



**U.S. Department of Justice**  
**Federal Bureau of Prisons**

**PROGRAM STATEMENT**

OPI: CPD/CSB  
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## **Inmate Personal Property**

/s/

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### **1. PURPOSE AND SCOPE**

#### **§ 553.10 Purpose and scope.**

**It is the policy of the Bureau of Prisons that an inmate may possess ordinarily only that property which the inmate is authorized to retain upon admission to the institution, which is issued while the inmate is in custody, which the inmate purchases in the institution commissary, or which is approved by staff to be mailed to, or otherwise received by an inmate. These rules contribute to the management of inmate personal property in the institution, and contribute to a safe environment for staff and inmates by reducing fire hazards, security risks, and sanitation problems which relate to inmate personal property. Consistent with the mission of the institution, each Warden shall identify in writing that personal property which may be retained by an inmate in addition to that personal property which has been approved by the Director for retention at all institutions.**

a. **Summary of Changes.** This revision includes the following:

*Policy Rescinded*

P5580.07 Inmate Personal Property (12/28/05)

**Federal Regulations from 28 CFR are in this type.**

Implementing instructions are in regular type.

- Updates lists of inmate property.
- Removes requirement for radios to be engraved.
- Clarifies the process of confiscation and disposition of cash and negotiable instruments as contraband.
- Removes Attachment B – Approved Athletic/Specialty Shoe. Attachment A and B are incorporated into one attachment.

b. **Program Objectives.** The expected results of this program are:

- Inmates will be permitted to retain and store authorized personal property.
- Contraband items found in the possession of inmates or in inmate living or work areas will be properly identified, processed, and discarded.

c. **Pretrial/Holdover Procedures.** Procedures required in this Program Statement apply to pretrial and holdover inmates.

## 2. LIMITATIONS ON INMATE PERSONAL PROPERTY

### § 553.11 Limitations on inmate personal property.

(a) **Numerical limitations.** Authorized personal property may be subject to numerical limitations. The institution's Admission and Orientation program shall include notification to the inmate of any numerical limitations in effect at the institution and a current list of any numerical limitations shall be posted on inmate unit bulletin boards.

(b) **Storage space.** Staff shall set aside space within each housing area for use by an inmate. The designated area shall include a locker or other securable area in which the inmate is to store authorized personal property. The inmate shall be allowed to purchase an approved locking device for personal property storage in regular living units. Staff may not allow an inmate to accumulate materials to the point where the materials become a fire, sanitation, security, or housekeeping hazard.

The amount of space provided depends upon the number of inmates assigned to that housing area.

Allowing an inmate to retain excess personal property increases the likelihood that property will be damaged or lost, and thereby increases the risk to the Bureau of liability claims.

By providing secured space, and adhering to guidelines on retention of property, the individual inmate has responsibility for securing personal property.

**(c) Clothing.** Civilian clothing (i.e., clothing not issued to the inmate by the Bureau or purchased by the inmate from the commissary) ordinarily is not authorized for retention by the inmate. Civilian clothing which previously had been approved for retention may not be retained after August 6, 1999. Prerelease civilian clothing for an inmate may be retained by staff in the Receiving and Discharge area during the last 30 days of the inmate's confinement.

- **Blue/Black/Red/Camouflage Clothing.** No inmates may be issued, permitted to purchase, or have in their possession **any** clothing items, or pieces of cloth, in the aforementioned colors.
- **Civilian Clothing.** All inmates are prohibited from wearing any clothing not government-issued or purchased in the commissary.

**(1) Commissary Clothing Inventory.** Wardens will restrict clothing to the following colors:

- Only gray and/or white clothing may be sold in institutions for males and only pastel green, gray, and/or white may be sold in institutions for females.
- The only exception is for religious headgear.

**(2) Shoes.** The following may be stocked or sold through the SPO process:

- Athletic, specialty shoes (i.e., a court, turf, basketball, or running shoe) (\$100 maximum selling price with no pumps, no pockets) in black or white, or a combination of black or white, or with gray markings (no other colors allowed). (2 pr)
- Casual (such as hushpuppies). (1 pr)
- Shower. (1 pr)
- Slippers. (1 pr)
- Work (ASTM Standard F2412-05 and F2413-05). (1 pr)

Commissaries will be the sole source for inmates to purchase athletic shoes and only supply shoes that sell for \$100 or less.

**(d) Legal materials.** Staff may allow an inmate to possess **legal materials** in accordance with the provisions on inmate legal activities (see § 543.11 of this chapter).

**(e) Hobbycraft materials.** Staff shall limit an inmate's hobby shop projects within the cell or living area to those projects which the inmate may store in designated personal property containers. Staff may make an exception for an item (for example, a painting) where size would prohibit placing the item in a locker. This exception is made with the understanding that the placement of the item is at the inmate's own risk. Staff shall require that hobby shop items be removed from the living area when completed, and be disposed of in accordance with the

**provisions of part 544, subpart D of this chapter.**

Part 544, Subpart D refers to the Program Statement **Inmate Recreation Programs**, which sets limits on the amount of materials which can be purchased quarterly.

