

MONTGOMERY COUNTY SHERIFF'S OFFICE

JEFFERY T. SMITH
SHERIFF



CARL J. RUST
UNDERSHERIFF

200 CLARK DRIVE, P.O. BOX 432, FULTONVILLE, NEW YORK 12072 ★ (518) 853-5500/(518)853-4096 FAX

MONTGOMERY COUNTY SHERIFF'S OFFICE CORRECTIONS DIVISION POLICY AND PROCEDURES INCARCERATED INDIVIDUAL MANAGEMENT	NUMBER: CD 04-07-02 EFFECTIVE DATE: 05/21/07 REVISION DATE: 04/21/2021 PAGE: 1 OF 1 PAGES
SUBJECT: INCARCERATED INDIVIDUAL PERSONAL PROPERTY	DISTRIBUTION: ALL AUTHORIZED PERSONNEL
AUTHORITY: SHERIFF	ISSUED BY: ADMINISTRATOR
REFERENCES: SCOC# 7002, ABANDONED PROPERTY LAW SECTION 1304 AND STATE FINANCE LAW SECTION 128	

POLICY:

ALL INCARCERATED INDIVIDUALS WILL BE PERMITTED TO HAVE IN THEIR POSSESSION A LIMITED NUMBER OF PERSONAL ITEMS. IN ORDER TO MAINTAIN ALL INCARCERATED INDIVIDUAL PROPERTY THAT IS NOT PERMITTED OR IN EXCESS IS SECURED IN A SAFE AND SECURE MANNER A PROPERLY MARKED STORAGE BAG WILL BE ISSUED TO EACH INCARCERATED INDIVIDUAL TO STORE THE INCARCERATED INDIVIDUALS PERSONAL BELONGINGS, UNTIL SUCH TIME THE INDIVIDUAL IS RELEASED FROM THE FACILITY.

PROCEDURES:

A. INCOMING INCARCERATED INDIVIDUAL PROPERTY:

1. INCARCERATED INDIVIDUALS ARE PERMITTED TO RECEIVE THE ITEMS LISTED BELOW. ALL ITEMS MUST BE MAILED TO THIS FACILITY FROM ANY COMPANY WHOSE ORDINARY COURSE OF BUSINESS INCLUDES THE SALE AND SHIPPING OF THE ITEMS LISTED BELOW:
6 - WHITE UNDERSHIRTS (CREW NECK ONLY, NO V NECKS OR TANK TOPS);
4 - WHITE BRAS (NO UNDERWIRE);

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- 6 - WHITE UNDERWEAR;
- 2 - PR. THERMAL UNDERWEAR AND SHORTS (WHITE WITH NO POCKETS OR STRINGS);
- 2 - SWEATPANTS & SWEATSHIRTS (WHITE WITH NO HOODS, POCKETS, STRINGS, SNAPS OR ZIPPERS);
- 6 - PR. WHITE SOCKS;
- 2 - WASHCLOTHS (GREEN);
- 2 - STANDARD SIZE TOWELS (GREEN);
- 2 - PR. VELCRO SNEAKERS;
- 1 - PR. SHOWER SHOES;
- PHOTOGRAPHS (NOT TO EXCEED 5X7 IN SIZE) (NO POLAROID OR COLLAGES);
- PUBLICATIONS (INCLUDES SOFT COVER BOOKS, MAGAZINES AND NEWSPAPERS).

- 2. THE ONLY INCARCERATED INDIVIDUAL PROPERTY THAT CAN BE DROPPED OFF AT THE FACILITY IS ONE SET OF COURT CLOTHES AND SHOES (TO BE KEPT IN THEIR PROPERTY BAG TO BE USED DURING TRIALS ONLY).

