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			OPI:	OPERATIONS	
			REVIEW DATE:	January 18, 2019	
			Approving Authority	Quincy L. Booth Director	
	SUBJECT:	CONTRABAND CONTROL			
NUMBER:	5010.3F				
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SUMMARY OF CHANGES:

Section	Change
	<i>Major changes throughout the policy.</i>

APPROVED:

Signature on File



Quincy L. Booth, Director

1/18/2018

Date Signed

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1. **PURPOSE AND SCOPE.** To establish policy procedures designed to prevent the introduction and trafficking of contraband within the DC Department of Corrections (DOC) facilities.
2. **POLICY.** It is the policy of the DOC to minimize the possession and introduction of contraband into facilities and to detect it when present in the facilities.
3. **APPLICABILITY.** This directive applies to all DOC employees, inmates, volunteers, contractors, visitors, and individuals who enter or attempt to enter a DOC facility. This directive is also applicable to all materials, objects and substances that enter or attempt to enter a DOC facility.
4. **PROGRAM OBJECTIVES.** The expected results of this program are:
 - a. The security, safety and orderly operation of all DOC facilities will be maintained.
 - b. A regular system of searches and inspections will be implemented to prevent the introduction and trafficking of contraband.
 - c. Appropriate sanctions will be levied against any individual who possesses, attempts to introduce, introduces or traffics contraband within DOC facilities.
5. **NOTICE OF NON-DISCRIMINATION**
 - a. In accordance with the D.C. Human Rights Act of 1977, as amended, D.C. Official Code § 2-140.01 et seq., (Act) the District of Columbia does not discriminate on the basis of race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, status as a victim of an intra-family offense, or place of residence or business. Sexual harassment is a form of sex discrimination that is also prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action.
6. **DIRECTIVES AFFECTED**
 - a. **Directives Rescinded**
 - 1) PS 5010.3E Contraband Control (9/20/12)

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b. Directives Referenced

- 1) PP 1280.2 Reporting and Notification of Procedures for Significant Incidents and Extraordinary Occurrences
- 2) PP 4081.1 Inmate Visitation
- 3) PP 5020.1 Entrance and Exit Procedures
- 4) PM 5300.1 Inmate Disciplinary and Administrative Housing Hearing Procedures
- 5) OM 5009.1 Central Cell Block (CCB) Manual
- 6) PP 6050.2 Drug Testing of Inmates

7. AUTHORITY

- a. DC Code § 24-211.02, Powers; Promulgation of Rules
- b. DC Code § 22-2603.01 et seq., Introduction of Contraband into Penal Institution

8. STANDARDS REFERENCED

- a. American Correctional Association 4th Edition Standards for Adult Local Detention Facilities: 4-ALDF-2C-01, 4-ALDF-2C-04 and 4-ALDF-2C-06.

9. DEFINITIONS. For the purpose of this directive, the following definitions shall apply:

- a. *Associated Contraband* – Any unauthorized material, object, or substance found on or under the area of control (e.g. office, bunk, bag, property) of an employee, inmate, volunteer, contractor, visitor or individual who enters or attempts to enter DOC Properties.
- b. *Unassociated Contraband*- Any unauthorized material, object, or substance that is in, enters or attempts to enter a DOC facility and is found without a connection to an employee, inmate, volunteer, contractor, visitor or individual who enters or attempts to enter a DOC facility.
- c. *Major Contraband* – Major Contraband includes but is not limited to:

