalog by the officer and/or staff person and forwarded to the unit manager/designee.
4. The unit manager/designee may review the Individual Property Theft/Loss Report (DRC4194) for completeness and forward it to the security chief/designee.

5. If an additional investigation is required, the security chief/designee shall appoint a staff person to conduct the investigation.

Referenced ODRC Policies:

- 10-SAF-19 Fentanyl Exposure - Prevention and Response
- 55-SPC-02 Restrictive Housing Procedures
- 59-LEG-01 Incarcerated Individual Access to Court and Counsel
- 68-MED-01 Medical Services
- 68-MED-14 Specialty Health Care Services
- 69-OCH-02 Commissary Purchase of OTC Medication and Health Care Items
- 72-REG-02 Religious Accommodations
- 75-MAL-02 Printed Material
- 310-SEC-01 Incarcerated Individual and Physical Plant Searches

Referenced Forms:

- | | |
|--|---------|
| Reception Intake Property Record and Disposition | DRC2258 |
| Individual Property Record - Disposition and Receipt | DRC2369 |
| Certificate of Ownership | DRC4063 |
| Individual Clothing Issue | DRC4077 |
| Contraband Control Slip | DRC4086 |
| Individual Property Theft/Loss Report | DRC4194 |
| Contraband Slip | DRC4219 |