


SOUTH DAKOTA  DEPARTMENT OF CORRECTIONS POLICY AND PROCEDURE		POLICY NUMBER	PAGE NUMBER
		500-02	1 OF 6
		DISTRIBUTION:	Public
		SUBJECT:	Offender Personal Property
RELATED STANDARDS:	ACA 5-ACI: 2E-10, 5A-06, 5A-07, 5A-08.	EFFECTIVE DATE:	April 15, 2026
		SUPERSESION:	04/01/2025
DESCRIPTION: Offender Management	REVIEW MONTH: March	 NICK LAMB SECRETARY OF CORRECTIONS	

I. POLICY

It is the policy of the Department of Corrections (DOC) to *govern the control of personal property and funds belonging to offenders and* policies and procedures *are made available to offenders upon admission and when updated* [ACA 5-ACI-5A-06]. Offenders may be allowed to possess items of personal property; however, the DOC will *specify the personal property offenders can retain in their possession* [ACA 5-ACI-5A-07].

II. PURPOSE

The purpose of this policy is to prescribe consistent limitations for the volume and type of property allowed to be maintained by an offender and to provide instructions for the acquisition, identification, transportation, storage, and disposal of offender property for safety, health, and hygiene concerns - as well as to control contraband.

III. DEFINITIONS

Contraband:

An unauthorized item that is not permitted in the institution or is not sold in commissary. Approved items may be contraband if altered, possessed in a higher quantity than authorized, used in ways for which it is not intended, or obtained through an unapproved source.

Disposed:

To dispose of through destruction, transfer, discarding, or donation.

Personal Property:

Personal property includes all property owned by or in possession of an offender that is not state owned or otherwise issued to the offender on behalf of the Department of Corrections. Includes items an offender is permitted to possess pursuant to policy or institutional directives.

IV. PROCEDURES

1. Allowable Offender Personal Property:

A. Upon admission to a DOC facility, offenders will be issued the following items in the quantity listed below.

- | | | |
|----|-------------------------|---|
| 1. | ID Card | 1 |
| 2. | Cleaning Cloths - white | 2 |
| 3. | Boxers / Underwear | 6 |

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4.	Gloves	1 pr	(may be issued to workers)
5.	Jacket	1	
6.	Laundry Bag - white	2	
7.	Pillowcase	1	
8.	Smocks	3	
9.	Socks, White	6	
10.	Sports Bra	5	(SDWP or by request)
11.	Stocking Cap - State Issued	1	
12.	Tennis Shoes - State Issued	1	
13.	Towels (Facility issued)	3	
14.	Trousers, Khaki	4	
15.	T-Shirts	6	

B. All property available for purchase by the offender is listed in the vendor provided property catalogue (on offender tablets). Approved outside people can only purchase items for an offender that are from the approved commissary vendor. If items are received by the DOC that were purchased by outside people from vendors other than the approved commissary vendor, the item(s) will be deemed contraband. Books received must be in compliance with DOC policy 500-06 *Offender Correspondence*.

1. Offenders may obtain personal property through the approved institutional commissary system. Personal property items purchased from the approved DOC vendor will be processed and paid through the offender's savings account.
2. Sufficient *space is provided for storing personal property of offenders safely and securely* [ACA 5-ACI-2E-10]. The quantity of property and storage space may be limited for safety and security reasons. Personal property will not exceed three (3) cubic feet, excluding non-durable medical equipment and legal documentation.
3. Offenders may **not** accumulate excessive amounts of printed matter or craft items within their cell/room. Staff shall determine at what point excessive paper materials and craft items pose a fire hazard, sanitation concern, or otherwise adversely impact the safety, security, and disciplined operation of the institution.
 - a. The DOC attorney will be contacted in the case of excessive legal materials to verify if the offender has an active case pending.
4. All personal property in an offender's possession at the time of admission to a DOC institution which the offender is not approved to possess, must be mailed out or otherwise disposed of at the expense of the offender. If an offender refuses to mail out or dispose of the prohibited property, the property will be disposed of by staff. Currency in an offender's possession at the time of admission to a DOC institution will be deposited into the offenders account(s).
 - a. All new admission offenders are required to complete the *Admission Document* (attachment #1) at the time of admission to the institution.
5. Offenders are not allowed to retain in their possession, property belonging to or issued to another offender (including legal materials or correspondence).
6. Offenders may possess religious property, as authorized by the posted operational rule or implementation adjustment (POR or IA), the cultural activities coordinator (CAC), or designated staff.
7. Offenders are not allowed to possess in their cells any material containing nudity and/or sexually explicit content.
8. Once personal property has been worn out, damaged, or altered, offenders may be requested to send out their property at their own expense or have it disposed of. A *Disposition of Prohibited Property* (attachment #2) will be filled out.

