



**State of North Carolina**  
**Department of Public Safety**  
**Prisons**

Chapter: F  
Section: .0500  
Title: **Offender Personal Property**  
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**POLICY & PROCEDURES**

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References

Related ACA Standards

5<sup>th</sup> Edition Standards for Adult Correctional Institutions 5-ACI-2E-10, 5-ACI-3A-19, 5-ACI-5A-01, 5-ACI-5A-06, 5-ACI-5A-07, 5-ACI-5A-08

**.0501 GENERAL**

- (a) The provisions of this policy apply to all confined offenders, except where security and custody precautions require additional provisions pertaining to particular institutions or to special offender classifications. These additions must be specifically approved by the Commissioner of Prisons.
- (b) A partial list of personal items and clothes that offenders are authorized to possess appears below. When an offender arrives at a reception center, the offender will be informed that they will be allowed to keep these items but Prisons assumes no responsibility for replacing any item if it is damaged, destroyed or lost. The amount of authorized items may be limited where necessary to provide for proper accountability, control, storage space, sanitary conditions and offender morale.

**.0502 PERSONAL CLOTHING**

- (a) Reception
  - (1) Offenders with sentences of more than one (1) year will be required to dispose of all items of personal clothing, unless they are eligible for work release under G.S. 143-33.1(a) or are safekeepers.
  - (2) Offenders with a maximum sentence of one (1) year or less will be required to retain useable items of personal clothing which will be stored in a secure place so that they may be made available to them when they are promoted to minimum custody and/or released.
  - (3) Offenders eligible for work release under G.S.148-33.1(a) will be able to retain all items that other offenders so classified are allowed to retain.
- (b) Clothing Authorization
  - (1) Offenders classified in Close, Medium and Minimum Custody Level I will not be

allowed to possess any item of personal clothing except shoes as authorized by F.0503 (a) (13).

- (2) Offenders demoted to Minimum Custody Level I or below will be required to dispose of all personal clothing except shoes as authorized by F.0503 (a) (13). Disposal will be the sending facility's responsibility.
  - (3) The personal clothing of offenders removed from community-based programs due to issues with discipline, medical, administrative, etc., may be, at the discretion of the **Warden** or designee:
    - (A) retained by the offender;
    - (B) stored by Prisons; or
    - (C) disposed of by the offender.
- (c) Facility Exceptions
- (1) Minimum custody facilities with authorized special missions can allow offenders to wear clothing other than prison issued clothing if approved by the appropriate Region Director.

#### **.0503 AUTHORIZED ITEMS**

- (a) Subject to any additional provisions regarding the possession of personal property approved by the **Commissioner** of Prisons under F.0501, the following items are authorized to be retained by offenders during confinement:
  - (1) hardbound publications that are no larger than "8.5 x 11" and 2 inches thick. Legal, religious or post-secondary educational publications in a hardbound binding that are larger than "8.5 x 11" and more than 2 inches thick, unless the facility head identifies a specific security threat or storage issue. Large softbound publications such as ESPN Magazine and Sporting News. For offenders assigned to HCON, RHAP, RHCP and RHDP refer to Chapter C .1210 (c), Conditions of Confinement Personal Property. For additional book and periodical authorizations see publication policy D.0100;
  - (2) personal funds: No offender will be allowed to possess any funds at any time. All funds must be deposited into an offender's trust fund account through JPAY, only by those listed as approved visitors;
  - (3) eyeglasses and nonmetallic cases. Sunglasses must be non-reflective and not of the wrap-around type. They are to be purchased through the canteen;
  - (4) religious items (medals, rosaries). For more specifics on these authorized items, refer to Prisons Religious Practices Reference Manual;

- (5) approved jewelry, as described below, will not exceed a total value of one hundred dollars (\$ 100.00);
- (A) The canteen will be the only source from which an offender will be allowed to obtain a watch. Exceptions may be granted by the Social Work Program or **Commissioner** of Prisons for offenders with documented disabilities who have severe visual impairment or severe hearing deficit.
  - (B) One (1) wedding band (no gemstone) for male offenders is allowed. If an offender marries while incarcerated, a wedding band may be received by any method approved by the **Warden**.
  - (C) Female offenders are allowed one (1) engagement ring and/or wedding band. If the female is admitted to prison without an engagement ring and marries while incarcerated, the engagement ring and/or wedding band may be received at/after the ceremony has taken place.
  - (D) Female offenders are allowed to retain and/or receive up to the maximum amount of jewelry items approved by the facility head:
    - (i) Two (2) rings (includes wedding ring/s)
    - (ii) One (1) bracelet, not wider than 1 inch
    - (iii) One (1) necklace, not wider than ½ inch

\* The bracelets and necklaces must be plain, free of pendants, charms or fixed gemstones.

