

	WEST VIRGINIA DIVISION OF JUVENILE SERVICES	POLICY NUMBER: 316.00	PAGES: 7
CHAPTER: Institutional Operations		REFERENCE AND RELATED STANDARDS: WV Code Chapter §§ 49-5-16a and 49-5E-1 et seq.	
SUBJECT: Canine Unit Access to DJS Facilities			
DATE: July 1, 2013			

POLICY

This policy is to establish guidance for allowing access of canine units into Division of Juvenile Services facilities, centers and/or offices. Canine units will be used to detect and deter illegal drug use and search for persons as requested by Division Director or Facility Superintendents/Directors.

CANCELLATION

This policy has been reviewed and supersedes Policy 316.00 dated October 1, 2010.

APPLICABILITY

This Policy applies to ALL Division of Juvenile Services' facilities, offices and centers.

PROCEDURES

1. The Division Director will assign a liaison to coordinate any Division of Corrections (DOC) K-9 Units operating within any Division of Juvenile Services (DJS) facility.
2. Any facility who requests assistance from DOC K-9 unit will funnel their request through the Division's K-9 liaison in Central Office.
3. K-9 usage at the DJS facilities/centers/offices.
 - a. K-9 units will routinely scan the grounds, vehicles, packages, visitors, staff and residents.
 - b. The K-9 Unit will coordinate with the Facility Superintendent/Director or designee as to the specific needs of the facility.

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4. Canine Searches on Residents

- a. All Residents and their living areas are subject to search at any time.
 - i. Whenever possible scans should be conducted in a manner that allows the minimum amount of distraction, movement and noise for the K-9 Unit.
 - ii. Under no circumstances will the resident be permitted to distract or interact with the canine.

- b. Positive Indications on Residents
 - i. The resident will be strip-searched as soon as possible by facility staff. If drugs are recovered they will be turned over to the Shift Supervisor for further investigation and proper disposition.
 - ii. The resident will be required to submit to a drug test.

- c. Positive Indication in Resident Living or Work Areas
 - i. The resident area where the canine indicates will be searched by facility staff.
 - ii. All residents with access to this area will be strip searched and submit to drug testing. If drugs are recovered they will be turned over to the Shift Supervisor for further investigation and disposition.
 - iii. If an indication is given at an off-grounds work area, all residents on the work crew will receive a pat-down search and the work crew area will be searched.
 1. The work crew detail will be cancelled for that day. The residents will be returned to the facility, strip-searched and drug tested.
 2. If drugs are recovered at the work crew area, they will be turned over to appropriate law enforcement authorities by the K-9 Unit for further investigation.

- d. Positive Indication on Incoming Resident Mail or Packages
 - i. The piece of mail or package will be secured as contraband and the Facility Superintendent/Director or designee will be notified.

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ii. The Facility Superintendent/Director will ensure that the piece of mail or package will be photocopied. All information on the exterior of the mail/package indicating who it was addressed to, who sent it and where it was post marked will be documented.

1. The Facility Superintendent/Director or designee will open the piece of mail or package and all items will be thoroughly searched. This process will be videotaped. If drugs are recovered the Facility Superintendent/Director or designee will maintain custody of the mail/package (including packing materials) and appropriate authorities (i.e. State Police or Postal Inspector) will be notified for further investigation.

2. If no drugs are recovered the correspondence/items may be given to the resident at the discretion of the Facility Superintendent/Director or designee.

3. The resident is notified when incoming correspondence or packages are held in part or in full.

e. Positive Indication on Resident Visitors

i. The K-9 Unit officer will inform the Shift Supervisor or visitation officer of the positive indication.

ii. The Shift Supervisor or visitation officer will request the individual(s) have a seat. (No other visitors will be allowed entrance into the visitation reception area until the current incident is completed.)

iii. The Shift Supervisor and visitation officer will temporarily man the visitation area. Any visitor currently in the reception area who did not arrive with the visitor who was indicated on and is not involved with the incident will be processed for visitation.

iv. After the reception area is cleared of all other visitors not involved with the incident, the CDS canine handler will brief the Shift Supervisor of the incident. Visual identification on visitor(s) will be maintained until the visitor(s) is released.

v. From this point on everything involved in the incident shall be recorded on an Incident Report. The Shift Supervisor will then explain to the visitor that the CDS canine gave a positive indication for the odor of drugs on their person.

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- vi. The visitor(s) who was indicated on will be asked to leave the facility/grounds. The visitors with that person will be permitted to visit providing the canine did not give a positive indication on them.
 - 1. For a first offense the visitor will be barred from visiting for the day, but may return to visitation on the next visiting day.
 - 2. For a second offense the visitor will be barred from visiting at all DJS Facilities for Six (6) Months.
 - 3. For a third offense the visitor will be permanently barred from visiting at all DJS Facilities.

