

**COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK**

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE JULY 6, 2023	EFFECTIVE DATE JULY 6, 2023	NO. 018-23
SUBJECT: GENERAL ORDER INCARCERATED INDIVIDUAL PROPERTY STORAGE AREA		DISTRIBUTION Jail Personnel	AMENDS
REFERENCE: JAIL 63, 64, 65 PART 7002 OF TITLE 9 OF THE ODDICIAL COMPILATION OF CODES, RULES & REGULATIONS OF THE STATE OF NEW YORK 9NYCRR PART 7002.7.			RESCINDS 018-19

Purpose: To institute and maintain procedures within the Monroe County Jail (MCJ) and the Andrew P. Meloni Star Academy (MSA) governing the intake, storage, distribution and release of incarcerated individual property.

Policy: The Monroe County Sheriff's Office (MCSO) will implement and maintain a system of accountability, which will facilitate the proper handling of incarcerated individual property. The incarcerated individual property storage area will operate in accordance with part 7002.4 of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York (9NYCRR Part 7002.7).

I. General Provisions

- * A. The Incarcerated Individual Property Storage Area will be open to the public Tuesday through Friday from 0800 hours until 1530 hours. The money drop off window is open to the public Friday from 0800 hours until 1500 hours. Money can also be deposited at the MCJ or MSA lobby kiosks twenty-four (24) hours a day seven (7) days a week.
- B. Only assigned staff members will be permitted to enter and occupy the Incarcerated Individual Property Storage Area. Staff members assigned to the Incarcerated Individual Property Storage Area shall be accountable for the control of all property in the Incarcerated Individual Property Storage Area. Staff members who are not assigned to the property office will not be authorized to enter the Incarcerated Individual Property Storage Area. Only the booking corporal, booking release deputy, duty sergeants or command staff will be allowed access during off hours.
- C. Authorized staff members who enter the Incarcerated Individual Property Storage Area during off-hours will document in the logbook any incarcerated individual property movement and/or duties conducted with-in the Incarcerated Individual Property Storage Area to include name and IBM#.
- D. Civilians intending to complete any transaction through the Incarcerated Individual Property Storage Area must be at least 18 years of age and must present valid proof of their identity. Proof of identification may include, but not be limited to, any state driver or non-driver photo ID, NYS Pistol Permit, US or foreign passport, US Military ID, Resident alien photo ID, Social Services/Medicaid photo ID, or valid school ID with a birth certificate.
- E. An unannounced inspection will be conducted once a year by the Standards and Compliance Unit to ensure compliance with this general order. Further unannounced inspections will be conducted as directed by the Sheriff.

II. Allowable Incarcerated Individual Property:

All materials will be screened/searched for contraband by hand held metal detector and/or the Line Scan X-Ray machine. Contraband received through property from civilians is a violation of the law and violators will be prosecuted. If contraband is discovered, property staff will immediately notify the duty sergeant for further action.

- * A. The contracted commissary agency will provide incarcerated individuals with an opportunity to purchase authorized incarcerated individual property items, such as clothing, undergarments, hygiene items, and footwear. Incarcerated individuals will be permitted to have authorized incarcerated individual property items in addition to personal hygiene items in their possession as referenced in **JBGO-004 Incarcerated Individual Personal Hygiene**. While at the MCJ or MSA, incarcerated individuals may have only one (1) delivery made through a company whose ordinary business includes the sale and shipping of such items, excluding local retailers, any host marketplaces or third party sellers (for example, Amazon, Etsy, Ebay and Walmart). All clothing must be ordered "on line" and shipped directly via a commercial shipping company. Additional deliveries may be approved if an incarcerated individual has been in custody for longer than six (6) months the following listed items are the only items accepted. Items may include any or all of the items listed below, in the amounts specified.
 1. Six (6) short-sleeved white T-Shirts.
 2. Six (6) pairs of underwear.
 3. Six (6) pairs of socks.
 4. One (1) grey sweatshirt.
 5. Three (3) wireless brassieres.