    - (iv) Two (2) pairs of earrings, no larger than 1 ¼ in circumference and no longer than 1 inch.

The wearing of jewelry on any part of the body other than the finger, earlobe, neck and wrist are not permitted.

- (6) offenders will be permitted to own/possess one (1) battery operated transistor radio, “walk-man” style, with ear buds and AM/FM bands. Radios will be no larger than 5"x3"x1". The radios will be sold exclusively to offenders through the facility canteens.

The officer-in-charge may designate areas where radios may be used without ear buds. Prisons will not be responsible for replacement due to loss, theft, or breakage;

- (7) toothbrushes, shaving cream, white handkerchief, safety razors and blades at female facilities and minimum custody male facilities only;

- (8) unframed photographs are authorized as follows: single sheet photos such as digital photos are allowed; Polaroid photos are prohibited except those that were in offender's possession prior to September 1, 2005. These Polaroid photos will be stamped on the back "DOP approved;"
- (9) standard canteen purchases including items obtained at one facility of the prison system by an offender subsequently transferred to another facility;
- (10) wallets or clear pocketbooks;
- (11) offenders will be permitted to retain items in accordance with Section D.0309(c) of the Offender Use of the Mail policy;
- (12) any drug, chemical compound or controlled substances which have been issued to an offender by a proper authority or purchased through the facility canteen, such items will not be permitted to accumulate beyond prescribed or authorized levels; offenders will be provided two (2) Tylenol tablets and two (2) antacid tablets per day upon request. There will be no charge to the offender for these tablets. The officer in charge of the housing unit will maintain a log that must be completed prior to dispensing these medications. The log will list the following information: offender name and number, housing location, date, time, offender signature and officer's initials. A log includes a disclaimer statement which the offender must sign in order to receive the medication. This log will be submitted daily to the Nurse Supervisor/Lead Nurse. A medical staff person will review the log daily to ensure the medication is not being misused or that an individual offender is not receiving daily dosages that medical staff is not aware of;
- (13) shoes\* - offenders will be permitted to possess one (1) pair of state-issued work shoes (composite toe brogans), one (1) pair of tennis shoes purchased from a Prison canteen and one (1) pair of shower shoes (flip-flops) purchased from a Prison canteen. Tennis shoes shall be requisitioned from DPS Purchasing and Services and sold exclusively to offenders through the facility canteens. Work shoes for offenders on work release may be state-issued or purchased by the offender. No shoe, whether purchased by the offender or state-issued, can exceed the overall height of nine (9) inches from the bottom of the heel to the top of the shoe. Heel height of any shoe cannot exceed one and a half (1 & 1/2") inches. At no time will offenders be allowed to possess more than one (1) pair each of tennis shoes, work boots or shower shoes.

Offenders classified in Minimum Custody Level II and Level III participating in community-based programs such as work release, study release, off-site community volunteer passes and home leaves will be allowed to possess up to fifteen (15) items of personal outer clothing and one (1) additional pair of personal shoes (example: dress shoes). Uniforms required for work release shall not be counted as part of the fifteen (15) authorized items. Exceptions may be issued by the facility head for medical or work-related purposes only;

- (14) the number of postage stamps an offender will be allowed to possess at one time is limited to twenty-five (25). Offenders found to be in possession of more than twenty-five (25) stamps will be subject to disciplinary action. Excess stamps will be confiscated and held in a secure manner pending disciplinary proceedings;
  - (15) authorized religious personal property for offenders in Restrictive Housing for Control Purposes (RHCP) is outlined in the Prisons Religious Practices Manual;
  - (16) assistive devices related to impairments. Offenders will be allowed, at the discretion of the facility head and Prisons Social Work Program Director, to maintain possession of assistive devices necessary to access communication or services due to a disability. The facility head will evaluate the security risk posed by the device. The Social Work Program Director will verify the medical necessity of the device and the level of disability of the offender. Assistive devices include, but are not limited to: hearing aids, amplification aids for telephones or televisions, tape players and "Books on Tape" received from Services for the Blind, "fat line" or raised line paper, bold pens, Braille books, Braille writing implements and large print books. Any other item is considered on an item by item basis.
  - (17) All Offenders regardless of gender may purchase black hair ties / pony tail holders from the canteen.
- (b) Legal papers. Offenders will be permitted to possess legal papers relevant to matters that are or may be pending before the courts and papers relating to legal transactions where possession is necessary for the proper handling of the matter. Other legal matters may be kept, but the amount of such material may be limited where necessary to maintain adequate sanitary conditions, storage space, and security. If there is doubt as to whether an offender should be allowed to possess legal papers or material, the matter should be referred directly to the Commissioner of Prisons or his/her representative who will consult legal authorities and make a decision in the matter. When an offender is not allowed to keep legal materials, they will be stored in a secure place at the facility. The offender will be allowed access to specific materials that he/she requests if the request does not threaten security interests as enumerated in this regulation.
  - (c) If authorized personal property is offered to an offender and he/she denies the property belongs to them, this will be documented on form DC-160 and maintained on file. The officer-in-charge will make a reasonable effort to determine who the property does belong to. If it is not possible to determine who the property belongs to, then the property will be disposed of in accordance with section F.0504 of this policy. Generally, no disciplinary action will be taken in such instances.
  - (d) Offenders are normally restricted to possession of three standard transfer bags of personal property. When offenders accumulate in excess of three bags of personal property, they

