

33-602.201 Inmate Property.

(1) The reception center chief of security will ensure that an inmate property file is established for each new inmate. The inmate property file will become part of the inmate's institutional file. All forms and correspondence pertaining to inmate property must be placed in this file in chronological order. The chief of security or designee at each institution is responsible for the maintenance of the inmate property file. An addendum will be made to Form DC6-224, Inmate Property List, any time the status of an inmate's property changes. Form DC6-224 is hereby incorporated by reference. Copies of the form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500, <http://www.flrules.org/Gateway/reference.asp?No=Ref-11988>. The effective date of this form is 06/20. Examples of changes include when an inmate receives additional property through an approved source or when the inmate chooses to dispose of a broken or worn out item.

(2)(a) When an inmate is initially received by the Department, the receiving or property officer will take charge of the inmate's property. The officer will inventory all items in the inmate's possession at that time using Form DC6-224.

(b) After final disposition is completed, the officer will give one copy of Form DC6-224 to the inmate along with that property the inmate is authorized by the Department to keep. Property remaining in the possession of an inmate is the responsibility of that inmate and not of the institution. One copy of Form DC6-224 will be placed with any property that is not authorized within the Department and that is to be stored. One copy of Form DC6-224 will be placed in the package to be mailed to the inmate's home or to the person designated on the form; if the inmate chooses to forfeit the items, this copy of Form DC6-224 will be given to the inmate. One copy of Form DC6-224 will be placed in the inmate property file.

(c) Unauthorized property will be held at the institution for 30 days. During this 30-day period, an inmate will be given an opportunity to have any unauthorized property picked up by an approved visitor, relative, or friend, and to mail money or valuables to his or her family or other person of his or her choosing at no expense to the Department. The 30-day period will not include any time during which a grievance or grievance appeal pertaining to the disposition of the property is pending. Persons picking up items must pre-arrange with the warden for pick-up at a specific time during administrative working hours (Monday through Friday 8:00 a.m. to 5:00 p.m.).

(3) Upon arrival at any facility of the Department, an inmate will have all property in his or her possession inventoried by security staff. Any unauthorized property or any authorized property in excess of the allowed amounts noted in Appendix One of this rule, will be confiscated and stored pending disposition. The inmate will be given a copy of Form DC6-224 for such items. When it becomes necessary to confiscate and impound the authorized property of an inmate subsequent to his or her reception at an institution, it will be immediately inventoried by a Department employee in the presence of the inmate whenever possible, and a signed Form DC6-220, Inmate Impounded Property List, itemizing the property will be given to the inmate. Form DC6-220 is hereby incorporated by reference. Copies of the form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500, <http://www.flrules.org/Gateway/reference.asp?No=Ref-11987>. The effective date of this form is 06/20. If any exigent circumstance prevents an inmate from being present during the inventory process, the inmate's presence will not be required. In such cases, a second Department employee will witness the inventory process. Proper procedures will be followed to safeguard and store such property to prevent its loss, damage, or theft. Upon release of the property, a signed copy of Form DC6-220 will be obtained from the inmate. Money in excess of the amount allowed by Rule 33-601.602, F.A.C., found in the possession of an inmate will be handled in accordance with Rule 33-602.203, F.A.C.

(4) Authorized Property.

(a) The property reflected on the Approved Property List (Appendix One), in the indicated quantities, is authorized within the Department once an inmate is permanently assigned to an institution, provided the inmate has sufficient approved storage space. An inmate may not use another inmate's approved storage space or other non-authorized storage containers, or store property in locations other than his or her assigned housing unit.

(b) Wardens are authorized to establish local clothing storage procedures based upon confinement or other high security status when possession of multiple items presents a security risk for inmates in that status. Local clothing storage procedures must comply with the following:

1. Clothing will be exchanged on a one-for-one basis;
2. Inmates must have the opportunity for at least three exchanges per week, or the same opportunity for exchange as provided to other inmates at the institution, whichever is greater;
3. Local clothing storage procedures must be consistently applied to all inmates of a particular security or housing status. Additional restrictions or removal of clothing items for an individual inmate for safety or security reasons must be handled and

documented in accordance with rules applicable to the inmate's confinement status.

4. An inmate on work release is allowed to have an expanded inventory of clothing and supplies consistent with his or her work requirements as approved by the warden.

(c) Wardens will establish local procedures whereby a married inmate can receive his or her wedding band if the wedding band was not brought with the inmate at the time of reception into the Department.

(d) An inmate is required to maintain receipts for items purchased from an authorized source for as long as he or she possesses the items. An authorized source includes the canteen, the friends and family program, and any vendor authorized to conduct business with the Department that has been approved to make items available for purchase by the inmate. In instances where items purchased from an authorized source are added to Form DC6-224 by the property officer, the inmate will not be required to maintain the original receipt from the authorized source. Perishable food and beverage items purchased from an authorized source are intended for immediate consumption and may not be stored in an inmate's housing area. Perishable food and beverage items are those that are unsealed or that require refrigeration. Nonperishable food or beverage items may not be kept longer than 30 days, as evidenced by the receipt from an authorized source, and will be considered contraband if found in the possession of an inmate more than 30 days after purchase.

(e) An inmate transferred from a jail or private prison to a Department institution or facility is permitted to retain only that property that is authorized by the Department in Appendix One. Any unauthorized item will be confiscated and held by the institution or facility for 30 days. During this 30-day period, the inmate will be given an opportunity to have the items picked up by an approved visitor, relative, or friend, or to mail the items to persons of his or her choosing at no expense to the Department. The 30-day time period will not include any time during which a grievance or grievance appeal pertaining to the disposition of the property is pending.

(5) Unauthorized Property.

(a) Property that is contraband pursuant to Rule 33-602.203, F.A.C., will be handled as provided in that rule.