- * B. All incoming printed material, newspapers, and publications which do not constitute a threat to the safety, security or good order of the facilities must be mailed from an authorized publisher or bookstore (local retailers, third party vendors and used books are prohibited) in accordance with **JBGO-010 Printed Material, Publications and Incarcerated Individual Correspondence**.
 1. Incarcerated individuals will be permitted to receive photographs through the mail provided the photographs meet the current requirements for acceptance in accordance with **JBGO-010 Printed Material, Publications and Incarcerated Individual Correspondence**.
 2. Legal paperwork will only be received through the mail, Jail Administration, the incarcerated individual's attorney or law library.

- C. Religious items will be permitted in accordance with **JBGO-051 Religious Services and Articles**.

- D. Incarcerated Individual Clothing Requests:
 1. Incarcerated individuals can request the following items at the expense of the Sheriff's Office in accordance with 9NYCRR part 7005.7:
 - a. Two (2) pairs of socks.
 - b. Two (2) pairs of underwear.
 - c. Two (2) short sleeved white T-Shirts.
 - d. One (1) pair of footwear.
 - e. Two (2) wireless brassieres.
 - f. One (1) sweatshirt will be issued during cold weather.

2. All incarcerated individual clothing requests will be sent to Incarcerated Individual Property via MB-090.
 - * 3. Incarcerated Individual Property will review the incarcerated individual's record to ensure they are eligible to receive clothing. Upon review, Incarcerated Individual Property will fill the order and distribute items to the incarcerated individual. Incarcerated Individual Property will approve any additional request for indigent clothing.
- E. Incarcerated Individual property in excess of the aforementioned quantity (defined in section II A) is classified as contraband and will be confiscated. Incarcerated individuals will be required to dispose of the property themselves or mail it out of the jail at their own expense. Commissary will make appropriately sized envelopes available for purchase by incarcerated individuals specifically for this purpose. If an incarcerated individual does not have funds to mail out the property, it will be stored in the Incarcerated Individual Property Storage Area pending the incarcerated individual's release from custody.
- F. Sentenced incarcerated individuals authorized to participate in the MCSO Community Work Program will be permitted to have additional property in their possession. Sentenced incarcerated individuals will be limited to the following additional items which must be purchased through commissary:
1. Two (2) gray sweat shirt.
 2. Two (2) sets of white or beige thermal underwear.

III. MCJ Incarcerated Individual Property Storage Area General Procedures:

All property will be confiscated, inventoried, and stored at the time of booking in accordance with **JBGO-034 City Un-Arraigned & County Prisoner Booking & Release Procedures** as well as the following:

A. Un-Arraigned Incarcerated Individuals

Incarcerated individual property that is confiscated by central booking staff during the booking process will be placed into a clear property bag and documented on a property invoice form. All clothing confiscated will be placed in a separate clear bag and documented on a property invoice form. Completed property invoice forms will be included in each property bag.

1. U/A incarcerated individuals will not be allowed to sign-out individual items of property confiscated at the time of booking. If an individual wishes to sign-out an item or property, they must sign-out the entire bag of property.
2. As a routine practice, property envelopes/bags should not be opened after they are sealed. If for any reason a property bag is opened, two (2) employees will be present. The property accountability form will be updated to reflect the change indicating what was removed from the bag, the date and a signature from both employees present.

B. County Incarcerated Individuals:

1. Incarcerated individual property that is confiscated by central booking staff during the booking process will be placed into a garment bag and passed

through the property slot in the changeover areas in Central Booking. Completed property invoice forms will be included in each property bag.

2. Property staff will ensure all incarcerated individual property bags contain a completed JB-118 Property Clothing Accountability Invoice.
 3. Property staff will transfer the bags of County property with the corresponding U/A bags once U/A holds have been remanded from City Court. A property staff member will assign a rack/bin number to the new incarcerated individual as well as update the incarcerated individuals MoRIS property form in the computer of confiscated clothing. All discrepancies will be investigated and reported to the Sergeant overseeing Incarcerated Individual Property as soon as they are discovered.
 4. The property supervisor will enter the incarcerated individual's property items in the jail management software.
 5. Copies of the JB-118 Property Clothing Accountability Invoice will be distributed as follows:
 - a. A copy will be placed in the incarcerated individual's property file, in a file cabinet located in the Incarcerated Individual Property Storage Area.
 - b. A copy will be secured to a visible area of the garment bag with the assigned rack/bin number noted.
 - c. A copy will be issued to the incarcerated individual during the initial booking process.
 6. Incarcerated individuals will be allowed to sign-out all property items confiscated, except one (1) full set of clothing, by completing a JB-118 Property Clothing Accountability Invoice, designating the individual who will be receiving the property. An incarcerated individual cannot release individual items from the personal property bag/envelope they must release all of the property contained in the personal property bag/envelope. The property accountability form will be updated to reflect the change indicating what was removed from the bag and the date. A signature is required from both employees.
- C. Department of Social Services Cards: The booking staff will inspect the individual's personal property for a Department of Social Services card. If a DSS card is found, this card (along with non-narcotic medication is applicable) will be secured in an envelope labeled with the individuals name and MoRIS number. The DSS card will be listed on and stapled to the property accountability invoice for both U/A and county incarcerated individuals. At no time will a DSS card or non-narcotic prescribed medications be released to anyone except the individual whose name appears on the card or prescription bottle.

