

103 CMR: DEPARTMENT OF CORRECTION

103 CMR 940.00: COUNTY CORRECTIONAL FACILITIES -- ADMISSION, ORIENTATION, PROPERTY CONTROL AND RELEASE

Section

940.01: Admission and Orientation

940.02: Property Control

940.03: Release of Inmates

940.01: Admission and Orientation

- (1) Written policy and procedure shall govern the admission and orientation of new inmates. Written policy and procedure shall require a system to identify all nonperishable canteen purchased items accrued throughout the inmate's incarceration.
- (2) Written procedure for admitting new inmates to a county correctional facility shall address, at a minimum, the following:
  - (a) verification of court commitment papers or other legal documents, and a check for outstanding warrants;
  - (b) complete search of the individual and his possessions;
  - (c) disposition of clothing and personal possessions;
  - (d) medical and mental health screening and health appraisal as required in 103 CMR 932.06;
  - (e) telephone calls by inmates;
  - (f) showers and hair care if necessary;
  - (g) issue of clean clothing;
  - (h) photographing or fingerprinting, including notation of identifying marks or unusual characteristics;
  - (i) interview for obtaining identifying data;
  - (j) screening interview by counselor or other trained interviewer;
  - (k) orientation;
  - (l) issue of personal hygiene items;
  - (m) classification for assignment to a housing unit; and
  - (n) assignment to a housing unit.
- (3) Inmates shall be separated from the general population during the admissions process.
- (4) Written policy and procedure shall ensure that all newly admitted inmates receive written or oral orientation information in a language in which the inmate is fluent, to include, but not be limited to: Rules and Regulations, Disciplinary Regulations, Health Services, Mail, Visiting, and Program Services. Completion of orientation shall be documented by a statement that is signed and dated by the inmate and staff person presenting the orientation.

940.02: Property Control

- (1) Written policy and procedure shall specify the personal property inmates can retain in their possession.
- (2) Written policy and procedure shall require a written, itemized inventory of all personal property of newly admitted inmates and secure storage of inmate property including money and other valuables. The inmate shall be given a receipt for all property held until release.
- (3) The facility administrator at each county correctional facility shall appoint a property officer who shall maintain inventories and records of all inmate property. This includes all property items accrued throughout the inmate's incarceration.
- (4) The county correctional facility shall maintain a secure property storage area(s) for the storage of inmate personal clothing and personal property.

940.02: continued

(5) Whenever an inmate is transferred to another correctional facility, all personal property approved for retention at the receiving facility shall be transferred with him, or as soon as practicable thereafter. The property officer shall note on the inmate's inventory the date and the person to whom each item of property is released.

(6) Written procedure shall specify the manner of disposal of inmate property which is being held on a temporary basis (property not allowed, property of discharged, paroled, deceased, *etc.*).

940.03: Release of Inmates

- (1) Written procedure for releasing inmates shall include, but not be limited to, the following:
- (a) verification of identity;
  - (b) verification of release papers;
  - (c) completion of release arrangements, including the person or agency to which the inmate is to be released;
  - (d) return of all personal property to include an inmate's signature verifying receipt of property;
  - (e) verification that no unauthorized facility property leaves the county correctional facility with the inmate;
  - (f) completion of any pending action, such as grievances or claims for damages or lost possessions;
  - (g) verification that there are no outstanding warrants or pending cases involving the inmate, and a procedure to notify proper authorities, *i.e.*, state fire marshal (M.G.L. c. 127, § 162A) and colonel of the state police (M.G.L. c. 22C, § 37); and
  - (h) consistent with M.G.L. c. 258 and M.G.L. c. 6, § 172 c, there is a system for providing 14 day advance notification by telephone and mail to the CORI certified individuals prior to the scheduled release of the CORI subject (named inmate). If applicable, the notice shall identify the name and location of any agency having jurisdiction (*e.g.*, probation, or a from and after sentence) of the inmate upon release; immediate telephone and written notification shall be made upon receipt of information of an escape, court ordered release, or any other unscheduled release from custody. Follow-up notification to the victim(s) occurs when escapees are returned to custody. CORI certification notification actions shall be documented and entered into the Criminal History Systems Board confidential database (Victim Automation System).

#### REGULATORY AUTHORITY

103 CMR 940.00: M.G.L. c. 124, § (1), (c), (d) and (q); c. 127, §§ 1A and 1B.