are required to mail out or dispose of property in accordance with Section F.0504 of this policy and the following statements: Offenders may be allowed to possess in excess of three bags of personal property based on medical equipment such as a special mattress or a breathing machine. They are also allowed to possess legal materials in excess of the three bag limit if the legal materials are relevant to pending matters before the courts. In these cases, efforts should be made to limit the offender's other personal property to essential hygiene items and religious materials/items in an effort to comply with the three bag limit. Questionable cases, regarding excess legal materials, should be referred to the Region Director who will consult with Prisons legal staff. As stated in Section F.0503 (b), if an offender is not allowed to maintain possession of legal materials, they are to be stored at the facility. Offenders are to be given access to their materials if their request does not threaten security. An offender being allowed to possess in excess of three bags of personal property will not be transported by special vehicle for that reason. This offender may be transported on the transfer bus.

#### **.0504 DISPOSITION OF UNAUTHORIZED ITEMS**

- (a) Upon commitment of an offender to the custody of Prisons, the receiving officer shall retain any items of personal property in the possession of the offender which are not authorized by this Section (F.0500). Unauthorized funds shall be deposited to the offender's trust fund account. Other items of unauthorized personal property may be turned over to local law enforcement authorities for criminal prosecution, if appropriate, or mailed at the offender's expense to an addressee designated by the offender. However, if the offender is without funds, such items may be mailed to the designated addressee with mailing costs paid from the Inmate Welfare Fund. If the offender is unwilling or unable to designate an addressee to whom the prohibited property may be sent, the prohibited items will be donated to a charitable organization or otherwise disposed of as surplus property. Prisons will not assume responsibility for the maintenance or handling of prohibited items. A reception inventory will be completed as provided by Section F.0505 of this policy on each occasion an offender is admitted to a correctional facility for housing purposes.
- (b) Items of personal property found in the possession of an offender which are not authorized by this section shall be confiscated and disposed of as follows:
  - (1) weapons, controlled substances, and other items which are of no value or practical use shall be destroyed;
  - (2) items of personal property, such as clothing, or excess hobby craft materials, may be donated to a charitable organization, or retained by Prisons for the use of offenders in the prison population;
  - (3) unauthorized funds or the proceeds from the sale of items of personal property shall be deposited to the Offender Welfare Fund. No unauthorized personal property shall be confiscated and disposed of as provided herein except upon the initiation of disciplinary proceedings against the offender for possession of

such property. In the case of possession by an offender of unauthorized property where disciplinary proceedings are not commenced, such property shall be disposed of as provided by Paragraph (a) of this policy. Staff members are not allowed to personally benefit from or take personal possession of confiscated property of an offender.

- (4) items of significant value that are confiscated because of being unauthorized, may, at the discretion of the facility head, be mailed out by the offender found in possession of the items. Disciplinary action could still be initiated.

#### **.0505 RECEPTION INVENTORY**

- (a) All authorized personal property that an offender possesses will be listed on Form DC-160. This form will be dated and signed by the receiving officer and the offender, certifying that the list and the disposition indicated is accurate. It will be filed in the offender's field jacket.
- (b) Personal property, such as a radio, which is confiscated or otherwise retained by authorized correctional staff for disciplinary or other security reasons, will be listed on the personal property inventory and tagged for identification purposes.
- (c) It is the responsibility of each offender to request personal property items be documented in writing on his/her personal property inventory (DC-160). The inventory should be revised and updated as necessary to accurately reflect the items of personal property in the possession of the offender. Prisons has no responsibility for items of personal property in the possession of the offender, and it will not entertain any claims for the loss of property items during transfer unless the items lost have been inventoried.

#### **.0506 RETURN OF PERSONAL PROPERTY UPON RELEASE**

The offender will be required to sign a receipt for all personal property on Form DC-160 before being released. Prisons assume no liability for items that are damaged or stolen, or for items lost due to the negligence of the offender. If the offender **reasonably** believes that property of value belonging to him/her has been lost due to negligence or intentional acts of Prison personnel, the offender may appeal directly to the **Commissioner** of Prisons or designee. If the Commissioner or designee determines that the offender's appeal is meritorious, the offender will be reasonably compensated for the items lost.



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Commissioner of Prisons

08/19/20  
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