1. If an inmate receives postage stamps in the mail that, when added to the number already in the inmate's possession, place the inmate over the maximum allowed, the inmate will be allowed to send the excess stamps out at his or her own expense. It is the inmate's responsibility to make arrangements with staff to send out the extra stamps as soon as they are received. The stamps must be sent out; the institution will not store excess stamps for inmates. Excess stamps found in an inmate's property will be considered contraband.

2. If an inmate receives or obtains printed photographs from any source that, when added to the number already in the inmate's possession, place the inmate over the maximum allowed, the inmate will be allowed to send the excess photographs out at his or her own expense. It is the inmate's responsibility to make arrangements with staff to send out the extra photographs as soon as they are received. Excess photographs found in an inmate's property will be considered contraband.

3. An inmate who is in possession of the maximum number of items allowed by this rule and who wishes to replace a worn item must contact the property officer to arrange to discard or send the worn item out at his or her own expense before purchasing a replacement item.

(b) Property that is authorized for inmates in general population such as shaving powders, oils, and lotions will be unauthorized or restricted based upon an inmate's confinement or other high security status when that item presents a security risk. Further limits on personal items for inmates in confinement or other high security statuses are authorized as referenced in Rules 33-602.220, 33-602.221, 33-602.222, 33-601.800, 33-601.820, and 33-601.830, F.A.C.

(6) Storage of Excess Legal Materials.

(a) Definitions.

1. Active Legal Material: Pleadings (i.e., complaint, petition or answer), legal motions and memoranda, affidavits, court orders and judgments, correspondence, and other documents (including discovery and exhibits), in or directly pertaining to an inmate's own pending, active or prospective cases or lawsuits before the courts or administrative agencies.

2. Inactive Legal Material: Legal material not related to the inmate's ongoing litigation, or not directly pertaining to an inmate's pending, active or prospective cases or lawsuits before the courts or administrative agencies.

3. Excess Active Legal Material: Active legal material that exceeds the capacity of storage available in the inmate's locker.

4. Excess Inactive Legal Material: Inactive legal material that exceeds the capacity of storage available in the inmate's locker.

(b) Storage of Legal Material. Each inmate is authorized to possess in his or her assigned housing area his own active or inactive legal material not exceeding the capacity of storage available in the inmate's assigned locker.

(c) Storage of Excess Active Legal Material.

1. A secure space for storing excess active legal material will be provided for inmates to use to store active legal material that cannot be contained in the inmate's locker. Each facility will identify a secure area for such storage.

2. When it is determined by the assistant warden or chief of security that an inmate has legal material that cannot be contained in the inmate's assigned locker, the inmate will be given a written order from an employee of the Department providing:

a. The inmate will have seven calendar days to organize and inventory his or her legal material and separate excess inactive legal material from excess active legal material; and

b. If, after organizing and inventorying his or her legal material the inmate will not be able to fit active legal material in his or her assigned locker, the inmate will complete Form DC6-2006, Request for Storage of Excess Active Legal Material, and Form DC6-2008, Excess Active Legal Material Inventory List, and submit them to the warden for review. Form DC6-2006 is hereby incorporated by reference. Copies of the form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500, <http://www.flrules.org/Gateway/reference.asp?No=Ref-02183>. The effective date of this form is 7-8-03. Form DC6-2008 is hereby incorporated by reference. Copies of the form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500, <http://www.flrules.org/Gateway/reference.asp?No=Ref-02185>. The effective date of this form is 7-8-03.

3. If time is needed in excess of seven calendar days for the inmate to organize and inventory his or her legal material, the inmate must, prior to the expiration of the seven calendar day period, submit a Form DC6-236, Inmate Request, to the warden to ask for additional time to complete the review. The inmate must specify the basis for the request for additional time and how much additional time will be required to complete organizing and inventorying legal material. The total period of time for the inmate to complete this review will not exceed 30 calendar days. Form DC6-236 is incorporated by reference in Rule 33-103.005, F.A.C.

4. In the event the inmate refuses to organize and inventory his or her legal material as ordered, the inmate will receive a disciplinary report. If the inmate refuses to comply after being ordered a second time, the inmate will receive a disciplinary report and the Department will organize and inventory the material. The inventory will be performed in the same manner as the staff review described in subparagraph (6)(c)5., below.

5. Prior to placing an inmate's active legal material into excess storage, the inmate's legal material will be subject to a cursory review by Department staff to ensure compliance with Department rules regarding utilization of excess storage, approved property, and contraband. This review will only be conducted in the presence of the inmate. Only the case style, signature on the document (if any), and letterhead (if any) may be read. Any material that is determined by staff to not be active legal material will be collected by two designated employees and placed in one or more boxes with interlocking flaps for storage pending disposition. The warden or designee will notify the inmate on Form DC6-2007, Excessive Inactive Legal Material Disposition Determination, of the determination and that the inmate will have 30 days to make arrangements to have the excess inactive legal material picked up by an approved visitor, relative, or friend or sent out at the inmate's expense as provided in subparagraph (6)(c)6. below. The institution will otherwise destroy the material. This notification will be provided to the inmate within three calendar days of the determination unless the inmate provides verification of a deadline that cannot be met within the three-day waiting period. The 30-day limit does not include any time that a grievance or grievance appeal is pending provided the inmate has provided the warden or the warden's designee with the written notice required in subparagraph (6)(c)7. below. For purposes of this subparagraph, the warden's designee may include the property room supervisor. Form DC6-2007 is hereby incorporated by reference. Copies of the form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500, <http://www.flrules.org/Gateway/reference.asp?No=Ref-02184>. The effective date of this form is 7-8-03.

6. The cost of sending the inactive legal material to a relative or friend will be collected from any existing balance in the inmate's trust fund account. If the account balance is insufficient to cover the cost, the account will be reduced to zero. If costs remain unpaid, a hold will be placed on the inmate's account and all subsequent deposits to the inmate's account will be applied against the unpaid costs until the debt has been paid in full.

