

Minnesota Department of Corrections

Division Directive:	301.030	Title:	Contraband
Issue Date:	6/6/06		
Effective Date:	7/6/06		

AUTHORITY: Minn. Stat. §§[243.21, subd. 2](#); [243.55](#).

PURPOSE: To identify, prohibit and respond to unauthorized items on the grounds of a correctional facility in order to ensure a safe, secure and humane environment for all persons.

APPLICABILITY: Adult and juvenile facilities

The provisions of this policy do not apply to health services personnel carrying controlled substances for use in the practice of their profession, corrections canine officers who carry controlled substances for the purpose of training their dogs, or sheriffs or other peace officers carrying revolvers or firearms in the discharge of duties.

DIRECTIVE: The introduction or possession of contraband on the grounds of or within a correctional facility is prohibited. The captain or higher authority must authorize any contraband articles brought to a facility for training or other illustrative purposes. All department employees, contractors, visitors and volunteers found to be in possession of contraband in violation of Minnesota statutes may be detained for up to two hours.

DEFINITIONS:

Contraband - items which are not specifically authorized by the warden/superintendent, including, but not limited to:

- A. controlled substances or any item that pertains to the illicit manufacture of drugs, drug paraphernalia, or intoxicating substances
- B. alcohol
- C. tobacco
- D. weapons or ammunition
- E. escape paraphernalia and any item that teaches, advocates, describes or contains plans for activities in violation of facility rules, escape, or other criminal activity
- F. martial arts books or magazines
- G. explosives/incendiary paraphernalia and any item that teaches or describes the manufacture or illicit use of weapons, explosives, or devices that create a substantial danger of physical harm or jeopardize facility security
- H. security threat group (STG) paraphernalia (see Policy 301.110 "Security Threat Groups")
- I. materials that advocate racial, religious, or national hatred in such a way as to create a serious danger of violence in the facility
- J. sexually explicit materials, defined as:
 1. all materials that contain pictorial depictions of sexual activity;

2. published materials featuring nudity or written depictions of sexual activity, unless such depictions illustrate medical, educational, or anthropological content;
 3. non-published materials that contain pictorial depictions of nudity (including but not limited to pictures, photographs, internet printings, and drawings); and
 4. non-published materials containing written depictions of sexual activity that, based on an individualized review, are determined to constitute a risk to the safety and security of the facility, facilitate criminal activity, or undermine offender rehabilitation; but
 5. excluding materials issued by facility treatment staff to an offender currently participating in a sex offender treatment program.
- K. documents containing information detailing the circumstances of another offender's crime (e.g., offender face sheets, legal documents, police reports, internet material, newspaper clippings, etc.) An offender is allowed to possess such material about him/herself only. Such documents concerning another offender will only be allowed if the possessing offender demonstrates to the Discipline Supervisor or Correspondence Review Authority that the documents are needed to pursue his/her own criminal appeal. These documents are not permitted for the purpose of an offender performing legal work or providing legal advice to another, or
- L. any other item determined to present a risk to the security of the facility or safety of staff and offenders.

Contraband includes items that have been altered, are unauthorized, or are authorized but are in excess of the allowed limits; items for which a specific offender does not have authorized possession, items in other than an authorized area, and/or items specifically directed by a staff person to be removed from the facility or stored for safekeeping.

Featuring - containing depictions of nudity on a routine or regular basis (in the case of periodicals) or promotes itself based upon such depiction (in the case of individual one-time publications). This definition does not include published materials containing nudity illustrating medical, educational or anthropological content.

Nudity - the showing (including a see-through covering) of human male or female genitals, anus or pubic area or the showing (including a see-through covering) of the female breast or a substantial portion of the breast below the top of the nipple. Examples of see-through coverings that are not permitted include "pasties," lace, mesh, and body paint through which the covered area is showing.

Published materials - any book, booklet, pamphlet, magazine, periodical, newsletter, newspaper, or similar material published by any individual, organization, company or corporation that is distributed or made available through any means for a commercial purpose.

Sexual activity - actual or simulated sexual acts including sexual intercourse, oral sex, anal sex, or masturbation.

