

CLIENT PROPERTY

Minnesota Sex Offender Program

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Policy Number: 420-5250

POLICY: To maintain a therapeutic environment and ensure the safety and security of clients, staff, and the public, clients may possess personal property falling within the parameters set by this policy.

AUTHORITY: Minn. Rule 9515.3040, Subd. 2

APPLICABILITY: Minnesota Sex Offender Program (MSOP), program-wide, excluding Community Preparation Services (CPS)

PURPOSE: To maintain procedures governing client property within Minnesota Sex Offender Program (MSOP) facilities.

MSOP does not require a client to purchase items for which MSOP is eligible for reimbursement and does not use client funds to purchase items for which the program is already receiving public or private payments.

Within MSOP's overall property and personal funds guidelines as articulated in this policy and MSOP Policy 125-5300, "Client Social Welfare," clients are not further restricted from the use and availability of personal funds or property allowed at MSOP unless restrictions are justified in the client's treatment record.

DEFINITIONS:

Approved vendors – vendors approved for durable goods, hygiene, and herb and mineral purchases. See Approved Vendor List and Approved Herbs and Minerals List (420-5250k and 420-5300d, attached).

Bar code – an identifying sticker placed on each durable good with a unique number corresponding to a particular client and item.

Durable good – an item neither consumed nor destroyed in use, capable of being used for a period of time, and/or having the potential to conceal contraband.

Excess property – an overage in approved client property and/or property not fitting into the provided storage totes.

Immediate family – see MSOP Policy 302.100, "Visiting," for definition.

Information technology (IT) items – programmable devices or software having the ability to store a program in memory, or to store, retrieve, transmit and manipulate data (for example, memory cards, video games, allowable video game systems, CDs with executable files, etc.)

Media – (See definitions in MSOP Policy 302.230, "Media Possession by Clients.")

Personal documents – personal client records, including but not limited to: checkbooks, deposit/savings account slips, debit cards, birth certificates, social security cards, state identification cards, drivers' licenses, car titles, Department of Corrections (DOC) face sheets, gate passes and marriage certificates.

(Credit cards for Phase III clients only, see MSOP Policy 104.800, “Client Use of Credit Cards and Credit Accounts.”)

Questionable item – an item neither clearly allowed nor defined as contraband upon initial review by staff.

Tamper seal – a security device placed on items capable of being taken apart to conceal contraband.

Unintended use of a durable good – using an individual’s durable good to create, conceal or view contraband.

Vendor – a company or business from which clients may purchase items. A vendor must be a recognized business not outsourcing and not buying or selling products from the general public (e.g., Amazon and e-Bay are not considered vendors from which clients may purchase property). Used CD vendors shown on the Approved Vendor List are vendors.

PROCEDURES:

A. Receiving Client Property

1. Clients may receive property in the following ways:
 - a) upon admission to the program;
 - b) in the mail (durable goods, herbs and hobby craft items must be acquired from an approved vendor);
 - c) during visiting;
 - d) upon transfer between program sites;
 - e) during programming outside the perimeter (St. Peter only);
 - f) during a scheduled activity if property items are approved donations received from a volunteer, given directly to the client, and do not have to be processed or documented by the Special Services staff, but are processed by volunteer services staff; and/or
 - g) dropped off by an attorney (paperwork only).
2. Processing Client Property
 - a) All property for clients is processed by MSOP Special Services Department staff.
 - b) Assigned MSOP staff search all client property for contraband.
3. Client Property – Incoming
 - a) Special Services Department staff document in detail all property processed by the MSOP on a Notice and Receipt of Secured Items form (420-5250a, attached) or a Contraband Notice (420-5250b, attached), and give a copy of the form to the client. Special Services staff may route items to other departments for review, including:
 - (1) information technology (IT) items are routed to the IT department for inspection;

- (2) Health Services items are routed to the Health Services department for inspection and approval;
 - (3) items declared as spiritual items are forwarded to the volunteer services coordinator for approval; the volunteer services coordinator documents approved spiritual items on the client's Approved Spiritual Items Inventory list (302.300C, attached) and presents any questionable items to the Allowable Items Committee (AIC) for final approval;
 - (4) media are processed consistent with MSOP Policy 302.230, "Media Possession by Clients;" and
 - (5) questionable property is routed to, and approved or denied by, the AIC.
- b) Approved durable goods are inspected and documented by staff on a Client Equipment Record (420-5250e, attached).
- (1) Each durable good has a barcode attached for identification purposes.
 - (2) Each durable good item has tamper seals attached.
 - (3) All durable goods received in the mail must be new or manufacturer-refurbished and come from an approved vendor.
 - (4) A list of rejected durable goods is available on the client network and updated as reviewed.
 - (5) A new durable good item is not allowed if the client is still in possession of one of a similar nature. Disposition of the original item must be completed prior to the receipt of the new item.