B. PROPERTY STORAGE BAGS:

- 1. A PROPERTY STORAGE BAG WILL BE ASSIGNED TO EACH INCARCERATED INDIVIDUAL UPON ADMITTANCE TO THE FACILITY.
- 2. THE PROPERTY STORAGE BAG # WILL BE RECORDED ON THE INCARCERATED INDIVIDUAL'S FILE.
- 3. THE BOOKING OFFICER WILL ENSURE THAT ALL UNAUTHORIZED INCARCERATED INDIVIDUAL PERSONAL PROPERTY IS CONFISCATED, DOCUMENTED AND PROPERLY STORED:
 - A. ALL UNAUTHORIZED CLOTHING ITEMS AND FOOTWEAR SHALL BE DOCUMENTED AND THEN PLACED IN INCARCERATED INDIVIDUAL'S PERSONAL PROPERTY STORAGE BAG;
 - B. ALL VALUABLES (IE. JEWELRY, WALLETS, WATCHES, CELL PHONES, KEYS, ETC.) ARE TO BE PLACED IN THE VALUABLES POUCH AND SECURED IN THE LOCKED CABINET.

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1. WHEN ITEMIZING INCARCERATED INDIVIDUAL PROPERTY, THE NAME BRAND OF THE ITEM SHOULD BE INCLUDED ON THE PROPERTY SHEET. (FOR EXAMPLE: 1 – TIMEX WATCH OR 1 – PAIR OF NIKE SNEAKERS). **PURSES AND WALLETS SHOULD ALSO BE SEARCHED AND INVENTORIED.**

C. AFTER REVIEWING THE LIST OF PROPERTY TAKEN, THE BOOKING OFFICER AND INCARCERATED INDIVIDUAL WILL SIGN THE PROPERTY SHEET VERIFYING THAT ALL PROPERTY IS ACCOUNTED FOR AND ALSO RECEIPT OF THE INCARCERATED INDIVIDUAL RULE BOOK AND ALL OTHER FACILITY ISSUED PROPERTY.

1. IF, FOR ANY REASON, A PRISONER IS NOT ABLE TO VERIFY, OR REFUSES TO VERIFY, THAT SUCH LISTING IS ACCURATE OR COMPLETE BY SIGNING THE INVENTORY, SUCH INVENTORY SHALL BE WITNESSED AND SIGNED BY A SECOND FACILITY STAFF MEMBER. IF, AT A LATER TIME, SUCH PRISONER IS ABLE OR WILLING TO AFFECT SUCH SIGNATURE, THE PRISONER SHALL BE PERMITTED TO DO SO.

D. ONCE SIGNED, A COPY OF THE PROPERTY SHEET WILL BE PLACED IN THE PERSONAL PROPERTY STORAGE BAG, A COPY WILL BE PROVIDED TO THE INCARCERATED INDIVIDUAL AND THE ORIGINAL PROPERTY SHEET WILL BE PLACED IN THE VALUABLES POUCH.

E. THE SHIFT SUPERVISOR WILL BE GIVEN THE VALUABLES POUCH TO STORE IN THE SECURE LOCKED CABINET.

F. THE BOOKING OFFICER WILL SECURE THE PROPERTY STORAGE BAG IN THE INCARCERATED INDIVIDUAL PROPERTY ROOM.

C. **PROPERTY RELEASE:**

1. DURING INCARCERATION, INCARCERATED INDIVIDUALS MAY RELEASE ALL THEIR PERSONAL PROPERTY (EXCEPT ONE COMPLETE SET OF CLOTHING) TO FAMILY OR FRIENDS BY COMPLETING A PROPERTY RELEASE FORM. THE FORM INCLUDES THE FOLLOWING:

A. THE NAME OF THE PERSON AUTHORIZED TO RECEIVE THE PROPERTY;

B. COMPLETE LIST OF ITEMS BEING RELEASED (ONE SHIRT, PANTS AND SHOES MUST REMAIN FOR THE TIME OF RELEASE);

C. INCARCERATED INDIVIDUALS SIGNATURE;

D. SIGNATURE AND COPY OF PHOTO ID OF THE PERSON RECEIVING PROPERTY;

E. SIGNATURE OF THE SHIFT SUPERVISOR RELEASING THE PROPERTY.

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2. THE INCARCERATED INDIVIDUALS PERSONAL PROPERTY INVENTORY SHALL BE UPDATED WHENEVER ITEMS ARE RELEASED OF ADDED TO THE INCARCERATED INDIVIDUALS PERSONAL PROPERTY BAG.
3. INCARCERATED INDIVIDUALS WILL BE PERMITTED TO HAVE THEIR PERSONAL PROPERTY RELEASED ON THURSDAY AND FRIDAY FROM 8:15AM – 11:15AM & 12:30 PM – 3:30 PM.

