

DISTRICT OF COLUMBIA DEPARTMENT OF CORRECTIONS		EFFECTIVE DATE:	October 21, 2022	Page 2 of 12
POLICY AND PROCEDURE		SUPERSEDES:	5010.3F January 18, 2018	
		REVIEW DATE:	October 21, 2023	
SUBJECT:	CONTRABAND CONTROL			
NUMBER:	5010.3G			
Attachments:	Attachment 1 – Chain of Custody Attachment 2 – Contraband Tracking Log Attachment 3 – Receipt for Property Received/Returned/Released/Seized			

1. **PURPOSE AND SCOPE.** To establish policy and 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. 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 - a. **Directives Rescinded**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) PP 5010.3F Contraband Control (1/18/18)

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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) PP 6050.2 Drug Testing of Inmates
- 6) OM 5009.1 Central Cell Block (CCB) Manual

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 a DOC facility.
- 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; not in the possession or control of an employee, inmate, volunteer, contractor, visitor or individual who enters or attempts to enter a DOC facility.

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c. *Major Contraband* – Major Contraband includes but is not limited to:

- 1) Knives, blackjacks, firearms, imitation firearm, or any component of a firearm, ammunition, ammunition clip, a stun gun, or taser, any illegal or legal narcotic or alcoholic beverage, 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; and
- 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 \$50); and
- 3) Chewing gum

e. *Minor Contraband* – Any item(s), other than those defined as Major Contraband or Serious Contraband, which is not issued by a DOC facility, not purchased from the canteen or not specifically authorized by DOC.

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- 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(s) which has been altered from its original form or used for a purpose other than originally intended is contraband.

10. PROCEDURES

a. *Entering Staff Entrance with Contraband*

- 1) When a staff entrance officer suspects that anyone has major or serious contraband in their possession, staff will immediately notify the Staff Entrance Officer in Charge (OIC) and Shift Supervisor.
- 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 Metropolitan Police Department (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 in civilian attire with 2 ounces or less of marijuana, he/she shall have the opportunity to claim it as their lawful personal property. The marijuana will be vacuumed sealed and held with the inmate's property in accordance with DOC Policy 4050.1, Inmate Property.
- 2) If the adult has more than 2 ounces, the entire amount will be confiscated and submitted as contraband/evidence for possible criminal prosecution.

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- 3) Inmates under the age of twenty-one (21) initially entering the CDF with marijuana, regardless of amount, in their possession shall not have an opportunity to claim it as property. Marijuana shall be treated as contraband and bagged in an Evidence/Property Bag and logged properly, including recording the weight of the marijuana, on the Chain of Custody Form (Attachment 1). The search or Property Officer shall follow the procedures outlined in this directive.
- 4) If an inmate enters IRC with any other contraband mentioned, he/she is subjected to administrative sanctions to include Restrictive Housing and loss of privileges in accordance with PM 5300.1, *Inmate Disciplinary and Administrative Housing Hearing Procedures*. Criminal charges may also apply.

11. HANDLING OF EVIDENCE. If any contraband recovered in a DOC facility is suspected to be a controlled substance, the recovering Officer shall proceed according to the following procedure:

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 follow procedures in accordance with PP 1280.2, *Reporting and Notification Procedures for Significant Incidents and Extraordinary Occurrences*. The contractor or volunteer shall be required to complete a DCDC-1 form before leaving the facility. 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 available protective gear (gloves for all contraband, mask and available eye protection for suspected illicit drugs),

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- b) Call for assistance of another Officer (who will also have protective gear);
- c) Confiscate the item;
- d) No field test shall be performed.
- e) Notify his/her supervisor of the discovery;
- f) 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;
- g) 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.
- h) The evidence/property bag will be labeled with the following information:
 - (1) Contraband classification (i.e., Major, Minor, Serious, or Nuisance)
 - (2) The name of suspected employee, contractor, volunteer, inmate, or individual; employee, contractor, or volunteer's badge will be confiscated
 - (3) Number of items confiscated;
 - (4) DCDC Number of inmate, if applicable;
 - (5) A description of the Contraband item;
 - (6) Where the Contraband item was found;
 - (7) The rank and name(s) of the employee(s) recovering the Contraband item;

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(8) The date and time of recovery;

(9) The recovering employee(s) signature verifying that all information on the label is correct; and

(10) A completed DCDC1 Form and Chain of Custody Form (Attachment 1) affixed to the back of the evidence bag.

b. Custody Procedures for Evidence

- 1) The Contraband Control Officer shall notify the Office of Investigative Services (OIS) for further investigation and/or disposal of the recovered contraband.
- 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 turned over to the Department of Forensic Science (DFS) or MPD until final disposition of any criminal or administrative proceeding.
- 4) Confiscated monies are to be recorded on the contraband log (including logging the serial number and a photocopy of the money) and then turned over to the Inmate Finance Office. The Inmate Finance Office will sign a Chain of Custody Form to indicate receipt the monies. 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.