7. If the inmate intends to appeal the determination and wishes to have the order to dispose of excess inactive legal material within 30 days stayed while the appeal is proceeding, the inmate must provide written notice to the warden on Form DC6-236 that he or she intends to appeal the determination to the Office of the Secretary. The written notice must be filed within 15 calendar days of the determination. It must include a statement by the inmate that the inmate intends to appeal the determination and must specifically identify the documents or papers on which the appeal is to be based.

8. If the inmate fails to file written notice with the warden within 15 calendar days of the determination, fails to provide Form

DC6-2007 as an attachment to the appeal, addresses more than one issue, or in any other way violates the grievance procedure as described in Chapter 33-103, F.A.C., the appeal will be returned without response to the issue raised.

9. If the inmate's grievance appeal is denied and the inmate wishes to appeal the determination to the courts and have the order to dispose of the excess inactive legal material within 30 days stayed while the court appeal is proceeding, the inmate must provide written notice to the warden on Form DC6-236 that he or she intends to appeal the determination to the courts. The written notice must be filed within 30 calendar days of receipt of the response from the Office of the Secretary, must identify the court in which the appeal has been filed, must include a statement by the inmate that the inmate intends to appeal the determination, and must specifically identify the documents or papers on which the appeal is based.

10. If the inmate's appeal is denied, the inmate will have 30 days to make arrangements to have the excess inactive legal materials picked up by an approved visitor, relative, or friend, or pay to have the material sent to one of these approved individuals. If the material is not picked up or mailed out within 30 days, the institution will destroy it.

11. Prior to being stored in excess storage, excess active legal material will be placed in one or more boxes with interlocking flaps, will be numbered in sequential order, and will have the inmate's name and department number clearly written on the top and side of each box. Prior to being sealed, the box(es) will be inspected by staff, in the presence of the inmate, for contraband. Each box will be sealed in the presence of the inmate prior to being placed into excess storage. Form DC6-2008 must be completed or updated by the inmate before a box is sent or returned to excess storage.

12. In no event will an inmate's active legal material be destroyed or removed from the facility except, in accordance with procedures for disposition of inmate property provided in this rule, as authorized and directed in writing by the inmate.

13. The department will not store case law, legal texts or books, or multiple copies of legal material as excess active legal material.

(d) Excess Inactive Legal Material. Excess inactive legal material will be sent out of the institution or facility by the inmate at the inmate's expense, as provided in subparagraph (6)(c)6. above. If the inmate does not want to pay to send the excess inactive legal material out, the material will be destroyed in accordance with this rule and Rules 33-602.201 and 33-602.203, F.A.C., regarding inmate property and contraband.

(e) Inmate Access to Excess Active Legal Material.

1. When an inmate wants access to a box of active legal material stored in excess storage, the inmate must:

- a. Notify the property room officer by submitting Form DC6-236; and
- b. Clearly indicate by number the box being requested.

2. Barring an emergency need demonstrated by the inmate, e.g., a court deadline that requires an immediate response by the inmate, the property room officer will provide the requested box to the inmate within three workdays from date of receipt of the request, which must be date stamped when received.

3. After receipt of a box of active legal material from excess storage, the inmate will be permitted to exchange those active legal materials with other active legal materials in the inmate's assigned locker.

4. The legal material to be exchanged will be inspected for contraband by staff and sealed in the presence of the inmate prior to the box being returned to excess storage.

5. Form DC6-2008 must be used and updated each time legal material is stored in or exchanged with legal material from excess storage.

(f) Transfer. An inmate being transferred to another institution will be permitted to take along all of the inmate's legal material. The transferred inmate's legal material must be maintained and possessed in accordance with the receiving institution's available locker storage space.

(7) Impounded Property.

(a) When it is necessary to take and impound items of property belonging to or in the possession of an inmate, that property will be taken, handled, processed, and secured in a manner that will safeguard it from loss, damage, destruction, or theft while it is under the control of the Department. If the property impounded does not belong to the inmate in possession of the property, an investigation will be conducted to determine if the owner of the property knowingly permitted the use of the property. If so, the property will be handled as contraband. If it can be determined that the property was stolen or otherwise taken without permission, the impounded property will be returned to the rightful owner unless otherwise prohibited by this rule or by Rule 33-602.203, F.A.C. Inmates must report stolen items immediately to the housing officer. The officer will complete Form DC6-210, Incident Report, and an attempt will be made to locate the missing property. Form DC6-210 is incorporated by reference in Rule 33-602.210, F.A.C.

(b) When property of an inmate is impounded, it will be inventoried on Form DC6-220 in the presence of the inmate whenever possible. A new inmate being processed into the Department at one of the reception centers will have his or her property recorded on Form DC6-224, with a copy being given to the inmate. Unauthorized property will be stored pending final disposition as provided in this rule. At the time of receipt into the Department each inmate will also sign Form DC6-226, Authorization for Disposition of Mail and Property, which authorizes the Department to dispose of the property should the inmate abandon it. Form DC6-226 is hereby incorporated by reference. Copies of the form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500, <http://www.flrules.org/Gateway/reference.asp?No=Ref-02180>. The effective date of this form is 11-21-00.

1. The inventory will list and identify each item or list each group or package of personal items such as letters, legal papers, etc., maintained in a collection on Form DC6-220.

2. Form DC6-220 must be signed and dated by the Department employee recording the inventory and signed by the inmate, each in the presence of the other, unless the inmate's presence would be a danger or a threat to security, or unless the inmate is unavailable.

3. If an inmate refuses to sign Form DC6-220 or is not present, that fact will be noted on the inventory and signed by the Department employee making the inventory and by a second Department employee present during the inventory.

4. The inventoried property will be kept together and identified by placing one signed copy of the inventory with the property.

5. One signed copy of the inventory shall be given to the inmate.

(c) After being inventoried, the property will be removed as soon as possible to a secure area where it will be safe from loss, theft, or damage and to which other inmates do not have access.