4. Receiving Property During a Visit

- a) When visiting a client, visitors may bring only clothing, completed checks/money orders, and approved medical devices/equipment for the client. No request is needed for a client to receive these approved items on a visit; however a visit/meeting must occur.
- b) Visiting coverage staff must itemize all items on a Notice and Receipt of Secured Items form. Staff ask the client to sign the form to verify receipt of the items.
 - (1) If the client or visitor refuses to sign, a staff member documents the refusal on the form, signs, and has a second staff member co-sign as witness. If the visitor is still present, the items are returned to the visitor; otherwise staff secure and process the items as excess property/contraband (see section B below).
 - (2) If the client signs for the items, staff secure the items in the visiting storage area.
 - (3) Special Services staff retrieve the items from the visiting storage area and bring them to the Special Services Department for processing.

5. Purchasing Property While Outside the Secured Perimeter (Saint Peter only)
 - a) Clients may not purchase used durable goods, CDs or DVDs while at programming outside the perimeter.
 - b) Escorting staff itemize all non-consumable items, medications, and durable goods on a Notice and Receipt of Secured Items form upon return from the outing. Items are placed in the Shantz Property Area for processing by the Special Services Department.
 - c) Consumable items are searched by escorting staff prior to entering the perimeter. Once consumables have been searched, they may be returned to the client to take to the client's unit.
 - d) All items are processed according to this policy.

B. Contraband

1. Items determined to be contraband according to MSOP Division Policy 415-5030, "Contraband" and secured by staff are inventoried in detail on a Notice and Receipt of Secured Items form (420-5250a, attached) and routed to the Special Services Department for final review.
2. Special Services staff document on a Contraband Notice (420-5250b, attached) all incoming property deemed to be contraband.
3. Special Services staff route the Contraband Notice to the client's assigned living unit.
4. The client has 30 calendar days to finalize the disposition of the contraband. By submitting the Contraband Notice to the Special Services Department, the client may choose to:
 - a) mail the contraband out at the client's expense (the facility director or designee may place limitations on where the items can be mailed);
 - b) send the contraband out on a visit;
 - c) dispose of the contraband at the client's expense; or
 - d) have media sent to the Media Review Committee (MRC) for review or, following MRC review, to the clinical director or designee for appeal.
5. If no disposition is chosen within 30 calendar days, Special Services staff dispose of the item(s).
6. Durable goods deemed contraband due to unintended use result in the following:
 - a) first time of unintended use results in removal of the item(s) for one year;
 - b) second time of unintended use results in removal of the item(s) for three years; and
 - c) third time of unintended use results in the indefinite removal of the item(s) at the discretion of the facility director.

7. Clients who disagree with a Contraband Notice may submit a Client Request (303.101A, attached) to the Special Services Supervisor or designee.
 - a) Appeals to the Contraband Notice do not delay, nor do they stop, the requirement for disposition within the 30 calendar days with the exception of media appeals (see MSOP Policy 302.230, "Media Possession by Clients.")
 - b) Clients who disagree with the decision of the Special Services Program Manager or designee may seek recourse per MSOP Policy 303.100, "Grievances."
8. Clients disagreeing with the unintended use determination and removal of an item may submit a Client Request to the Special Services supervisor or designee. Appeals to the unintended use determination do not delay, nor do they stop, the requirement for disposition of the item(s) within the 30 calendar days.
 - a) Clients disagreeing with the decision of the Special Services supervisor or designee may submit a Client Request to the assistant facility director to appeal the removal of the item.
 - b) Clients disagreeing with the decision of the assistant facility director may submit a Client Request to the facility director to appeal the removal of the item.

