

CONTRABAND

Minnesota Sex Offender Program

Issue Date: 4/7/15

Effective Date: 5/5/15

Policy Number: 415-5030

POLICY: MSOP prohibits contraband within and on the grounds of all MSOP facilities.

AUTHORITY: Minn. Stat. §§152.01, Subd. 4 (Definition of Controlled Substance); 182.653, Subd. 2 (Rights and Duties of Employers); 243.55, (Contraband Articles; Exceptions; Penalty); 245.490, (Regional Treatment Centers: Mission Statement); 246.01, (Powers and Duties of the Commissioner); 246.014 (Services) 609.02, Subd. 6 (Definitions: Dangerous Weapon); 609.229 (Crime Committed for Benefit of a Gang); State of Minnesota Policy on Alcohol and Other Drug Use by State Employees (Minnesota Management and Budget)

APPLICABILITY: Minnesota Sex Offender Program (MSOP), program-wide, excluding Community Preparation Services (CPS)

PURPOSE: To ensure a safe, secure and therapeutic environment for all persons by identifying, prohibiting and responding to contraband on the grounds of Minnesota Sex Offender Program (MSOP) facilities.

DEFINITIONS:

Alcohol, liquid or fermented liquid – any alcoholic beverages, including fermenting liquids or ingredients thereof.

Combustible or flammable liquid – a liquid having the ability to ignite, or maintain flame.

Contraband – see DCT Policy 120-1000, “Contraband in DCT Facilities” for definition.

Security Threat Group (STG) – see DCT Policy 145-1030, “Security Threat Groups,” for definition.

Weapon – see DCT Policy 120-1000, “Contraband in DCT Facilities” for definition.

PROCEDURES:

A. Staff training and posting of notices

1. Security staff will provide continued staff training regarding all aspects of contraband.
2. Security staff will post notices regarding contraband at each facility and will provide such notices to staff, clients and visitors.

B. Prohibited Items

1. Direct Care and Treatment (DCT) Prohibitions
See DCT Policy 120-1000, “Contraband in DCT Facilities”
2. Program-wide prohibitions
The following prohibitions apply to all staff, clients and visitors
 - a) alcoholic beverages;

- b) escape paraphernalia and any item teaching, describing, or containing plans for escape, other criminal activity, or activities in violation of program rules;
- c) correspondence containing threats of physical harm, blackmail, extortion, or other criminal activity, including proposed criminal activity, or any coded and/or suspicious messages; and
- c) material or information related to polygraphs, including publications or information on how to “beat” or “pass” a polygraph. This includes countermeasure material a client could use in an attempt to appear non-deceptive when the client’s physiological responses are being monitored during a polygraph examination, including but not limited to: books, magazines, audio or videos describing countermeasure techniques.

3. Secure Perimeter Prohibitions – General

The following secure perimeter prohibitions apply to all individuals:

- a) personal self-defense items (irritant, batons, etc.);
- b) camouflage clothing (excluding footwear);
- c) binoculars or telescopes;
- d) personally-owned flashlights, portable or directional lights, or laser pointers;
- e) gang or security threat group related identifiers, publications or paraphernalia;
- f) items whose ownership cannot be determined;
- g) personal computers, computer data storage devices, GPS-enabled devices and other electronic communication devices (unless approved per MSOP Policy 301.025, “Mobile Devices within the Perimeter”);
- h) personal video or audio recording equipment or personal cameras;
- i) tobacco, or tobacco devices, including electronic cigarettes;
- j) lighters, matches or other ignition devices;
- k) metal cans (e.g., aluminum, steel, or tin);
- l) prohibited media as outlined in MSOP Policy 302.230, “Media Possession by Clients;”
- m) personal handcuff keys;
- n) non-issued duty belts or attachments;
- o) insulin syringes (unless facility director approval or approved by policy);
- p) medications in excess of a one-day supply (unless approved in policy);

- q) personal flammable aerosols;
- r) personal tools (scissors, multi-tools, pocket knives, etc.);
- s) wrapped packages;
- t) loose metal or metal pieces, wires or wire materials, cables or cords over nine feet in length;
- u) tape that cannot be easily broken;
- v) chains or jewelry constituting a choking hazard;
- w) personal metal utensils;
- x) glass and ceramics (note: ceramics may continue to be made during assigned programming, but must be sent out.); and
- y) other articles suspected or determined to be contraband.

