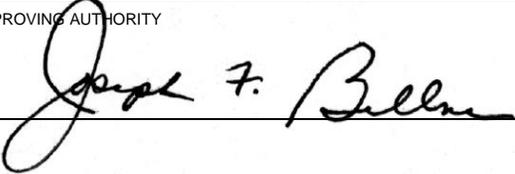


 <p><b>NEW YORK STATE</b> <b>Corrections and Community Supervision</b></p> <p><b>DIRECTIVE</b></p>	TITLE <b>Transferring Inmate Property</b>		NO. 4917
			DATE 2/5/2016
SUPERSEDES DIR# 4917 Dtd. 09/13/2013	DISTRIBUTION A B	PAGES PAGE 1 OF 8	DATE LAST REVISED
REFERENCES (Include but are not limited to) Dirs. #3081, 4911, 4913, 4918, 4919	APPROVING AUTHORITY 		

I. **SCOPE:** This directive outlines the procedures for shipping/transporting inmate personal property upon transfer to another facility.

II. **INFORMATION**

A. Property Limits/Requirements

1. Inmates transferred from one correctional facility to another are allowed to transport up to four bags of personal property and one musical instrument or typewriter.

NOTE: Because of limited personal storage space and the fact that each inmate will often be paroled within 90 days, inmates transferred to Queensboro Correctional Facility will be allowed up to two bags of personal property, including legal material, and one musical instrument or typewriter. All other property must be disposed of in accordance with disposal options listed in Directive #4913, "Inmate Property," [Form #2068](#), "Authorization for Disposal of Personal Property."

Exception: An inmate with excessive legal material may possess one additional draft bag of legal materials upon demonstrating that such material pertains to active legal cases by providing court names and case numbers. The facility administration is advised to consult with the Office of Counsel when considering the exception. In preparation for transfer, an inmate who possesses an additional bag of personal property containing authorized legal materials may select which bags will be transported via State transportation and which bag will be shipped at the inmate's expense. Bag #1 containing State clothing is exempt from selection and any bag containing active legal materials is exempt from selection.

NOTE: Prescribed medications shall be handled in accordance with the provisions set forth in Directive #4918, "Inmate Health Care During Transfer."

2. Inmates transferred to another facility must have a full set of State issued clothing transferred with them per Directive #3081, "Inmate Clothing Issue." When the inmate is being packed, should items of clothing be found altered or missing, appropriate actions detailed in Directive #3081 shall be taken by the transferring facility to correct the deficiencies prior to the inmate's departure from that facility.
3. Inmates who are transferred to another facility for the purpose of work or educational release must be provided the standard issue with only two sets of inmate greens and appropriate personally-owned civilian or State issue release clothing, as outlined in Directive #3081. This clothing will be transported with the inmate.

4. Property limits/requirements for inmates who are moved to another facility for intransit purposes is detailed in Directive #4919, "Transportation for Court Appearances."
  5. Additional property is to be disposed of as set forth in Directive #4913.
- B. Bags: Draft bags to be used for transferring inmate State issue and personal property shall be purchased from Corcraft. Draft bags measuring approximately 22" x 43" or having a 100 lb. capacity designation may be used as long as they are serviceable. Once an inmate's property is unpacked, the facility receiving the inmate shall ensure that the property bags are collected and stored in a secure area for future use.
- C. Baggage Tags
1. Standard, preprinted color-coded tags are to be used on all inmate personal property bags being transported. Care should be taken by the Officers packing the inmate's property that the correct tags are used, and that tags preprinted for one facility are not crossed out and used for another. In the event that the appropriate preprinted color-coded tags are not available, blank tags should be used.
  2. Inmates should not be permitted to see bag tags so they don't get advance notice of their destinations.
  3. Tags may be requisitioned from the Transportation Unit at Downstate Correctional Facility, by written request.

**III. PROCEDURES AND RESPONSIBILITIES:** In all cases, transfers from one Departmental facility to another are affected on the order or authority of the Commissioner, or designee. The Office of Classification and Movement in Central Office is responsible for authorizing and coordinating all inmate transfers. The document used to affect a transfer is a "Transfer Order" (TO) which is electronically sent to the facility's Inmate Records Coordinator (IRC).