ONLY THE SHIFT SUPERVISORS ARE PERMITTED TO RELEASE INCARCERATED INDIVIDUAL PROPERTY.

4. INCARCERATED INDIVIDUALS MAY MAIL THEIR BELONGINGS TO FAMILY OR FRIENDS. EACH INCARCERATED INDIVIDUAL IS RESPONSIBLE FOR THE COST INCURRED IN THE MAILING OF HIS / HER PACKAGES. (REFER TO CD-09-02-07).
5. WHEN ALL PROPERTY IS NOT ACCOUNTED FOR,
 - A. THE SHIFT SUPERVISOR WILL VERIFY THE INCARCERATED INDIVIDUALS MISSING PROPERTY WAS ON THE INCOMING PROPERLY SHEET AND REVIEW THE INCARCERATED INDIVIDUAL FILE TO ENSURE THAT THE PROPERTY HAD NOT ALREADY BEEN RELEASED.
 - B. THE SHIFT SUPERVISOR WILL CONDUCT A THOROUGH SEARCH OF THE PROPERTY ROOM FOR THE INCARCERATED INDIVIDUAL'S PROPERTY.
 - C. THE SHIFT SUPERVISOR WILL DOCUMENT ALL MISSING PROPERTY IN A JAIL BLOTTER.
 - D. THE INCARCERATED INDIVIDUAL AND BOOKING OFFICER WILL SIGN A RECEIPT FOR THE MISSING PROPERTY. A COPY WILL BE GIVEN TO THE INCARCERATED INDIVIDUAL AND ANOTHER COPY WILL BE PLACED IN THE INCARCERATED INDIVIDUALS FOLDER.
 - E. THE SHIFT SUPERVISOR WILL SEND A COPY OF ALL PAPERWORK TO THE JAIL ADMINISTRATOR.
 - F. UPON THE JAIL ADMINISTRATOR'S DETERMINATION, THE MATTER MAY BE TURNED OVER TO AN INVESTIGATIONS UNIT FOR FURTHER ACTION.
6. WHEN AN INCARCERATED INDIVIDUAL IS RELEASED OR TRANSFERRED TO ANOTHER FACILITY AND PERSONAL PROPERTY REMAINS IN THE PROPERTY ROOM, THE PERSONAL PROPERTY BELONGING TO THEM MUST BE CLAIMED WITHIN THIRTY DAYS. IF THE PROPERTY IS NOT CLAIMED WITHIN THE SAID TIME FRAME, IT WILL BE DISPOSED OF.

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7. IF AN INCARCERATED INDIVIDUAL'S PERSONAL PROPERTY HAS NOT BEEN CLAIMED WITHIN THIRTY DAYS, AN "INCARCERATED INDIVIDUAL PROPERTY DISPOSAL FORM" SHALL BE COMPLETED PRIOR TO ITS DISPOSAL, IN ACCORDANCE WITH THE NYS PERSONAL PROPERTY LAW. THE "INCARCERATED INDIVIDUAL PROPERTY DISPOSAL FORM" WILL CONTAIN THE FOLLOWING INFORMATION:
 - A. INCARCERATED INDIVIDUAL'S DATE OF ADMISSION;
 - B. INCARCERATED INDIVIDUAL'S NAME;
 - C. INCARCERATED INDIVIDUAL CONTROL NUMBER;
 - D. DATE OF RELEASE;
 - E. LIST OF THE ITEMS TO BE DISPOSED OF;
 - F. DATE OF DISPOSAL;
 - G. METHOD OF DISPOSAL;
 - H. SIGNATURE, BADGE # AND DATE OF THE OFFICER AND SHIFT SUPERVISOR DISPOSED OF THE ITEMS.
8. IN THE EVENT OF AN ITEM IN THE INCARCERATED INDIVIDUAL PERSONAL PROPERTY HAS EXTREME VALUE (DIAMOND RING, ROLEX WATCH, ETC.) THAT ITEM SHALL BE EXCLUDED FROM THE OTHER PROPERTY THAT IS BEING DISPOSAL OF AND THE FOLLOWING MUST OCCUR:
 - A. THE ITEM MUST BE SECURED IN THE VALUABLES CABINET.
 - B. A CERTIFIED LETTER SHALL BE SENT TO THE INCARCERATED INDIVIDUALS LAST KNOWN ADDRESS STATING THAT IF THE ITEM IS NOT CLAIMED WITHIN 45 DAYS THE ITEM SHALL BE GIVEN TO THE COUNTY AND SENT TO AUCTION.
9. IF AFTER 45 DAYS THE ITEM IS NOT CLAIMED, THE ITEM SHALL BE GIVEN TO INVESTIGATIONS SO THAT THEY MAY PREPARE THE APPROPRIATE PAPERWORK TO SEND THE ITEM TO AUCTION.
10. A COPY OF ALL PROPERTY DISPOSAL PAPERWORK MUST BE PLACED IN THE INCARCERATED INDIVIDUALS FILE.
- D. COMMISSARY BALANCE:**