**(f) *Radios and Watches.* An inmate may possess only one approved radio and one approved watch at a time. The inmate must be able to demonstrate proof of ownership. An inmate who purchases a radio or watch through a Bureau of Prisons commissary is ordinarily permitted the use of that radio or watch at any Bureau institution if the inmate is later transferred. If the inmate is not allowed to use the radio or watch at the new institution, the inmate shall be permitted to mail, at the receiving institution's expense, the radio or watch to a destination of the inmate's choice. Where the inmate refuses to provide a mailing address, the radio and/or watch may be disposed of through approved methods, including destruction of the property.**

Inmates may not retain other audio equipment, such as tape players/recorders, or radios with tape players/recorders, except as provided for the Program Statement **Legal Activities, Inmate** or as sold through the Commissary.

Where appropriate, certain department heads (e.g., Supervisor of Education, Supervisory Chaplain, and/or Unit Manager) may provide this type of equipment for use by inmates participating in self-study courses or other programs.

Such equipment will only be used in the program area and will not be permitted in inmate living quarters, except in medical centers where inmates are medically confined to the unit.

Wardens will take steps to reasonably accommodate inmates with disabilities in conformance with the Rehabilitation Act of 1973, which prohibits discrimination on the basis of disability in Federally-assisted programs.

In such cases, appropriate security procedures must be developed, and both tape players and tapes be limited to those available through state and Federal agencies providing these services to the disabled.

A Warden may determine that it is more appropriate to accommodate an inmate in another manner (for example, by providing volunteer readers).

Watches must have a selling price of no more than \$100, no stones, and be electronically unsophisticated (i.e., unable to send or receive signals).

Language translators are permitted to inmates who have displayed a need.

**(g) *Education Program Materials.* Education program materials or current correspondence courses may be retained even if not stored as provided in**

**paragraph (b) of this section.**

Only **education, religious study materials, and correspondence materials** pertaining to current course work may be retained.

Once an educational course is completed, associated books and materials must be removed from the living area or be included as part of an inmate's correspondence and reading materials.

**(h) *Personal Photos.* An inmate may possess photographs, subject to the limitations of paragraph (b) of this section, so long as they are not detrimental to personal safety or security, or to the good order of the institution.**

Ordinarily, photographs, particularly those of family and friends, are approved, since they represent meaningful ties to the community.

A personal photograph is defined as a photograph intended for individual viewing, as opposed to a photograph published for commercial use. Personal photographs may be stored or displayed in the housing units according to local sanitation and housekeeping guidelines.

Inmates may not retain Polaroid photos.

Nude or sexually suggestive photos (individual prints or copies as opposed to those from publications) present special concerns about personal safety, security, and good order, particularly when the subject is an inmate's relative, friend, or acquaintance or could reasonably be perceived as such. For these reasons, an inmate may not be permitted to retain, receive, or possess a personal photograph in which the subject is partially nude or nude, or when the photograph depicts sexual acts such as intercourse, fellatio, or sodomy. These materials will be returned to the sender upon receipt at the institution.

An inmate may possess 25 loose photos. In addition to these photos, an inmate may possess a photo album containing photos, provided they are properly stored in the photo album.

i. **Religious Items.** Each inmate, upon commitment, will be permitted to retain religious items approved by the Warden.

Ordinarily, inmates will be **permitted to retain one religious medallion and chain with no stones, non-metallic. The item will not be valued more than \$100.**

The Warden will authorize retention of religious items unless they pose a threat to the security and orderly running of the institution.

Inmates may not receive these items from home.

Items of religious wearing apparel include, but are not limited to:

- Prayer shawls and robes.
- Kurda or ribbon shirts.
- Medals and pendants (as noted above).
- Medicine pouches.
- Various types of approved headwear.

Personal religious property may be purchased only from commissary stock or from a Chaplain-approved catalogue using the Special Purchase Order process.

The inmate must have prior approval from the Chaplain. The Religious Beliefs and Practices Institution Supplement must include proper acquisition procedures for those items not available through a catalogue.

Religious headwear is permitted in all areas of the institution, subject to normal considerations of security and good order, including inspection by staff.

Guidance for approved religious headwear and attire is found in the Program Statement **Religious Beliefs and Practices**.

Religious headwear and/or attire which has been altered without staff approval is contraband.

j. **Consumable Awards.** Bureau entities such as Education, UNICOR, and Recreation Departments may provide consumables as awards to recognize inmate achievements. Consumables such as soda, cookies, hygiene items, small monetary awards, paper certificates, etc., are to replace property awards.

Property awards such as trophies, hats, tee shirts, mugs, pens, etc., are not authorized at any institution.

k. **Packages From Home.** The only packages an inmate may receive from home are those containing release clothing and authorized medical devices.

