

 <p style="text-align: center;">WEST VIRGINIA DIVISION OF JUVENILE SERVICES</p>	<p><u>POLICY NUMBER:</u></p> <p style="text-align: center; font-size: 2em;">308.00</p>	<p><u>PAGES:</u></p> <p style="text-align: center;">5</p>
	<p><u>CHAPTER:</u> Institutional Operations</p>	<p><u>REFERENCE AND RELATED STANDARDS:</u> WV Code Chapter §49-2-903; ACA 3-JTS-3A-19/20/21; ACA 3-JDF-3A-19/20/21; and ACA 3-JCRF-3A-12; Prison Rape Elimination Act, §115.315</p>
<p><u>SUBJECT:</u> Control of Contraband/Allowable Items</p>		
<p><u>DATE:</u> January 1, 2016</p>		

PURPOSE

It is the policy of the West Virginia Division of Juvenile Services to provide guidelines for the control and elimination of contraband in the facilities.

CANCELLATION

This policy has been revised and supersedes Policy 308.00 dated July 1, 2015.

APPLICABILITY

This Policy applies to all Division of Juvenile Services' facilities.

DEFINITION

Contraband: Any item expressly prohibited by Division of Juvenile Services policies, any item altered from its original state, or possession of any item not authorized in a specified area.

PROCEDURES

1. Searches of residents.
 - a. Pat Down Searches – Fully clothed body searches, conducted by trained staff and a member of the same sex. Only in emergency circumstances will a member of the opposite sex conduct a pat down search, which will be documented. Pat down searches will be conducted;
 - i. At the beginning of each intake;
 - ii. Upon suspicion of contraband;
 - iii. Before visitation;

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- iv. After non-contact visitation; and
 - v. Routinely during movement
- b. Strip Searches – Visual inspection of resident body cavities is conducted based on a reasonable belief that the resident is carrying contraband or other prohibited material. The inspection is conducted by trained staff in private and conducted by members of same sex.
- i. Strip searches will be conducted:
 - 1) Based on reasonable belief.
 - 2) Upon completion of OIS booking.
 - 3) Upon placement in specialized housing for:
 - a) Administrative segregation
 - b) Sanctions as the result of charges
 - c) Segregation prior to hearing
 - 4) After contact visitation.
 - 5) Upon return from any activity that is outside the secure area of the facility.
 - ii. Upon intake, if a resident claims to be transgender and/or refuses to declare his or her genital status and their status is not obvious, medical staff will conduct the strip search. If no medical staff is on grounds, one staff member of each sex will jointly conduct a strip search of the resident for security purposes only. Upon such time that the resident's genital status is determined, the staff member of the opposite sex will leave immediately.
- c. Body Cavity Probe Searches – Manual or instrumental inspection of body cavities is conducted only when there is reason to do so and when authorized by the Facility Superintendent/Director or designee. The inspection is conducted in private by health care personnel. Non-invasive sensors and other techniques will be used instead of body searches whenever feasible.

2. Protecting the Privacy and Dignity of Residents

- a. All efforts will be made by staff to protect the privacy and dignity of residents, avoid the use of unnecessary force, and to reduce opportunities for staff-on-resident sexual abuse by prohibiting cross-gender strip and visual body cavity searches, setting limits on cross-gender viewing of residents by nonmedical staff, and restricting cross-gender pat-down searches.

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- b. Only in unavoidable circumstances, security staff will conduct cross-gender strip searches, and searches of transgender and intersex residents, in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs. Each search will be documented and justified via an incident report.

- 3. Searches of resident rooms and common areas (any area in which residents have access):
 - a. Complete search and inspection of each room will occur prior to occupancy by a new resident.
 - b. Room searches should be conducted daily on a random basis and documented. The number of daily room searches will be determined by the Facility Superintendent/Director, who will insure that every resident room will be searched at least once every week. Room searches will not be conducted during sleeping hours. Only those items listed on the Allowable Items List shall be permitted. (Attachment #1)
 - c. All common areas will be searched at least weekly on a rotation to be determined by the Facility Superintendent/Director.
 - d. Staff will respect the rights of juveniles to possess authorized personal property.
 - e. Conduct searches only as necessary to control contraband or to recover missing or stolen property.