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1. UPON RELEASE, THE INCARCERATED INDIVIDUAL SHALL RECEIVE HIS/HER COMMISSARY FUNDS BALANCE.
 - A. DURING BUSINESS HOURS, THE BOOKING OFFICER RELEASING THE INCARCERATED INDIVIDUAL WILL NOTIFY THE COMMISSARY CLERK THE INCARCERATED INDIVIDUAL IS ABOUT TO BE RELEASED. THE COMMISSARY CLERK WILL CHECK THE COMPUTER TO VERIFY IF THE INCARCERATED INDIVIDUAL HAS A FUNDS BALANCE. (THIS PROCESS CAN ONLY BE SUCCESSFULLY ACCOMPLISHED DURING THE COMMISSARY CLERKS BUSINESS HOURS).
 - B. IF THE INCARCERATED INDIVIDUAL HAS A FUNDS BALANCE, THE COMMISSARY CLERK WILL PRINT THE FUNDS BALANCE IN THE FORM OF A CHECK.
 - C. THE INCARCERATED INDIVIDUAL WILL SIGN THAT HE/SHE RECEIVED THE CHECK.
 - D. IF THE COMMISSARY CLERK OR JAIL ADMINISTRATOR ARE NOT AVAILABLE TO PROVIDE THE INCARCERATED INDIVIDUAL THEIR FUNDS BALANCE, THE RELEASING BOOKING OFFICER WILL ENSURE THE INCARCERATED INDIVIDUAL PROVIDES A CURRENT ADDRESS TO WHICH THE FUNDS BALANCE MAY BE MAILED TO ON THE NEXT BUSINESS DAY.
 - E. THE RELEASING BOOKING OFFICER WILL ENSURE HE/SHE SUBMITS SUCH ADDRESS TO THE COMMISSARY CLERK.
- E. ALLOWABLE PROPERTY IN SPECIAL HOUSING:**
 1. WHEN AN INCARCERATED INDIVIDUAL IS PLACED IN THE SPECIAL HOUSING UNIT FOR DISCIPLINARY REASONS, THE INCARCERATED INDIVIDUAL WILL HAVE THEIR PERSONAL PROPERTY REMOVED TEMPORARILY DEPENDING ON THEIR BEHAVIOR OR AS A DISCIPLINARY SANCTION.
 2. THE SPECIAL HOUSING UNIT OFFICER WILL INVENTORY THE INCARCERATED INDIVIDUALS PROPERTY AND PROVIDE THE INCARCERATED INDIVIDUAL WITH A COPY OF THAT PROPERTY THAT WAS TAKEN AWAY.
 3. THE OFFICER WILL THEN PLACE THAT PROPERTY AND SECURE IT IN THE INCARCERATED INDIVIDUALS PROPERTY BAG IN THE INCARCERATED INDIVIDUAL PROPERTY STORAGE ROOM LOCATED IN BOOKING. A COPY OF THE INVENTORY WILL BE PLACED IN THE INCARCERATED INDIVIDUALS FILE.