An outline of the IRC's primary responsibilities regarding inmates transferred to another facility is:

1. The receipt of the Transfer Order;
2. A check of the records to verify that the inmate is eligible for transfer;
3. Notification of facility departments of the transfer;
4. The collection and packaging of inmate records and property (property held by the IRC's Office);
5. Ensure that the locator (movement and control) operator effects the appropriate transaction;
6. If inmate so requests, ensure that express mail is sent;
7. Notification by electronic mail or telephone to the receiving facility; and
8. The preparation of the transfer and baggage lists.

These responsibilities are covered in depth in Chapter 5, "Transfers," in the "Manual for Inmate Records Coordinators."

---

#### A. Transfer and Baggage Lists

1. Using [Form #2063](#), "Certificate of Search," the transferring facility's IRC shall list each inmate, the inmate's Department Identification Number (DIN), and the facility to which each inmate is being transferred. The form is provided to the facility supervisor assigned to oversee the packing of the inmate's property. This supervisor will list the number of bags of personal property (and musical instrument or typewriter) to be shipped with the inmates. When the Officers assigned to transport the inmates arrive to pick up the inmates and their property, this list will serve both as an inventory of property and a receipt form.
2. Using this listing, the facility supervisor assigned to oversee the draft and the Supervising Transportation Officer are responsible for seeing that the correct amount of personal property is loaded on the transporting vehicle. When the Draft Supervisor and the Supervising Transportation Officer are both satisfied that the property and the listing are correct, then the Supervising Transportation Officer will sign the personal property listing in the space provided and the facility supervisor will give a duplicate copy of the form to the Supervising Transportation Officer. The original copy of the inmate personal property listing is forwarded to the Superintendent of the transferring facility.
3. The facility Draft Supervisor and the Officer in charge of the transporting vehicle must verify that the correct amount of property is loaded, that the bags are tagged, and that tags are properly filled out.
4. If property is not tagged properly, the facility supervisor will take the appropriate action to correct this before the property is loaded. The Transportation Officer shall not accept property and load it on the transporting vehicle until action has been taken to correct any apparent deficiencies. The duplicate copy of the "Inmate Personal Property Listing" shall be retained on file by the Transportation Unit to document delivery of property.

#### B. Packing Procedure

Any personal property held by the facility property room will be forwarded to the IRC to be transferred along with the inmate's records. Correction Officers assigned to pack an inmate's property shall be instructed to observe the following guidelines: (See [Form #2076](#), "Packing Officer's Checklist." Each facility should adapt a similar list for its own specific needs.)

During the transferring process, inmate ID cards shall be handled as set forth in Section III-D of this directive.

1. All personal property legally owned by the inmate must be packed in the four property bags or disposed of as set forth in Directive #4913. For this reason it is imperative that all of the inmate's property be available to him or her at the time he or she is being packed for transfer. If the inmate indicates that some portion of his or her property is in another part of the facility (for instance in the laundry or the hobby shop), steps must be taken by the Packing Officer to obtain his or her property so that it can be properly packed or disposed of.

Containers of foodstuffs may be transferred as part of the inmate's property provided they are in their original, commercially-sealed containers. Open containers of foodstuffs must be disposed of as described in Directive #4913.

Active legal case materials are to be packed within the four bags of State and personal property that will be shipped with the transferring inmate. The inmate will be instructed by the Packing Officer not to leave any active legal materials behind, and the inmate will sign an acknowledgment on the completed [Form #2064](#), "Personal Property Transferred." (See Section II-A-1, Exception.)

If a transferring inmate is a practicing Native American and has a ceremonial ribbon shirt held in the Native American religious community locker, the inmate should notify the Packing Officer. The Packing Officer shall contact the facility Chaplain (or the Watch Commander in the Chaplain's absence) who will be responsible to deliver the shirt to the package room for mailing to the inmate's new facility. The shirt shall be packed and mailed at State expense. Upon receipt and processing, the receiving facility package room shall deliver the shirt to the Chaplain for placement in the Native American religious community locker.

