

ARKANSAS REGISTER

Transmittal Sheet

Use only for **FINAL** and **EMERGENCY RULES**



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For Office

Use Only:

Effective Date _____ Code Number _____

Name of Agency _____

Department _____

Contact _____ E-mail _____ Phone _____

Statutory Authority for Promulgating Rules _____

Rule Title: _____

Intended Effective Date

(Check One)

Date

☐ Emergency (ACA 25-15-204) Legal Notice Published _____

☐ 10 Days After Filing (ACA 25-15-204) Final Date for Public Comment _____

☐ Other _____ Reviewed by Legislative Council _____
(Must be more than 10 days after filing date.)

Adopted by State Agency _____

Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)

Contact Person

E-mail Address

Date

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with the Arkansas Administrative Act. (ACA 25-15-201 et. seq.)


Signature

Phone Number

E-mail Address

Title

Date

 <p style="text-align: center;">ADMINISTRATIVE RULES</p> <p style="text-align: center;">STATE OF ARKANSAS</p> <p style="text-align: center;">BOARD OF CORRECTIONS</p>	Section Number:	Page Number:
	841	1 of 3
	Board Approval Date:	
	6/24/93	
	Supersedes:	Dated:
	AR 841	5/19/88
	Reference:	Effective Date:
		6/23/93
SUBJECT: Inmate Property Control		

I. AUTHORITY:

The authority of the Board of Correction to promulgate this Administrative Rule is vested in Act 50 of 1968, First Extraordinary Session, as amended.

II. PURPOSE:

To describe the procedures that will be used to process inmate property control.

III. APPLICABILITY:

To all employees and especially those involved in the control of inmate property, and all inmates.

IV. POLICY:

It shall be the policy of the Department of Correction to permit only those inmate property items that are necessary for institutional life and do not endanger the security or the safety of staff or other inmates.

V. DEFINITIONS:

- A. Personal Property – Items which are purchased by or for an inmate and/or given to an inmate which are authorized to be retained, within limits as posted in the unit/center of assignment, on an inmate's person or in living or storage area.
- B. State Issue Property – Items which are issued to an inmate for his or her personal use and which may be retained within a reasonable amount by the inmate on his or her person, or in the living area.

State issued property other than that of a rapidly expendable nature (i.e., toilet paper, soap, toothbrush, etc.) is to be clearly identified as state property.
- C. Contraband – Any article not authorized nor issued to any inmate as personal or state property, nor purchased by the inmate through the commissary. Also included is nuisance contraband.

1. Nuisance Contraband – Any item or article which may be or may have been authorized for possession, but which is now prohibited because excessive quantities present health or fire hazards or have become a housekeeping problem. Specific examples include but are not limited to:
 - a. Excessive numbers of newspapers, letters, or magazines;
 - b. Food items which have spoiled;
 - c. Items accumulated for the purpose of barter or trade.
2. Articles in excess of established unit/center limits, articles used for unauthorized purposes, and/or articles in an inmate's possession in an unauthorized area are also considered contraband.

VI. PROCEDURES:

A system must exist to provide for inmate property control. This system shall include provisions for:

1. Receipt of inmate's funds and personal property at the time of initial commitment to the state system and upon subsequent commitment to other units/centers;
2. Recording, accounting, and safekeeping of inmate funds and property that are not allowed to be in the inmate's possession (i.e., contraband);
3. Determination of items that can remain in possession of an inmate while inside the unit/center;
4. Options available to the inmate and warden/center supervisor to dispose of excess personal property;
5. Responsibility for coordination of transportation of inmate's personal effects upon transfer;
6. Disposition of personal property in the event of an inmate's death;
7. Verification and return of funds and personal property of inmates upon final release;
8. Audits of records and physical verification of items associated with the inmate property control system;
9. Selection of qualified personnel to serve as Unit Property Control Officers.

These provisions shall be specifically addressed in an appropriate administrative directive.

The appropriate administrative directive shall also include but not be limited to the following: (1) Procedures for property inventory to include appropriate forms to be utilized, (2) Receipts for personal property, and (3) A listing of state issued property and authorized personal property.

VII. A.C.A. REFERENCES:

3-4279, 3-4280, 3-4281

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