- 4. Searches of Staff
 - a. All staff and their vehicles and property are subject to search by canine units and are required to comply with canine unit direction.
 - b. Staff, their belongings, and their vehicles, may be searched randomly or for reasonable suspicion.

- 5. Searches of Visitors
 - a. Searches will not be conducted on law enforcement personnel, legal professionals or probation personnel, when acting in their official capacity.
 - b. Inspection of all vehicular traffic and supplies coming into the facility will be in accordance to Policy 303.00 – Patrols and Inspections.
 - c. Visitors will be searched via walk through or hand held metal detectors that may be used in conjunction with pat down searches upon entrance to any facility.

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6. Disposition of Property/Contraband

- a. Any item removed from a resident's sleeping room or person shall be inventoried and described. (Refer to Policy 324.00 – Crime Scene and Physical Evidence Preservation, Attachment #2.)
 - i. The resident will be given a copy of the receipt of what was taken;
 - ii. The item(s) will be transferred to the shift supervisor following the chain of custody;
 - iii. The shift supervisor will place items in evidence locker or resident's personal property.
 - 1) Any dangerous item (weapons, drugs, etc.) will be removed from facility grounds by turning over to law enforcement or secured pending further instructions.
 - 2) Any perishable items (food) will be photographed and destroyed.
 - iv. Any item used in an institutional hearing will be available as evidence to the hearing officer.
- b. Any item removed from a common area will:
 - i. Be inventoried and described;
 - ii. Be turned over to shift supervisor following the chain of custody;
 - iii. Be placed in evidence locker by the shift supervisor pending identification of ownership or destruction.

7. Evidence Locker/Property Room

- a. Each facility will designate an evidence storage point:
 - i. With limited access established by the Facility Superintendent/Director.
 - ii. With a log to inventory and track all items added or removed. (Refer to Policy 324.00 – Crime Scene and Physical Evidence Preservation, Attachment #3.)
 - iii. With a monthly inventory of all items contained therein.
 - iv. Items can be disposed of at the discretion of the Facility Superintendent/Director.
- b. Property Room/Storage
 - i. Access will be established by the Facility Superintendent/Director.
 - ii. All resident property will be entered into OIS.
 - iii. Removal of items will only be by release or transfer of the resident or at the direction of the Facility Superintendent/Director or designee.

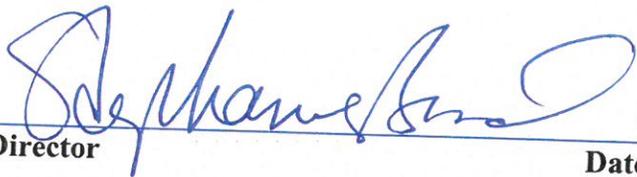
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8. For standardization purposes, the altering of any format to any Division policy attachment is prohibited, other than to complete the information required on the form itself.
9. Each facility will have in place an operational procedure to ensure 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 **Date** 1/1/16

ALLOWABLE ITEMS LIST

Residents are only authorized to have in their possession those items listed below and approved by their Facility Superintendent/Director and, when applicable, in conjunction with their Phase Level. Quantities cannot exceed those listed below.

<u>ITEM</u>	<u>LIMIT</u>	<u>Restrictions</u>
<u>Bedding/Linen</u>		
Blanket	2	State issue only
Mattress	1	State issue only
Pillow	1	State issue only
Pillow Case	1	White only; state issue only
Sheets	2	White only; state issue only [two (2) sheets, not two (2) sets of sheets]
Towels	2	White only; state issue only
Wash Cloths	2	White only; state issue only
<u>Clothing</u>		
Athletic Shoes	1	
Belt	1	Web military trouser type; state issue only
Boots	1 pr.	One (1) State Issued; authorized/outside facility work crews may purchase one (1) additional pair with boot strings (personal purchase). No Gore Tex, no steel toes or Thinsulate, (except authorized workers), no cowboy boots, six (6) inch height limit
Coat/Jacket	1	State issue only
Gloves	1 pr.	State issue only
Laundry Bags	2	State issue only - if consistent with Unit Security
Pajamas	2 pr.	State issue only
Pants	5	State issue only
Shirts (Long Sleeve)	3	State issue only
Shirts (Short Sleeve)	5	State issue only
Shorts	3	Gym/Walking; White or Gray Only – Non-lined; Non-Reversible
Shower Shoes	1 pr.	
Socks	6 pr.	White only
Sweatpants	3	White or gray only