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- 1) Knives, blackjacks, guns, homemade weapons, any other weapon, tool, roping, civilian clothing, service uniforms of any kind, flammable substances, syringes, and vessels containing urine, feces or other body fluid.
 - 2) Any illegal drug or controlled substance unless an active (not expired) prescription by an authorized provider where the possessor is named as the patient and in packaging clearly identifying such.
 - 3) Smoking materials (i.e., matches, lighters) and/or tobacco products.
 - 4) Any unauthorized locking device, key, lock pick or other device capable of destroying, altering, interfering with or damaging any security equipment.
 - 5) Cellular telephones and accessories, except those authorized by the Warden or designee.
 - 6) Any other item that may pose a risk to the safety, security or order of the facility
 - 7) Items that may be legal initially, but become illegal once used for purposes other than intended, or if given to inmates without proper authorization.
- d. *Serious Contraband* – Serious Contraband includes but is not limited to:
- 1) Any intoxicating beverage.
 - 2) Currency or coins (Employees, Contractors, Visitors and Volunteers can have no more than \$20).
 - 3) Chewing gum.
- e. *Minor Contraband* – Any article, other than those defined as major or serious contraband which is not issued by the facility, not purchased from the canteen or not specifically authorized by the Department of Corrections.
- f. *Nuisance Contraband* - Any authorized item(s) maintained by inmates which, when stored in excess, may create a health, safety or fire hazard. In addition, any authorized item which has been altered from its original form or used for a purpose other than originally intended is contraband.

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10. PROCEDURES

a. *Entering Staff Entrance with Contraband*

- 1) When a staff entrance x-ray or search officer suspects that anyone has in their possession Illicit Drugs or Weapons, staff will immediately notify the Staff Entrance Officer in Charge (OIC) and Shift Supervisor. Weapons include but are not limited to; a firearm, imitation firearm, or any component of a firearm, ammunition, ammunition clip, a stun gun, or taser.
- 2) The discovering officer will secure the suspect's identification and the contraband.
- 3) The Shift Supervisor will report immediately to the Staff Entrance upon notification.
- 4) The Supervisor will ensure all staff involved submits a DCDC-1. Notifications will be made as per PP 1280.2, *Reporting and Notification Procedures for Significant Incidents and Extraordinary Occurrences*. The incident packet will include copies of the suspect's id, photos of the contraband and the video surveillance will be preserved.
- 5) Copies of the DCDC-1 will be given to MPD and will be forwarded to the Office of Investigative Services (OIS) and the Warden's office.

b. *Entering Inmate Reception Center (IRC) with Contraband*

- 1) If an adult inmate (21 years or older) enters IRC with 2 ounces or less of marijuana refer to property policy 4050.1, *Inmate Property*.
- 2) If an inmate enters IRC with any other contraband mentioned above follow the disciplinary policy 5300.1, *Inmate Disciplinary and Administrative Housing Hearing Procedures* and 5300.2, *Juvenile Disciplinary and Room Restriction Procedures*.

11. HANDLING OF EVIDENCE. If any Contraband is suspected to be a controlled substance, the discovering individual shall proceed according to the following procedure:

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a. **Accountability**

- 1) When any DOC non-uniform contractor or volunteer discovers Major or Serious Contraband as outlined above, that individual shall attempt to maintain a visual of the alleged contraband and make notification to a uniformed officer or Shift Supervisor. The non-uniform, contractor or volunteer shall, in accordance with PP 1280.2, *Reporting and Notification Procedures for Significant Incidents and Extraordinary Occurrences*. The DCDC-1 form shall contain the location of discovery, number of items observed and time of discovery. The completed DCDC-1 form shall be submitted to the Shift Commander for the record.
- 2) Mail room employees shall follow procedures in accordance with policy 4070.4, *Inmate Correspondence and Incoming Publications*.
- 3) When any DOC uniform staff discovers or is notified of Major or Serious Contraband as outlined above, that individual shall:
 - a) Obtain protective gear (gloves for all contraband, mask and eye protection for suspected illicit drugs),
 - b) Call for assistance of another Officer (who will also have protective gear);
 - c) Confiscate the item;

No field test shall be performed.
 - d) Notify his/her supervisor of the discovery;
 - e) Document unassociated and/or associated contraband on a DCDC-1 form in accordance with PP 1280.2, *Reporting and Notification Procedures for Significant Incidents and Extraordinary Occurrences*. The DCDC-1 form shall contain the location of discovery, number of items confiscated, employee, individual, or inmate name suspected of having the contraband (if applicable also complete a disciplinary report), time of the discovery, and the immediate action taken;
 - f) The employee will then take the item(s) to the Command Center, take photos of the item(s) and place it in a plastic evidence/property bag.