C. Personal Spiritual Items

Spiritual items must meet the requirements outlined in MSOP Policy 302.300, "Spiritual Practices."

D. Personal Documents

1. Personal documents of clients without privileges to be outside the secured perimeter are stored by the facility in a locked file cabinet located in a non-client access area.
2. Clients requesting access to personal documents must do so via a Client Request Form.
3. (St. Peter only.) Requests are processed in accordance with MSOP Policy 303.101, "Client Requests."
4. (St. Peter only.) Authorized MSOP staff process the Client Request and make the requested item(s) available to the client.
5. (Moose Lake only.) Clients may review these items at Centralized Distribution during posted distribution times.
6. Clients may review the items in the presence of staff but cannot remove the items from the designated area.
7. Clients writing personal checks must do so at the designated area. The client places the item in the appropriate mailbox located in the Centralized Distribution area. If a client chooses to have personal documents sent out through a visit, the items are secured, documented on a Notice and Receipt of Secured Items form and routed to Visiting Storage.
8. Upon completion of the client's review of personal documents in the designated area, staff verify all items are returned.

- E. Clients may not buy, sell, trade or be in possession of personal property previously owned by another client or by a client who has been transferred to another facility under H.2 or H.4 of this policy.
- F. Clients may not send/receive money or property in any form to/from the following:
1. any other MSOP client;
 2. a client who has been transferred to another facility under H.2 or H.4 of this policy; or
 3. another client's immediate family, including the family of a client in F.2, above, unless the clients share the same immediate family member.

Clients requesting an exception to sections F.1 through F.3 due to special circumstances may submit a Client Request form to the facility director, who will make a decision in consultation with the clinical director.

- G. Clients are only eligible to go to the Special Services Department during posted open hours or during times scheduled in the Phoenix computer system. The client must bring his or her copy of the Notice and Receipt of Secured Items form to receive the property.

H. Client Property – Admissions

1. Staff members inspect, search and process client property upon admission and inventory all items on a Notice and Receipt of Secured Items form, unless all client property is received in zip-tied bins, in which case the ties are cut in the presence of the client. Staff search and process all property. Staff document on a Contraband Notice all items deemed to be contraband and give a copy of the notice to the client.
2. An Admissions staff member gives a Property List to the client during intake.
3. The supervisor of Special Services or designee assigns the client a primary property staff member to answer property-related questions.

I. Client Property – Transfers

1. MSOP Facility Transfers
 - a) When the client packs his or her own property and stays in possession of property while moving:
 - (1) staff on the receiving unit ensures the client's property does not exceed the MSOP Property List (420-5250d, attached) limits and no contraband is present; and
 - (2) a Contraband Notice is given to the client for all contraband or property overages.
 - b) When the client is still in MSOP custody (e.g., in a hospital, the high security area, etc.) but is not on his or her living unit in a dual-occupancy room:
 - (1) two staff secure the client's bins by placing a numbered zip tie on them;
 - (2) staff inventory in detail all durable goods and property not fitting into the client's bins on a Notice and Receipt of Secured Items form after ensuring

each durable good is in working order; a copy of each form is given to the client;

- (3) staff move the client's property, with the Notice and Receipt of Secure Items form(s), to the designated staging area;
 - (4) both staff witnessing the securing of the client's property complete an incident report documenting the Notice and Receipt of Secured Items form number(s), the location of the client's property and the zip tie numbers;
 - (5) upon returning to the facility, the client and assigned staff meet to process property at the receiving unit; and the staff member gives the client a copy of the inventory;
 - (6) if the client has excess property, the receiving unit allows the client 15 minutes to come into compliance; property the client doesn't bring into compliance becomes contraband;
 - (7) for single occupants, the client's door is shut and locked; only the unit director or officer of the day (OD) may grant permission for access; and, if the property needs to be moved, unit staff complete steps (1) through (3) above; and
 - (8) for clients residing on units in which identified property is not allowed (refer to MSOP Property List (420-5250d, attached), items may be stored for up to 180 days in the property storage area. Clients must choose a disposition within 180 days of property storage. Property dispositions are reviewed for clients placed on these units for more than 180 days on Administrative Restriction Status or due to an incompatibility.
- c) Clients must submit a Client Request form to Special Services for the return of property being stored due to restriction or unit placement.