Sweatshirts	3	White or gray only; no hoods; no zippers
Jumpsuits	2	
Thermal Tops	2	White only
Thermal Bottoms	2	White only
Toboggan	1	Blaze Orange; State issue only
T-Shirts	6	White only
Underwear	6	Males Only; White Only

Electronics

Batteries		Only what is needed for devices – based on a one for one exchange.
CD's	15	Combined total
Head Phones	1	Pair
Head Phone Adapter	1	Not to exceed six (6) feet in length
Storage Case CD	1	Clear Plastic Case Only
Television	1	13" with remote
Walkman	1	Radio/CD/Adapter with Headphones
Watch	1	Wrist or pocket, not to exceed \$100.00
Watch Battery	1	

Female Inmates Only

Brassiere	5	White Only; No Metal
Feminine Hygiene Napkins or Tampons	2	Boxes
Hair Barrette	5	Females Only – Plastic Only
Hair Dryer	1	
Hair Scrunchies	5	
Panties	6	White Only

Hygiene

Bar Soap	2	
Body Lotion	2	
Comb	1	
Conditioner (including pomade)	2	
Cotton Swabs	1	
Denture Adhesive	1	If applicable
Denture Brush	1	If applicable
Denture Container	1	If applicable
Denture Cleaner	1	If applicable
Deodorant	2	
Hair Brush	1	

Hair Spray	1	Pump, non-alcoholic, or non-alcoholic tube type hairstyle cream
Medicated Skin Cream	1	
Mouthwash	1	Non-alcoholic
Shampoo	2	
Shaving Cream	2	
Shaving Kit/Cosmetic Bag	1	Soft Side; Clear Plastic Only
Soap Dish	1	Clear plastic only
Sunscreen Lotion	1	
Tissues	1	
Toothbrush	1	
Toothbrush Holder	1	Clear plastic only
Toothpaste	1	

Medical

Chapstick	1	
Contact Lenses/Case/Solution	1 pr.	If applicable, per Policy Directive #410.10
Cough Drops	1	Pack
Glasses Case	1	Soft Case
Medical/Dental Prostheses		As medically required
Nasal Strips	1	
Prescription Glasses	2	Limit one (1) State issue and one (1) personal purchase – tint restricted on personal purchase to 5% (photo lenses only)

Miscellaneous

Combination Pad Locks	2	State issue only
Personal Pictures		Not larger than 5" x 7" – must be kept in photo albums
Photo Album	2	No metal
Playing Cards	1	Deck
Rug	1	No larger than 3' x 5' - No Rubber Backing
Storage/Locker Box	2	
Trash Can	1	Small
Wedding Band	1	If legally married, no stones

Reading/Writing/Legal Material

Address Book	1	
Binder	1	Plastic only
Books	6	General Interest
Colored Pencils	1	12 count box
Envelopes	1	Box
Greeting Cards	5	

Legal Material		Personal only; Current active case only
Legal Pads	2	
Magazines/Newspapers/Periodicals	5	Total
Pencil Eraser	1	
Pencils	5	
Pens	5	
Personal Letters	12	Including cards
Program Workbooks	5	DJS, DOE, and College only
Stamps	20	Postage placed on envelope by Administration staff.

Religious Items

Bible or Religious Scripture	1	
Religious Medallion with Chain/Beads	1	Must have approval of Facility Superintendent/Director— not to exceed \$100.00.

Food Items

Drinks, snack food, chips, candy bars	Only those items allowed by Phase Level
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