2. Contraband facility property (e.g., library books, bed sheets, recreational equipment, etc.) shall not be packed, but instead must be confiscated and appropriate action taken.
3. When the inmate's property is being packed, the Officer supervising the packing must instruct the inmate that he or she will only be allowed the following items on their person during transit:
  - a. Wedding band;
  - b. Handkerchief;
  - c. Prescription eye glasses;
  - d. Approved religious head cover (yarmulke, kufi, tsalot kob, khimar, etc.);
  - e. Talit katan (Jewish inmates only; must not be visible under State issue clothing);
  - f. Native American medicine bag (Native American inmates only, must not be visible under State issue clothing);
  - g. False teeth; and
  - h. Hearing aid(s) with battery(ies).

NOTE: Prescribed medication shall be handled in accordance with the provisions set forth in Directive #4918, "Inmate Health Care During Transfer."

4. When packing, the first bag (#1 of \_\_) is used to pack the inmate's State clothing (see [Form #2075](#), "Inmate Clothing Issue – Pack-Up for Transfer") along with any other personal property that will fit. Officers packing must see that each inmate has his or her full State clothing issue in good condition prior to departure, and will take appropriate action if any State issue clothing must be replaced prior to the inmate's departure, as per Directive #3081. Bags should be packed so that items subject to breakage are protected by clothing or packing material. Under no circumstances are they to be over-filled. Bags must be completely closed and tied. Department policy permits only plastic jars and/or flexible acrylic vinyl (1/8" maximum thickness) paintings to be included with the inmate's personal items being packed.
5. Each bag or carton must be tagged. There should be no exceptions to this rule (see Sections II-C-1 & III-A-4). Tags shall be completely filled out by the Correction Officer packing the property, legibly printed in blue or black ink, and fastened to each bag with heavy cord so that they cannot easily come loose. The "tear off" portion of the tags should not be removed. In addition to tagging each bag of property, [Form #3607](#), "Inmate Property Transfer," is to be completed by the Officer packing the inmate and one copy of this form put inside each bag prior to its being sealed. Note: The purpose of this form is to provide a means of identifying the bag of property in the event the baggage tag comes off.
6. Inmates scheduled for transfer who require release clothing are to be provided needed garments as prescribed by Department regulations. A separate tag is to be used for release clothing and the tags affixed to the bag are to clearly indicate "release clothing" on both sides of the tag. This bag will not count as one of the four bags allowed to be transported with the inmate.
7. Each inmate's property bag shall be secured with a heavy gauge cord. A Department sequentially-numbered blue security seal will be affixed over the heavy gauge cord. Staff will record the number(s) of the security seal(s) in the areas provided in the upper right-hand corner of [Form #2064](#).
8. In addition to the four bags of personal belongings, a musical instrument or typewriter, as described in Section II-A-1, transferred as personal property must be packed in the proper music or typewriter case or securely packed in a box so as to prevent damage. Four personal property bags and one musical instrument or typewriter is the maximum per inmate that will be transportable via Departmental centralized transportation.
9. Cases and cartons shall be tagged and listed by tag number and in sequence (2 of 4, 3 of 4, etc.) as applicable; both sections of the tag should be clearly marked "musical instrument-guitar," etc.
10. Following completion of packing, [Form #2064](#) should be signed jointly by the Correction Officer and the inmate.
11. Personal property in excess of the four bags and musical instrument or typewriter shall be separately inventoried utilizing a [Form #2064](#) for each additional bag to be shipped via common carrier.

12. The number of bags containing the property of the inmate being transferred should be indicated on [Form #2064](#).
13. After the bags have been packed, sealed, and tagged, they should be stored in a secure area, grouped by receiving facility. The area chosen to store the baggage must not only be secure, but also accessible to the place where the transportation vehicle is to be located.