(d) Authorized property impounded during a period of close management, administrative confinement, or disciplinary confinement will be held at the institution and returned to the inmate at the end of such period.

(e) If it is appropriate to return part, but not all, of the impounded property to the inmate, the following procedure will be followed:

1. That part of the property being returned will be listed on the approved release, Form DC6-225, Inmate Partial Property Return Receipt, and any property found to be missing at that time will be noted on the form. Form DC6-225 is hereby incorporated by reference. Copies of the form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500, <http://www.flrules.org/Gateway/reference.asp?No=Ref-02179>. The effective date of this form is 11-21-00. The employee making the release and the inmate will date and sign the release form, each in the presence of the other. One signed copy of the release form will be given to the inmate. One copy will be attached to the original inventory list and kept with the remaining impounded property until all property is returned to the inmate, at which time the copy will be placed in the inmate's property file.

2. The remaining unauthorized impounded property will be held by the institution for 30 days. It is the responsibility of the inmate to make arrangements to have the property picked up by an approved visitor, relative or friend. In the alternative, the inmate may pay to have the property mailed to one of these approved individuals. The 30-day period does not include any time during which a grievance or grievance appeal relating to the impounded property is pending. This paragraph does not apply to property that will be returned to the inmate pursuant to paragraph (7)(d) after release from close management, administrative confinement, or disciplinary confinement.

3. When property is picked up by an authorized individual, the person receiving the property must sign Form DC6-227 acknowledging receipt of the property. When arrangements for mailing of property have been made by the inmate, the inmate must sign Form DC6-224 indicating the property to be mailed.

(f) When all of the impounded property is being returned, the following procedure will be followed:

1. The property being returned will be given to the inmate to check, in the presence of the employee making the release, to determine that all the property listed on the inventory is being returned to the inmate.

2. The inmate will sign and date the original Form DC6-220 to indicate that all of the impounded property has been received. The employee will sign as a witness and the form will be placed in the inmate's property file.

3. If items of property on the inventory list cannot be located at the time the property is returned, those items will be indicated as being missing on the inventory list.

(g) When an inmate whose property has been taken and impounded is transferred to another institution or facility, that property will be transported with the inmate or as soon as possible after the inmate is transferred. It is the responsibility of the sending location to ensure that only authorized property is transported and that the inmate has signed the proper receipt for the property,

Form DC6-227, Receipt for Personal Property. Form DC6-227 is hereby incorporated by reference. Copies of the form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500, <http://www.flrules.org/Gateway/reference.asp?No=Ref-02181>. The effective date of this form is 11-21-00. The procedures for returning property listed in paragraph (7)(f) above will be followed. When the inmate has excessive authorized property that cannot be transported with the inmate, the procedures for making a partial return listed in paragraph (7)(e) above will be followed.

(h) Except in emergency situations such as transfers immediately following a disturbance or institutional evacuation, whenever an inmate is transferred from one institution to another, the inmate's property and property file will be transferred with the inmate. The sending institution has the responsibility of ensuring that the inmate being transferred has only that property that belongs to the inmate and that such property is authorized. The inmate and the officer inspecting the property must sign and date Form DC6-227 at the time of transfer. Any property that is left behind or missing will be noted on the form.

(i) If an inmate is transferred without his or her property, the property will be forwarded to the inmate by the sending institution within five working days, or as soon thereafter as possible if conditions resulting from an emergency preclude forwarding within five days. The property, along with Form DC6-224, will be placed in a sealed container for transporting. A staff member at the receiving institution will, in the presence of the inmate to whom the property belongs, check the property against the property list to ensure that all property is accounted for. The inmate must sign Form DC6-227 when the property is given to the inmate. Any discrepancies will be noted on the form. If the inmate refuses to sign Form DC6-227, a notation to that effect will be placed on the form and a second employee will witness and sign the form.

(8) Any inmate transferring to an outside hospital in the community for treatment or to a court appearance will take only personal hygiene items, prescription medication issued by health services, and legal materials related to the court appearance in a quantity not to exceed the contents of a small banker's box, the quantity allowed by authorized transport authorities or services if less than a small banker's box, or as otherwise ordered by the court. Remaining property will be inventoried utilizing Form DC6-220 and stored in a secure location. When the inmate returns, he or she will only be allowed to possess those items that the inmate possessed before being transferred.

(9) Any inmate being released by parole or expiration of sentence must take all personal property with him or her and sign Form DC6-227 at the time of release.

(10) When, with the prior knowledge of the Department, an inmate is not under the immediate control of the Department for more than 24 hours and the inmate's property does not accompany him or her, it will be inventoried and held until the inmate's return.

(11) When an inmate dies, escapes, or otherwise voluntarily abandons his or her property, the procedures listed below will be followed:

(a) The property will be inventoried and stored in a secure area.

(b) An attempt will be made to locate the person or persons indicated on the inmate's notification record who will take possession of the property.

(c) If this effort is successful, a signed Form DC6-227 for the property will be obtained from the person taking possession of the property, and the receipt will be placed in the inmate's property file.

(d) If the effort to locate the person or persons is not successful, or if the person or persons listed fail to make arrangements to take possession, the property will be given to charity. Funds in the Inmate Trust Fund will be handled in accordance with Rule 33-203.201, F.A.C.

(e) Abandoned property will be held by the institution for a period of 30 days to ensure sufficient time to implement the procedures outlined above.

(12) The warden or designee will determine how an inmate's property will be managed when the inmate has to appear at a disciplinary hearing by evaluating the following factors:

(a) The maintenance of proper accountability of inmate property;

(b) The likelihood of disruptive and belligerent behavior on the part of the inmate in the event that he or she is found guilty at the disciplinary hearing; and,

(c) The physical layout of the institution.

(13) The warden or designee is authorized to require an inmate to bring all of his or her property to a disciplinary hearing if the warden or designee determines that this is necessary after evaluating the factors set out in subsection (12) above.

