



OREGON YOUTH AUTHORITY



Policy Statement

Part III – Community Services (Youth)

Subject:

Youth Personal Property in the Community

Section – Policy Number:

A: General Administration - 9.0

Supersedes:

**III-A-9.0 (5/19)
III-A-9.0 (2/17)
III-A-9.0 (9/12)**

Effective Date:

10/26/2023

Date of Last Review:

None

Related Standards and References:

- [OYA policy](#): III-A-4.0 Searches of Youth and Areas; Processing Contraband or Evidence in Community Placements
III-A.6.0 Field Office Safety and Security Standards


Related Procedures:

- [Local field office protocols](#)

Policy Owner:

Community Services Assistant
Director

Approved:



 Joseph O'Leary, Director

I. PURPOSE:

This policy establishes standards for OYA field staff regarding youth personal property inventory, storage, and return while a youth is under supervision in the community.

II. POLICY DEFINITIONS:

Personal property: Any item belonging to a youth that can be moved, including, but not limited to, jewelry, money, radio, stereo, non-state-issued clothing, posters, knickknacks, and photographs. Personal property **does not** include items purchased or provided for a youth at OYA's, a substitute care provider's, or other government agency's expense.

Substitute care: Residential placements in the community that provide 24-hour-a-day care or treatment, excluding a relative's home. Such placements include, but are not limited to, foster care, proctor care, or contracted residential treatment programs.

III. POLICY:

Youth may have personal property while in a substitute care placement. The type of personal property may be determined by the substitute care provider. OYA is not responsible for the damage, theft or loss of a youth's personal property while the youth is in a substitute care placement. OYA may place limits on the quantity

of personal property a youth may retain while in a substitute care placement. OYA establishes appropriate controls for the management of youth personal property held by OYA to minimize damage, theft or loss of items.

OYA has identified diversity, equity and inclusion as an agency priority and initiative, with a goal to build a respectful, diverse, equitable and inclusive environment for youth and staff that is free from harassment, discrimination and bias. Data shows youth of color and LGBTQ+ youth are disproportionately represented in the juvenile justice system. While OYA is only one part of that system, it plays a critical role in addressing the historical and systemic inequities it perpetuates. OYA staff must demonstrate respect in handling and transporting youth property.

IV. GENERAL STANDARDS:

A. Youth Property in Substitute Care Placements

1. Contract administrators must ensure substitute care providers have policies and procedures to identify:
 - a) Allowable youth personal property; and
 - b) Personal property tracking, inventory, and storage.
2. Staff must work with substitute care providers to ensure youth understand limitations on personal property while in a substitute care placement.
 - a) OYA must provide youth with designated storage devices for personal property, unless the youth wants to use their own equivalent storage options. The storage devices (travel kit) include two duffle bags, one toiletry bag, and one plastic tote. The quantity of youth personal property must fit in the storage device for ease of transport.
 - b) Personal property storage beyond these limits must be approved by the youth's juvenile parole/probation officer (JPPO).
 - c) OYA staff must not use trash bags to transport or store youth property.
3. Property Search/Inventory Upon Youth Placement/Return

Staff must not allow youth to have access to their property, including anything a youth is carrying (e.g., in a pocket or backpack), until a contraband search has been completed.

 - a) Staff must search the youth's property for contraband items before leaving the youth's property at a substitute care program.

- b) Staff must follow OYA policy III-A-4.0 (sections G and H) when searching, documenting, and confiscating any contraband items found during the search.

4. Returning Property Left at Substitute Care Programs

- a) Staff must ensure every possible effort is made to return personal property to a youth when the youth leaves a substitute care placement.
- b) Staff must work with the substitute care provider to ensure personal property is returned to the youth's family when the youth is not available to receive property.
- c) Staff must pick up a youth's property from the substitute care provider within 30 days of the youth exiting the program, if a program is unable to return the property directly to the youth or youth's family.
- d) OYA may receive a personal property item inventory from the provider. The inventory must be retained in the youth's case file.

B. Youth Personal Property Storage

- 1. OYA field offices have limited storage capacity for youth personal property collected from substitute care providers. OYA may store youth personal property for a reasonable amount of time based on available space.
- 2. Staff must search and inventory youth personal property before placing it in storage at an OYA field office.
- 3. Stored items must be retained in OYA-designated storage devices (travel kits) and clearly labeled with the youth's name.
- 4. Local field offices must have a local written protocol about youth personal property tracking and storage.

C. Disposition of unclaimed property

- 1. Staff must notify a youth and the youth's family, in writing via standard mail and email (when available), when resource limitations no longer allow OYA or a substitute care provider to store the youth's property. The notice must include the following:
 - a) A copy of the written record listing the personal property in OYA storage;
 - b) A request for the youth or youth's family to contact the local field office to claim the property; and

- c) A statement that the youth's property will be donated to a local charity or destroyed if not claimed within 30 days.
- d) Donation or destruction of spiritual or religious items.
 - (1) Staff must contact the OYA Native American services coordinator and or the OYA Native American tribal liaison for Native American religious, cultural or spiritual items to properly handle these items. Native American practices do not allow for destruction or donation of sacred items.
 - (2) Staff must contact an OYA religious services coordinator for proper handling of any other spiritual or religious items prior to the donation or destruction of the items.

- 2. Staff must retain a copy of the written notice in the youth's file, along with a final property disposition notation.

D. Lost, Stolen, or Damaged Personal Property

Staff must refer a youth to the following process if the youth believes loss of personal property is a result of OYA negligence.

- 1. The youth may file a claim letter with the Oregon Department of Administrative Services, Risk Management Division (RMD); 1225 Ferry St SE, U105; Salem OR 97301.

The letter must include:

- a) The youth's name and location;
- b) The date of loss (within 90 days of loss or knowledge of loss);
- c) Specifics regarding the loss (what, where, how);
- d) The name(s) of staff witness(es) and work phone number(s);
- e) The replacement value (attach receipts if possible); and
- f) An explanation detailing how the state is liable for the loss.

- 2. The letter may be submitted by:

- a) A youth's parent/guardian; or
- b) A youth who is over age 18, emancipated, or whose parent/guardian is unavailable. The youth must explain why the youth is submitting the claim instead of the parent/guardian.

V. LOCAL OPERATING PROTOCOL REQUIRED: YES

Each field office must have a local protocol to address the following:

- A. Where youth personal property items will be stored;
- B. How to verify items have been searched prior to storage;
- C. The maximum length of time items may be stored; and
- D. A process for tracking stored items.