




U.S. Immigration
and Customs
Enforcement

JAN 25 2007

MEMORANDUM FOR: Field Office Directors

FROM: John P. Torres
Director 

SUBJECT: Detention and Removal Operations Policy and Procedure
Manual (DROPPM) Update: Chapter 30: Detainee Property
Management

The new chapter on managing detainee property, including disposing of abandoned property, falls under Part III. Property Management: Materials, Tools and Equipment. It reads as follows:

Chapter 30 Detainee Property Management

- 30.1 -- Receipt of Detainee Property
- 30.2 -- Inventory Storage and Control
- 30.3 -- Release of Property
- 30.4 -- Lost or Damaged Property
- 30.5 -- Abandoned Property
- 30.6 -- Abandoned Funds

30.1 RECEIPT OF DETAINEE PROPERTY

Follow the procedures provided in the Funds and Personal Property Detention Standard. To process detainee funds and valuables, see Section III.D of the standard; to process baggage and personal property other than funds and valuables, see Section III.E.

To dispose of contraband confiscated from a detainee, see the Contraband Detention Standard, Section III.

30.2 INVENTORY STORAGE AND CONTROL

See the Funds and Personal Property Detention Standard, Section III.

The Property Custodian will organize items in the property room or locker in the manner most efficient for the officers conducting inventory and audit.

Supervisors will follow the inventory and audit procedures established in the Funds and Personal Property Detention Standard, Section III.F. In addition, they will organize each property room or locker in the manner most efficient for purposes of inventory and audit.

The Key and Lock Control (Security, Accountability, and Maintenance) Detention Standard establishes the procedures controlling access to the property room or locker.

30.3 RELEASE OF PROPERTY

You will find the procedures for releasing inventoried property to a detainee upon release, see the Funds and Personal Property Detention Standard, Section III.G. For a detainee being transferred to another facility, follow the procedures in the Detainee Transfer Detention Standard, Section III.E.

In the case of a detainee being transferred to an agency that will not accept custody of detainee property, such as prosecution cases going to the U. S. Marshall Service or Bureau of Prisons, the detainee will make private arrangements to have his/her property picked up or the Property Custodian will send it by certified mail to the address designated by the detainee.

30.4 LOST OR DAMAGED PROPERTY

Follow the procedures in the Funds and Personal Property Detention Standard, Section III.H, using Form I-387, Report of Detainee Missing Property, or SF-95 (Appendix 30-1), Claim for Damage, Injury, or Death, whichever is applicable.

[http://contacts.gsa.gov/webforms.nsf/0/630588D718E338F385256B1B007FBE64/\\$file/sf95.pdf](http://contacts.gsa.gov/webforms.nsf/0/630588D718E338F385256B1B007FBE64/$file/sf95.pdf);
<http://www.gsa.gov/Portal/gsa/ep/formslibrary.do?viewType=DETAIL&formId=630588D718E338F385256B1B007FBE64>

30.5 ABANDONED PROPERTY

The Property Custodian will inspect the detainee property locker/room and safe for abandoned detainee property. The Property Custodian will also examine the detainee property logbook and reconcile it with the inventory in the locker/room and safe (see the Funds and Personal Property Detention Standard, Section III.I).

All Contract Detention Facilities (CDF) and Inter-Governmental Service Agreement (IGSA) facilities will report and turn over to Detention and Removal Operations (DRO) all detainee-abandoned property.

Once the abandoned property notification process is complete, with the detainee failing to claim his/her property within the requisite 30 days, the title is vested to the government.

The Property Custodian will dispose of abandoned detainee property in accordance with the procedures provided in Chapter 11 of the Personal Property Operations Handbook

[REDACTED]. The property's condition will help the Property Custodian determine how to dispose of the property, i.e., whether to reuse, auction, or destroy it. Jewelry and other (personal-use) valuables, however, are not subject to the Property Custodian's discretion. Instead, they must go directly to the General Services Administration (GSA) for auction. The Property Custodian must document all action taken on abandoned detainee property, and maintain records in the local property office.

Restrictions on property obtained through non-appropriated funds prohibit DRO from donating abandoned property to charitable organizations (41 CFR 101-44.001-3).

(a) Reuse. Abandoned detainee property may be received into the property system for official use by the agency or processed as excess property for use by other agencies (41 CFR 101-48.101-4).

(b) Auction. The GSA will handle the sale of abandoned detainee property.

- Complete the SF-126, Report of Personal Property for Sale (Appendix 30-2).
- List all items on the “inventory spreadsheet” (see sample in Appendix 30-3).
- Provide a detailed description of each piece of jewelry (watches, rings, necklaces, etc.). For an example of an appropriate description, see the Funds and Personal Property Detention Standard, Section III.D.g.
- Attach the inventory spreadsheet to the SF-126.
- Mail the SF-126 and attached spreadsheet along with all items for sale to GSA (for GSA contact information, see Appendix 30-4).
- The Property Custodian will track the shipment until GSA receives it.

All proceeds from sales, less cost of care and handling, will be deposited in a special fund to reimburse former owners if they file a proper claim within three years.

(c) Destruction. When abandoned detainee property has not been claimed after 30 days, the United States assumes title (see Personal Property Operations Handbook, Chapter 11, Section 11.2.14.1). Often that property is in scrap or salvage condition. In those cases, when the known or estimated value is less than \$500, the Property Custodian may dispose of the property. Two individuals must witness the property’s destruction, and must attest to that fact on the Certificate of Disposal (Appendix 30-5). The Property Custodian will forward the Certificate of Disposal to the Field Office’s Accountable Property Officer.

30.6 ABANDONED FUNDS

All abandoned funds must be converted to a U.S. Postal Money Order. The Property Custodian will send abandoned detainee funds to the Debt Management Center (DMC) for deposit into a general account, as follows:

- If the funds amount to or exceed \$25 and the name or A-file number of the detainee is known, deposit the funds into the Payment of Unclaimed Moneys Fund, #20X6133.
- If the funds are less than \$25 dollars or the name and/or A-file number is unknown, regardless of the dollar amount, deposit the funds into the Forfeitures of Unclaimed Money and Property Fund, #701060.
- Use Form G-254 (Appendix 30-6), Schedule of Collections, to document the abandoned or unclaimed funds. In the “Comments” section, include, to the extent known, the name and A-number of the detainee, the dollar amount of the abandoned funds; the date the detainee left the facility without the property, thereby “abandoning” the funds; the date of the letter notifying the detainee (at last known address); and the property-receipt number. Also attach copies of property receipts and any other pertinent documentation.

- Send the G-254 along with the abandoned detainee funds and back-up documentation to the DMC (see Appendix 1-1 for contact information). Use certified mail with return receipt.
- If your location makes a deposit with the DMC (e.g. bond deposits), you may include your G-254 and funds with the local deposit.
- Include your name and phone number for DMC to contact with any questions.

insert into Appendix 1-1:

Debt Management Center 30-5

Department of Homeland Security
Debt Management Center
166 Sycamore Street, Suite 200
Williston, VT 05495
ATTN: Deanna Payne or Cheri Deschamps

Contacts:

Deanna Payne

Email: [REDACTED]

Phone: 802-288-[REDACTED]

Fax: 802-288-1229

Cheri Deschamps

Email: [REDACTED]

Phone: 802-288-[REDACTED]

Fax: 802-288-1229

See e-copies of Appendices 30-1 through 30-6