MARYLAND DEPARTMENT OF JUVENILE SERVICES

SECRETARY'S DIRECTIVE

OPI: **Office of Restorative Justice Operations – Residential Services**
NUMBER: **RF-1-03**
EFFECTIVE DATE: **December 17, 2003**
SUBJECT: **Personal Property Care and Disposition Policy**

1. **PURPOSE AND SCOPE**. The Secretary of the Department of Juvenile Services (DJS) establishes this Personal Property Care and Disposition Policy Directive to set forth standard procedures for staff to follow when required to receive, manage, transport, control, or dispose of DJS youth's personal property. Additionally, this policy establishes the manner by which staff shall provide control and accountability of youth's personal property.

2. **POLICY.** It is Departmental policy to control and safeguard personal property received from DJS youth. Staff shall allow youth in DJS residential placements to have personal property items as permitted by this directive as long as the possession of personal property does not present a safety risk to youth, staff, or the public; weaken the program's security requirements; serve as contraband; or disrupt program parameters. Residential programs operating under DJS authority shall:

(i) Develop and follow Standard Operating Procedures (SOP) consistent with this directive to detail specific methods of identification, care, control, disposition and accountability of youth's personal property;
(ii) Inform the youth and the youth's parent or guardian of the youth's property protection rights and obligations; and
(iii) Maintain procedures for documenting the receipt and handling of all property surrendered to DJS by youth placed under DJS care or custody.

3. **PROGRAM OBJECTIVES.** The expected results of this policy are that DJS:

a. Identifies authorized personal property;
b. Identifies permissible personal property; and
c. Sets guidelines to safeguard and control youth's personal property including:

(i) Removing and documenting personal property at intake;
(ii) Storing property during detention or commitment;
(iii) Handling money surrendered to DJS;
(iv) Transporting personal property to court;
(v) Transporting personal property between facilities;
(vi) Releasing personal property; and
(vii) Disposing of abandoned personal property.

4. AUTHORITY.

Annotated Code of Maryland, Article 83C, §§2-102 and 2-118.

5. DEFINITIONS.

a. *Absent Without Leave (AWOL)* means that a youth left or failed to return to the program without proper authorization.
b. *Admissions/Reception Officer* means a designated residential staff member whose responsibility is to ensure that a youth is properly admitted to the facility.
c. *ASSIST* means the official DJS automated case management and information system.
d. *Authorized Personal Property* means any item that the youth has a primary right to retain in the youth's possession including legal documents, family pictures not to exceed five (5) for detained youth and ten (10) for committed youth, prescription eyewear and contacts, dentures, approved necessary medication or medical appliances and an address book or list of addresses and correspondences.
e. *Commitment* means the transfer of legal custody.
f. *Detention* means the temporary care of children who, pending court disposition, require secure custody for the protection of themselves or the community, in physically restricting facilities.
g. *Escape* means a youth's unauthorized departure from a juvenile detention center or a facility for juveniles listed in Article 83C, § 2-117(a)(2) of the Annotated Code of Maryland with intent not to return.
h. *Money* means currency, coins, bank drafts or checks.
i. *Permissible Personal Property* means any item that the youth requests to maintain in the youth's possession that does not create a risk to youth, staff, or the public and is otherwise authorized for the youth to retain possession.
j. *Prohibited Personal Property* means any item the possession of which is illegal, any item that poses a clear risk to cause harm to youth, staff, or the public, and any item that the program lists as unauthorized contraband.

6. ACTION REQUIRED.

a. General Procedures.

(1) In the presence of each detained or committed youth the Admission/Reception Officer shall inventory all personal property in the youth's possession, except for one (1) set of clothing retained for purposes of court appearance, and record each item surrendered using the ***Youth Personal Property Form (Appendix 1).***

(2) The Admission/Reception Officer and the youth shall sign the ***Youth Personal Property Form*** immediately after the youth's property information is recorded.

(3) In the event that the youth refuses to sign the ***Youth Personal Property Form***, the Admission/Reception Officer shall note the refusal on the form.