Release clothing packages may only be received within the last 30 days of confinement. This clothing will be stored in R&D and not released to the general population.

Medical devices such as hearing aids, eyeglasses, dentures, wheelchairs, braces, orthopedic/prescription shoes, and artificial limbs are authorized if medically required and approved by the Health Services Administrator.

### 3. PERSONAL PROPERTY LIST AND RECORDS

The Inmate Personal Property List (Attachment A), includes all personal property that an inmate can retain at every institution, including non-government property approved for use at all Bureau institutions and permitted for transfer between institutions.

This includes any medical device which is either issued or approved by the Health Services Unit (HSU) prior to it being added to the inmate's personal property list.

Should an inmate transfer to another institution, this property may be sent along with the inmate or his or her property at the discretion of the sending and receiving institutions' Wardens.

While the institution may set a limit on the number of specific items that the inmate may retain, this limit may not exceed the capacity of the local specified area or container designated for inmate clothing.

a. **Additional Property Items.** The Warden must approve any item of inmate property not found in Attachment A and then only for local and short-term retention.

Items that are added to an inmate's property list may vary by institution due to climatic, cultural, or other reasons. All such property will be clearly identified when sold at Commissary as "for local use only."

Property approved for local use will be mailed home at the inmate's expense upon transfer or release. If abandoned by the inmate, the property will be disposed of in accordance with the Program Statement **Property Management Manual**, Chapter 11, sec. 2.

Examples of items identified for possession at the Warden's discretion are listed in Attachment A.

b. **Personal Property Record.** A copy of the Inmate Personal Property Record (BP-A0383) will be given to the inmate during the initial property inventory or any subsequent inventory. This form and/or a commissary receipt constitutes proof of ownership, not proof of value.

c. **Inmate Property Inventory Records.** The BP-A0383 will be used to inventory all inmate property except when:

- The Authorization to Receive Package or Property (BP-A0331) will be used to inventory release clothing received from an outside source.
- The Warden elects to use a local form instead; for instance, when an inmate moves from Administrative Detention to Disciplinary Segregation or from Disciplinary Segregation to Administrative Detention.

Regardless of the form used, a written record of that inventory will be retained in the Special Housing Unit (SHU) for at least two years. A copy of the Inmate Personal Property Record form will also be kept in the Inmate Central File.

The Request-Authorization to Mail Inmate Package (BP-329), must be used to inventory property which is authorized for retention, but not authorized for shipment at Bureau expense (the inmate incurs the cost of mailing).

#### 4. CONTRABAND

##### **§ 553.12 Contraband.**

**(a) Contraband is defined in §500.1 (h) of this chapter. Items possessed by an inmate ordinarily are not considered to be contraband if the inmate was authorized to retain the item upon admission to the institution, the item was issued by authorized staff, purchased by the inmate from the commissary, or purchased or received through approved channels (to include approved for receipt by an authorized staff member or authorized by institution guidelines).**

Contraband includes material prohibited by law, or by regulation, or material which can reasonably be expected to cause physical injury or adversely affect the security, safety, or good order of the institution.

For example, a manual describing the operation of the Bureau's data processing equipment would be considered contraband if possessed by an inmate because of the threat it would pose to the security, safety, and good order of the institution.

**(b) For the purposes of this subpart, there are two types of contraband.**

**(1) Staff shall consider as hard contraband any item which poses a serious threat to the security of an institution and which ordinarily is not approved for possession by an inmate or for admission into the institution. Examples of hard contraband include weapons, intoxicants, and currency (where prohibited).**

Other examples of hard contraband include:

- Tools which may be used to aid in an escape (e.g., rope).
- Ammunition or explosives.
- Combustible or flammable liquids.
- Knives or tools not provided in accordance with the Program Statement **Correctional Services Manual**.
- Hazardous or poisonous chemicals and gases.



Narcotics or other controlled substances not dispensed or approved by the institution HSU are also hard contraband.

Medicine the HSU dispensed or approved is hard contraband if not possessed by the inmate for whom it was prescribed or if not consumed or used in the manner prescribed.

Staff must consult the institution pharmacist or other health services staff member in any case involving questions whether a prescribed medication represents contraband.

Medicines the inmate carries into the institution at the time of commitment (e.g., voluntary commitment) will be forwarded to the institution medical staff for disposition. If appropriate, this medicine will be returned to the inmate.

**(2) Staff shall consider as nuisance contraband any item other than hard contraband, which has never been authorized, or which may be, or which previously has been authorized for possession by an inmate, but whose possession is prohibited when it presents a threat to security or its condition or excessive quantities of it present a health, fire, or housekeeping hazard. Examples of nuisance contraband include: personal property no longer permitted for admission to the institution or permitted for sale in the commissary; altered personal property; excessive accumulation of commissary, newspapers, letters, or magazines which cannot be stored neatly and safely in the designated area; food items which are spoiled or retained beyond the point of safe consumption; government-issued items which have been altered, or other items made from government property without staff authorization.**

The Warden may set limits locally, based on available storage space, on the amount of commissary items, newspapers, magazines, etc., each inmate may retain.