D. Committed Incarcerated Individuals Returning from City Court

Confiscated U/A money is stored and secured in the booking safe and is processed in accordance with **JBG0-034 City Un-Arraigned & County Incarcerated Individual Booking & Release Procedures** and **JBG0-039 Commissary Accounts Maintenance**. This money is only to be handled by sworn security staff.

1. Upon completion of City Court, jail records staff will forward a list of arraigned incarcerated individuals who were remanded from City Court to the custody of the Sheriff to the Incarcerated Individual Property Storage Area.
2. The contract commissary provider will create accounts on the commissary computer system for all remanded county incarcerated individuals, whether they have money or not. This will ensure that indigent incarcerated individuals will be denoted as such. The Property Deputy will deposit money for incarcerated individuals remanded from court, and secure the money envelopes in the safe in the Incarcerated Individual Property Storage Area.

IV. Incarcerated Individual Property Received Through the Property Storage Area

A. Incarcerated Individual Property/Clothing

- * When packages are delivered with items to drop off for an incarcerated individual, the following procedure will be adhered to:
 - * 1. Property staff will search the jail management software and the incarcerated individuals physical property file to see if the incarcerated individual is in custody and what items he/she can receive. If property staff determines the incarcerated individual has not had a property drop off, an adjustment will be made to reflect the items being accepted.
 2. Property staff will perform a manual search of all property item(s) for contraband in accordance with current directives. Incoming property items will then be screened using the Line Scan X-Ray machine or a hand held metal detector.
 3. Property staff will complete a JB-118 Property Clothing Accountability Invoice to itemize and account for all incarcerated individual property that is accepted into MCJ or MSA. Descriptions of all items will be complete and thorough to include, but not be limited to; color and quantity permitted. Descriptions will not assume the value of an incarcerated individual property.
 4. Property staff will document the names of incarcerated individuals who have received property on the JB-118 Incarcerated Individual Property Clothing Accountability Invoice.
- * 5. All incarcerated individual property will be processed and sealed in a plastic bag by the property staff with a copy of the property clothing accountability

invoice attached to identify ownership and destination. After the property is dropped off to the incarcerated individual, the incarcerated individual will sign the invoice, and the signed property accountability invoice will be filed in the incarcerated individual's folder in the property storage area.

6. Upon completion of daily transactions, property staff will distribute incarcerated individual property to housing area staff who will at the time perform a manual search of all incarcerated individual property in accordance with current procedures. Upon completion, housing area staff will distribute incarcerated individual property to the designated incarcerated individuals. Staff will sign and witness the incarcerated individual sign the property clothing accountability invoice in the spaces provided. After the incarcerated individual receives and signs for the items the form must be returned to the property room for filing and an entry into the housing areas electronic log will be made documenting the incarcerated individual receiving the property.

Exception: An incarcerated individual may have a civilian drop off property to the property window only if approved by a Sergeant or above.

B. Medication

1. Medication received in Booking:

- a. If medications are received by booking staff at the time of intake, the booking nurse will be notified. The booking nurse will record the information and quantity on the prescription label for the incarcerated individual's medical chart. The nurse will determine if the medication will be accepted for use by the Contract medical Provider or not accepted. If the medication is not a controlled substance and will not be used, it will be stored (along with a DSS card if applicable) in a separate sealed bag labeled with the incarcerated individuals name and MoRIS number, and attached to the incarcerated individual's personal property. Booking deputies will be responsible to record when medications are stored in incarcerated individual property or with the medical department.

