
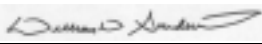


STATE OF MARYLAND  
DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES  
DIVISION OF CORRECTION

 DIVISION OF CORRECTION DIRECTIVE	<b>PROGRAM:</b>	INMATE PROPERTY AND CLOTHING
	<b>DCD #:</b>	220-008
	<b>TITLE:</b>	Reimbursement of Inmate Personal Property
	<b>ISSUED:</b>	November 1, 2001
	<b>APPROVED:</b>	 <b>COMMISSIONER</b>

- I. References: DCDs 50-2, 185 series, 220 series
- II. Applicable to: All Institutions (except Central Home Detention Unit) and State Use Industries
- III. Purpose: To establish policy and procedure for reimbursement to inmates for the loss or damage of personal property as a result of staff negligence.
- IV. Definitions:
  - A. Loss – Personal property which cannot be found after a reasonable attempt is made to locate. Loss includes nonrepairable personal property where the repair cost is greater than replacement.
  - B. Damage – Personal property that can be repaired and the cost of the repair is not greater than replacement.
  - C. Straight line depreciation - The decrease in value of property over a period of time by an equal amount for each year based on life expectancy.
- V. Policy: It is the policy of the Division of Correction to reimburse an inmate for any loss of or damage sustained to personal property as a result of staff negligence.
- VI. Procedure:
  - A. Inmates are encouraged to make a good faith effort to resolve all property-related issues, particularly as they relate to reimbursement, through the administrative remedy procedure in accordance with the DCD 185 series.
  - B. The warden/designee shall designate a staff member to investigate property reimbursement requests.
  - C. If, through investigation, it has been determined that the loss or damage of inmate personal property was as a result of staff negligence, institutional staff shall begin reimbursement procedures.
  - D. A request for reimbursement shall be processed by the investigator at the facility where the inmate was housed at the time of the incident.

- E. Where more than one facility may be involved in the loss or damage of personal property, a coordinated effort between the facilities shall be made to resolve the property issue.
- F. A request for reimbursement shall be detailed in a report by the investigator and submitted to the warden/designee of the facility where the inmate was housed during the time of the incident. The report shall include, but not be limited to the following:
1. Investigation reports with supporting documents including supervisory review and recommendations which may include the following:
    - a. Matters of record/incident reports
    - b. Administrative remedy investigative reports
    - c. Shift commanders' reports
  2. Statement of rightful ownership which may include the following:
    - a. Inmate valuables registration form
    - b. Property inventory sheets at reception to each institution
    - c. Property inventory sheets when assigned to/removed from special confinement housing
    - d. Commissary receipts
    - e. Purchase receipts from the outside community
    - f. Property/records
    - g. Search records
    - h. Mailroom logs
    - i. Reports from staff involved in packing/inventorying/storing/retrieving/distributing property
  3. Assessment of property loss and statement as to staff negligence which shall include:
    - a. Investigative reports
    - b. Reports from staff person(s) involved
  4. Determination of fair replacement value which shall include:
    - a. Straight line depreciation assessment for items in accordance with the Depreciation Table (Appendix 3)
    - b. Estimation by commissary supervisor for items purchased from commissary, at cash value; and may include:
    - c. Receipts from purchases
    - d. Compromise between inmate and staff
  5. Measures taken to avoid similar future losses which may include the following:
    - a. Documented information disseminated from supervisory staff to line personnel

- b. Revisions to institutional directives/procedures/post orders, etc.
- c. Recommendations to revise existing DCDs
- d. Training or retraining of staff
- e. Requests for additional staff
- f. Reassignment of staff
- g. Installation of specialized equipment, etc.
- h. Disciplinary action taken against staff found negligent in accordance with DCD 50-2

- G. If the inmate refuses to accept the reimbursement amount offered, this shall be documented by completing the Request For Inmate Personal Property Reimbursement form (Appendix 1), and all documentation shall be filed in the inmate's property file.
- H. Where reimbursement requests have been initiated and the inmate accepts the reimbursement amount offered, a Request For Inmate Personal Property Reimbursement form (Appendix 1) shall be completed and the elements contained in section VI.F. shall be included in a report from the warden and submitted to the Director of Security Operations.
- I. The Director of Security Operations shall review the reimbursement request for accuracy and completeness. If necessary, corrections or additional documentation shall be obtained from the warden/designated facility staff. An Inmate Property Reimbursement form (Appendix 2) shall be completed and forwarded with all documentation to the Assistant Commissioner, Security Operations for approval.
- J. The reimbursement request shall be forwarded to designated staff of the Office of the Assistant Attorney General who shall review the reimbursement request for sufficiency and forward the report to the Assistant Secretary of the Department of Public Safety and Correctional Services for approval.
- K. The Assistant Secretary/designee shall process the reimbursement request, authorize payment, and ensure that the funds are transferred to the fiscal office where the inmate is currently housed, for crediting to the inmate's account.
- L. In cases where the inmate has been released, the funds shall be forwarded to the address provided by the inmate.
- M. No institutional directive is required.

VII. Attachments: Appendix 1 – Request for Inmate Personal Property Reimbursement, DC Form 220-008aR  
 Appendix 2 – Inmate Property Reimbursement  
 Appendix 3 – Straight Line Depreciation Table

VIII. Rescission: None

Distribution: A  
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