C. Staff are responsible for enforcing offender compliance with personal property rules and requirements. Offender personal property is subject to search at any time.

1. Regular searches of offender property will be conducted to ensure compliance with property rules and to identify threats to safety or security.
2. Possession of contraband by an offender may result in disciplinary action. Contraband found in an offender's possession will be confiscated, identified, and processed, in accordance with approved institutional practices and procedures.

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- a. Confiscated state property that has not been altered, damaged, or destroyed will be returned to the state. Damaged, destroyed, or altered state property will be removed from inventory and properly disposed of, at the discretion of the warden or designee.
 - 1) Offenders may be assessed all or a portion of the actual replacement cost for lost, damaged, destroyed, or altered state property.
 3. No alcoholic beverage, marijuana, or weapon may be possessed by any offender. Offenders may not have in their possession, any prescription or nonprescription drugs, controlled substances, or other article of indulgence, except as offered on the property catalogue or as authorized by clinical services for medications to be kept on their person (KOPs).
 4. Damaged, destroyed or altered offender personal property is subject to confiscation and disposal.
 5. Offenders are not entitled to reimbursement or compensation for personal property that has been lost, stolen, confiscated, sent out, or otherwise properly disposed.
- D. The DOC reserves the right to change allowable personal property limits and items. Notifications of changes will be shared with the offender population.
- E. Offenders may obtain personal property through the following methods:
1. Authorized property retained by the offender upon admission to the institution.
 2. Property purchased by the offender through the institutional commissary system and other DOC approved vendors.
 3. Property authorized by staff for the offender to receive from the offender's attorney (limited to legal items).
- F. Offenders may not trade, loan, barter, sell, give, or transfer any item of personal property to staff, a visitor, contractor, volunteer, or other offender.

2. Forfeiture of Personal Property:

- A. Offenders may be subject to forfeiture of personal property as the result of moving to more secure housing, usually for safety, security, or disciplinary reasons.
 1. If the disciplinary hearing officer (DHO), restrictive housing, or other authorized staff order an offender to forfeit a property item, the offender will be informed of the length of time which the item(s) shall be forfeited.
 2. Offenders will not have access to forfeited property unless granted access by staff for specified reasons.
 3. During the forfeiture period, the offender will not be allowed to purchase or possess the specified property.
 4. Offenders who do not currently possess a property item specified for forfeiture will not be allowed to possess or acquire the item until the expiration of the sanction.
- B. Any approved property item temporarily forfeited by an offender shall be stored in a designated, secure area of the institution until the property is returned to the offender.
- C. Offenders may appeal an order to forfeit personal property through the offender grievance process.
- D. Any durable medical equipment will not be disposed of and is to be returned to the clinical services department.

3. Recording and Tracking Personal Property:

- A. Each institution will follow a standardized system within the offender management system (OMS) to record and track specified items of offender personal property. Admissions and orientation staff will clear property lists when an offender returns to custody. *Personal property retained at the institution is itemized in a written list that is kept in a permanent case file* (OMS) [ACA 5-ACI-5A-08].
 1. The recording of offender personal property does not create or infer liability of the DOC or its staff for said property.
 2. Certain items of personal property reported by an offender as lost, stolen, or missing, will be listed on the offender's property record as such. The offender may be allowed to purchase replacement property as authorized by staff. Offenders are responsible for reporting lost, stolen, missing, damaged, or destroyed personal property to the property office or Officer in Charge (OIC).

