

 <p style="text-align: center;">DIVISION OF ADULT INSTITUTIONS</p> <p style="text-align: center;">POLICY AND PROCEDURES</p>	DAI Policy #: 306.00.16	Page 1 of 5
	Original Effective Date: 10/15/78	New Effective Date: 06/20/22
	Supersedes: 306.00.16	Dated: 05/17/21
	Administrator's Approval: Sarah Cooper, Administrator – 6/10/22	
Required Posting or Restricted:		
<input checked="" type="checkbox"/> Inmate <input checked="" type="checkbox"/> All Staff <input type="checkbox"/> Restricted		
Chapter: 306 Security		
Subject: Contraband		

POLICY

The Division of Adult Institutions shall ensure contraband is identified, confiscated, documented, stored and disposed of in a consistent manner using sound security practices.

REFERENCES

Wisconsin Administrative Code Ch. 303 – Discipline

DAI Policy 309.04.01 – Inmate Mail

DAI Policy 309.20.03 – Inmate Personal Property and Clothing

DAI Policy 500.80.12 – Pharmaceutical Recycling and Waste Management

DAI Policy 306.00.14 – Protection, Gathering and Preservation of Evidence

DAI Policy 306.00.37 – Control of Tools, Equipment, Chemicals and Hazardous Materials

DEFINITIONS, ACRONYMS AND FORMS

Contraband – Any item which inmates may not possess; is not authorized by the institution; is not state property and is on the institution grounds (or in an assigned area of inmates on work release/special projects) but not in the possession of any person; comes into an inmate's possession through unauthorized channels or which is not on the inmate's property list and is required to be; is stolen property; is damaged or altered; or is used as evidence for a disciplinary hearing and deemed contraband by the adjustment committee or hearing officer.

DOC – Department of Corrections

DOC-9 – Adult Conduct Report

DOC-237B – Property Disposition

DOC-1266 – Contraband Property Tag

DOC-1445 – Evidence Chain of Custody

DOC-2466 – Incident Report (WICS)

DOC-2477 – Evidence/Contraband Control Log – Conduct or Incident Reports

HSU – Health Services Unit

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RDA – Record Retention-Disposition Authorization

PROCEDURE

I. Seizure of Contraband

- A. Any staff member who reasonably believes an item is contraband may seize the item whether or not the staff member believes a violation has occurred.
- B. Items believed to be contraband shall be confiscated and identified utilizing DOC-1266.
 1. If an item(s) is known to be contraband or, after consultation with a supervisor is determined to be contraband, a DOC-9 or DOC-2466 and DOC-237B shall be completed.
 2. Notice of item confiscated and condition of item shall be given to the inmate on the DOC-237B.
 3. Items may be tested to determine their composition and content.
- C. All sharps (needles, razors, homemade weapons, etc.) shall be retained as evidence.
- D. Contraband items (i.e. fecal matter, open food, intoxicants) that pose a health, sanitation or safety risk, shall be photographed and disposed of immediately.
- E. Photographs of contraband shall be labeled and include the following:
 1. Either the number of the DOC-9 or DOC-2466 they correspond to.
 2. Name of the individual the contraband belongs to.
 3. Location where the contraband was found.
 4. Name of person taking the photo.
 5. Date, time and location the photos were taken.
 6. All photos shall be maintained as evidence.
- F. Property which is not determined to be contraband shall be returned to the inmate or rightful owner.
- G. Property belonging to the facility shall be returned to service if in a usable condition.

II. Retention/Storage of Contraband

- A. Contraband items shall be logged and tracked on DOC-2477.
- B. Items shall be stored in a secure contraband storage area.
- C. Retention of contraband items
 1. General contraband items shall be retained for 120 days when a disciplinary appeal has been filed.
 2. If an appeal has not been filed, contraband may be disposed of no earlier than 30 days after date of hearing decision being delivered to the inmate.

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- a. Prior to disposal, a photograph shall be taken of the items.
 - b. The photographs shall be labeled with the corresponding DOC-9 or DOC-2466 number.
 - c. Documents and photographs shall be retained in accordance with relevant RDA.
3. Contraband to be used as evidence in outside prosecution shall be logged on a DOC-1445 or maintained until such time as they are no longer necessary for use in the criminal prosecution. If the contraband item is deemed to pose a health, sanitation or safety risk, photographs shall be taken of the contraband; i.e. fecal matter, open food, intoxicants.

III. Disposition/Disposal of Contraband

If a disciplinary process has been conducted, the disposal of the item(s) shall be in accordance with this policy. Disposal shall be as follows:

A. Currency/cash

Confiscated money shall be deposited in the State's general fund.

B. Checks

Checks and other negotiable instruments shall be returned to the issuer. If it is not possible to determine an address for the issuer of the check, the check shall be destroyed.

C. U.S. Bonds and other Securities

1. Upon proof of ownership and the source of a U.S. Bond or other security, the item shall be held in the Business Office until it can be returned to the owner.
2. If the owner is an inmate, it shall be held until their release.

D. Property

1. If there is no DOC-9 or DOC-2466, it may be disposed of or sent out at the inmate's expense in accordance with DAI Policy 309.20.03.
2. The decision of how the property is processed is made by the Hearing Officer and documented on DOC-1266.

E. Controlled/Intoxicating/Foreign/Hazardous substances shall be disposed of by the facility or given to law enforcement for use as evidence or for disposal.

F. Weapons and ammunition not required for use as evidence may be retained for training purposes or disposed of by the facility. Firearms or explosives shall be turned over to law enforcement agencies for disposal.

G. Facilities shall develop a procedure for disposal of sharps (i.e. razors, syringes, needles)

H. Medications taken as contraband shall be delivered to HSU for disposal in accordance with DAI Policy 500.80.12.

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- I. State property may be returned to service if in usable condition.

- J. Contraband found through the inspection of parcels, packages and any other incoming or outgoing items shall be disposed of in accordance with DAI Policies 309.04.01 and 309.20.03.

DIVISION OF ADULT INSTITUTIONS FACILITY IMPLEMENTATION PROCEDURES

Facility: Name		
Original Effective Date:	DAI Policy Number: 306.00.16	Page 5 of 5
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Will Implement <input type="checkbox"/> As written <input type="checkbox"/> With below procedures for facility implementation		
Warden's/Center Superintendent's Approval:		

REFERENCES

DEFINITIONS, ACRONYMS AND FORMS

FACILITY PROCEDURE

- I.
 - A.
 - B.
 - 1.
 - 2.
 - a.
 - b.
 - c.
 - 3.
 - C.

II.

III.

RESPONSIBILITY

I. Staff

II. Inmate

III. Other