



**WASHINGTON LAWYERS' COMMITTEE**  
**FOR CIVIL RIGHTS AND URBAN AFFAIRS**

# A GUIDE TO THE BOP SMALL CLAIMS PROCESS

## FOR PROPERTY LOSS UP TO \$1,000

This Guide was created by the D.C. Prisoners' Project of the Washington Lawyers' Committee for Civil Rights and Urban Affairs. It was last updated in July 2016.

**It is not an official document of the Bureau of Prisons.**

It does not replace the advice of an attorney. It is not legal advice and does not create an attorney client relationship. You are responsible for meeting all necessary deadlines and requirements.

Under the Small Claims Act, you can ask for up to \$1,000 for property lost or damaged by the BOP.

31 U.S.C. § 3723

*Ali v. Fed. Bureau of Prisons*, 552 U.S. 214 (2008), restricted your ability to get any compensation for lost property. In *Ali*, the Supreme Court ruled that BOP staff are “law enforcement officials,” who are protected by “sovereign immunity against lawsuits in which a prisoner alleges injury or loss of property caused by the negligence or wrongful act or omission of prison staff employees of the federal government.” This means that you cannot sue under the Federal Tort Claims Act or a *Bivens* claim for any lost property. This guide will explain what you can do.

You have **one year** to file a claim. On a form BP-A0943 or regular paper, list:

- Your name, register number, and address;
- Place of property loss;
- The date, day, and time of the loss;
- The basis of the claim (what happened and who did it);
  - Make sure to include:
    - what was damaged or lost;
    - what it was worth;
    - how it was lost or taken from you;
    - any property lists or receipts showing that you owned it;
    - and any more evidence you have.
- A list of witnesses and their addresses;
- The amount of money you want for the property;
  - Think carefully about the amount you ask for.
  - A used item is worth less than you paid.
  - You cannot get more than \$1,000.
  - The best you can do is file a claim for \$1000 and get what you can.
- Your signature and the date.

Send the form or paper to the BOP Regional Office below. The BOP will decide what to give you. The decision is not appealable. You cannot go to court.

## **BOP Regional Office Addresses**

Mid-Atlantic Regional Office  
302 Sentinel Drive Suite 200  
Annapolis Junction MD, 20701

South Central Regional Office  
US Armed Forces Reserve Cmpl.  
344 Marine Forces Dr  
Grand Prairie, TX 75051

North Central Regional Office  
400 State Avenue, Suite 800  
Kansas City KS, 66101

Southeast Regional Office  
3800 Camp Creek Park SW, Bldg 2000  
Atlanta GA, 30331

Northeast Regional Office  
U.S. Customs House, 7th Floor  
200 Chestnut Street  
Philadelphia PA, 19106

Western Regional Office  
7338 Shoreline Drive  
Stockton CA, 95219