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3. If the lost, stolen or missing personal property item is located and can be returned to the offender, the offender will be required to send out or destroy any property item(s) in the offender's possession that is in excess of established limits.
- B. Offenders possessing personal property are required to sign the Admission Document.
1. Offenders may be compensated for lost or damaged personal property, if the loss or damage is determined to be caused by a negligent act or omission by a staff member.
 - a. If the item was purchased more than five years ago, then 50% of the current cost of the item may be compensated.
 - b. Offenders may submit a grievance for property claims involving lost or damaged personal property allegedly caused by the actions of a staff member.
 - 1) Substantiated claims seeking settlement of the damaged item(s) must be forwarded to the DOC attorney.
 2. The DOC and its staff are not liable for damages, actions, claims, demands or expenses or costs of whatever kind or character in connection to an offender's personal property resulting from the acts or omissions by the offender or another offender.
 3. Offender personal property may be mailed out of the institution to a destination of the offender's choice, at the expense of the offender, in accordance with DOC policy. Select items of property sent out or disposed of must be documented on the offender's property list.
 4. Offender wedding bands, watches, earrings, and medallions may not contain stones and will not have a value that exceeds thirty-five dollars (\$35.00).
- C. The institution's property inventory system constitutes proof of ownership by the offender. The property inventory system does not establish or provide proof of value of a personal property item.
- D. The ability to acquire and possess personal property is a privilege. References to personal property do not establish an ownership interest in the property superior to policies, rules, and procedures of the institution or DOC.
- E. When an offender is temporarily removed from an assigned cell, including hospital stays, court, placement on disciplinary or pending investigation (IP) status, or other temporary restricted status where an offender will be absent from their cell for an extended period of time (a minimum of twenty-four (24) hours), staff will ensure the offender's property is removed from the cell, packed, inventoried, and stored in a designated secure area as soon as the offender is placed in the temporary location. As time allows, and when permitted, the offender will be allowed to pack his/her property.

4. Durable Medical Equipment and Americans with Disability Act (ADA) Assistive Devices:

- A. Durable medical equipment and assistive devices will not be included in the volume limit for offender property.
- B. All allowable durable medical equipment and assistive devices will be added to the offender's computerized medical property inventory. Facilities have the authority to mark devices as they determine necessary.
- C. Any durable medical equipment that is determined to be modified will be sent to clinical services for evaluation and disposition. No assistive devices may be removed from an offender's possession without clinical services' review. The ADA facility coordinator WILL be notified by the health services administrator (HSA).
- D. Durable medical equipment such as hearing aids, orthotic braces, canes, crutches, walkers, and wheelchairs shall not be removed from the offender's immediate property for transport. Durable medical equipment shall remain with the offender.

5. Disposal of Contraband Items:

- A. Items not defined on the allowable property list are considered contraband items. Additionally, offenders are not allowed to possess engraved items with another offender's identification number, and possession of property with another offender's number may lead to disciplinary action. Contraband item(s) will be confiscated by the facility and disposed of as needed.
 1. When the item is to be destroyed, staff will dispose of the item in the unit's "contraband barrel."

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2. Staff will notify the property office of the fact the offender's item was destroyed. The property office will note on the offender's personal property record in the offender management system (OMS) the date, the property item, and that the item was destroyed.

6. Disposal of Personal Property:

- A. Procedures for disposing of all contraband and offender personal property will be consistent with DOC policy, state, and federal laws.
 1. Disposal of excess, damaged, or worn-out state-issued clothing items such as shoes, pants, socks, shirts, t-shirts, etc., must be conducted by turning the worn-out state-issued clothing items into the laundry. The laundry supervisor will arrange for replacement of the excess, damaged, or worn-out state-issued items up to the amount allowed.
 2. Staff will dispose of excess, damaged, or worn-out clothing by placing in the garbage.
 3. Clothing in excess of the amount allowed will be considered contraband and will be confiscated. Disciplinary action may be taken.
- B. Following an offender's death or escape all tangible personal property of the offender may be sold, donated to charity, discarded, returned to an heir, or used for the benefit of the institution, in accordance with SDCL.
 1. In the event of an offender death, property will be made available to family members, heirs, etc., when possible, and will be disposed of after forty-five (45) days if it has not been claimed.
- C. All documentation of discarded, donated, or destroyed property will be maintained for three (3) years from the date the property was disposed.
- D. The DOC institutions and staff are not responsible for the personal property of an offender who absconds from DOC custody. Offender personal property left on DOC property after an offender departs from DOC custody or supervision without proper authority will be considered abandoned property. Staff are not responsible for inventorying, collecting, or storing abandoned offender personal property.
 1. In the event of an offender escape, personal property left behind will be considered abandoned and will be disposed of immediately.
- E. Returned Parole Violators:
 1. The institution will not accept any property, other than personal identification, brought in by a parole violator to include clothing.
 2. Upon intake, all property possessed by the offender will be inventoried by intake staff.
 3. All property will be sealed in a box and turned over to parole staff.
 4. The offender can make arrangements for the property to be picked up at the parole office.
 5. Any property not picked up within thirty (30) days will be disposed of or donated.
 6. All inventory documentation will be maintained in the parole office for one (1) year after disposal or being turned over.