(14) Missing Inmate Property.

(a) When an inmate's property is returned after being stored for any reason and items documented on Form DC6-224 cannot be located, this fact will be documented on the form. Any request for compensation or replacement of missing items will be initiated via the inmate grievance process by the inmate whose property is missing.

(b) If the grievance is approved, the assistant warden or other designee of the warden will investigate the loss. The investigation will be completed and forwarded to the warden or designee within 30 days.

(c) If the loss is substantiated by the investigation, the warden or designee will forward to the Department of Corrections Environmental Health, Safety and Risk Management Office a cover letter recommending a payment amount, a copy of the investigation with supporting documentation including proof of ownership (Form DC6-224), and a completed Department of Financial Services Lien Disclosure Statement, DFS-D0-1404. The Lien Disclosure Statement is hereby incorporated by reference. Copies of the Lien Disclosure Statement are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500, <http://www.flrules.org/Gateway/reference.asp?No=Ref-02316>. The effective date of this form is 1-08.

(d) The Department of Corrections Environmental Health, Safety and Risk Management Office will review and forward the claim to the Department of Financial Services, Division of Risk Management, for review and reimbursement consideration. Form DC6-238, Report of Risk Management Claim for Inmate Property, will be used to notify the institution of action taken on the claim by the Department of Corrections Environmental Health, Safety and Risk Management Office. Form DC6-238 is hereby incorporated by reference. Copies of the form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500, <http://www.flrules.org/Gateway/reference.asp?No=Ref-02182>. The effective date of this form is 3-13.

(e) In the event that the Department of Financial Services, Division of Risk Management, decides to pay any or all of the inmate's claim, the following procedure will be followed:

1. The Department of Corrections Bureau of Finance and Accounting, Inmate Bank Section, will receive the check for deposit.
2. The Department of Corrections Bureau of Finance and Accounting, Inmate Bank Section, will notify the Environmental Health, Safety and Risk Management Office via memo or e-mail of the deposit of the inmate's claim check.

(15) Transfer of Property. Inmates shall not transfer any property in their possession to any other individual by way of loan, sale, trade, barter, or donation.

(16) Religious Property.

(a) Definitions.

1. Religious property – property adhering to the tenets of a particular religion, including items for wearing or carrying at all times, items for individual worship in the inmate's cell or individual sleeping area in open dormitory style housing, and items for storage and supervised use at the institutional chapel.

2. Koofi – short, brimless cap worn by male followers of Islam.

3. Prayer rope – short, knotted rope used for individual worship by followers of the Greek Orthodox faith.

4. Prayer rug – small rug on which followers of Islam conduct individual worship.

5. Prayer shawl – shawl with tassels or twisted threads on each corner worn by followers of Judaism, Messianic Judaism, and the Assembly of Yashua for Morning Prayer and on holy days; it may be accompanied by a small cloth prayer shawl bag that is used for storing the item when it is not being worn.

6. Rakusu – small, bib-like garment worn about the neck by followers of Buddhism.

7. Runes – small tiles, each inscribed with a runic letter, used for individual worship by followers of Odinism or Asatruism.

8. Scapular – two small squares, sometimes bearing religious images or texts, connected by string and worn about the shoulders of followers of Catholicism.

9. Tarot cards – deck of 78 cards depicting spiritual entities used for individual worship.

10. Tefillin – two small leather boxes, each containing a black leather strap inscribed with religious text. The tefillin are wrapped around the body by followers of Judaism as a form of individual worship and may be accompanied by a small cloth tefillin bag that is used for storing the items when they are not being worn.

11. Tzitzit – four-cornered garment with tassels or twisted threads on each corner worn by followers of Judaism, Messianic Judaism, and the Assembly of Yashua. When the tzitzit is worn underneath the clothing, the tassels are to hang below the outer garment.

12. Yarmulke (or Kippah) – small, round cap worn by male followers of Judaism, Messianic Judaism, and the Assembly of

Yashua.

13. Zafu – a meditation cushion used by followers of Buddhism.

(b) Unless otherwise prohibited by Department rule, inmates are permitted to possess, for personal use, religious publications as defined in Rule 33-503.001, F.A.C., that are in compliance with admissibility requirements of Rule 33-501.401, F.A.C.

(c) Unless otherwise prohibited by Department rule or by paragraph (16)(e) below, an inmate is permitted to possess the following items adhering to the tenets of a particular religion for wearing or carrying at all times or for use during individual worship in the inmate's assigned cell or individual sleeping area if assigned to open dormitory housing. Such religious items must be documented on Form DC6-224. When an inmate makes a change in religious preference, the inmate must dispose of all the items associated with the previous religion unless such items are also associated with the new religious preference. Disposal must be in accordance with paragraph (16)(i) below and must be done before the inmate will be permitted to possess items adhering to the new religious preference. An inmate is allowed to maintain the following religious items in his or her individual housing unit unless specific and definable security concerns require storage and usage elsewhere. An inmate will not be transported to the chapel for the purpose of using an item for individual worship if the inmate possesses the item in his or her housing area; however, if an inmate does not possess a necessary item for individual worship in his or her housing area and the item is available at the institutional chapel, the inmate will not be prohibited from being transported to the chapel for the purpose of using the item for individual worship.

1. Religious items for wearing or carrying at all times:

a. Jewish – black yarmulke, white tzitzit worn underneath the clothing with the fringes permitted to hang below the bottom of the shirt;

b. Catholic – devotional scapular worn underneath the clothing;

c. Muslim – white koofi for men, white or blue headscarves for women with a possession limit of four scarves;

d. Native American – medicine bag, headband, feather;

e. Assembly of Yashua – black yarmulke, white tzitzit worn underneath the clothing with the fringes permitted to hang below the bottom of the shirt;

f. Rastafarian – white or blue headscarves for women with a possession limit of four scarves;

g. Messianic Jewish – black yarmulke, white tzitzit worn underneath the clothing with the fringes permitted to hang below the bottom of the shirt;

h. One set of prayer beads, such as Rosary, Dhikr, Orisha, Mala, or Japa-Mala beads;

i. One religious symbol or medallion, such as a cross, Star of David, or talisman, or other religious medallion. Religious symbols shall not be more than 2 inches in length or diameter, and symbols worn about the neck shall be worn under the shirt on a jewelry-type chain. Religious symbols that are designed to be affixed to clothing with a pin are not permitted.

