

	<b>MARICOPA COUNTY SHERIFF'S OFFICE POLICY AND PROCEDURES</b>	
	<b>Subject</b>  <b>INMATE PROPERTY CONTROL</b>	<b>Policy Number</b> <b>DD-2</b>
		<b>Effective Date</b> <b>12-29-23</b>
<b>Related Information</b> DD-1, <i>Authorized Inmate Possessions</i> DO-1, <i>Intake Process</i> GD-12, <i>Collecting, Safeguarding and Disbursing Cash</i> GE-3, <i>Property Management and Evidence Control</i> GH-2, <i>Internal Investigations</i>	<b>Supersedes</b>  DD-2 (12-10-19)	

## PURPOSE

The purpose of this Office Policy is to establish guidelines and procedures for the documentation, recording, securing, storing, and releasing of inmate booked-in personal property.

## POLICY

It is the policy of the Office to secure and preserve all inmates' booked in personal property and clothing while in Office custody.

## DEFINITIONS

**Acceptable Identification (ID):** Current identification documents such as a driver's license, state-issued identification card, passport, consular identification card, or military identification card, which contains at a minimum the individual's name, date of birth, sex, and a clear photograph. This also includes an Arizona Mobile ID (mID) digitized companion version of an Arizona driver's license or identification card.

**Blue Team:** The Early Identification System (EIS) application that allows employees and supervisors to record information in a database regarding incidents, performance, and conduct. The information from Blue Team is transferred to the IAPro Early Identification case management system.

**Booked-In Personal Property:** Personal property such as wallets, purses, cell phones, keys, and clothing that belong to an individual who was arrested and booked into the custody of the Office.

**Dispose:** The transfer of property by its return to the owner, sale, conversion or destruction, or by any other means of disposal.

1. Auction: The legal sale of property from which the proceeds shall be paid to a general fund or RICO fund of the jurisdiction.
2. Destruction: The physical demolition of property, rendering it useless.
3. Diversion: The process by which the ownership of abandoned, forfeited, or unclaimed property that has a useful value to the Office, is legally transferred to the Office.

**DOC 30-Day Notice Form:** An Office form signed by an inmate during their release process to the Arizona Department of Corrections Rehabilitation & Reentry (ADCRR) designating whether "any person" or "only to the person listed" can pick up their property. The form also explains that items will be disposed of if not picked up within 30 calendar days.

**Early Identification System (EIS):** A system of electronic databases that captures and stores threshold events to help support and improve employee performance through early intervention and/or to identify problematic operating procedures, improving employee performance, identifying detrimental behavior, recognizing outstanding accomplishments, and to improve the Office's supervisory response. The computerized relational database shall collect, maintain, integrate, and retrieve information gathered in order to highlight tendencies in performance, complaints, and other activities. The database allows the Office to document appropriate identifying information for involved employees, (and members of the public when applicable), and the actions taken to address the tendencies identified. Blue Team, IAPro, and EIPro are applications of the EIS.

**Inmate:** A person who has been accepted for confinement into an Office jail facility.

**Inmate Tablet:** A handheld computerized electronic device used by inmates to stream music, movies, games, submit inmate forms electronically, and communication with members of the public and legal representatives. The inmate tablet is provided and maintained by a contracted vendor. Inmate tablets are battery operated and must be returned to the charging station on a regular basis in order to be charged.

**Jail File:** The file containing the inmate's custodial records pertaining only to jail-related information, exclusive of any judicial records, with the exception of any protective orders.

**Personal Property Storage Bag:** A small clear plastic heat sealable bag, approximately 12 inches by 12 inches, used for the storage of an inmate's booked-in personal property, which does not include the inmates clothing. The clothing is stored in a clear plastic bag.

**Preliminary Inquiry:** The gathering of information available to determine the scope of the allegation and to preserve perishable evidence. This can include a review of EI Pro, Blue Team, traffic stop data, Computer Aided Dispatch (CAD), Shift Logs entries in SHIELD, audio and video recordings, and preliminary audio and video recorded questioning of parties involved.

**Prisoner:** An individual deprived of their liberty and kept under involuntary restraint, confinement, or custody prior to being accepted into an Office jail facility.

**Property:** Any items, including currency, that is held for safekeeping, as evidence, found property, or which has been abandoned, unclaimed, or awarded by the court.

**Property 30-Day Notice Postcard:** A postcard mailed to an inmate's home address as notification that property is being held at the Property Management Division, with instructions for retrieving the property, and that the items will be disposed of if not retrieved within 30 calendar days.

