

Chapter: Rules for State-Operated Programs and Facilities Subchapter: Program Services Division: Basic Services Rule: Youth Personal Property ACA: 4-JCF-5A-04, 6B-11 3-JCRF-2E-09 Statute(s): N/A	Effective Date: 4/15/15 Page: 1 of 3 Replaces: GAP.380.9107, 7/19/06
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RULE

(a) **Purpose.**

This policy establishes limits on the personal property a youth may possess while assigned to a residential facility. Restrictions on personal property are necessary to maintain facility order and to provide a safe environment that is conducive to rehabilitation. This rule also defines items that are considered contraband in a residential setting.

(b) **Applicability.**

This rule applies to high and medium restriction facilities operated by TJJD.

(c) **Definitions.**

(1) **Contraband**--includes any of the following:

- (A) Any item which is a crime to possess under municipal ordinances or state or federal law, including solvent inhalants, drugs (including synthetic drugs), and alcohol.
- (B) Unauthorized prescription drugs or over-the-counter medication. For example, possession of medication:
 - (i) not prescribed to the youth;
 - (ii) in excess of the amount prescribed;
 - (iii) without the consent or knowledge of staff; or
 - (iv) at an unauthorized time.
- (C) Narcotics paraphernalia.
- (D) Jewelry (high restriction facilities only).
- (E) Items that can be used, made, or adapted for use as a weapon.
- (F) Pictures, printouts, or drawings that depict exploitive or sexually explicit male or female nudity or partial nudity or sexual acts, including magazines or periodicals that routinely publish such pictures.
- (G) Posters, printouts, pictures, magazines, periodicals, clothing, or any other items with slogans, mottos, or emblems that are obscene, advocate illegal or immoral conduct, hold individuals or groups up to ridicule, advocate violence, or reinforce delinquent subcultural values, or in any way disrupt programs or activities.
- (H) Money, except in medium restriction facilities during an approved activity.
- (I) Gambling paraphernalia such as dice or playing cards.
- (J) Devices that have been fashioned to produce tattoos.

(K) Any item not listed on the youth's personal property and clothing inventory (other than personal letters or photographs), including any articles of clothing that have been altered from the original design.

(2) **Possession**--having care, custody, or control of an item.

(d) **Prohibition on Contraband.**

(1) Youth are prohibited from possessing contraband. Youth found in possession of contraband are subject to disciplinary consequences in accordance with [§380.9503](#) of this title.

(2) Seized contraband is disposed of in accordance with [§380.9711](#) of this title.

(e) **Authorized Personal Property.**

(1) At the Orientation and Assessment Unit, youth are not permitted to possess any personal property except for medically necessary items. If a youth arrives at the Orientation and Assessment Unit with personal property other than medically necessary items, TJJD staff members inventory the property and return it to the county transporter.

(2) At facilities other than the Orientation and Assessment Unit, youth may possess personal letters, photographs, approved religious items, and medically necessary items. Youth may be allowed to possess additional personal property as earned privileges based on the youth's progress in the TJJD rehabilitation program. TJJD staff members maintain a current inventory of each youth's personal property other than pictures and letters. A copy of the inventory is given to the youth.

(3) Due to space limitations and fire safety regulations, the number or amount of personal items a youth may possess is limited to what will fit in the youth's designated storage space in a neat and orderly manner.

(A) The size of the designated storage space provided to each youth is dependent on the facility's physical plant and dorm configuration.

(B) No youth will be denied the right to possess a type of item allowed by this rule due to inadequate storage space. However, TJJD may limit the number or amount of a specific type of item.

(C) Youth may personalize their areas within reasonable guidelines. Items on walls in bedrooms will be limited to space available on individual bulletin boards.

(4) For youth with a documented history of self-harm, TJJD may restrict access to certain possessions that are otherwise allowed if the item(s) may be used for self-harming behavior. These restrictions are made on a case-by-case basis and documented.

(5) TJJD is not liable for and will not replace lost, stolen, or damaged personal items of youth unless the loss or damage can be shown to have resulted from staff negligence.

(6) When a youth is transferred to another facility, TJJD transports any personal property or clothing the youth is allowed to possess to the new facility.

(7) Youth may not give, take, borrow, steal, or trade possessions with other youth.

(8) A youth who escapes is considered to have abandoned his/her property. TJJD will notify the youth's parents, guardian, or managing conservator that the property will be disposed of in 30 days unless shipping COD is authorized. Should a youth be returned before the end of the 30-day period, TJJD will make reasonable efforts to return any property remaining at the facility.

(9) Parents and youth are notified in writing of the rules relating to personal possessions.

(f) Restrictions on Makeup.

The following restrictions on possessing makeup apply only to youth in high restriction facilities.

- (1) Makeup may not be shared among youth.
- (2) Boys are not permitted to wear makeup, except as allowed by the facility administrator on a case-by-case basis.
- (3) Youth are not permitted to possess talcum powder, aerosol products, products in metal or glass containers, lip liner pencils, eyeliner (liquid or pencil), eye shadow (cream, powder, or pencil), eyebrow pencil, eyelash curler, loose powder, waterproof cosmetics, or nail polish. TJJD may place additional restrictions on certain types or brands of makeup or hygiene products based on safety concerns such as alcohol content or toxicity.

(g) Restrictions on Purchased Items.

The following restrictions on purchasing items apply only to youth in high restriction facilities.

- (1) The only items youth are permitted to purchase are:
 - (A) personal clothing;
 - (B) shoes;
 - (C) makeup and other hygiene products; and
 - (D) any items stocked in the facility commissary.
- (2) All purchases for a youth must be made using money from the youth's student trust fund in accordance with [§380.9931](#) of this title. Staff members are prohibited from taking money directly from youth for this purpose.
- (3) Purchased items must be:
 - (A) purchased from the facility's commissary; or
 - (B) shipped directly from the vendor to the facility. Shipments are searched for contraband in accordance with [§380.9315](#) of this title. Youth are not permitted to receive personal items during visitation.

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- See [INS.19.01](#) for implementation requirements in institutions.
 - See [HWH.05.01](#) for implementation requirements in halfway houses.