Note: Medications not prescribed to the incarcerated individual or any medications not stored in an appropriate prescription bottle will be returned to the arresting agency at the time of intake.

- b. Controlled substances will be identified by medical and stored in a separate locked cabinet in the medical department. The medications will be counted and inventoried by two (2) medical staff members, and sealed. The two (2) staff members inventorying these medications will affix their signatures to the seal. Once this is completed, these medications no longer need to be counted; only the sealed package needs to be accounted for in accordance with current controlled substance procedures. Upon the incarcerated individuals release or transfer, these medications will be returned to them.

2. Medication received at the Incarcerated Individual Property Window

If medication or medical equipment is presented at the property window, property staff will contact the Contract Medical Provider. If medication or medical equipment is denied at the property window by the Contract Medical Provider it will immediately be returned to the depositor. At no time will medication or medical equipment be stored for the depositor.

3. Medication Release Procedures

- a. Medication secured in the possession of the Contract Medical Provider will be returned to the incarcerated individual upon release. Medication, secured in the possession of the Contract Medical Provider that has not been claimed for a period of thirty (30) days or more after the incarcerated individual's release, will be destroyed.
- b. The Contract Medical Provider supervisor will destroy narcotic medication in accordance with 9NYCRR Part 7010 and Article 33 Section 80.51 of the Public Health Law. A Bureau of Controlled Substance Request Form (#DOH2340) and Inventory For (#DOH166) will be filed.

C. Prosthesis

- * 1. Incarcerated individuals wearing a medical prosthesis upon admission to booking will have the prosthesis and prosthetic components removed and searched manually by using the Line Scan X-Ray machine. The prosthesis will be returned to the incarcerated individual. In situations where booking staff is uncertain of the necessity of the prosthesis, they will contact the duty nurse who will make a determination regarding the prosthesis.
2. Incarcerated individuals requesting to have a prosthesis delivered to them through the property storage area will require prior approval by the Contract Medical Provider prior to acceptance by property staff.

D. Medically Necessary Footwear

1. When the Facility Physician determines that an incarcerated individual requires footwear other than what he/she currently has in their possession, for a medically necessary purpose, written notification will be sent to Jail Administration for review.
2. If the incarcerated individual requires supportive footwear that is not orthopedic in nature, and the incarcerated individual agrees to have the footwear provided from outside sources, the request will be reviewed and routed to the Incarcerated Individual Property Area. Property staff will accept and deliver authorized footwear to the incarcerated individual recipient in accordance with procedures outlined in this order.
3. If the incarcerated individual is indigent or otherwise unable to obtain the proper footwear from outside sources, the proper footwear will be provided at facility expense. Incarcerated individuals will not be required to purchase

footwear that is required pursuant to orders by the Facility Physician.

E. Trial Clothing

1. Property staff will accept one (1) set of trial clothing (unless otherwise approved by Jail Administration) with notification of a scheduled incarcerated individual's trial date. Staff will search trial clothing in accordance with Section IV Subdivision A (2) of this order.
2. Trial clothing will be itemized and accounted for on a JB-118 Property Clothing Accountability Invoice in accordance with Section IV A (3).
 - a. Trial clothing dropped off at the Incarcerated Individual Property Storage Area will be placed on hangers, secured and stored in accordance with Section IV(A).
 - b. Transport staff will retrieve incarcerated individuals trial clothing from the property area on the day the trial begins. The trial clothing will be maintained in a secure locker in the Hall of Justice for the duration of the trial. Once the trial is completed, transport staff will return the trial clothing to the property storage area for storage.
 - c. Trial clothing will not be delivered to incarcerated individuals housing areas for any reason.
 - d. Upon completions of the trial an incarcerated individual must release their trial clothing by completing a JB-188 Property Clothing Accountability Invoice, indicating the individual designated to receive the property.