(4) Upon completion of the ***Youth's Personal Property Form***, the Admissions/Reception Officer shall, in the presence of the youth, address and seal within a box, envelope, or other mailing container all personal property except one (1) set of clothing for court appearances, and thereafter promptly mail each sealed box or envelope to the address supplied by the youth in custody.

(5) If the youth is unable to provide a forwarding return address to which to mail the youth's personal property, the youth's Case Manager shall attempt to ascertain such an address, and in the continuing absence of a forwarding return address, the Admissions/Reception Officer shall retain all of the youth's personal property for temporary storage, subject to reasonable limitation and staff adherence to the inventory accounting and control requirements set forth in this section by completion of all applicable forms documenting receipt and storage of the youth's personal property.

(6) For items of clothing retained for purposes of court appearance, the Admissions/Reception Officer shall complete the ***Clothing Sheet Form (Appendix 2)*** and in the presence of the youth seal each box or carton to be stored, with clear identification of the youth's name, ASSIST number and date of storage, and thereafter promptly complete the ***Chain of Custody Form (Appendix 3),*** attach it to the youth's property container and place it in a secured area designated for safe storage of personal property.

(7) At the time of admission, the Admissions/Reception Officer and the Shift Supervisor shall:

(i) Count, verify, and record on the ***Fund Deposit Form (Appendix 4)*** all money found in the youth's possession;
(ii) Obtain the youth's signature on the ***Fund Deposit Form****;*
(iii) Note the refusal on the form in the event that the youth refuses to sign the ***Fund Deposit Form***; and
(iv) Sign the form and deposit the money into the youth's account or into a locked safe or other secure location pending deposit into the youth's account.

(8) Staff responsible for youth property accounting control shall:

(i) Provide the youth a copy of each ***Personal Property Form***;
(ii) Allow youth to have one (1) set of personal clothing whenever the youth is scheduled to appear in court;
(iii) Document the removal of the youth's personal clothing on the youth's ***Chain of Custody Form*** and sign the form verifying this process;
(iv) Obtain the youth's signature on the ***Chain of Custody Form;*** and

(v) Note the refusal on the form in the event that the youth refuses to sign the ***Chain of Custody Form.***

b. Verification of Personal Property on Youth's Return from Leave.

(1) When a youth returns to a program following an approved or unapproved leave, staff responsible for inventory accounting control shall:

(i) Complete the steps outlined in section 6.a(1-7) of this directive, as appropriate;
(ii) Add to the youth's personal inventory all new items received from the youth and secure the proper signatures as required, or note the youth's refusal to sign; and
(iii) Notify the youth supervisor of any items unaccounted for.

(2) When a youth supervisor is notified of any items unaccounted for, the youth supervisor shall direct a written report on the matter to the Facility Administrator or Program Manager, and upon receipt of such report the Facility Administrator or Program Manager shall:

(i) Investigate the circumstances of all items unaccounted for;
(ii) Compile a written incident report indicating the preliminary findings of the investigation; and
(iii) Forward the incident report to the Office of Professional Responsibility and Accountability (OPRA) for further investigation or action as deemed warranted.

c. Unclaimed Personal Property.

(1) When a youth fails to claim and regain possession of the youth's personal property on release from a DJS facility, staff responsible for youth property accounting control shall:

(i) Review the youth's ***Personal Property Form, Clothing Sheet Form, Chain of Custody Form and Fund Deposit Form***, if applicable, and verify the youth's name, ASSIST number, status, and a description of the items on the form; and
(ii) Attempt to notify by phone or mail the youth's parent or legal guardian to advise that the parent or legal guardian may:
a. Retrieve the youth's property in person;
b. Make arrangements with the assigned Case Manager to assist in the return of the youth's property; or
c. Forward to the program a self-addressed padded property mailing envelope large enough to hold the property sought to be returned by mail.

(2) Other than the youth, only a youth's parents or legal guardian, Case Manager, or Case Manager Supervisor may be permitted to retrieve the

youth's personal property or implement the process to retrieve the youth's money.