C. Transporting Baggage

1. As bags are loaded on the transporting vehicle, they are to be counted by both the Transportation Officer and the facility supervisor assigned to oversee the transfer procedure.
2. Once the baggage count is verified, the Transportation Officer shall sign all copies of the baggage list. The sending facility will retain the original copy of the list as a receipt and the Transportation Officer will be provided the duplicate.
3. On arrival at the receiving facility, the Transportation Officer will supervise the unloading and counting of the bags, in concert with the receiving facility's Draft Supervisor. If any bags are missing or there seems to be some damage, it should be documented at this time.
4. As the property bags are delivered, the Transportation Officer will require the Draft Supervisor receiving the property to sign the baggage list for the baggage delivered.
5. As the property is unloaded and accounted for, the Transportation Officer will remove the "tear off" portion of each baggage tag and return it to his or her headquarters to be filed for future reference.

The receiving facility's Draft Sergeant will check the baggage tag(s) and compare the numbers on the sequentially-numbered blue security seals affixed to each bag with those transcribed on [Form #2064](#) to verify whether all of the inmate's property has been received. Once verified, the baggage tag(s) and security seals should be destroyed and [Form #2064](#) given to the IRC's Office for filing in the inmate's legal folder.

If the personal property is not checked and given to the inmates immediately, it shall be stored in a secure area close to the place where the transportation vehicle was unloaded and not accessible to inmates unless under supervision or escort.

6. The baggage list will be handled as follows upon completion of the trip:
  - a. Inmates transported by the Transportation Unit - the list will be turned over to the Lieutenant in charge of the Transportation Unit; a copy shall be maintained in the event an inmate files a claim for lost or damaged property.
  - b. Inmates transported by facility Correction Officers - the list will be forwarded by the Officers to the sending facility's IRC for retention in case of possible inmate claims.

7. Baggage to be transported later:

- a. If the vehicle used to transport the inmates and their property is unable to accommodate all property bags, the Transportation Officer shall prepare [Form #3608](#), "Extra Inmate Personal Property List," in triplicate. This list will serve as a means of accounting for bags listed on baggage list but not transported with the inmate.

The originating facility will hold the property in a secure area until arrangements have been completed for the delivery of the property. The baggage list is then adjusted to indicate the correct amount of baggage transported. The original copy of [Form #3608](#) will be forwarded to the receiving facility, the second copy will be retained by the Transportation Officer, and the third copy will be retained by the IRC to the originating facility until the baggage is picked up for delivery.

- b. It is the responsibility of the supervising Transportation Officer to notify the receiving facility upon arrival of the number of bags of property for each inmate that are not being delivered with the inmate, as well as when and by what means they will be delivered.
- c. When bags remaining from a previous trip are subsequently picked up, they will be included on that trip's baggage list. The bags will be entered on the list prepared by the IRC as are other property except that a notation should be made indicating "Bags for Inmate Transferred -- (date)." If the baggage is transported by truck or commercial carrier, the exact details (method of transportation, company, invoice number, date shipped, etc.) should be indicated on [Form #3608](#) and the receiving facility should be notified of these arrangements in writing prior to the shipping of the property.

D. Inmate Identification Cards

1. The Officer assigned to pack the inmate's personal property for transfer shall examine the inmate's ID card for likeness and proceed as follows:
  - a. If the ID card bears a good likeness, return it to the inmate.
  - b. If a new ID card is needed, due to a change of appearance, notify the supervisor. In these cases, every effort shall be made to provide a new ID card prior to transfer. If a new ID card cannot be provided, a digital photograph of the inmate shall be given to the transporting supervisor.
  - c. If a new ID card is needed due to a lost ID, notify the supervisor of such and prepare an appropriate "Inmate Misbehavior Report." In these cases, every effort shall be made to provide a new ID card prior to transfer. If a new ID card cannot be provided, a copy of the "Inmate Misbehavior Report" and a digital photograph of the inmate shall be given to the Transporting Supervisor.
2. The Transporting Supervisor shall collect the ID card from each inmate prior to leaving the facility.

3. Upon arrival at the receiving facility, the Transporting Supervisor shall give the ID cards, digital photographs, and misbehavior reports to the Receiving Supervisor.
4. As the Receiving Supervisor checks in the arriving inmates, he or she shall return the ID cards to them at that time.

NOTE: If a digital photograph is received in lieu of an ID card, action shall be taken to provide the inmate with a new ID card as soon as possible.