2. Religious items for individual worship in an inmate's assigned cell or individual sleeping area:

a. Jewish – prayer shawl (white or white with colored trim) no larger than 72" x 72", one set of tefillin;

b. Muslim – prayer rug no larger than 30" x 42";

c. Asatru or Odinism – runes and accompanying cloth bag;

d. Greek Orthodox – prayer rope;

e. Buddhist – black or brown Rakusu;

f. Assembly of Yashua – prayer shawl (white or white with colored trim) no larger than 72" x 72";

g. Messianic Jewish – prayer shawl (white or white with colored trim) no larger than 72" x 72";

h. No more than two pictures or images depicting gods, saints, or other religious or spiritual entities. Such pictures or images may be no larger than 8.5" x 11" inches. This limit does not apply to images or pictures contained within religious publications.

(d) Religious items to be stored and used in the chapel. The following religious items pose a general security risk when allowed in an inmate's cell or sleeping area if assigned to an open dormitory housing unit. Inmates are permitted to use the following religious items or materials only under the supervision of the chaplain or an approved volunteer, and these items will be stored in the chapel:

1. Tarot cards;

2. Wiccan – stones or crystals;

3. Buddhist – Zafu.

(e) Limitations on Use of Religious Property. When an inmate is prohibited from retaining possession of religious items due to

transfer to a different management or housing status, such items will be stored and returned to the inmate once he or she has been transferred back to a setting in which the items are permissible pursuant to this rule.

1. Inmates in a transitional care unit, an isolation cell, observation cell, isolation management room, crisis stabilization unit, on self-harm observation status, or housed at a Mental Health Treatment Facility are not permitted to store or use religious property, other than religious publications as provided in paragraph (16)(b) above, without review and approval by the inmate's Multidisciplinary Services Team.

2. Inmates on close management or maximum management status and inmates in disciplinary or administrative confinement are permitted to possess religious publications, items for wearing or carrying at all times, and items for individual worship unless the warden or designee finds that the inmate's possession of an item poses a specific and definable safety or security threat. In determining whether an item presents a specific and definable threat, the following will be considered:

a. The physical characteristics of the item and the particular dangers to security, inmate and staff safety, and institutional order that the item presents;

b. Limitations on possession or access, if any, that may be dictated by the characteristics of the inmate's custody classification or management status.

(f) Religious property and other religious items must be acquired through an authorized source, bona fide religious organization, or donor.

(g) The chaplain at the institution will serve as advisor to staff and inmates in the area of religious property listed in paragraphs (16)(c) and (16)(d) above. Should issues arise concerning the appropriateness of any particular religious item that is alleged to be permitted by this subsection, the institutional chaplain will evaluate the item in conjunction with security staff to determine whether the item is permissible. The agency chaplaincy services administrator will provide advice and guidance to the Department regarding approved religious items, religions and religious items not listed in this rule, and other Department religious issues.

(h) Inmate requests for religious property not listed in this rule will be reviewed by the agency chaplaincy services administrator to determine whether the item adheres to the tenets of the inmate's particular religion. If the chaplaincy services administrator determines that the item adheres to the tenets of the inmate's religion, the Bureau Chief of Security Operations will conduct a review to determine whether the item presents a specific and definable threat to safety, security and order of the institution or facility. In determining whether an item presents such a threat, the following will be considered:

1. The physical characteristics of the item requested and the particular dangers to security, inmate and staff safety, and institutional order that the item presents;

2. Limitations on possession or access, if any, that may be dictated by the characteristics of a particular inmate's custody classification or management status.

(i) Disposal of Religious Property.

1. Religious property that must be disposed of in order for an inmate to remain in compliance with the provisions of this rule (e.g., to remain within limits on the number of permissible items) will be retained by the institution or facility for 30 days. The inmate may mail out the item(s) during this time at no expense to the Department or may elect to give the item(s) to the institutional chaplain for disposal in a manner respecting the tenets of the religion to which the item adheres. If after 30 days the inmate has not disposed of the property, it will be transferred to the chaplain for disposal in a manner respecting the tenets of the religion to which the item adheres.

2. Religious property that must be disposed of in order for an inmate to receive items adhering to a different religious preference pursuant to paragraph (16)(c) above may be mailed out at no expense to the Department or may be given to the institutional chaplain for disposal in a manner respecting the tenets of the religion to which the item adheres.

APPENDIX ONE PROPERTY LIST

This list incorporates all property authorized to be possessed by inmates in all Department institutions and facilities except community correctional centers. Except for items specified below as "exemptions," property received must be in compliance with this list. Inmates in possession of property previously approved by the Department that meets the description of property on the list will be allowed to retain the property. Inmates transferring to Department institutions or facilities from private correctional facilities will be allowed to retain only those items that are in compliance with the list of authorized property. As items sold in canteens at private facilities may differ from those sold by an authorized source, items purchased in canteens at private facilities will not always be admissible in Department institutions or facilities.

Definitions.