## **5. PROCEDURES FOR HANDLING CONTRABAND**

### **§ 553.13 Procedures for handling contraband.**

**(a) Staff shall seize any item in the institution which has been identified as contraband whether the item is found in the physical possession of an inmate, in an inmate's living quarters, or in common areas of the institution.**

**(b) Staff shall dispose of items seized as contraband in accordance with the following procedures.**

Exceptions to these procedures may occur only upon written authorization of the Warden or designee.

The procedures described in this section apply to and include property found in the inmate's physical possession, in an inmate's living quarters, or in common areas of the institution.

These procedures also encompass the property of inmates processed through Receiving and Discharge (R&D), such as new commitments and inmates received through transfer.

When religious items are confiscated the chaplain must be consulted as to the validity of the items.

**(1) Staff shall return to the institution's issuing authority any item of government property seized as contraband, except where the item is needed as evidence for disciplinary action or criminal prosecution. In such cases, staff may retain the seized property as evidence.**

Seized government property, if not altered, may be placed in normal stock for reissue.

Altered government property, including items an inmate made from government property without staff authorization, will be destroyed at the Warden's discretion.

The Warden may delegate the authority to determine if altered government property is to be destroyed.

The chaplain must be consulted regarding the disposition of religious items confiscated.

**(2) Items of personal property confiscated by staff as contraband are to be inventoried and stored pending identification of the true owner (if in question) and possible disciplinary action. Following an inventory of the confiscated items, staff shall employ the following procedures.**

**(i) Staff shall provide the inmate with a copy of the inventory as soon as practicable. A copy of this inventory shall also be placed in the inmate's central file.**

Placing a copy of the inventory in the Inmate Central File will assist staff in the investigation of possible tort claims.

**(ii) The inmate shall have seven days following receipt of the inventory to provide staff with evidence of ownership of the listed items. A claim of ownership may not be accepted for an item made from the unauthorized use of government property. Items obtained from another inmate (for example, through purchase, or as a gift) without staff authorization may be considered nuisance contraband for which a claim of ownership is ordinarily not accepted.**

**(iii) If the inmate establishes ownership, but the item is identified as contraband, staff shall mail such items (other than hard contraband), at the inmate's expense, to a destination of the inmate's choice. The Warden or designee may authorize the institution to pay the cost of such mailings when the item had not been altered and originally had been permitted for admission to the institution or had been purchased from the commissary, or where the inmate has insufficient funds and no likelihood of new funds being received. Where the inmate has established ownership of a contraband item, but is unwilling, although financially able to pay postage as required, or refuses to provide a mailing address for return of the property, the property is to be disposed of through approved methods, including destruction of the property.**

The Confiscation and Disposition of Contraband form (BP-A0402) will be completed.

Ordinarily, the Correctional Systems Manager (CSM) is responsible for authorizing the institution to pay mailing costs.

**(iv) If the inmate is unable to establish ownership, staff shall make reasonable efforts to identify the owner of the property before any decision to destroy the property is made.**

**(v) Staff shall prepare and retain written documentation describing any items destroyed and the reasons for such action.**

Destroying contraband will be accomplished as follows:

- Ordinarily, the CSM (for R&D only) or Captain or designee receives the inmate's proof of ownership and determines if an item is contraband.
- When it is determined that the item is to be destroyed, the CSM (for R&D only) or Captain or designee will prepare the written documentation describing the item(s) destroyed and the reasons for this action.
- Ordinarily, property is held for 120 days before it is destroyed. This delay allows an inmate the opportunity to obtain proof of ownership and/or appeal the decision through the Administrative Remedy Procedure.
- The employee who actually destroys the property, and at least one staff witness to the disposal, will state in writing that they have witnessed the destruction.
- Records of disposal of property will remain on file for at least two years to ensure the availability of information necessary to an investigation of a subsequent tort claim.

**(vi) Where disciplinary action is appropriate, staff shall delay disposition of property until completion of such action (including appeals).**

(c) Staff shall retain items of hard contraband for disciplinary action or prosecution or both. The contraband items may be delivered to law enforcement personnel for official use. When it is determined that the item is not needed for criminal prosecution, the hard contraband shall be destroyed as provided in paragraph (b)(2)(v) of this section. Written documentation of the destruction shall be maintained for at least two years.

(d) Staff may not allow an inmate to possess funds in excess of established institutional limits. Staff shall deliver to the cashier any cash or negotiable instruments found in an inmate's possession which exceed the institution's allowable limits. Funds determined to be contraband shall be confiscated for crediting to the U.S. Treasury.

All cash and negotiable instruments in the possession of inmates is unauthorized.

