

## STANDARD 2.4

### FUNDS AND PERSONAL PROPERTY

#### I. POLICY

All facilities will provide for the control and safeguarding of detainees' personal property. This will include the secure storage of funds, valuables, baggage, and other personal property; a procedure for documentation and receipting of surrendered property; and the initial and regularly scheduled inventories of all funds, valuables, and other property.

#### II. STANDARDS AND PROCEDURES

##### A. General

The facility shall provide a secure area, accessible only by designated supervisors and/or property officers, to hold detainee property, valuables, and foreign currency. Detainees lacking baggage or luggage in which to store their property shall have their property placed in baggage or property bins owned by the facility and stored in the secured baggage area at no cost to the detainee. Staff shall inventory, and maintain a record of, detainee personal property being shipped from the facility. The record shall be maintained in the detention file or in a retrievable electronic format, and a copy of the record shall be provided to the detainee.

Any unauthorized personal property is contraband and will be surrendered to staff for securing and inventorying. (See Standard 2.3 "Facility Security and Control.")

The facility may make shipping arrangements for the excess personal property of detainees requiring such assistance. If the detainee refuses to cooperate by providing an appropriate mailing address or is financially able but unwilling to pay the postage, or is unable to pay for shipping, the facility will notify ICE/ERO for instructions for mailing or disposing of the property. In all cases, detainees shall be provided written notice prior to the destruction of their property.

##### B. Limitations on Possession of Detainee Personal Property

1. Detainees may keep a reasonable amount of personal property in their possession, provided the property poses no threat to facility security. Detainees shall have the opportunity to store excess property with a third party or, as applicable, in the facility's personal property storage area.
2. Identity documents, such as passports, birth certificates, etc., shall be copied for the detention file, and the original forwarded to ICE/ERO. Upon request, facility staff will provide the detainee with a copy of the document.

3. Each housing area will designate an area for storing detainees' personal property.

**C. Admission**

All detention facilities shall have policies and procedures to account for and safeguard detainee property at time of admission. Medical staff will determine the disposition of all medicine accompanying an arriving detainee.

1. Standard operating procedures will include obtaining a forwarding address from every detainee who has personal property.
2. Each facility shall have a written standard procedure for inventory and receipt of detainee funds and valuables. Each detainee shall be given a receipt for all property held until release.

**D. Inventory and Audit**

Each facility shall have a written procedure for inventory and audit of detainee funds, valuables, and personal property.

An inventory of detainee baggage and other non-valuable property will be conducted by the facility administrator or designee at least once each quarter.

The facility's logs will indicate the date, time, and name of the officer(s) conducting the inventory. Any discrepancies will be reported immediately to the facility administrator.

**E. Release or Transfer**

Each facility shall have a written procedure for returning funds, valuables, and personal property to a detainee being transferred or released. U.S. and foreign currency will be returned to the detainee as cash, when possible.

After a property check, the detainee will then sign a receipt for the property, indicating his or her receipt of all funds and personal property due him or her. Detainees who are limited English proficient shall be provided with foreign language services (written translation or oral interpretation) and, consistent with the procedures outlined in Standard 4.7 "Disability Identification, Assessment, and Accommodation," detainees with disabilities shall be provided with appropriate accommodations, auxiliary aids or services, and modifications, as necessary, to ensure the detainee understands the information in the receipt. The property log and inventory sheets will reflect the transaction.

**F. Lost/Damaged Property**

Each facility shall have a written policy and procedure for detainee property reported missing or damaged.

1. All procedures for investigating and reporting property loss or damage will be implemented in a timely fashion;
2. Supervisory staff will conduct the investigation;
3. The facility will promptly reimburse detainees for all validated property losses caused by facility negligence; and
4. The facility will immediately notify ICE/ERO of all claims and outcomes.

**G. Abandoned Property**

Facilities shall report and surrender to ICE/ERO all detainee property that is abandoned or unclaimed.

**H. Notice to Detainees**

The facility handbook shall notify detainees of facility policies and procedures concerning personal property, including:

1. Which items they may retain in their possession;
2. That, upon request, they will be provided a copy of any identity document (passport, birth certificate, etc.) placed in their A-files or detention files;
3. The rules for storing or mailing property not allowed in their possession;
4. The procedures for claiming property upon release, transfer, or removal; and
5. The procedures for filing a claim for lost or damaged property.