

 <p style="text-align: center;"><b>KENTUCKY CORRECTIONS</b> Policies and Procedures</p>	Policy Number	Total Pages
	14.1	2
	Date Filed	Effective By Memorandum Date
	October 14, 2005	May 24, 2021
References/Authority KRS 196.035, 197.020 ACA 5-ACI-5A-08	Subject <b>INVESTIGATION OF MISSING OR STOLEN INMATE PROPERTY</b>	

I. DEFINITIONS

None

II. POLICY and PROCEDURES

Upon notification of a claim of missing or stolen inmate property, it shall be the responsibility of the staff member receiving the information to begin filling out a theft report. The staff member shall sign and date the theft report.

A. It shall be the responsibility of the inmate to report the missing or stolen property within five (5) business days of the occurrence or becoming aware of the occurrence. The inmate shall provide proof of ownership of the property claimed to be missing or stolen (receipts, property sheet, or other forms of documentation, etc.). If the inmate does not have proof of ownership documentation on hand, the inmate may file an Open Records request per CPP 6.1. An inmate shall have three (3) working days from the date of receiving any Open Records documentation to provide to the reporting staff member. If an inmate is verified to be indigent, and does not have proof of ownership documentation on hand, the inmate may request the investigating staff obtain the information from the electronic management system or Open Records process. The indigent inmate shall not receive any documentation obtained through this method and all documentation shall be maintained for the investigation only. The report and any documentation shall then be turned over to the appropriate supervisor to conduct the investigation.

B. An investigation shall be conducted in attempt to locate the missing or stolen property.

1. The investigation shall be conducted in a timely manner, taking no more than ten (10) working days to complete.

2. The investigation shall determine one of the following:

a. The inmate is at fault for the missing or stolen items;

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- b. Another inmate is at fault for the missing or stolen items and disciplinary report issued as appropriate;
  - c. A staff member is at fault for the missing or stolen items; or
  - d. Determined to be unfounded.
3. The Deputy Warden or other designated authority may grant an extension to the investigation based on justifiable institutional needs. This extension shall be documented in the investigation.
- C. Upon completing the investigation, the supervisor shall turn over the investigation and all related documentation to the Deputy Warden or designated authority. This is to include all notes, interview documentation, summary of video or audio reviews if available, and the inmate's proof of ownership documentation. If the inmate fails to provide proof of ownership, an investigation may be concluded as being unfounded. The Deputy Warden or designated authority shall refer the investigation and its findings to the appropriate staff:
- 1. Business Office for reimbursement upon the Warden's or designee's approval;
  - 2. Referral to the Adjustment Officer for adjustment hearing and restitution;
  - 3. Returned for reinvestigation; or
  - 4. Determined to be unfounded.
- D. The Deputy Warden or designated authority shall notify the original reporting inmate to ensure the inmate receives a summary of the investigation findings.
- E. The completed investigation and related documents shall be placed in the electronic management system by the Deputy Warden or designee.
- F. Any sensitive information shall be redacted from the investigation and any related documentation before disclosure or inspection.

**KENTUCKY DEPARTMENT OF CORRECTIONS MISSING PROPERTY / THEFT REPORT**

Section I Reporting Information	
Inmate Name / Number	
Staff Name / Title	
Date Report Initiated	

Section II Missing / Stolen Property - If more space is needed, please attach additional page			
Item	Date Purchased	Item Amount	Serial Numbers

Section III Date & Time of Occurrence			
Place Occurred			
Date Occurred		Time Occurred	AM / PM
Brief Description of Incident			

*Must verify inmates' rightful ownership of items. Attached: Receipts / Property Sheet / Other \_\_\_\_\_*

Section IV Investigator Information	
Name / Title	
Date Received	

*Investigator has 10 working days to complete and submit completed report to the Deputy Warden's Office.*

Section V Investigation - If more space is needed, please attach additional page	

*Investigation shall include the date, area and timestamp of incident. Investigation shall include all persons involved and specify all property that was verified stolen via camera footage or cell search.*

**Investigator must determine if the property missing/stolen is at the fault of one of the following:**

**Reporting Inmate / Another Inmate / Staff Member / Unfounded**

Section VI		Persons Involved
Name/Numbers		Disciplinary:
Name/Numbers		Disciplinary:
Name/Numbers		Disciplinary:
Name/Numbers		Disciplinary:

*Inmates involved shall receive a disciplinary report to include the identified items stolen.*

Section VII			Property Recovered & Returned - If more space is needed, please attach additional page
Item	Date Recovered	Date Returned	

*Investigation shall include all property that was recovered.*

Section VIII		Deputy Wardens Review - Forward to one of the following
Business Office / Reimbursement		
Adjustment Committee / Restitution		
Investigator / Reinvestigation		
Other		

*Depreciation scale shall be used to determine reimbursement / restitution amount.*

Warden's Signature \_\_\_\_\_ Date \_\_\_\_\_

Section IX		Summary of the Investigation – Forward to the following
Reporting Inmate		
Property Supervisor		
Internal Affairs		
Other		

Warden's Signature \_\_\_\_\_ Date \_\_\_\_\_