

GEORGIA DEPARTMENT OF CORRECTIONS



Standard Operating Procedures

Policy Name: Disposition Of Abandoned Tangible Offender Property

Policy Number: 206.03

Effective Date: 6/30/2020

Page Number: 1 of 5

Authority:
Commissioner

Originating Division:
Facilities Division

Access Listing:
Level II: Required Offender
Access

I. Introduction and Summary:

Any offender in the custody of the Georgia Department of Corrections (GDC) who escapes, is discharged or paroled, or dies while in custody of GDC shall be deemed to have abandoned all tangible personal property when that property has remained in the custody of GDC for one year and no valid written claim has been made to GDC by the owner or the owner's heirs, designated beneficiary, or next of kin. Such property shall be disposed of by public sale as directed by the Commissioner of the GDC. The proceeds of such sales shall be deposited in the state treasury.

II. Authority:

- A. GDC Board Rule: 125-2-4-.06-(e);
- B. GDC Standard Operating Procedure (SOP) 206.02 Management of Offender Property or Contraband; and
- C. ACA Standard: 5-ACI-5A-06 (ref. 4-4292).

III. Definitions:

- A. **Abandoned Property** - Property that remains unclaimed one (1) year or more after parole, discharge, escape, or death.
- B. **Tangible Property** - Property that, in the good judgment of the Warden/Superintendent or their designee, has significant resale value considering the time and expense required to process the item(s) for sale through the state surplus property agency.

IV. Statement of Policy and Applicable Procedures:

This policy is applicable to all state/county prisons, institutions, and centers within the jurisdiction of the GDC.

GEORGIA DEPARTMENT OF CORRECTIONS



Standard Operating Procedures

Policy Name: Disposition Of Abandoned Tangible Offender Property

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Page Number: 2 of 5

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- A. When a prison/institution/center determines that an offender has escaped, was discharged, paroled, or died, a comprehensive property inventory shall be completed immediately if any of the offender's personal or state property remains at the facility. The written property inventory shall reflect the following:
1. Description of each item.
 2. Quantity of each item.
 3. Condition of each item (operative, inoperative, good, fair, poor, etc.).
- B. Annually, during the month of July, each facility shall conduct an inventory of all abandoned property.
- C. Items of tangible property will be listed on a separate inventory and forwarded to the office of the Regional Director - Facilities Division. The Region Office will note all items of value on the inventory and forward a list of those items to Central Office - Purchasing Section. The Purchasing Section shall arrange for public sale of the items through the state surplus property agency. All state issued items and personal property items will be documented as such by the facility-designated Property Coordinator/Control Officer utilizing the GDC property inventory form.
1. State issued property will be removed and returned to the facility Care and Custody issue/storage room. This disposition will be noted on the property inventory form.
 2. Abandoned personal property may include consumable items which are prone to spoilage, decomposition, and odor. These types of items will not be stored but will be identified on the inventory form. These items will be destroyed and such disposition will be noted on the inventory.

GEORGIA DEPARTMENT OF CORRECTIONS



Standard Operating Procedures

Policy Name: Disposition Of Abandoned Tangible Offender Property

Policy Number: 206.03

Effective Date: 6/30/2020

Page Number: 3 of 5

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Commissioner

Originating Division:
Facilities Division

Access Listing:
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3. Any remaining personal property shall be boxed and the completed property inventory form will be placed inside the box. The boxed property shall be securely stored in the prison/institution/center property room and logged.
 - a. The end and top of the box shall be marked with the word 'Abandoned', the date of confiscation (month/day/year), and a projected disposal date (month/day/year) of one (1) year from the date of confiscation.
 - b. Additionally, a completed personal property/evidence tag (SOP 206.02 - Attachment 3) will be attached to the box.
 4. Boxed abandoned property will be stored separately from other items routinely stored in the property room.
 5. Routinely, the facility Property Coordinator/Officer shall review the boxes to determine if any one year holding periods have expired. This process may be augmented by reviews of the property receipt log or the establishment of a schedule/calendar including projected disposition/action dates.
- D. All items not designated for public sale shall be disposed of locally, either by donation to charity or by destruction.
1. The Warden or Superintendent or designee shall decide which items might have value for a charity.
 2. Items donated or destroyed shall be documented in accordance with SOP 206.02, Management of Offender Property/Contraband. Records of such shall be retained for three years.
- E. Any property abandoned for a period of at least one year will be disposed of in accordance with the following:

GEORGIA DEPARTMENT OF CORRECTIONS



Standard Operating Procedures

Policy Name: Disposition Of Abandoned Tangible Offender Property

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Page Number: 4 of 5

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Commissioner

Originating Division:
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1. If GDC has received no valid written claim regarding the unclaimed property from the offender, his/her designated beneficiary, or next of kin, then the physical property will be unboxed, verified against the property inventory, and delivered to the Warden/Superintendent or his/her designee.
 2. The Warden/Superintendent or his/her designee shall determine which items are of monetary value and which items have no resale value.
 - a. Items with no significant monetary value will be noted on the inventory and destroyed immediately.
 - b. Items with a significant resale value, as determined by the Warden/Superintendent, will be noted on the inventory. These items along with a State Surplus Transfer & Invoice Form (DOAS-26631C (8/93)), completed by the facility Property Coordinator/Officer, will be forwarded to the attention of the GDC Supervisor of Property Audits for further transfer to DOAS State Surplus (final disposition).
 3. After the transfer of the property by the prison/institution/center, a copy of the completed abandoned property inventory form and the DOAS State Surplus Transfer & Invoice Form will be retained by the facility, in a separate abandoned property administrative file, for a period of three (3) years.
- F. Generally, items of value to be held for public sale will include watches, rings, other jewelry, and radios in good condition or working order. Items that probably will be destroyed locally will include badly worn clothing, magazines, newspapers, and consumable store goods.
- G. If the offender or their designated beneficiary or next of kin (discharge, parole, death, or escape) submit a valid written claim to the property within the one (1) year holding period, then the following steps shall be followed: (1) the box will be retrieved and the items therein will be verified against the GDC inventory; (2) a mailing address for the claimant shall be obtained; (3) the identity or relationship

GEORGIA DEPARTMENT OF CORRECTIONS



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of the claimant shall be verified; and (4) the property will be mailed from the facility to the verified claimant. This procedure will be documented and attached to the property inventory form.

V. **Attachments:** None.

VI. **Record Retention of Forms Relevant to this Policy:** None.