

**Article - Correctional Services**

[3-609.

(a) (1) The Division shall hold for 30 days any personal property of an inmate that comes into the possession of the Division:

- (i) as the result of an escape by the inmate; or
- (ii) because the personal property has been unclaimed by an inmate who has the right to its possession.

(2) During the 30-day holding period, the Division shall post notice in a conspicuous location in the correctional facility where the property initially was found.

(3) The Division shall deliver personal property being held by the Division to an inmate if:

- (i) the property is claimed within the 30-day holding period;
- (ii) the inmate satisfactorily establishes a right to possession of the property; and
- (iii) the inmate gives a proper receipt for the property.

(b) (1) The Commissioner shall adopt regulations:

- (i) to define what property constitutes contraband in the correctional facilities in the Division; and
- (ii) to establish procedures for the confiscation of contraband by staff of the correctional facilities.

(2) An inmate whose property is confiscated as contraband shall be notified of the right to have the property removed from the correctional facility or sent to a person outside the correctional facility at the inmate's expense.

(3) If an inmate fails to have property removed from or sent outside the correctional facility within 30 days after receipt of notice of confiscation, the property shall be deemed abandoned property under subsection (c)(2) and (3) of this section.

(c) (1) Personal property that is unclaimed within the 30-day holding period established under subsection (a) of this section shall be deemed abandoned property.

(2) Abandoned property may be converted to the use of the Division, sold, or otherwise disposed of in accordance with procedures established by the Commissioner.

(3) All claims to abandoned property are absolutely barred.

(d) (1) This section does not create or recognize any cause, action, or defense or abridge any immunity of the Division, the Commissioner, or any employee.