- f. Positive Indication on Facility Visitors, Contractors, Vendors, Volunteers and/or Delivery Drivers and their vehicles.
 - i. The Shift Supervisor will be notified.
 - ii. Any person who has a positive indication by canine will be refused admittance.
 - iii. Any visitor already in the facility who has a positive indication will be escorted from the facility.
 - iv. The Facility Superintendent/Director or designee will contact the supervisor of the person denied admittance and brief him or her on the incident if the person is visiting for business or professional reasons.
 - v. Positive Indication on Vehicles
 - 1. The Shift Supervisor will be notified.
 - 2. The Driver's operator license number will be obtained and all information pertaining to the driver and company he is delivering for will be documented.
 - 3. Law enforcement will be notified if circumstances warrant.
 - 4. A Correctional Officer will search the area in which the canine indicated. If drugs are recovered, appropriate law enforcement authorities will be notified and all evidence and reports will be

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released to them for further investigation.

5. If no drugs are recovered during the search of the vehicle the items to be delivered will be thoroughly searched and accepted. When drugs are recovered, appropriate law enforcement authorities will be notified and all evidence and reports will be released to them for further investigation.
6. In all cases the Facility Superintendent/Director or designee will contact the company making the delivery and brief them on the incident.
 - a. The Canine Handler will remain with the vehicle and contact the Shift Supervisor to come to his/her location.
 - b. Upon arrival of the Shift Supervisor the handler will brief them of the situation.
 - c. The Shift Supervisor will gather all information on the vehicle in question and through appropriate channels ascertain who the owner of the vehicle is.
 - d. If the owner of the vehicle returns while the Shift Supervisor is away, the handler will obtain identification from the owner and notify the Shift Supervisor that the owner has returned to the location.
 - e. Once the owner of the vehicle has been identified, the situation will be handled in the same manner as described above in 4.f.
- g. K-9 Unit Scans of DJS Employees*

(*This and all references to DJS Employees include all DJS contracted employees and Education employees.)

 - i. When conducting scans of DJS Employees with a DOC Canine, the utmost care will be taken to ensure an employee's integrity and reputation are not compromised. Whenever possible scans should be conducted in a location that provides the maximum amount of privacy to the employee such as a room with separate entrances and exits. Whenever possible, the only individuals that should be present during employee scans are the employee, DOC handler, and the Facility Superintendent/Director or designee. At no

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time will scans of employees be conducted in the presence of residents.

- ii. If an employee refuses to be scanned by a DOC canine, they can be subject to disciplinary action, up to and including termination.
- iii. If a DOC canine gives a positive indication for drugs on an employee, the incident is to be handled by the Facility Superintendent/Director or designee.
 1. The Chief of Security or designee will conduct a pat down search of the employee by an employee of the same sex. If drugs are recovered during the pat down search, a field drug test will be completed on the confiscated items. If the field drug test gives a positive indication, appropriate law enforcement authorities will be notified. Upon arrival of law enforcement authorities, all evidence and reports will be released to them for further investigation.
 2. If an employee refuses to submit to the pat down search, they can be subject to disciplinary action, up to and including termination.
 3. If no drugs are found on the employee, the Facility Superintendent/Director or designee will complete a Vehicle Consent to Search Form and read it verbatim to the employee and request they sign it.
 4. If an employee refuses to give consent to search their vehicle, they can be subject to disciplinary action, up to and including termination.
 5. If the employee gives consent to search their vehicle, a DOC canine handler will use his canine to conduct a scan of the interior and exterior of the employees' vehicle. When a DOC canine gives a positive indication for drugs in or on the vehicle the Facility Superintendent/Director or designee will conduct a search of the area the indication was made. If drugs are recovered, appropriate law enforcement authorities will be notified. Upon arrival of law enforcement authorities, all evidence and reports will be turned over to them for further investigation.
 6. If the canine does give any indications for drugs in or on the vehicle, the Employee will be required to submit to a mandatory drug test.
 7. When a drug test is administered and the results do not indicate improper use of a controlled substance or for illegal drugs, the

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Employee may return to duty.

8. If an Employee refuses to submit to a drug test or test positive for illegal drugs or improper use of a controlled substance, they can be subject to disciplinary action, up to and including termination.

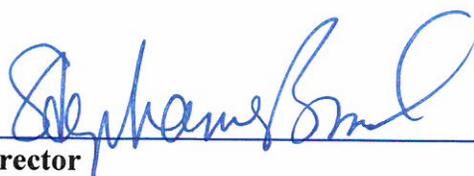
h. Recovered Contraband/Drugs

- i. If a canine indicates on a specific area, the facility officer assigned to escort the K-9 Unit will conduct all physical searches of items and take possession and full control of all contraband recovered.
 - ii. If apparent drug substances or remnants are found, the K-9 Officer will utilize a drug test kit to determine if it is an illegal drug.
5. The tracking canine teams may be used at facilities to assist with escapes.
 6. Each facility will have in place an operational policy and procedural plan to ensure the standards and practices of this policy are followed.

RIGHTS RESERVED

The Director reserves the right to modify, suspend or cancel any provision herein in part or entirety, without advance notice, unless prohibited by law.

APPROVED:



 Director

7/1/13

 Date