The "quantity" establishes a maximum possession limit. This does not mean that all state issue items will be issued to each inmate, or that the maximum number of items will be issued. All items from an authorized source are subject to availability and may not be available for purchase. Items found in the possession of an inmate that are in excess of the established "quantity" will be treated as contraband in accordance with Rule 33-602.203, F.A.C. Where there is a "value" indicated, the authorized item must not exceed that value. The terms "authorized source" and "state issue" refer to the sources from which property can be obtained. All items with the "authorized source" designation are available in all institutional canteens or through orders from an authorized source. All authorized source items are transferable between Department institutions and facilities. "State issue" means that an institution or facility has the authority to issue this item to inmates based upon the character of the institution or facility, the location of the institution or facility, the housing or work assignment of the inmate, or other factors related to institution, facility, or inmate needs. Institutions housing death row inmates will make adjustments to this property list when possession of listed items by death row inmates would create a threat to the security of the institution.

Exemptions.

Inmates already in possession of the following previously approved items are allowed to retain the items until they are no longer serviceable, but will not be allowed to replace them with like items.

- Clothing items of a different color than specified on the property list
- Non-state issued athletic shorts
- Locks other than V68 series
- Plastic bowls, tumblers, cups, and lids
- Pantyhose
- Nail clippers larger than 2 1/2"
- Earrings, post type
- Tablet armband holder
- JP5 model of Tablet

AUTHORIZED PROPERTY LIST

CLOTHING

| Quantity | Unit | Value | Articles |
|----------|------|-------|---|
| 1 | each | | Belt (state issue) |
| 4 | each | | Bras, may be athletic style (state issue or authorized source – female only) *inmates may possess both state-issued and authorized source-purchased bras, but the total combined number cannot exceed four |
| 1 | pair | | Shoes, athletic (authorized source) |
| 1 | pair | | Shoes, boots (authorized source or state issue) |
| 1 | each | | Coat (state issue) |
| 1 | pair | | Gloves, winter (authorized source) |
| 1 | pair | | Gloves, work (state issue) |
| 4 | each | | Handkerchief, cotton, white only (authorized source) |
| 1 | each | | Hats (state issue) |
| 1 | each | | Hat, straw (authorized source) |
| 1 | each | | Hat, toboggan (authorized source) |
| 2 | pair | | Pajamas – long (authorized source) Light blue or white – female only Light blue – male only |
| 7 | each | | Panties (state issue or authorized source – female only) |
| 3 | each | | Pants (state issue) |
| 1 | each | | Raincoat or poncho – clear (state issue or authorized source) |
| 1 | each | | Robe (state issue – female only) |
| 3 | each | | Shirt, outer (state issue) |

| | | |
|---|------|---|
| 4 | each | Shirt, t-shirt (state issue or authorized source – gray for female, white for male) *inmates may possess both state-issue and authorized source-purchased shirts, but the total combined number cannot exceed four |
| 1 | pair | Shoes, athletic (authorized source) |
| 1 | pair | Shoes, boots (authorized source or state issue) |
| 2 | each | Shorts, athletic (blue only) (male only) (state issue) |
| 3 | each | Shorts, athletic (blue only) (female only) (state issue) |
| 1 | each | Shower cap, clear only (female only) (authorized source) |
| 1 | pair | Shower slides (authorized source) |
| 6 | pair | Socks (state issue or authorized source) |
| 1 | each | Supporter, athletic (male only) (authorized source) |
| 2 | each | Sweatshirts (gray only) (authorized source order) |
| 4 | each | Undershorts (male only) (state issue or authorized source) |
| 2 | each | Underwear, thermal (state issue or authorized source) |

NON-CLOTHING

| Quantity | Unit | Value | Articles |
|---------------|---------|-------|---|
| Number in use | | | Batteries (authorized source) |
| * | | | Books (legal, educational, religious, fiction) – *quantity as specified by Rule 33-501.401, F.A.C. |
| 1 | each | | Bowl – plastic (authorized source) |
| 1 | package | | Breath tablets (authorized source) |
| 1 | each | | Calendar – as specified by Rule 33-501.401, F.A.C. |
| * | | | Canteen purchases – *limited by approved storage space |
| 1 | each | | Canteen bag (authorized source) |
| 24 | pieces | | Chalk, colored (authorized source) |
| 1 | set | | Checkers (light wood or plastic, standard checkers only) (authorized source order) |
| 1 | set | | Chess (light wood or plastic, 2 inches max. height) (authorized source order) |
| 1 | each | | Coffee mug – plastic (authorized source) |
| 1 | each | | Comb-pocket type, no handles (non-metal) (state issue or authorized source) |
| * | | | Correspondence – *limited by approved storage space |
| 1 | pack | | Cotton swabs (plastic or paper stems only) (authorized source) |
| 2 | each | | Crème rinse and conditioner (authorized source) |
| 1 | each | | Cup, drinking – plastic (authorized source) |
| 1 | package | | Dental floss (floss loops only, unwaxed) (authorized source) |
| 1 | each | | Denture adhesive (state issue or authorized source) |
| 1 | each | | Denture cup (authorized source order) |
| 2 | each | | Deodorant and antiperspirant (no aerosols) (authorized source) |
| 1 | set | | Domino (light wood or plastic, standard size) (authorized source order) |
| 1 | Set | | Earbuds (state issue or authorized source) |
| 1 | pair | | Earphone pads (replacement) (authorized source order) |
| * | | | Educational supplies (items must be pre-approved for vocational education or correspondence study programs. Items are authorized only for the duration of the course) |
| 1 | pack | | Emery board – cardboard (authorized source) |
| 25 | each | | Envelopes – legal (#10 size) (authorized source) |
| 5 | each | | Envelopes – oversized (10" x 13") (authorized source) |
| * | | | Envelopes, self-addressed stamped – *the total in the inmate’s possession must not exceed the limit of one pack |
| 2 | each | | Eyeglasses, case, contact lens and solutions (state issue or personal; “personal” |

means that an inmate already in possession of these items will be allowed to retain them, but any future items will be provided by the institution if needed; contact lenses will only be provided if medically indicated)