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- 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 or the Metropolitan Police Department by OIS within five (5) working days. A presumptive test will be conducted by the DC Department of Forensic Sciences or MPD. A Presumptive Screening Analysis Report will be forwarded to the OIS within two (2 weeks) or as soon as possible.
- 10) The initial test results of any suspected narcotics will be the responsibility of the OIS to provide the documentation to the designated Captain who will ensure the Disciplinary Report 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 Contraband Control Officer/Security Officer or other authorized personnel designated by the Warden/Deputy Warden(s) shall be permitted access to the combination.
- c. All items placed in or removed from the contraband deposit safe shall be recorded on the Contraband Tracking Log (Attachment 2) and the appropriate Chain of Custody Form (Attachment 1).
- d. The Contraband Control Officer/ shall maintain an accurate inventory of all items in the safe.
- e. The Contraband Control Officer will ensure that all notifications and forms are complete and accompany each item of contraband. The Contraband Control Officer will ensure that the Contraband Log is accurate and complete.

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- 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 Contraband Control Officer /Security Team, only.
- b. The combination to the contraband storage safe shall be restricted. Only the Contraband Control Officer or other authorized personnel designated by the Deputy Warden or above 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 Tracking 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 Contraband Control Officer 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.
- g. Weapons and suspected drugs for prosecution shall be stored no longer than five (5) business days. OIS staff shall transport weapons and suspected drugs for prosecution to the MPD or DFS at least once a week. Any suspected drug(s) that could pose an environmental issue shall be transported to the MPD or DFS within twenty-four (24) hours.

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.

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- b. Disposal of contraband will be witnessed and verified by an OIS Investigator, the Contraband Control Officer and a designated supervisor. The witnessing staff members will initial the contraband log affirming that disposal was completed.
- c. When approved for disposal by the Warden and or Deputy Warden, contraband shall be rendered safe and disposed of in a secure dumpster, compactor or by other appropriate method.
- d. Within thirty (30) days of data submission, the Contraband Control Officer will confiscate unassociated contraband for destruction. All unassociated contraband weapons will be destroyed by Contraband Control Officer/Security Officer. The OIS will review all the data submission before it is submitted to the Warden or Deputy Warden.
- e. 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 Contraband Control Officer.

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/confirm accuracy of the data. The data shall consist of the following:
 - 1) Date (Daily);
 - 2) Time of recovery;
 - 3) Shift;
 - 4) Initial discovery staff;
 - 5) Contraband log number;

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- 6) Quantity;
 - 7) Suspect/ Inmate's name;
 - 8) Suspect/ Inmate's DCDC Number;
 - 9) Victim / Inmate's name;
 - 10) Victim / Inmate's DCDC Number;
 - 11) Location/unit where recovered (Pre- selected specified fields) and;
 - 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

DOC/PP5010.3G/10/21/2022/OPP



CHAIN OF CUSTODY

CONTRABAND #

DATE: _____ TIME _____ OF DISCOVERY OF CONTRABAND STAFF
MEMBER WHO DISCOVERED CONTRABAND (Print) _____

NAME OF INMATE /CIVILIAN SUSPECTED OF HAVING THE CONTRABAND

DESCRIPTION OF CONTRABAND _____
WHERE CONTRABAND WAS FOUND _____
NAME OF VICTIM (IF APPLICABLE) _____
INCIDENT NUMBER (IF APPLICABLE) _____

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

STAFF SIGNATURE _____ DATE _____

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 _____
CONTRABAND INITIAL SECURED LOCATION _____

STAFF MOVING CONTRABAND FROM INITIAL SECURED LOCATION
(PRINT) _____ SIGN _____ DATE _____
NEW SECURED LOCATION _____

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 _____

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 OFFICAL (SIGN) _____ DATE _____

WITNESS TO DISPOSAL (SIGN) _____ DATE _____

APPROVED BY (SIGN) _____ DATE _____

ADDITIONAL COMMENTS