(3) Staff may not release a youth's personal property or money to anyone who does not present official picture identification.

(4) Prior to disposing of a youth's personal property, staff responsible for youth property accounting control shall attempt to notify the youth's parents or legal guardian by first class mail of the impending disposition of the youth's personal property, using the ***Notice of Impending Disposal of Property Form (Appendix 5).***

(5) In the event that the mailing of the Notice of Impending Disposal of Property Form is returned by the post office, the youth's Case Manager shall attempt to notify the youth's parents or legal guardian of the information in the Notice and shall document in the youth's case file the date and means of such substitute notification of the impending disposal of the youth's property, and identity and relationship to the youth of the person receiving notice.

(6) Program staff responsible for youth property accounting control shall use a bank draft to return any unspent money collected from the youth and placed in the youth's account and document the completion of this activity by completing a ***Youth Fund Reimbursement Form (Appendix 6).***

(7) Program staff responsible for youth property accounting control shall maintain a copy of the bank draft in the youth's file.

(8) If the items of the youth's personal property remain unclaimed for more than ninety (90) days, the Shift Supervisor or Personal Property Manager shall attempt to determine the approximate value of each item.

(9) If the total value of the items is judged less than fifty dollars ($50.00) or are items of clothing, the Shift Supervisor shall arrange for their disposition based on the program's SOP.

(10) If the total value of the items is judged more than fifty dollars ($50.00) and are not items of clothing, staff shall complete the following procedures:

(i) Fill out the Department of General Services ***Excess Property Declaration Form (Appendix 7)*** as directed by the instructions noted on back of the form;
(ii) Forward copies of the ***Excess Property Declaration Form*** to the Chief of Inventory Management at DJS headquarters; and
(iii) Secure authorization from Inventory Management staff on how to dispose of the property.

(11) Any amount of money left unclaimed for a period of two (2) years shall be remitted to the Miscellaneous Revenue Division/Comptroller of the Treasury.

(12) Staff may not receive or have personal use of any unclaimed property or money.

(13) The Shift Supervisor shall require all property dispositions to be recorded:

(i) On the ***Personal Property Form;***
(ii) In ASSIST; and
(iii) In the youth's file folder.

(14) When a youth fails to return to a DJS facility on the day the youth is required to return, and the youth is placed on escape or AWOL status, staff shall collect all of the youth's personal property and place it in secure storage for ninety (90) days or until the youth is returned, whichever comes first, after which time the property shall be considered abandoned to the State of Maryland and may be disposed of as set forth in Section 6.c(8-13) above.

d. Damaged, Destroyed or Missing Personal Property

When a youth or the youth's parent or legal guardian complains that the youth's personal property was damaged while in the possession of a DJS facility or disposed of contrary to the requirements of this Policy Directive, the youth's Case Manager shall direct a written report on the matter to the Facility Administrator or Program Manager and upon receipt of such report the Facility Administrator or Program Manager shall:

(1) Investigate the circumstances of all items alleged to be damaged, missing or improperly destroyed;

(2) Compile a written incident report indicating the preliminary findings of the investigation; and

(3) Forward the incident report to the Office of Professional Responsibility and Accountability (OPRA) for further investigation or action as deemed warranted.

e. Youth Property Accounting Control.

The Facility Administrator or Program Manager shall designate a person or persons within the facility whose responsibility shall include youth property accounting control as set forth above.

7. EFFECTIVE DATE.

This directive is effective on 12/17/03 and shall remain in effect until rescinded by the Secretary or superceded by law or regulation.

8. DIRECTIVES/POLICIES AFFECTED.

a. Directives/Policies Rescinded - **01.17.03 (Detained/Committed Youth Personal Property Policy)**

b. Directives/Policies Referenced - **(None)**

9. FAILURE TO COMPLY.

Failure to obey a Secretary's Directive and/or policy issued with this document shall be grounds for disciplinary action.