V. Incarcerated Individual Property Forwarded to Housing Areas

- A. Incarcerated individuals may request their property from the Incarcerated Individual Property Storage Area by completing a JB-118 Property Clothing Accountability Invoice. Housing area staff will instruct the incarcerated individual to specify on the invoice the items desired to be forwarded from the Incarcerated Individual Property Storage Area.
- B. Housing area staff will sign and instruct the incarcerated individual to sign the Property Clothing Accountability Invoice in the spaces provided. Upon completion, housing area staff will forward the invoice to the Incarcerated Individual Property Storage Area.
- C. Upon receipt of the completed Property Clothing Accountability Invoice, property staff will review the incarcerated individual property folder(s) in accordance with Section IV Subdivision A (1). Upon review, property staff will remove, manually search and forward the incarcerated individuals property in accordance with Section IV Subdivision A (2).
- D. Prior to forwarding, property staff will place and seal the incarcerated individual's

property in a separate incarcerated individual property plastic bag. Staff will secure a copy of the Property Clothing Accountability Invoice to the property bag identifying ownership and destination.

- E. Property staff will forward incarcerated individual property to housing areas and the Property Clothing Accountability Invoice will be completed as in accordance with Section IV Subdivision A (6).

Note: Only allowable items previously listed in this order will be allowed in housing areas.

VI. Incarcerated Individual Property Release Procedures

Incarcerated individuals will have the right to release their personal property to whomever they choose, provided that the property is not being held pursuant to competent authority. Furthermore, personal property belonging to an incarcerated individual in the facility will not be turned over to a criminal agency unless a properly executed warrant to search and seize the property has been served on the Office of the Sheriff.

- A. Should an incarcerated individual request to release incarcerated individual property stored and secured within the Incarcerated Individual Property Storage Area, housing staff will conduct the following procedures:

1. Incarcerated individual requesting to sign out item(s) of property must sign out the ENTIRE bag of property, specifying on the Property Clothing Accountability Invoice the description of the item(s) to be released (except a single set of clothing). The invoice will be updated to reflect the change indicating what was removed from the bag and a signature is required from both employees.
2. Staff will instruct the incarcerated individual to designate on the Property Clothing Accountability Invoice the name and address of the individual designated to receive the property. Housing staff will sign and instruct the incarcerated individual to sign the Property Clothing Accountability Invoice in the space provided.
3. Property Clothing Accountability Invoice(s) will then be forwarded to the Incarcerated Individual Property Storage Area authorizing release of the specified property items(s).

- B. Property Staff Release Procedures

1. At the time of release, property staff will ensure that all items specified on the Property Clothing Accountability Invoice are present, accounted for and released to the designated civilian. Property staff will verify the identity of the civilian designated to receive the incarcerated individual property and instruct the civilian to sign their name in the spaces provided.

Note: At no time will staff release a Department of Social Services Card or prescribed non-narcotic medications to anyone but the individual whose name appears on the card or prescription bottle.

2. Copies of the Property Clothing Accountability Invoice will be distributed as follows:
 - a. One (1) copy will be filed in the Incarcerated Individual Property Storage Area.
 - b. One (1) copy will be issued to the receiving civilian as a receipt.
 - c. One (1) copy will be forwarded to the incarcerated individual as a receipt.

VII. Transferred Incarcerated Individuals

- A. Incarcerated individuals transferred to MSA: The MSA Incarcerated Individual Property Storage Area will operate in accordance with the same procedures delineated in this order. A designated staff member will be assigned to and be responsible for all activities conducted within the MSA Incarcerated Individual Property Storage Area.
 1. The Reception and Classification Unit will prepare and forward an eligible list of MSA incarcerated individual transfers to the Incarcerated Individual Property Storage Area. Property staff will prepare the specified incarcerated individual property and corresponding property files in accordance with the list of transfers generated by reception.
 2. Transport staff will transfer all designated incarcerated individual property and corresponding property folders to the MSA property staff member at the time of incarcerated individual transfer.
- B. Incarcerated Individuals Transferred to State Correctional Facilities
 1. Upon receipt of an incarcerated individual sentence, jail records will prepare and forward a JB-399 State Ready Incarcerated Individual Property Form, to the Incarcerated Individual Property Storage Area. The property staff will sign in the space provided and forward the State Ready Incarcerated Individual Property Form to the designated housing area.
 2. Upon receipt of the JB-399 State Ready Incarcerated Individual Property Form, housing area staff will instruct the designated incarcerated individual to sign the form in the space provided. The complete JB-399 State Ready Incarcerated Individual Property Form will be forwarded, secured and stored in a file cabinet located in the Incarcerated Individual Property Storage Area.
 3. Jail records will prepare and forward a state ready list to the Incarcerated Individual Property Storage Area one (1) day prior to transporting incarcerated individuals to State Correctional Facilities. Property staff will prepare the incarcerated individual property and corresponding property files in accordance with the list of state ready transfers generated by jail records.
 4. Housing area staff will provide the designated incarcerated individuals with a

property bag and instruct the incarcerated individual to place all personal property in the property bag. The incarcerated individual property will be transferred to the releasing staff member assigned to central booking.