Cash and negotiable instruments that were inadvertently delivered to the inmate via the mail and are immediately turned over to staff shall be returned to the mail room to be processed in accordance with the Program Statement **Correspondence**.

All other cash and negotiable instruments found in the inmate's possession shall be processed as contraband. The cash and negotiable instruments shall be turned over to the cashier.

(1) Where disciplinary action against the inmate is appropriate, staff shall delay final disposition of the funds until such action (including appeals) is completed.

(2) Prior to a decision on the disposition of funds, staff shall allow the inmate a reasonable amount of time to prove ownership.

## **6. INMATE TRANSFER BETWEEN INSTITUTIONS AND INMATE RELEASE**

### **§ 553.14 Inmate transfer between institutions and inmate release.**

(a) Except as provided for in paragraphs(a)(1) through (3) of this section, authorized personal property shall be shipped by staff to the receiving institution.

(1) The Warden ordinarily shall allow an inmate transferring to another institution to transport personal items determined necessary or appropriate by staff and, if applicable, legal materials for active court cases.

(2) The Warden may require or allow an inmate who is transferring to another institution under furlough conditions to transport all the inmate's authorized personal property with him or her.

**(3) An inmate who is being released or who is transferring to a Community Corrections Center may arrange to ship personal property at the inmate's expense. The inmate is responsible for transporting any personal property not so shipped.**

**(b) If the inmate's personal property is not authorized for retention by the receiving institution, staff at the receiving institution shall arrange for the inmate's excess personal property to be mailed to a non-Bureau destination of the inmate's choice. The inmate shall bear the expense for this mailing.**

**(c) Whenever the inmate refuses to provide a mailing address for return of the property or, when required, refuses to bear the expense of mailing the property, the property is to be disposed of through approved methods, including destruction of the property.**

This property determination is to be made in the receiving institution's R&D unit when the inmate's property is processed (i.e., inventoried) in the inmate's presence. Bureau institutions will accept for each inmate the property approved in this Program Statement as authorized for retention and transfer between Bureau institutions. Staff will adhere to the procedures that follow with respect to an inmate's property while he or she is in transfer between institutions.

d. Sending institution staff will ship authorized property of inmates transferring via bus, van, or airlift directly to receiving institutions. Ordinarily, no more than two boxes of property, size 14" x 14" x 19", will be shipped at government expense for each inmate. The inmate may elect to pay for expenses related to the shipment of authorized personal property beyond the two boxes.

Institutional clothing and shoes for an inmate with special needs (large sizes, small sizes, orthopedic designs, orthopedic shoes, appliances, clothing, insulin testing kits, etc.), may be shipped at government expense in addition to the two-box maximum when the inmate transfers to another Bureau institution. All other Bureau-issued clothing will not be transferred.

Property of inmates transferring on furlough will also be handled in this same manner.

Legal property will be exempt from this two-box limit.

e. Bureau buses and vans will accept two standard size (14" x 14" x 19") boxes for transport with the inmate when the same bus or van delivers the inmate to the final destination. This shipment will be in lieu of the two boxes which would normally be mailed at government expense.

f. Essential Daily Prayer items, as authorized by the Warden, must be delivered to transporting officials upon the inmate's removal. The inmate is responsible for production of the items, in the

authorized container (authorization affixed by Chaplain), to the R&D Officer. The items will be re-issued to the inmate for daily use at all holdover points.

The Chaplaincy Services Branch, Central Office, will provide sample authorization forms and a sample container to each location for use in the issuance of essential daily prayer items.

g. R&D staff will use a Transfer Receipt (BP-A0821), for receipting all packages delivered to transporting officials in accordance with the above changes.

A separate entry will be made for the package containing essential Daily Prayer items.

h. An inmate who is to be assigned as a holdover while en route to a new institution will be limited in the amount of personal property that may accompany him or her. Such property is limited to the necessary personal items and legal materials for active court cases.

i. All property which accompanies the inmate must be listed on the Inmate Personal Property Record (BP-A0383).

Property inadvertently omitted from the form may not be given to the transporting officer or to any other staff for the purpose of having the item(s) taken to the new institution (either holdover or designated).

This property must be listed on a new Inmate Personal Property Record and shipped to the receiving institution.

j. Inmates being released or transferring to a Community Corrections Center will be encouraged to ship their property home at their expense prior to release. If they choose not to, they will take their personal property with them.

k. Property which is authorized for retention at Bureau institutions, but not authorized for shipment at Bureau expense, may be shipped by each inmate incurring the cost.

These packages will be inventoried using a Request-Authorization to Mail Inmate Package form (BP-329). Inmates will affix the correct postage.