4. Secure Perimeter Prohibitions – Client Prohibitions

The following secure perimeter prohibitions apply only to clients:

- a) material or items usable to alter one's appearance, including hair dye, wigs, simulated body parts, or make-up;
- b) clothing resembling any portion of a staff uniform;
- c) articles not meeting the requirements outlined in MSOP Policy 303.020, "Client Hygiene/Dress Code;"
- d) footwear not passing metal detection, unless required for vocational programming or medically required;
- e) material or items, including items not otherwise prohibited, potentially associated with, or constituting evidence of, past or potential criminal activity or escape from an MSOP facility;
- f) items pertaining to unauthorized business activity, including the practice of a profession, or the sale, solicitation, manufacture or distribution of goods or services, whether for profit or for a non-profit, excluding routine communication with a person who is operating a business established by the client prior to commitment;
- g) duplicated discs (unless approved by MSOP Policy 420-5250, "Client Property");
- h) excessive amounts of authorized items or possessions, including items in excess of allowable personal items, excessive amounts of paper, and foods retained beyond the point of safe consumption;

- i) cracked or broken items, or items altered without prior staff authorization;
- j) Any materials actually or potentially programmatically contra-indicated or detrimental to the safety or health of clients;
- k) articles suspected or determined to be contraband (if an item is questionable or suspected to be contraband, it may be referred to the Allowable Items Committee for a determination);
- l) medications in unmarked containers, or prohibited by MSOP Division Policy 320-2012, "Self-Administration of Medications (SAM) and Independent Glucometer Use (IGU);"
- m) phone cards; gift cards (Moose Lake facility only); currency (Moose Lake facility only); incomplete money orders; money orders and checks not made payable to the receiving client; un-affixed stickers, labels (with the exception of pre-printed, standard-sized address labels as outlined in the "MSOP Property List," 420-5250d, attached) or stamps; and musical or mechanized cards (refer to MSOP Division Policy 420-5250, "Client Property," attachment 420-5250d, "MSOP Property List," and MSOP Policy 104.800, "Client Use of Credit Cards and Credit Accounts");
- n) all legal or illegal gambling materials, including lottery tickets (e.g., scratch-off, Powerball, Gopher 5, etc.); and
- o) any durable goods deemed contraband due to unintended use per MSOP Policy 420-5250, "Client Property."

C. Exceptions

1. The provisions of this policy do not apply to:
 - a) Health Services personnel carrying controlled substances for use in the practice of their professions; or
 - c) materials otherwise deemed contraband that are permitted for use pursuant to MSOP Policy 302.320, "Native American Spiritual Ceremonies" or MSOP Policy 302.310, "Use of Controlled Item During Spiritual Activities."
2. (Not applicable to clients) Personal computers, laptops, computer data storage devices (disks, drives, CD ROM, etc.) or any other electronic devices may be approved by the facility security director, or designee, if the user has a business-related need.
3. Staff may request personal property by completing the appropriate form (refer to MSOP Policy 103.100, "Employee Personal Property").
4. Tobacco products, in accordance with MSOP Policy 103.200, "Smoking and Use of Tobacco Products."
5. Approved Phase III clients may be in possession of and use credit cards and credit accounts, if in accordance with MSOP Policy 104.800, "Client Use of Credit Cards and Credit Accounts."

- D. All employees, contractors, visitors, and volunteers found to be in possession of contraband in violation of Minnesota statutes or MSOP policy or procedure will be referred to the officer of the day or higher authority to make a determination whether the contraband warrants notifying local law enforcement.
- E. All facility areas, clients, employees, contractors, visitors, and volunteers are subject to periodic searches for contraband pursuant to MSOP Policy 301.010, "Searches-Clients," MSOP Policy 301.011, "Searches – Areas," MSOP Policy 301.012, "Searches – Employees and Visitors;" and MSOP Security Policy 301.013, "Unit/Area Searches."
- F. All contraband will be confiscated and stored pending disposition pursuant to MSOP Security Policy 107.055, "Evidence Handling" and MSOP Policy 420-5250, "Client Property."

REVIEW: Annually

REFERENCES: MSOP Policy 602.310, "CPS Contraband"
MSOP Division Policy 420-5250 "Client Property"
MSOP Policy 602.300, "CPS Client Property"
MSOP Policy 301.010, "Searches – Clients"
MSOP Policy 301.011, "Searches – Areas"
MSOP Policy 301.012, "Searches – Employees and Visitors"
MSOP Security Policy 301.013, "Unit/Area Searches"
MSOP Security Policy 107.055, "Evidence Handling"
MSOP Policy 302.230, "Media Possession by Clients"
MSOP Division Policy 500.2012, "Self-Administration of Medications (SAM) and Independent Glucometer Use (IGU)"
MSOP Policy 303.020, "Client Hygiene/Dress Code"
MSOP Policy 103.200, "Smoking and Use of Tobacco Products"
MSOP Policy 302.320, "Native American Spiritual Ceremonies"
MSOP Policy 302.310, "Use of Controlled Items During Spiritual Activities"
MSOP Policy 301.020, "Cellular Devices"
MSOP Policy 103.100, "Employee Personal Property"
MSOP Policy 104.800, "Client Use of Credit Cards and Credit Accounts"
MSOP Policy 301.110, "Security Threat Groups"
DCT Policy 120-1000, "Contraband in DCT Facilities"

ATTACHMENTS: None

SUPERSESSON: MSOP Policy 301.030, "Contraband," 5/6/14.
All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

/s/

Nancy A. Johnston, Executive Director;
Minnesota Sex Offender Program