V. RESPONSIBILITY

The director of Prisons is responsible for the annual review and revision as needed of this policy.

VI. AUTHORITY

- A. SDCL § [22-1-2 \(10\) Definitions.](#)
- B. SDCL § [24-2-5 Disposition of inmate's personal effects.](#)
- C. SDCL § [24-2-14 Alcoholic beverages, drugs, weapons, or articles of indulgence prohibited—Exception—Felony.](#)
- D. SDCL § [24-2-26 Confiscation and disposition of unauthorized articles and money in inmate's possession.](#)
- E. SDCL § [24-5-5 Funds in inmate's institutional accounts upon discharge, death, or escape—Application—Refund.](#)

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VII. HISTORY

April 2026

April 2025

January 2024

November 2022

June 2021

January 2021

ATTACHMENTS

1. Admission Document (*generated in the OMS*)
2. Disposition of Prohibited Property (*Carbonless form – Triplicate*)
3. Property Inventory Sheet (*Carbonless form – Triplicate*)

ADMISSION DOCUMENT

PERSONAL PROPERTY AGREEMENT

I UNDERSTAND THAT I AM FULLY RESPONSIBLE FOR MY PERSONAL PROPERTY.

I MAY ORDINARILY ONLY POSSESS THAT PROPERTY WHICH I AM AUTHORIZED TO RETAIN UPON ADMISSION TO THE INSTITUTION, THAT WHICH IS ISSUED TO ME WHILE IN DOC CUSTODY, THAT WHICH I PURCHASE THROUGH COMMISSARY, OR THAT WHICH IS APPROVED BY STAFF TO BE MAILED TO ME OR OTHERWISE RECEIVED. I UNDERSTAND I AM RESPONSIBLE FOR ALL EXPENSES AND BEAR ALL RESPONSIBILITY FOR THE DISPOSITION OF MY PERSONAL PROPERTY.

I CERTIFY THAT I HAVE READ AND UNDERSTAND THE FOREGOING AND THAT BY AFFIXING MY SIGNATURE BELOW, I RELIEVE AND HOLD HARMLESS THE STATE OF SOUTH DAKOTA AND ALL OFFICIALS AND EMPLOYEES OF THE STATE OF SOUTH DAKOTA OF ANY PECUNIARY LIABILITY IN THE EVENT ANY OF MY PERSONAL PROPERTY IS LOST, STOLEN, DAMAGED, DESTROYED, CONFISCATED, SENT OUT, DONATED, OR DISCARDED.

RECEIPT OF OFFENDER LIVING GUIDE

I ACKNOWLEDGE RECEIVING A COPY OF THE SOUTH DAKOTA DEPARTMENT OF CORRECTIONS OFFENDER LIVING GUIDE. I UNDERSTAND IT IS MY RESPONSIBILITY TO READ AND UNDERSTAND THE CONTENT OF THE LIVING GUIDE AND TO FOLLOW ALL RULES INCLUDED WITHIN THE LIVING GUIDE. I UNDERSTAND I MAY CONTACT STAFF IF I HAVE QUESTIONS ABOUT THE LIVING GUIDE.