PROCEDURES:

- A. Facilities will provide continued training to staff on all aspects of contraband.
- B. Facilities will post and/or provide notices about contraband for staff, offenders and visitors.
- C. All department employees, contractors, visitors and volunteers found to be in possession of contraband in violation of Minnesota statutes may be detained for up to two hours while the Watch Commander, Juvenile Administration, or a higher authority makes the determination as to whether the contraband warrants notifying local law enforcement.
- D. All facility areas will be subject to periodic searches for contraband. All offenders will be subject to a search of their person, living and work areas and possessions at any time. See Department Policy 301.010, "Searches," regarding searches of staff, visitors, outside agencies and contractors.
- E. All contraband will be confiscated and stored pending disposition. Contraband may be disposed of, sent out of the facility, utilized as evidence in the court of law or utilized as evidence in offender discipline. A record of disposition will be maintained as part of the evidence processing procedure.
- F. The controlled item list for staff/contractors/volunteers is as follows:
 - 1. *Statutory prohibition*
 - a) Alcohol
 - b) Drugs
 - c) Weapons
 - d) Tobacco products
 - 2. *Policy prohibition*
 - a) Personal self-defense items (irritant, batons, knives, etc.)
 - b) Offensive literature (nudity, gang related, and security concerns: weapon and bomb making, escape related, etc.)
 - c) Personal handcuff keys
 - d) Non-issued duty belts and/or attachments
 - 3. *Additional items*
 - a) Personal computers (laptop), computer data storage devices (disks, drives, CD ROM, etc.), can be approved by Information Technology (IT) and Security if the user has a contracted business relationship with the department or is advancing the DOC mission. This includes contractors, Minnesota Attorney General's Office,

- law enforcement, polygraphists, etc. Offender lawyers and visitors are not allowed to bring these items into any correctional facility.
- b) Unauthorized cell phones (authorized cell phones are Department of Corrections issued cell phones, contractor cell phones as approved by the facility warden, and other cell phones as approved by the facility warden)
 - c) Personal transmitting pagers
 - d) Personal communication devices (2-way radios, etc.)
 - e) Matches, lighters
 - f) Insulin syringes (must remain in personal vehicle, Master Control or lockers outside of the secure perimeter)
 - g) Personal flammable aerosols (hair spray, cleaner, etc.)
 - h) Glass containers
 - i) Personal tools (scissors, multi-tools, pocket knives, etc.)
 - j) Wrapped packages
 - k) Personal video and audio recording equipment or any type of cameras
 - l) Personal metal utensils (knives, forks, etc.)
4. *Limited items*
- a) Medications (including over-the-counter,) limited to one-day supply
 - b) Epi-pens (for bee stings) allowed in possession
 - c) Deliveries (flowers, etc.), except food for consumption during the shift, must be retained outside perimeter for pick-up after shift
5. *Allowed with approval* - office/workplace items, including:
- a) refrigerators;
 - b) personal data assistants (PDA);
 - c) radios (not 2-way);
 - d) electric appliances/coffee pots;
 - e) decorations;
 - f) lamps; and
 - g) personal pictures, books.

REVIEW: Annually

REFERENCES: ACA Standards 4-4192, 4-4193, 4-4194; 3-JTS-3A-19, 3-JTS-3A-20, 3-JTS-3A-30, 3-JTS-3A-21, 3-JTS-5H-06; 1-ABC-3A-17, 1-ABC-3A-18, 1-ABC-3A-19.
 Adult Female Facilities Allowable Items.
 Adult Male Facilities Allowable Items.
[Policy 301.010, "Searches."](#)
 Policy 301.110, "Security Threat Groups."
 Juvenile Facilities Allowable Property Items.

SUPERSESSSION: Division Directive 301.030, "Contraband," 10/1/04.
All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

ATTACHMENTS: None

/s/

Erik Skon, Assistant Commissioner
Facility Services

Instructions

[301.030RW, "Contraband"](#)

[301.030-1STW, "Parking Lot Security"](#)

[301.030TOGO, "Contraband"](#)

Security Instructions (restricted access)

[301.030OPH, "Staff Medications"](#)

[301.030-1OPH, "Parking Lot Security"](#)

[301.030SCL, "Staff Medications"](#)

[301.030-1SCL, "Parking Lot Security"](#)

[301.030STW, "Contraband"](#)