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- g) The evidence/property bag will be labeled with the following information:
1. Classification (i.e., major, minor, serious, nuisance)
 2. The name of suspected employee, contractor, volunteer, inmate, or individual; employee, contractor, or volunteer badge will be confiscated
 3. Number of items confiscated;
 4. DCDC Number of inmate;
 5. A description of the Contraband item;
 6. Where the Contraband item was found;
 7. Include the name of the in the description section (if applicable);
 8. The rank and name(s) of the employee(s) recovering the Contraband item;
 9. The date and time of recovery;
 10. The recovering employee(s) signature verifying that all information on the label is correct; and
 11. Complete a DCDC1 Form and Chain of Custody Form (Attachment 1) and ensure it affixed to the back of the evidence bag.

b. Custody Procedures for Evidence

- 1) The Security Office shall notify the Office of Investigative Services (OIS) for further investigation and/or disposal.
- 2) If the confiscated Contraband item is suspected to have been used in a crime and/or if criminal charges are anticipated, the Shift Commander will notify the OIS Chief.
- 3) Drugs, weapons and other major contraband shall be held until turned over to another law enforcement agency or until final disposition of any criminal or administrative proceeding.

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- 4) Confiscated monies are to be recorded on the contraband log, including the serial number of the money, photocopies of the money, and turned into the Inmate Finance Office. The Inmate Finance Office will be required to sign the Chain of Custody Form to indicate receipt. The monies will then be deposited into the DC General Fund.
- 5) All confiscated medication will be returned to the Medical Department for identification. The Medical Department will then follow all legal guidelines as to the proper procedure for the handling of confiscated medication.
- 6) Department property seized as contraband shall be inventoried and returned to the appropriate location (i.e. Receiving and Discharge, Recreation, Supply, etc.)
- 7) Nuisance contraband shall be inventoried and disposed of in a secure dumpster, compactor or by other appropriate method.
- 8) Each time a contraband item is released or received, each person receiving and releasing the contraband will be required to record the date, reason for transfer, and signature on the Chain of Custody Form. The Chain of Custody Form will be maintained by the Security Team.
- 9) All recovered suspected narcotics will be taken to the DC Department of Forensic Sciences by OIS within seventy-two (72) hours. A presumptive test will be conducted by the DC Department of Forensic Sciences. A Presumptive Screening Analysis Report will be forwarded to the OIS within two (2) weeks.
- 10) When there is a positive result, OIS will provide the documentation to the designated Captain who will ensure the Disciplinary is written and served.

12. CONTRABAND DEPOSIT SAFE

- a. A secure contraband deposit safe shall be used to deposit contraband. This safe shall be located in the Command Center and accessible to supervisors on all shifts.
- b. The combination to the contraband deposit safe shall be restricted. Only the Security Team or other authorized personnel designated by the Warden shall be permitted access to the combination.

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- c. All items placed in or removed from the contraband deposit safe shall be recorded on the Contraband Log (Attachment 2) and the appropriate Chain of Custody Form (Attachment 1).
- d. The Security Team shall maintain an accurate inventory of all items in the safe.
- e. The Security Team will ensure that all notifications and forms are complete and accompany each item of contraband. The Security Team will ensure that the Contraband Log is accurate and complete.
- f. Contraband shall be stored in the contraband deposit safe for a period not to exceed three (3) business days when there is a known charge.

13. CONTRABAND STORAGE SAFE

- a. A secure contraband storage safe shall be used to store contraband. This safe shall be located in the Security Office and accessible to the Security Team, only.
- b. The combination to the contraband storage safe shall be restricted. Only the Security Team or other authorized personnel designated by the Warden shall be permitted access to the keys and/or combination.
- c. All items placed in the contraband storage safe shall be recorded on the Contraband Log (Attachment 2).
- d. All items removed from the contraband storage safe shall be recorded on the Disposition Form or Transfer of Property Form and on the appropriate Chain of Custody Form (Attachment 1).
- e. The Security Team shall maintain an accurate inventory of all items in the safe.
- f. Weapons and suspected drugs unassociated with DOC employees, inmates, and individuals shall be stored in the contraband storage safe for a period not to exceed thirty (30) business days.