**Property Receipt:** For the purpose of this Office Policy, this document is located in the Traffic and Criminal Software System (TraCS). When any property is taken from an inmate, a detailed Property Receipt should be signed by the inmate at the time the property is taken. The Property Receipt shall be in English and/or Spanish, and contain instructions on how to retrieve the property, and an explanation that items will be disposed of if not picked up within 30 calendar days. The inmate shall be given a copy of this form, and the signed Property Receipt will be attached with the property. An employee who does not have access to the TraCS shall use the Property 30-Day Notice Form.

**Safekeeping Property:** Non-evidentiary property that is placed in the custody of the Office for temporary protection on behalf of the owner and is available for immediate release to the rightful owner. Safekeeping property is disposed of if it is not claimed after 30 calendar days.

**Unauthorized Personal Property:** Inmate personal property that cannot fit in a storage locker or that is not allowed in an Office jail facility, such as, but not limited to, matches, lighters, any incendiary devices, or any items too large

to fit in the personal property storage bag. A complete list of unauthorized personal property can be found in Office Policy DO-1, *Intake Process*.

## PROCEDURES

1. **Documentation and Recording of Inmate Booked-in Personal Property:** Intake Transfer and Release (ITR) personnel shall verify that the arresting agency accurately inventoried all of the prisoner's personal property upon booking. Unacceptable, oversized, or excessive items that cannot be stored in the prisoner's personal property storage bag shall be impounded by the arresting officer, as specified in Office Policy DO-1, *Intake Process*.
2. **Sealed Personal Property Storage Bag:** Once an inmate's booked-in personal property storage bag is heat sealed, it shall remain sealed until the inmate is released, or until the inmate releases their property to a designated person of their choosing, as specified in this Office Policy. Any other entry into the sealed personal property storage bag must have the approval of an on-duty detention shift supervisor. Items not authorized for retention by the inmate shall either be released to a designated person of their choosing, or impounded into the Property Management Division for safekeeping, as specified in Office Policy GE-3, *Property Management and Evidence Control*. The inmate shall be informed that the property will be disposed of if not retrieved or released within 30 calendar days.
3. **Inmate Request for Property Release:** Inmates requesting to release their booked-in personal property shall be required to release all their booked-in personal property items at the time of authorized release, except for their clothing. The partial release of an inmate's booked-in personal property shall only be authorized in special situations, at the discretion of the shift commander.
  - A. Prior to the release of the inmate's booked-in personal property, an *Inmate Request Form* must be completed and submitted electronically or by paper form with the first and last name of the person who will receive the items.
    1. If the request is completed by paper form, the inmate must provide a thumb print on the form.
    2. If the request is submitted electronically through the inmate tablet, the inmate profile and audit photo must match and shall be used as identification in lieu of a fingerprint.
    3. Clothing items shall **not** be released if the inmate has any other agency holds. Clothing may only be exchanged for other items of clothing on an item-for-item basis, as specified in this Office Policy.
  - B. The person receiving the property must provide an acceptable identification (ID). When an acceptable ID cannot be provided, a shift supervisor may authorize the release of the property at their discretion using other identifying factors.
  - C. Only the person designated by the inmate on the *Inmate Request Form* shall receive the property. If a person other than the one designated arrives to receive the property, a new *Inmate Request Form* must be submitted by the inmate notating the new recipient. The person receiving the property must sign the *Inmate Request Form* and the *Inmate Property Inventory* form.
  - D. The original *Inmate Request Form* or the printed copy of the electronically submitted request shall be placed in the inmate's jail file. A copy shall be given to the inmate at the completion of the property release, and a copy shall be placed into a clear personal property storage bag along with the signed *Inmate Property Inventory* form. The storage bag shall be heat sealed and then placed into the clear

front pocket of the inmate's assigned property garment bag. Entries in SHIELD shall be made with the recipient information and the time and date the property was released.

- E. If the property to be released is located at the Property Management Division, the recipient shall be directed to the Property Management Division during regular business hours and must provide a notarized Power of Attorney signed by the inmate and an acceptable ID. An inmates' color-coded ID wristband does **not** constitute an acceptable ID. An exception can be made in substitution of a Power of Attorney form if the nearest relative listed in SHIELD comes to retrieve the property and has the *Property Receipt* or *Property 30-Day Notice Postcard* provided to the inmate.