Approved: "/s/ signature on original copy"
Kenneth C. Montague, Jr.
Secretary

Appendices – 7

1. Youth Personal Property Form
2. Clothing Sheet Form
3. Chain of Custody Form
4. Fund Deposit Form
5. Notice of Impending Disposal of Property Form
6. Youth Fund Reimbursement Form
7. Excess Property Declaration Form

Department of Juvenile Services

Youth Personal Property Form

PERSONAL RECEIPT

NAME:_____ DATE:_____

ADDRESS:_____
Street Telephone#

_____
City State Zip Code

	1st Signature of Student
	2nd Signature of Student
	Signature of Staff

Department of Juvenile Services

C L O T H I N G S H E E T

Clothing Item	Name Brand	Quantity	Condition	Color	Size
Pants					
Shorts					
Gym Shorts					
Underwear					
Thermal(s)					
Shirt(s)					
Sweater					
T-Shirt					
Coat					
Jacket					
Socks					
Shoes					
Boots					
Belt					
Hat					
Sweat Suit Sweat Pant Sweat Shirt Hoody					
Other					

NAME: _____

DID YOUTH HAVE MONEY? _____ YES _____ NO AMOUNT $_____

STAFF'S NAME: _____

DATE: _____

STUDENT'S SIGNATURE: _____

STAFF'S SIGNATURE: _____

Chain of Custody Form/Youth Property Sheet

Officer Receiving Property

_____

Location:_____ Date:_____

YOUTH NAME	ASSIST ID#	TIME IN	TIME OUT	BADGE #	# OF BAGS	YOUTH SIGNATURE

THIS FORM MUST BE TURNED IN ON A DAILY BASIS

DEPARTMENT OF JUVENILE SERVICES

No. _____

YOUTH'S FUND DEPOSIT

_____ 19 ____

RECEIVED OF _____

_____DOLLARS

FOR: _____

ORIGINAL: WHITE COPY
DUPLICATE: CANARY COPY
TRIPLICATE: PINK COPY

_____
Youth Signature

_____
Staff Signature

DEPARTMENT OF JUVENILE SERVICES

No. _____

YOUTH'S FUND DEPOSIT

_____ 19 ____

RECEIVED OF _____

_____ DOLLARS

FOR: _____

ORIGINAL: WHITE COPY
DUPLICATE: CANARY COPY
TRIPLICATE: PINK COPY

_____
Youth Signature

_____
Staff Signature

Date: _____

Addressed individually and to the parents and legal guardians of:

_____

_____

_____

NOTICE OF IMPENDING DISPOSAL OF PROPERTY

Our records indicate that the person named above was confined in custody on

_____ at _____
(date)

_____
(name and location of detention or commitment facility)

telephone number: _____.

You are hereby notified by the Department of Juvenile Services that as of the date of this correspondence, our records indicate that we remain in possession of certain items of personal property removed from you at the time of your confinement. If you have already obtained the return of your property, you may ignore this Notice. If not, and you wish to have your property returned to you, please call the number above to make arrangements for you to pick up your property. You will also need to present an acceptable form of personal identification in order to obtain the return of your property.

If you fail to pick up or otherwise arrange for the return of your property within ninety (90) days of the date of this notice, your property will be considered abandoned and it will thereafter be disposed of by the State of Maryland.

You may feel free to call the number above if you have any questions about this notice of intended abandonment, forfeiture and disposition of property. Thank you.

_____
Property Disposition Officer

Property will be released ***Monday thru Friday, from 9:00 a.m. to 4:00 p.m.***
by pre-arrangement only.

DJS Form #

DEPARTMENT OF JUVENILE SERVICES

YOUTH FUND REIMBURSEMENT FORM

Return to: **State of Maryland, Department of Juvenile Services**

_____

_____

_____

*This form must be used to give the Business Office staff authorization to send monies to the youth and at the address specified below, after all necessary information has been presented by the youth. Monies are only to be released when a youth has been released and by request of the youth.

Date of Entry:_____ **Deposit Slip #:**_____ **Amount $**_____

Name:_____ _____ _____
(Last) (First) (Middle)

Address:_____ _____ _____
(Number) (Street) (APT.#)

_____ _____ _____
(City) (State) (Zip Code)

Telephone#:_____ **Social Security#:**_____

Youth's Signature: _____

* A State check will be issued in the youth's name. Please allow a few weeks to be processed.