BEHAVIOR WHILE IN THE DEPARTMENT OF CORRECTIONS

I UNDERSTAND THAT UPON MY ADMISSION TO THE DOC, I AM OBLIGATED TO FOLLOW THE RULES, POLICIES AND DIRECTIVES OF THE DEPARTMENT OF CORRECTIONS THAT MAY AFFECT MY STATUS AS AN OFFENDER, OR THAT OTHERWISE APPLY TO ME WHILE I AM AN OFFENDER. FAILURE BY ME TO FOLLOW THE RULES, POLICIES AND DIRECTIVES MAY ADVERSLY AFFECT MY CLASSIFICATION, PROGRAMMING, HOUSING PLACEMENT, PAROLE ELIGIBILITY, AND SUSPENDED SENTENCE STATUS.

SDCL § 1-15-21. RECEIPT AND DISBURSEMENT OF OFFENDERS' FUNDS

THE DEPARTMENT OF CORRECTIONS MAY RECEIVE AND DISBURSE ANY FUNDS THAT MAY ACCRUE TO OFFENDERS OR JUVENILES IN RESIDENCE AT INSTITUTIONS UNDER JURISDICTION OF THE DEPARTMENT. SUCH DISBURSEMENT SHALL BE MADE FOR THE BENEFIT OF THE OFFENDER OR JUVENILE. HOWEVER, INTEREST EARNED ON JOINT ACCOUNTS MAY BE TRANSFERRED TO A BENEFIT FUND FROM WHICH GOODS AND SERVICES MAY BE PURCHASED FOR USE BY THE INSTITUTIONAL POPULATION.

JUDGMENT PAPERS

I ACKNOWLEDGE THAT I AM ENTITLED TO RECEIVE ONE COPY OF MY JUDGMENT/COMMITMENT PAPERS TO THE SOUTH DAKOTA DEPARTMENT OF CORRECTIONS.

RELIGIOUS/CULTURAL AFFILIATION

OPTIONAL- MY RELIGIOUS/CULTURAL AFFILIATION IS: (PLEASE IDENTIFY).

OFFENDER PRINTED NAME

OFFENDER SIGNATURE

STAFF WITNESS SIGNATURE

DATE

PROPERTY INVENTORY SHEET

Offender's Name: _____ DOC ID #: _____ Cell: _____
Offender's Status (check one) [] RH [] OTC [] Transfer [] Medical

Officer's Name: (Print & Sign) _____ Date Inventoried _____

Major Personal Property Items

TV Headphones Calculator
Tablet # _____ Fan Clip-On Lamp
Watch Athletic Shoes
Legal Paperwork Legal Books

Allowed MHU / Infirmary Property

Medication Prescription Glasses Dentures
Medical Equipment Hearing Aids

Grooming / Hygiene Items

Bar Soap Comb / Hair Brush Mirror
Floss Loops Disposable Razors Electric Razor
Toothbrush Tweezers Nail Clippers (not SHU)
Hair Gel Skin Lotion Soap Dish
Baby / Foot Powder Toothpaste Shampoo
Pumice Stone Deodorant

Commissary Supplies

Storage Containers Photo Albums Photos (80)
Batteries (12) Padlock Audio Extension Cords
Earbuds Stereo Adapter Jacks Extension Cord (9')
Insulated Mug Spoon Playing Cards

Commissary Perishables

Stationery / Paperwork

Paperback Books (10) Magazines Newspapers
Writing Pad Pens Pencils
Envelopes / Stamps Paperwork Address Book

Clothing Items

Medical Alert Item Handkerchief Socks (6 pair)
T-Shirts (6 total) Briefs/Boxers (6 total) Shower Sandals / Thongs
Gym Shorts Sweatshirts Sweatpants
Shoes Pants (3) Washcloth
Throw Rug Bowl

Craft & Hobby Supplies

Miscellaneous Items

Religious Medallion Neck Chain Cap / Religious Head Covering

Return of Property

I acknowledge that the above-noted property has been returned to me and is in the same condition as when I last had it in my possession, unless otherwise noted by staff.

Offender Signature Upon Receipt: _____ Date: _____

Staff Signature Upon Returning Property: _____ Date: _____

Gold Copy to Property Office Pink Copy to Offender (When Inventoried) Yellow Copy to Offender (Upon Return of Property) White Copy to Property Office