4. **Release and Disposal of Inmate's Booked-in Personal Property Upon Sentencing to Arizona Department of Corrections Rehabilitation & Reentry (ADCRR):**

- A. Inmates may release all booked-in personal property immediately upon sentencing to the ADCRR.
  - 1. Inmates shall complete an *Inmate Request Form* with the first and last name of the person who will receive the items and the inmate must provide a thumb print on the paper form. If the request is submitted electronically through the inmate tablet, the inmate profile and audit photo must match and shall be used as identification in lieu of a fingerprint.
  - 2. The *Inmate Request Form* shall state "Sentenced to ADCRR. Release all booked-in personal property."
- B. If the inmate's booked-in personal property has not been released prior to the inmate's release to the ADCRR, inmates shall be provided a *DOC 30-Day Notice Form* for completion.
  - 1. The inmate can authorize the release of their booked-in personal property, as specific in the *DOC 30-Day Notice Form*.
  - 2. An entry shall be made in SHIELD that the inmate received the *DOC 30-Day Notice Form*.
- C. Any booked-in personal property that has not been released prior to the inmate's departure to the ADCRR shall be held for 30 calendar days in the property room located at the ITR facility. If the property is not released within 30 calendar days, the property shall be transported to the designated location, as determined by the Property Management Division, and/or by the ITR property officers for disposal.

5. **Clothing Exchange:** Inmates requesting a clothing exchange must submit an *Inmate Request Form* either by paper form or electronically to the jail facility commander or designee for approval, indicating the reason for the clothing exchange to include, the first and last name of the designated person exchanging the clothing.

- A. If the request is completed by paper form the inmate must provide a thumb print on the form.
- B. If the request is submitted electronically through the inmate tablet, the inmate profile and audit photo must match and shall be used as identification in lieu of a fingerprint
- C. Once approved, the inmate is responsible for notifying the designated person to report to the ITR facility for the clothing exchange. Prior to exchanging the clothing, the approved *Inmate Request Form* must be forwarded to the ITR facility.
  - 1. Inmate clothing shall **not** be released if the inmate has any other agency holds. Clothing may only be exchanged for other items of clothing on an item-for-item basis.

2. Additional items of clothing may be accepted as long as the inmate does not have an item of clothing of the same type in their clothing inventory, with the approval of the shift commander or designee.
  3. Only the person designated by the inmate on the *Inmate Request Form* shall exchange the clothing and must provide an acceptable ID. When an acceptable ID cannot be provided, a shift supervisor may authorize the exchange of clothing at their discretion using other identifying factors. The person exchanging the clothing must sign the *Inmate Request Form* and the clothing record card on file.
  4. All new clothing shall be searched for contraband prior to storage.
  5. Entries in SHIELD shall be made listing the new clothing, what clothing was exchanged, the date and time of the exchange, the person who provided the clothing during the exchange, and the employee's serial number who completed the exchange.
  6. Clothing, which is packaged in a BIOHAZARD bag, or in a bag displaying a BIOHAZARD label, shall remain in the original unopened bag, and exchanged for a complete new set of clothing.
- D. The original *Inmate Request Form* or the printed copy of the electronically submitted request shall be placed in the inmate's jail file at the completion of the clothing exchange and a copy shall be returned to the inmate.
6. **Seized Items:** An inmate's booked-in personal property may be seized by a law enforcement agency as evidence pertaining to a suspected crime. A search warrant or court order is **not** required to release an inmate's property or clothing to a law enforcement agency. Property or clothing being seized shall be documented prior to its release.
- A. The *Inmate Property Inventory* form shall be updated to indicate those items being seized, the receiving officer's name and serial number, a contact number, and the name of the agency seizing the property and clothing.
  - B. Entries in SHIELD shall be made with the date, the items confiscated, the law enforcement agency seizing the property and clothing, the name and serial number and a contact number of the officer accepting the items, and the name and serial number of the employee releasing the items.
  - C. The *Inmate Property Inventory* form or clothing record card signed by the officer from another law enforcement agency shall be placed in the inmate's jail file.
7. **Missing Items:** Items which are discovered missing from an inmate's clothing or personal property storage bag shall be reported to a shift supervisor who shall conduct a preliminary inquiry.
- A. A search shall be conducted of the area where the loss was discovered.
  - B. If the item cannot be located, the property room and other areas where clothing and property are temporarily stored at the ITR facility shall be searched. A review of the inmates SHIELD and Shift Log records shall also be conducted in attempt to locate the missing items.
  - C. If a person is waiting for the exchange of clothing or release of personal property, that person shall be advised that the item is missing to eliminate unnecessary waiting for the item.