* Please fill in all spaces in order to help assist us with the process.

* Signature and Social Security number must be on all forms.

EXCESS PROPERTY DECLARATION

STATE OF MARYLAND
DEPARTMENT OF GENERAL SERVICES
301 W. PRESTON STREET
BALTIMORE, MARYLAND 21201
(410) 225-4256

Instructions:
1. Refer to Property Disposal Procedures in Department of General Services Inventory Control Manual.
2. See Preparation instructions on reverse side.
3. Send two copies of completed form to:
   Department of General Services
   Inventory Standards and Support Services Division
   301 W. Preston Street
   Baltimore, Maryland 21201

Page _____of _____

DGS Control No. ____

AGENCY: _____

SUB UNIT: _____

SUB UNIT CODE: _____

ADDRESS: _____

CONTACT PERSON: _____

PHONE NO: _____ DATE: _____

FORWARDED BY: _____

_____
Property Officer

_____
Signature Date

_____
Agency Head or Designee

_____
Signature Date

Listed below are certified to be in excess of this agency's needs. The Department of General Services is hereby requested to arrange disposal..

Item No..	Qty.	Description	Acquisition		Good	Fair	Poor	Unserviceable	If Unserviceable provide:	
			Cost	Date Mo./Yr.					Repair Estimate $	Description of needed repairs or other comments
		Total								

INSTRUCTIONS FOR COMPLETING FORM

1. **INTEM NUMBER** – Number items on each declaration consecutively starting from 1

2. **QUANTITY** – List the number of identical items under a single description. (i.e. 25 classroom chairs…).

3. **DESCRIPTION** – Provide as much descriptive information for each item as necessary for positive identification such as color, size, type of material, unit if measure if other than each, etc. for equipment, also include the year, make, model and serial number.

4. **ACQUISITION COST AND DATE** – List the total purchase cost of all units and month and year acquired.

5. **CONDITION** – Check the column marked "Good", "Fair" or "Poor" to indicate that an item can be used "as is" without repairs or refurbishing, even though it may be old, worn or obsolete. "Good" means an item is serviceable and both appearance and operation are completely satisfactory. "Fair" means an item is serviceable and the appearance or operation does not show signs of abuse or hard wear. "Poor" means serviceable but abuse or hard wear is obvious I the appearance or operation

6. Do not list serviceable and unserviceable items on the sane declaration. Use a separate declaration for each type.

7. **REPAIR ESTIMATE AND DESCRIPTION OF NEED REPAIS AND ANY COMMENTS –** If the unserviceable column is checked, list repair estimate and describe repairs necessary to restore to "Good" condition. Agencies without repair facilities can obtain estimates from vendors, even if the estimates are provided over the telephone from an agency's description of the problem. Repair estimates for office furniture may be obtained from State Use Industries. This space also may be used for general comments if repair information is not applicable.

8. **TRADE-IN-INTEMS** – Refer to Excess Property Disposal procedures in the DGS Inventory Control Manual. Note that an item is to be traded-in and list the trade-in allowance immediately under the description.

9. **MOTOR VEHICLES** – Refer to Excess Property Disposal procedures in the Department of General Services Inventory control Manual.

MARYLAND DEPARTMENT OF JUVENILE SERVICES
EMPLOYEE STATEMENT OF RECEIPT
(SECRETARY'S DIRECTIVE)

OPI: **Office of Restorative Justice Operations – Residential Services**
NUMBER: **RF-1-03**
EFFECTIVE DATE: **December 17, 2003**
SUBJECT: **Personal Property Care and Disposition Policy**

I have received one (1) copy (electronic or paper) of the Secretary's Directive as titled above.

_____ _____
SIGNATURE PRINTED NAME

_____
DATE

(THE ORIGINAL COPY MUST BE RETURNED TO YOUR IMMEDIATE SUPERVISOR FOR FILING WITH PERSONNEL, AS APPROPRIATE.)