2. Transfers to the Department of Corrections or Detention Facility

- a) Upon facility notification of revocation or sentencing, the client is asked to complete a Pre-Discharge Form (420-5250f, attached) to determine the disposition of his or her personal property.
- b) MSOP Special Services staff members inventory all property in detail on a Notice and Receipt of Secured Items form if the client chooses to have his or her property sent out of the facility.
 - (1) If the client chooses to have his or her property stored at the facility for up to 180 days, MSOP Special Services staff members meet with the client, zip-tie the bins in the client's presence and inventory all durable goods and excess property on a Notice and Receipt of Secured Items form.
 - (2) If the client is unable to meet with Special Services staff, Special Services staff secure all the client's property and inventory it on a Notice and Receipt of Secured Items form. Special Services staff route a copy of the form to the client and place all the property in the designated storage area.

- c) An involved staff member completes an incident report documenting the zip tie numbers, the Notice and Receipt of Secured Items form numbers and the location of the client's property.
- d) Clients have 30 calendar days from the receipt of a Pre-Discharge Form to choose the disposition of their property. If the disposition is not completed and finalized within 180 days, MSOP disposes of the property.
- e) If the client is not in the custody of the MSOP at the time of notification, Special Services staff send a Pre-Discharge Form to the client via certified mail.

3. Transfers to Community Preparation Services (See also MSOP Policy 602.300, "CPS Client Property.")

- a) Unit staff search the client's property prior to departure.
- b) The client packs his or her own property after it is searched.
- c) The client and staff transfer the property to the CPS unit.
- d) The client unpacks his or her storage totes and returns them to staff.
- e) Unit staff or Special Services staff retire all barcodes and tamper seals.

4. Transfers out of MSOP

- a) Unit staff or Special Services staff inventory all client property on a Notice and Receipt of Secured Items form.
- b) Unit staff or Special Services staff retire all barcodes and tamper seals.
- c) The client must decide how to transfer his or her property out of the program. (Refer to the Pre-Discharge Form, 420-5250f, attached.)

I. Client Property – Outgoing

1. Disposal of Durable Goods

- a) Clients must bring all non-contraband durable goods to the staff station for disposal.
- b) Staff receiving the goods document the item(s) in detail on a Notice and Receipt of Secured Items form.
 - (1) The client signs both lines agreeing to the accuracy of the description of the item and the requested disposition. If the client refuses to sign the Notice and Receipt of Secured Items form, refusal to sign is documented on the form, and the item is returned to the client.
 - (2) The client receives a signed copy of the form.
- c) Special Services staff process the item(s) and paperwork. If there is a fee charged for the disposal of the item(s), a Client Funds Transfer Authorization form (125-5300d, attached) must be completed for the amount of the disposal. The Transfer

Authorization form must be submitted with the item(s) for disposal. Disposal fees are regulated by public contract and subject to change. Please inquire with Special Services staff about the current disposal fee.

- d) Special Services staff remove barcode and tamper seals from the item(s) and document it on a Client Equipment Record (420-5250e, attached).
- e) Special Services staff date and initial the Notice and Receipt of Secured Items form after disposing of the item(s) and route a copy of the form to the client.
- f) Any item(s) determined to be contraband according to MSOP Division Policy 415-5030, "Contraband" are processed in accordance with Procedure B above.

2. Mailing Property Out of the Facility

- a) Clients must bring personal property to the staff station for mailing.
- b) Staff receiving the property document the item(s) in detail on a Notice and Receipt of Secured Items form.
 - (1) The client signs both lines agreeing to the accuracy of the description of the item and the requested disposition. If the client refuses to sign the Notice and Receipt of Secured Items form, refusal to sign is documented on the form, and the item is returned to the client.
 - (2) The client brings the item(s) to the property area, along with a Transfer Authorization Form indicating "Postage."
 - (3) The client indicates the name and address of the mail recipient.
 - (4) The client receives a copy of the Notice and Receipt of Secured Items form.
- c) The Special Services Department processes the item(s) and paperwork.
 - (1) Special Services staff package and address the item(s).
 - (2) The Financial Services Department processes the Transfer Authorization for the amount of the postage.
- d) Any items determined to be contraband according to MSOP Division Policy 415-5030, "Contraband" are processed in accordance with Procedure B above.