5. Releasing staff will utilize the JB-399 State Ready Incarcerated Individual Property Form as a guideline to separate allowable state property from restricted state property. Allowable items will be placed into an appropriately sized envelope and labeled with the incarcerated individual's name and date of birth, and will account for all incarcerated individual property items on the Property Clothing Accountability Invoice. Transport staff will transfer allowable property items to the designated State Correction Facility at the time of incarcerated individuals transfer.
6. Incarcerated individual property not authorized for transfer to a State Correctional Facility will require the releasing staff member to list the incarcerated individual property items on a separate Property Clothing Accountability Invoice. Staff will instruct the incarcerated individual to designate a designee, to receive their property. Staff will sign and instruct the incarcerated individual to sign the Property Clothing Accountability Invoice in the space provided.
 - a. Property staff will notify the individual designated by the incarcerated individual to receive the property no later than five (5) business days after the incarcerated individual has been transferred to a State Correctional Facility. Such notification will be noted on the Property Clothing Accountability Invoice.
 - b. Designated civilians must pick up incarcerated individual property at the Jail within thirty (30) days of transport or the property will be disposed of.
7. A property tag will be placed on all incarcerated individual property bags identifying the incarcerated individual's name, date of birth and identification number. The reverse side of the tag will identify the name, address and phone number of the individual designated to receive the incarcerated individual's property. The incarcerated individual's property will be forwarded to the Incarcerated Individual Property Storage Area where property staff will list all appropriate information on a JB-116 State Transferred Incarcerated Individual Property Form. Property staff will store the incarcerated individual's property in the appropriate areas within the Incarcerated Individual Property Storage Area.
8. The Property Clothing Accountability Invoice information is logged in the Upstate Log Book. The invoice is placed in the front pocket of the property bag. Once the property is picked up, the signed invoice is filled in alphabetical order in the upstate property signed for file.
9. If, after a period of thirty (30) days, the property has not been retrieved, property staff will complete JB-304 Incarcerated Individual Property Destruction Form. The form will be signed by the appropriate command officer in Jail Administration, authorizing the destruction of the property in accordance with Section XI of this order.

VIII. MSA Intermittent Sentenced Property

Booking staff will process intermittent sentenced incarcerated individuals in accordance with **JBGO-034 City Un-Arraigned and County Incarcerated Individual Booking and Release Procedures**.

- A. Booking staff will confiscate all incarcerated individual property and perform a manual search of all property items for contraband in accordance with current procedures.
- B. Incarcerated individual property shall be listed and described on a Property Clothing Accountability Invoice reflecting the date, time, incarcerated individual's name, date of birth and then secured in the Incarcerated Individual Property Storage Area.
 - 1. Confiscated money will be placed in an envelope which will be labeled with the total amount confiscated, the incarcerated individual's name, identification number, date of birth and date. Confiscated money will be accounted for numerically and in check format on the Property Clothing Accountability Invoice under the section labeled as miscellaneous.
 - 2. Jewelry and other confiscated items of intrinsic value will be itemized on a Property Clothing Accountability Invoice for all confiscated incarcerated individual property. Descriptions will be complete and thorough to include, but not be limited to, color and number. Descriptions will not assume the value of any incarcerated individual property.
 - 3. Copies of the Property Clothing Accountability Invoice will be distributed as follows:
 - a. One (1) copy will be filed with the Incarcerated Individual Property Storage Area identifying ownership and destination.
 - b. One (1) copy will be issued to the receiving incarcerated individual as a receipt.
 - c. One (1) copy will be forwarded to the Incarcerated Individual Property Storage Area for filing.