## **7. VOLUNTARY SURRENDERS**

When an inmate voluntarily surrenders to Bureau custody he or she will be **permitted to retain only the following items:**

- **Plain wedding band (no stones or intricate markings).**
- **Earrings for females only (no stones) with a declared value of less than \$100.**
- **Medical or orthopedic devices.**

- **Legal documents.**
- **Social Security card and** other forms of identification (**driver's license, passport, etc.**) to be retained in the Inmate Central File until the inmate's release.
- **Religious items approved by the Warden** as long as they do not present a threat to the security of the institution (religious medallions and chains must have a declared value of less than \$100, male or female).
- **Prescription glasses.**

The institution will only pay for the shipping costs of clothing the inmate wears upon initial commitment – pants, shirt, underwear, shoes, coat, etc.

All other property will be rejected and shipped to the inmate's home at the inmate's expense.

## **8. LIMITATIONS ON PERSONAL PROPERTY – MEDICAL TRANSFERS**

### **§ 553.15 Limitations on personal property – medical transfers.**

**The Warden shall set a limit on the amount of personal property that may accompany an inmate transferring to a medical facility. For purpose of this rule, a medical facility is one which provides observation and/or treatment of a medical, surgical, or psychiatric nature, or any combination of these. Such medical transfers are ordinarily of a short-term duration (30--120 days).**

Patients transferring to a medical facility for medical, surgical, or psychiatric treatment are ordinarily limited to the amount of personal property which can be placed in a box approximately 14" x 14" x 19."

The amount of clothing and other personal effects (for example, watches, rings, orthopedic devices, personal letters, religious articles) are limited to the items which can be appropriately placed within this container.

**(a) The Wardens of the sending and receiving institutions shall allow the inmate to retain those legal materials specifically needed in respect to on-going litigation. Questions as to the need for such material may be referred to Regional Counsel.**

If an inmate claims the need to take what can be considered an excessive amount of legal materials on a transfer, staff at the sending institution, ordinarily the CSM, will contact Regional Counsel to determine if the inmate has any pending court litigation or a hearing set to occur during the inmate's expected absence from the institution that would justify taking these legal materials.

**(b) The Warden of the sending institution shall designate a secure location for storage of all inmate personal property not accompanying the inmate.**

Minimum guidelines for storage will include accurate record keeping indicating:

- The number of boxes.
- The inmate's name.
- Registration number.
- The institution to which the inmate is being transferred for treatment.

**(c) Personal property permitted in the sending institution, but not in the receiving institution, shall either be retained at the sending institution or be mailed to a destination of the inmate's choice.**

**(1) If the inmate is expected to return to the sending institution within 120 days of transfer, staff shall advise the inmate that property not allowed in the medical facility may be held at the sending institution or sent to a destination of the inmate's choice (other than the medical facility), at the inmate's expense. Where lack of space prevents retention of the inmate's property at the sending institution, that institution shall pay postage costs connected with mailing the inmate's property to a destination of the inmate's choice. Where lack of space prevents the retention of the inmate's property at the sending institution, and the inmate refuses to provide a mailing address for return of the property, the property is to be disposed of through approved methods, including destruction of the property.**

**(2) The inmate's property may be sent with the inmate to the medical facility when the inmate is not expected to return to the sending institution, will be at the medical facility over 120 days, or for any other justified reason. The Warden at the sending institution shall prepare and place in the inmate's central file written documentation for forwarding the inmate's personal property.**

**(d) The Warden of the medical facility shall return an inmate's personal property ordinarily in the same or equivalent size container as originally used by the sending institution. Property accumulated over that amount, at the option of the inmate, will either be sent to a destination selected by the inmate, at the inmate's expense, donated, or destroyed. If the inmate is financially able but refuses to pay for the mailing, or if the inmate refuses to provide a mailing address for forwarding of the property, the property is to be disposed of through approved methods, including destruction of the property.**

On occasion, staff may allow an inmate to retain more property than he or she brought to the institution. Situations when this might be permitted include when the inmate has been at the institution over three months or when a transfer is unexpectedly effected immediately after the inmate has made significant commissary purchases.



If the inmate is re-designated after completing medical treatment to an institution other than the sending institution, the medical facility is to notify the sending institution of this fact via GroupWise.

The medical institution will send this message when treatment has been completed and the inmate is ready for transfer.

Upon receiving the GroupWise message, the institution retaining the inmate's property will arrange for the property to be forwarded to the institution to which the inmate was transferred.

Ordinarily, once every 30 days, staff will inspect the stored property to guard against tampering or pilferage.

## **9. U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE) DETAINEES**

ICE has placed limitations on the amount of personal property for detainees who will be deported. Consequently, detainees who transfer to other facilities should have their property limited to the following items:

- Wedding Band (plain, no stones).
- Prescribed Medication.
- Legal Materials (ongoing case).
- Photographs (10, no Polaroids).
- Shoes (1 pair).
- Funds (transfer to non-BOP Facilities only).
- Religious Medal and/or Medallion.
- Watch (value less than \$100.00).
- Prescription Eyeglasses.
- Personal Letters (5).
- Soft-back Bible.