3. Sending Property Out of the Facility with Visitors

- a) Clients must bring personal property to the staff station to send it out on a visit.
- b) Staff document the item(s) in detail on a Notice and Receipt of Secured Items form.
 - (1) The client signs both lines agreeing to the accuracy of the description of the item(s) and the requested disposition. If the client refuses to sign the Notice and Receipt of Secured Items form, staff document the refusal to sign on the form and return the item(s) to the client.
 - (2) The client brings the item(s) to the designated area.

- (3) The client receives a copy of the Notice and Receipt of Secured Items form.
 - (4) The Special Services Department processes the item(s) and paperwork.
 - c) Special Services staff place the property in the area designated for visitors to pick items up.
 - d) The client receives a property tag.
 - e) The client brings the property tag to the visit and gives it to his or her visitor.
 - f) Following the visit, the visitor gives the tag to an MSOP Visiting Coverage staff member and the staff member retrieves the property.
 - g) Visitors without a tag do not receive property.
 - h) The Visiting Coverage staff member asks the visitor to sign the Notice and Receipt of Secured Items form to verify the accuracy of the information. (If the visitor refuses to sign, the staff member documents the refusal on the form, signs, and has a second staff member co-sign as witness.) The staff member then returns the property to the designated storage area with the Notice and Receipt of Secured Items form. The client receives a Contraband Notice.
 - i) Coverage staff gives the property to the visitor if the visitor has signed the form. The client then receives the finalized copy of the Notice and Receipt of Secured Items form.
4. Changes to Approved Property List
Any item previously allowed under an earlier MSOP property policy and subsequently disallowed (contraband) under a new MSOP property list may be sent out as described above or mailed out at program expense.
 5. Items may be donated according to MSOP Policy 302.400, "Donations" or MSOP Policy 204.300, "Client Clothing Exchange."

J. Lost and Found

1. When property cannot be verified as owned by any specific client, staff place it in a designated "lost and found" area.
2. Clients wishing to claim ownership of an item held in "lost and found" must do so by providing facility paperwork (such as a Notice and Receipt of Secured Items form) showing when the item was first received. If the client does not have said paperwork, the client can review the facility records pertaining to the client's property by following MSOP Policy 106.170, "Data Request and Copy Costs."
3. Property placed in "lost and found" is held for 30 calendar days. After the 30 calendar days, staff photograph the property and dispose of the item(s).

REVIEW: Annually

REFERENCES: MSOP Division Policy 415-5030, “Contraband”
MSOP Policy 602.310, “CPS Contraband”
MSOP Policy 302.253, “Client Jewelry”
MSOP Policy 302.252, “Allowable Items Committee”
MSOP Policy 302.230, “Media Possession by Clients”
MSOP Policy 303.101, “Client Requests”
MSOP Policy 303.010, “Client Behavioral Expectations”
MSOP Policy 302.300, “Spiritual Practices”
MSOP Policy 303.100, “Grievances”
MSOP Policy 302.100, “Visiting”
MSOP Policy 125-5300, “Client Social Welfare”
MSOP Policy 602.300, “CPS Client Property”
MSOP Policy 302.400, “Donations”
MSOP Policy 204.300, Client Clothing Exchange”
MSOP Policy 104.800, “Client Use of Credit Cards and Credit Accounts”
MSOP Policy 106.170, “Data Request and Copy Costs”
Minn. Stat. §144.651, subd. 22
Minn. Stat. §253B.185, subd. 7
Minn. Stat. §245A.04 subd. 13

ATTACHMENTS: Notice and Receipt of Secured Items (420-5250a)
Notice and Receipt Reference form (420-5250a-2)
Contraband Notice (420-5250b)
MSOP Property List (420-5250d)
Client Equipment Record (420-5250e)
Pre-Discharge Form (420-5250f)
Client Funds Transfer Authorization form (104.300D)
Approved Herbs and Minerals List (302.300D)
Approved Vendor List (420-5250k)
Approved Spiritual Items Inventory (302.300C)
Client Request Form (303.101A)

SUPERSESSSION: MSOP Policy 302.250, “Client Property,” 12/2/14.
All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

/s/
Nancy A. Johnston, Executive Director
Minnesota Sex Offender Program