| | | | |
|-----------------------|-------|-------|--|
| 1 | each | | Eye shadow, eyeliner, mascara, eyebrow pencil, blemish preparation, lipstick, blemish |
| | | | and spot cover-up, lip coloring (female only) (authorized source) |
| 1 | box | | Feminine hygiene products (internal and external) (female only) (state issue or authorized source) |
| * | | | File folders (*limited by approved storage space) |
| 20 | | | Greeting cards and accompanying envelopes |
| 1 | each | | Hairbrush – nonmetal, handles for females only (authorized source) |
| 2 | each | | Hairdressing (styling gel, pink oil, cholesterol, perm kit – female only) (no aerosols) (authorized source) |
| 1 | each | | Hair net (female only) (authorized source) |
| 25 | each | | Hair rollers (female only) (authorized source) |
| 2 | each | | Handballs or racquetballs (authorized source) |
| 1 | each | | Headphones for use with radio (authorized source) |
| Maximum weekly dosage | | | Health aids – headache and cold remedies, antacids, antifungal preparations, cough drops, nasal spray, etc.; no imidazoline, tetrahydrozoline, or hydrochloride compounds (authorized source – as approved by health services) |
| 2 | each | | Hearing aid (state issue or personal) |
| * | | | Hobby craft – at locations where program exists and subject to approved storage space limitations |
| 1 | each | | Insect repellent (authorized source) |
| 1 | each | | Jigsaw puzzle (authorized source order) |
| 1 | each | | Keyboard (authorized source) |
| 1 | each | | Laundry bag (state issue or authorized source) |
| 1 | each | | Lip balm (authorized source) |
| 1 | each | | Locks, combination (V68 series) (authorized source) |
| 1 | each | | Make-up bag, clear only (female only) (authorized source) |
| 1 | each | | Mirror, plastic, non-breakable (5" × 7" max.) (authorized source) |
| 1 | each | | Moisturizer (authorized source) |
| 1 | each | | Mouthwash (authorized source) |
| 1 | each | | Nail clippers, not to exceed 2 1/2" (authorized source) |
| 2 | pack | | Notebook paper (authorized source) |
| 48 | each | | Pencils, colored (authorized source) |
| 4 | each | | Pens, ballpoint, flair-type, pencils with erasers, or security pens (no markers) (authorized source) |
| * | | | Periodicals – *as specified by Rule 33-501.401, F.A.C., and limited by approved storage space |
| 1 | each | | Photo album, non-metal (authorized source) |
| 50 | each | | Photographs (personal) |
| 2 | decks | | Playing cards (standard) (authorized source) |
| 5 | each | | Pony tail holder (fabric) or hair claws (plastic) (female only) (authorized source) |
| 1 | each | | P.R.I.D.E. service pin (issued to inmate from P.R.I.D.E.) |
| * | | | Prosthesis or health care appliance as defined in Rule 33-210.201, F.A.C. |
| 1 | each | 50.00 | Radio, DC/AM/FM only, "Walkman" type, maximum 4" × 5" (authorized source) |

| | | | |
|----|------|--------|---|
| 1 | each | | Razor, disposable (female only) (state issue) |
| 1 | each | 50.00 | Razor, battery operated, non-rechargeable (authorized source order) |
| * | | | Religious requirements – as approved by chaplaincy services (examples: head covering, prayer rug) |
| 1 | each | 50.00 | Religious medallion with chain (personal or provided by Chaplain) |
| 1 | each | 100.00 | Ring, engagement (female only) (personal) |
| 1 | each | 100.00 | Ring, wedding (personal) |
| 1 | each | | Roller cap, clear only (female only) (authorized source) |
| 25 | each | | Roller clips, plastic only (female only) (authorized source) |
| 1 | set | | Scrabble (authorized source order) |
| 1 | each | | Screen protector (authorized source) |
| 2 | each | | Shampoo (authorized source) |
| 1 | each | | Shaving cream (authorized source) |
| 1 | each | | Shaving powder (authorized source) |
| 1 | pair | | Shoe laces (authorized source) |
| 1 | each | | Shoe wax (liquid only, non-flammable, no nitrobenzene) (authorized source) |
| 2 | each | | Sketch pad (authorized source) |
| 2 | each | | Soap, bath (state issue or authorized source) |
| 1 | each | | Soap dish (authorized source) |
| * | | | Special needs – *special devices as approved for compliance with medical needs |
| 1 | each | | Spoon, plastic (authorized source) |
| 40 | each | | Stamps (the equivalent of 40 1-ounce 1st class) (authorized source) |
| 1 | each | | Sunglasses, no mirror type (authorized source) |
| 1 | each | | Sunscreen lotion (authorized source) |
| 1 | each | | Tablet (state issued or authorized source) |
| 1 | each | | Talcum powder (authorized source) |
| 1 | each | | Toilet paper (state issue or authorized source) |
| 1 | each | | Toothbrush (state issue or authorized source) |
| 1 | each | | Toothbrush holder (authorized source) |
| 2 | each | | Toothpaste and toothpaste with mouthwash (state issue or authorized source) |
| 2 | each | | Towels (state issue) |
| 1 | each | | Towel, cooling (authorized source) |
| 1 | each | | Wallet (authorized source) |
| 1 | each | 50.00 | Watch (personal or authorized source) |
| 1 | each | | Watch band (nylon and Velcro only) (authorized source) |
| 2 | each | | Washcloths (state issue or authorized source) |

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History--New 6-4-81, Formerly 33-3.025, Amended 11-3-87, 11-13-95, 5-20-96, 1-8-97, 6-1-97, 7-6-97, 10-15-97, 2-15-98, 3-16-98, 8-4-98, 12-7-98, Formerly 33-3.0025, Amended 11-21-00, 9-12-01, 5-16-02, 7-8-03, 8-18-04, 1-25-05, 10-23-06, 2-27-08, 12-25-08, 1-25-10, 7-4-10, 10-26-11, 8-19-12, 11-20-12, 3-3-13, 6-8-14, 8-17-16, 6-9-20, 7-22-21.