Any items not authorized for transport by ICE must be mailed at the inmate's expense. If abandoned by the inmate, the property will be disposed of in accordance with Program Statement **Property Management Manual**, Chapter 11, sec. 2.

## **10. INSTITUTION SUPPLEMENT**

All institutions will develop an Institution Supplement describing that institution's procedures regarding inmate personal property.

A copy of the Institution Supplement will be forwarded for approval to the appropriate Regional Director prior to initial issuance or any change.

Each Institution Supplement must cover at least the following areas:

- Identification of personal property which the inmate may retain. Inmates will be advised as part of the admission and orientation program what personal property they may keep.
- Identification of areas within the institution for property storage. Such storage areas are to be secured, with limited staff access and no access by inmates.

Property storage may not be in offices of the unit team or the correctional supervisor except in temporary emergency situations.

When an inmate leaves on writ or furlough or is placed in SHU status, staff will place the inmate's property in a secured storage area without frequent access by staff or inmates.

- Establishment of a procedure to ensure a property inventory whenever an inmate's status requires such action (for example, admission, placement in special housing, transfer, release). At a minimum, this will include completion of the Inmate Personal Property Record (BP-A0383) for identifying property and documenting valuables, particularly property valued over \$100.

Specificity is necessary when completing inventory forms. For example, instead of identifying a package of books as "1 lot books" the items should be identified as "three hardback legal books and two paperback books."

An exception is allowed for new inmates received in the R&D area and placed in a SHU. Then, R&D staff must inventory the property and forward the property to the SHU officer, who will inspect the property for contraband and not re-inventory it.

- Establishment of a procedure to retain the Inmate Personal Property Record for two years in the R&D unit, and, when applicable, in the SHU.

It is suggested that Inmate Personal Property Record forms be kept chronologically, thereby allowing easy identification of those forms over two years old.

- Establishment of a procedure to ensure documentation in the Inmate Central File of all major items received through the mail.

## REFERENCES

### *Program Statements*

P1315.07 Legal Activities, Inmate (11/5/99)

P1330.16 Administrative Remedy Program (12/31/07)

P2000.02 Accounting Management Manual (5/22/87)

P4400.05 Property Management Manual (5/26/04)

P4500.07 Trust Fund/Deposit Fund Manual (4/19/10)

P5580.08 8/22/2011 [Federal Regulations from 28 CFR: this type](#). Implementing instructions: this type. 18

P5266.10	Incoming Publications (1/10/03)
P5270.08	Inmate Discipline and Special Housing Units (12/4/09)
P5360.09	Religious Beliefs and Practices (12/31/04)
P5370.11	Recreation Programs, Inmate (6/28/08)
P5500.11	Correctional Services Manual (10/10/03)
P5540.06	Prisoner Transportation Manual (4/20/00)

### *Federal Regulations*

Federal Regulations cited in this Program Statement are contained in 28 CFR 553.10-15.

### *ACA Standards*

- 4<sup>th</sup> Edition Standards for Adult Correctional Institutions: 4-4164, 4-4285, 4-4292, 4-4293, 4-4294, and 4-4446.
- 4<sup>th</sup> Edition Standards for Adult Local Detention Facilities: 4-ALDF-2A-24, 4-ALDF-2A-23, 4-ALDF-5B-18.

### *BOP Forms*

BP-329	Request-Authorization to Mail Inmate Package
BP-A0331	Authorization to Receive Package or Property
BP-A0383	Inmate Personal Property Record
BP-A0402	Confiscation and Disposition of Contraband
BP-A0821	Transfer Receipt

### *Records Retention*

Requirements and retention guidance for records and information applicable to this program are available in the Records and Information Disposition Schedule (RIDS) on Sallyport.

## Attachment A

### Inmate Personal Property List – National Limit Authorized For Transfer Between Institutions

B = Black  
W = White  
BW = Black/White Combination  
GRY = Gray  
GRN = Green (pastel)  
C = Commissary Only  
I = BOP Issue

#### Items Apply to All Inmates Unless Otherwise Noted

#### CLOTHING

##### Bathrobe

Males - W GRY (no hoods) c (1)  
**Females - W GRN (no hoods) c (1)**

##### Cap, Baseball

Males - W GRY (no logos) c (1)  
**Females - W GRN (no logos) c (1)**

##### Handkerchief, W c (5)

Shoes, Athletic/Specialty, B W BW (\$100 value maximum/no pumps/no pockets) court, turf, running shoe, c (2 pr)

Shoes, Casual, c (1 pr)

Shoes, Shower, c (1 pr)

Shoes, Slippers, c (1 pr)

Shoes, Work, c, (1 pr), (I)

##### Shorts, Gym

Males – W GRY c (2)  
**Females – W GRN GRY c (2)**

##### Socks, Tube, W c (5)

Stockings/Pantyhose, **Females – skintone, c (5)**

##### Sweatshirt

Males – GRY (cotton/pullover/no hoods/no logos) c (2)  
**Females – W GRN GRY (cotton/pullover/no hoods/no logos) c (2)**