* **IX. Incarcerated Individual Relocated to Segregation and Rehabilitation**

Incarcerated individuals placed into the Segregation and Rehabilitation Unit for disciplinary reasons will be searched and secured in accordance with **JBGO-028 Searches of Persons**. Incarcerated individual property will be manually searched for contraband in accordance with current directives. Incarcerated individuals who are housed in the Segregation and Rehabilitation Unit will only be allowed items that are required in accordance with the Official Compliance Codes, Rules and Regulations of the State of New York (9NYCRR Part 7002.7). All other items will be inventoried and listed on a Property Clothing Accountability Invoice and placed into a property bag. The property bag and Property Clothing Accountability Invoice will be secured in the designated storage area in the Segregation and Rehabilitation Unit. The

incarcerated individual will be given a copy of the Property Clothing Accountability Invoice as a receipt.

X. Laundry Services

Under no circumstances will incarcerated individuals be permitted to release their property for laundry purposes. Incarcerated individuals will be provided an opportunity to have their issued uniforms and personal clothing laundered at a minimum of two (2) days weekly in accordance with **JBGO-004 Incarcerated Individual Personal Hygiene**

XI. Incarcerated Individual Property Destruction

A. To initiate the destruction of incarcerated individual property, the property supervisor will complete a JB-304 Incarcerated Individual Property Destruction Form indicating the reason for the request based on the guidelines listed below. The form will be routed to Jail Administration for approval based on any of the following reasons:

1. The incarcerated individual's property poses a threat to the safety, security or good order of the facilities. The property supervisor will list the specific reason and the threat the property poses.
2. The incarcerated individual's property has been stored and secured in the MCJ or MSA Incarcerated Individual Property Storage Area and has not been claimed for a period of thirty (30) days or more after the incarcerated individual's release.
3. The incarcerated individual did not designate an individual on the Property Clothing Accountability Invoice to receive the incarcerated individual's property and the property has not been claimed for a period of thirty (30) days or more after the incarcerated individual's release.

B. Once approved, the command officer will return JB-304 Incarcerated Individual Property Destruction Form to the property supervisor for action.

C. The property clerk will discard, destroy or donate incarcerated individual property as directed upon approval of the appropriate command officer. The property supervisor will complete, JB-304 Incarcerated Individual Property Destruction Form indicating when and how the property was disposed of. The completed form will be retained in the property area as per current procedures.

XII. Search and Seizure of Incarcerated Individual Property

Personal property belonging to an incarcerated individual in the facility will not be turned over to a criminal justice agency unless a properly executed warrant to search and seize the property has been served on the Office of the Sheriff.

A. When the Jail Bureau is notified by a criminal justice agency, or Jail Bureau personnel have reason to believe an incarcerated individual possesses property believed to be the proceeds of a crime, a Criminal Investigations Section supervisor will be notified, and the property in question will be placed on hold.

1. Property placed on hold will not be released to anyone for forty-eight (48) hours, unless a properly executed search and seizure warrant is served on the Jail Bureau or the concerned criminal justice agency cancels the request to hold the property.
 2. Criminal justice agencies must obtain a proper search and seizure warrant before bringing persons to the jail to view suspected property that is stored in the Incarcerated Individual Property Storage Area.
 3. Jail Bureau personnel may show an incarcerated individual's personal property to any person who is believed to be the rightful owner, if such person has reported the property stolen and is in the company of a lawyer or police officer.
 4. Exception to the forty-eight (48) hour policy may be approved by the Superintendent when furnished proper documentation.
- B. Search Warrants must be served on the incarcerated individual and must be specific when describing the area to be searched (e.g., the incarcerated individual property envelope, the housing area, the incarcerated individual's person, or a combination of the above). The search warrant must be approved by Sheriff's counsel, through Jail Administration before proceeding.
1. Copies of the search and seizure warrant will be placed in the incarcerated individuals property file and a copy sent to the Superintendent's office.
 2. A listing of property that is seized must be provided to the incarcerated individual and copies must be placed in the incarcerated individuals property file and a copy sent to the Superintendent's office.
- C. When any person attempts to remove property from the Incarcerated Individual Property Storage Area, or other area of the facility that is believed to be stolen, the following procedure will be followed:
1. Staff will attempt to positively identify person(s) attempting to obtain stolen property and record all information on an incident report including, but not limited to name, address and method of identification used.
 2. Notification will be made to the appropriate command officer in Jail Administration for further action.

By Order of the Sheriff,



Todd K. Baxter