- D. If the item remains missing after all appropriate actions have been taken, a Lost Property Incident Report (IR) shall be written.
  - 1. All documents pertaining to the identification and handling of the item shall be copied and attached to the IR.
  - 2. Entries shall be made into SHIELD with the date, the missing items, the IR number, and the reporting employee's name and serial number. The *Inmate Property Inventory* form shall indicate the date, the IR number, the missing items, and the reporting employee's name and serial number.
  - 3. If reimbursement has been requested by the property owner, a shift supervisor shall provide the property owner with a *Maricopa County Sheriff's Office Claim Form* and advise the property owner that the form must be completed for reimbursement to be considered. Claims shall be forwarded to the ITR facility commander or designee prior to submitting the claim to the Financial Services Division, as specified in Office Policy GD-12, *Collecting, Safeguarding, and Disbursing Cash*.
  - 4. In cases where it is determined that procedures, practices, or training of an employee are factors, the supervisor shall take action based on the outcome of the preliminary inquiry, as specified in Office Policy GH-2, *Internal Investigations*. The supervisor shall make a Blue Team entry noting any observation and corrective action, training discussions, or Coaching that occurred.
  - 5. In cases where employee misconduct is alleged, an entry into Blue Team shall be made as an internal or external complaint by the shift supervisor and forwarded to Professional Standard Bureau (PSB), as specified in Office Policy GH-2 *Internal Investigations*. The supervisor's preliminary inquiry, all supplements, and documents, including previous Blue Team entries documenting previous corrective action taken, shall be attached and submitted with the complaint.
- 8. **Inmate Personal Property or Found Property:** If property or inmate personal property is found within an Office jail facility, an immediate attempt shall be made to determine the owner and return all authorized items, as specified in Office Policy DD-1, *Authorized Inmate Possessions*. Inmate unauthorized personal property or found property that cannot be returned to the inmate shall be impounded into the Property Management Division for safekeeping, as specified in Office Policy GE-3, *Property Management and Evidence Control*.
  - A. Unauthorized Personal Property or Found Property:
    - 1. Employees shall properly package and document all unauthorized personal property items or found property within an Office jail facility.
      - a. If there is photo identification in the property, it shall be packaged separately in a clear plastic evidence bag and placed so it is visible to the Property Management Division.
      - b. The *Property Receipt* or *Property 30-Day Notice Postcard* shall be prepared in addition to entering all items through Property and Evidence/QueTel System, as specified in Office Policy GE-3, *Property Management and Evidence Control*. Each item shall be individually packaged, given a bar code label, and assigned an appropriate IR number. The Property and Evidence Report shall be filled out properly and as complete as possible. All addresses, including zip codes, shall be entered into

the system for the owner. If known, the inmate's booking number shall be entered into the notes along with a description of all items being impounded.

2. When all entries are completed in the Property and Evidence/QueTel system, a Property and Evidence Report is generated.
  3. A copy of the Property and Evidence Report shall be printed prior to submitting the report in the Property and Evidence/QueTel System and attached to the IR. The IR and Property and Evidence Report shall be forwarded to the Records and AFIS Division. Failure by an employee to forward the report with the IR, as specified in Office Policy GE-3, *Property Management and Evidence Control* shall result in the supervisor making an entry into Blue Team, noting the failure by the employee.
- B. Inmate Personal Property: If the inmate is still in Office custody, the found property shall not be placed into the inmate's assigned storage locker that contains their booked-in personal property.
1. All found property shall be impounded at the Property Management Division, as specified in Office Policy GE-3, *Property Management and Evidence Control*.
  2. A copy of the *Property Receipt* or *Property 30-Day Notice Form* shall be signed by the inmate and attached to the property in addition to the Property and Evidence Report.
  3. Another copy of the *Property Receipt* or *Property 30-Day Notice Form* shall be given to the inmate. The inmate shall be informed that the property will be disposed of if not retrieved or released within 30 calendar days. Inmates are responsible for contacting a recipient to retrieve their property.
- C. If the inmate is no longer in Office custody, and obtaining a signature is not possible, a *Property 30-Day Notice Postcard* will be filled out and shall be brought to the Property Management Division with delivery of the property. If the *Property Receipt* or *Property 30-Day Notice Postcard* is not included with the property, the items shall be rejected and delay the processing of any property. The Property Management Division shall ensure that a copy of the *Property Receipt* or *Property 30-Day Notice Postcard* is mailed to the inmate's address of record.