##### Sweatpants

Males – GRY (cotton/no logos) c (2)  
**Females – W GRN GRY (cotton/no logos) c (2)**

T-Shirts/Sleeveless Undershirts

Males – W GRY (no pockets/no logos) c (5)

**Females – W GRY (no pockets/no logos) c (5)**

Underwear

Males – W GRY (boxers or briefs) c (7)

**Females – W (bras/panties) c (7)**

**PERSONALLY OWNED ITEMS**

Address Book, c (1)

Alarm Clock (non-electric), c (1)

Bag, Athletic Tote (no logo), c (1)

Barrettes/Clips/Bows, **Females – c (5)**

Batteries (not including batteries stored in electronic items), c (4)

Blush Kit, **Females - c (1)**

Books (hard/soft), (5)

Book/Reading Light, c (1)

Bowl (plastic/24 oz. or less), c (1)

Calculator, small (electronically unsophisticated, inexpensive, non-print feature/battery or solar operated) c (1)

Calendar, small, c (1)

Comb/Pick (plastic), c (2)

Combination Lock, c (1)

Cosmetic Bag, **Females – c (1)**

Cup (plastic), c (1)

Dentures (1 set)

Earplugs, c (1 set)

Earrings, **Females – 1 pr**

Envelopes, c (1 box)

Eyeglasses (no stones), (2 pr)

Eyeglass Case (2)

Eyeliner/Pencil, **Females – c (2)**

Eye Shadow, **Females – c (2)**

Hairbrush, c (1)

Hangers (plastic), c (5)

Headphones, c (1)

Jug (plastic/up to 1 gal), c (1)

Language Translator, (small, electronically unsophisticated, inexpensive, non-print feature/battery, or solar operated), c (1)

Laundry Bag (mesh), c (1)

Letters (25)

Lipstick, **Females – c (3)**

Makeup/Foundation/Base, **Females – c (2)**

Mirror (small/plastic), c (1)

Pen, Ballpoint, c (2)  
Pencils, c (2)  
Photo Album/Scrapbook with photos, c (1)  
Photos (single-faced) (25)  
Playing Cards, c (2 decks)  
Radio with Earplugs (walkman-type), c (1)  
Shaving Bag, Males – c (1)  
Stamps (total value equivalent to 40, 1st Class), c  
Sunglasses (non-reflective), c (1)  
Towel (white/large), c (1)  
Watch (\$100 maximum value, no stones, electronically unsophisticated; i.e., inability to send signals), c (1)  
Watchband, c (1)  
Wedding Band (plain - no stones/white/yellow metal) (1)  
Writing Tablet, c (2)

## **HYGIENE ITEMS**

Brushless Shave  
Conditioner/Hair  
Dental Floss and/or Pick (unwaxed), c (1 container)  
Denture Adhesive, c (1)  
Denture Brush, c (1)  
Denture Cleaner/Powder, c (1)  
Denture Cup, c (1)  
Deodorant, c (2)  
Face Cream, **Females**  
Hair Oil/Gel (non-flammable, non-alcoholic), c (1)  
Laundry Detergent  
Lens Cloth, c (1)  
Lotion, Skin (moisturizing), c (1)  
Mouthwash  
Nail Clippers (no file), c (2)  
Powder/Body/Foot  
Razor, c (1)  
Scissors, Mustache, Males – (blunt tip), c (1)  
Sewing Kit, c (1)  
Shampoo  
Shaving Cream/Lotion, Males  
Soap, Bar, c (3)  
Soap Dish, c (1)  
Toothbrush, c (1)  
Toothbrush Holder, c (1)

Toothpaste, c (2 tubes)  
Tweezers (blunt tip), c (1)

## **RECREATIONAL ITEMS**

Athletic Supporter, Males – c (2)  
Bra, Jogging, **Females – c (2)**  
Eye Protection, c (1)  
Gloves (fingerless/athletic), c (1)  
Gloves (handball), c (2)  
Harmonica, c (1)  
Headbands/Sweatbands, W c (2)  
Knee Wraps, c (2)  
Knitting/Crochet Needles, c (1)  
Mouth Piece, c (1)  
Racquetballs (2 cans of 2), c (4)  
Softball Glove, c (1)  
Tennis Balls (can of 3), c (1)  
Tools for Bead Work, c (1)  
Weightlifting Belt, c (1)  
Weightlifting Gloves, c (1)  
Weightlifting Wraps, c (2)  
Yarn, Embroidery, Hoops/Needles, c (1 set)

## **APPROVED RELIGIOUS ITEMS**

Items authorized in “Manual on Inmate Beliefs and Practices” and “Transferrable Religious Property,” posted on Chaplaincy Services Branch Sallyport page.

## **APPROVED MEDICAL DEVICES**

Non-perishable commissary items sealed in unopened, original containers may also be transported or shipped.