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14. DISPOSAL OF CONTRABAND

- a. The date of disposal of contraband will be documented on the Contraband Tracking Log (Attachment 2) along with the disposing authority's signature and method of disposal
- b. Disposal of contraband will be witnessed and verified by at least one (1) additional staff member. The witnessing staff member will initial the contraband log affirming that disposal was completed.
- c. When approved for disposal by the Warden, contraband shall be rendered safe and disposed of in a secure dumpster, compactor or by other appropriate method.
- d. When approved for disposal by the Warden, contraband weapons shall be rendered safe and disposed of by Metropolitan Police Department MPD.
- e. The Contraband Package shall be submitted to the Office of Investigative Services (OIS). The Chief of Investigative Services will arrange for pick up and disposal by the (MPD).
- f. Within 30 day of data submission, the (OIS) will confiscate unassociated contraband for destruction. All unassociated contraband weapons will be transferred to MPD for destruction.
- g. Upon approval of the Warden or designee unassociated contraband recovered where no known criminal charges will be made that is subsequently utilized by the Canine Unit for training, shall be documented by the Canine Unit Commander and filed with the DOC Security Team.

15. DATA AND REPORTING.

The designated Captain shall be responsible for directly inputting real-time contraband data on the contraband data form. The Program Analyst will then input the information in the DOC data reporting system.

- a. Data entry must be completed under all circumstances within twenty-four (24) hours of assuming chain of custody.
- b. The designated Captain shall visually validate the data/ confirm accuracy of the data. The data shall consist of the following:
 - 1) Date (Daily)

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- 2) Specific time of Recovery
 - 3) Shift
 - 4) Initial discovery staff
 - 5) Contraband log number
 - 6) Quantity
 - 7) Suspected Assailant/ Inmate Name
 - 8) Suspected Assailant/ Inmate DCDC Number
 - 9) Victim / Inmate name
 - 10) Victim / Inmate DCDC Number
 - 11) Location/Unit (Pre- selected specified fields)
 - 12) Description of Object and/ or Incident
- c. The Security Sergeant or designee shall be responsible for entering real-time contraband data for each item retrieved from the contraband safe in the Command Center.
- d. The designated Captain shall conduct monthly audits for data validity and submit confirmation of data accuracy to Majors Office and the Deputy Warden of Operations.

Attachments

Attachment 1 – Chain of Custody

Attachment 2 – Contraband Tracking Log

Attachment 3 – Receipt for Property Received/Returned/Released/Seized



CHAIN OF CUSTODY

CONTRABAND TRACKING LOG#

Date: _____ Time: _____ of discovery of contraband

Staff member who discovered contraband (Print): _____

Name of Individual and Category (e.g. Inmate, Officer/Civilian, Contractor, Volunteer, Visitor)
suspected of having contraband:

Description of Contraband: _____

Where was contraband found: _____

Name of Victim (if applicable): _____

Incident Number (if applicable): _____

CONTRABAND SECURED LOCATION: Contraband Safe.

I, being the staff member who recovered the contraband, do hereby certify that the above information is correct to the best of my knowledge.

Print Staff Name: _____

Staff Signature: _____ Date: _____

If contraband was subsequently moved from the above-written location, the following chain of possession is to be documented by each staff member handling the contraband.

Staff Relinquishing (Print): _____ Sign: _____ Date _____

Staff Receiving (Print): _____ Sign: _____ Date _____

Reason for Transfer: _____

Staff Relinquishing (Print): _____ Sign: _____ Date _____

Staff Receiving (Print): _____ Sign: _____ Date _____

Reason for Transfer: _____

Disposal Date: _____ Method of Disposal: _____

Disposing Official (Sign): _____ Date: _____

Witness to Disposal (Sign): _____ Date: _____

Approved by (Sign): _____ Date: _____

Additional Comments/Description: _____
