



# WISCONSIN DEPARTMENT OF CORRECTIONS

Governor Tony Evers / Secretary Kevin A. Carr

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## GUIDANCE DOCUMENT CERTIFICATION

I have reviewed this guidance document or proposed guidance document and I certify that it complies with sections §227.10 and §227.11 of the Wisconsin Statutes.

I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is not explicitly required or explicitly permitted by a statute or a rule that has been lawfully promulgated.

I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is more restrictive than a standard, requirement, or threshold contained in the Wisconsin Statutes.

Casey Gerber

\_\_\_\_\_  
Name of Individual Certifying this Document/Proposed Document

Director, Office of Juvenile Offender Review

\_\_\_\_\_  
Title



Casey Gerber

\_\_\_\_\_  
Signature

06/24/2019

\_\_\_\_\_  
Date Signed

Department of Corrections – Wisconsin  
Office of the Secretary  
Wis. Stat. § 227.112(6)  
DOC-2910 (6/2019)

 <p style="text-align: center;"><b>WISCONSIN</b> <b>DEPARTMENT OF CORRECTIONS</b> <b>Division of Juvenile Corrections</b></p> <p style="text-align: center;"><b>Policy and Procedure</b></p>	EFFECTIVE DATE 10/24/2018	PAGE NUMBER 1 of 4
	MANUAL REFERENCE	<input type="checkbox"/> New <input checked="" type="checkbox"/> Revision
	DJC POLICY # 300.05.16	Original Date: 6/10/2014
	ORIGINATED BY John D. Paquin, Administrator	
	X  Date Signed: 10/24/2018	
DISSEMINATION	PRIORITY	
<input type="checkbox"/> All Staff <input type="checkbox"/> Confidential-Security Related	<input checked="" type="checkbox"/> Policy/Directive <input type="checkbox"/> Information	
<input checked="" type="checkbox"/> Facilities <input type="checkbox"/> Supervisory Staff Only	Discuss at Staff Meeting Read/Route/Post	
<input type="checkbox"/> Field Offices	REPLACES POLICY DJC Policy 400.05.07, CLS/LHS	
<input type="checkbox"/> Health Services	P&Ps 6.10 & 6.28, SIMPs 13 & 23	
<b>SUBJECT: Contraband</b>		

**Purpose**

The purpose of this policy is to establish guidelines for the control and disposition of contraband in DJC facilities.

**Policy**

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

**References**

- Wisconsin Administrative Code Ch. DOC 373 – Youth Conduct in Type 1 Secured Correctional Facilities
- Wisconsin Administrative Code Ch. DOC 376
- Wisconsin Administrative Code Ch. DOC 396 – Type 2 Secured Correctional Facilities
- Wisconsin Administrative Code Ch. DOC 396 – Type 2 Secured Correctional Facilities
- DJC Policy 300.04.06 – Youth Mail
- DJC Policy 300.05.20 – Youth Personal Property
- DJC Policy 300.05.19 – Protection, Gathering and Preservation of Evidence
- DJC Policy 500.80.12 – Pharmaceutical Recycling and Waste management

**Definitions, Acronyms, and Forms**

Contraband – Any item which youth may not possess; is not authorized by the facility; is not state property and is on the facility grounds (or in an assigned area of youth on work release/special projects) but not in the possession of any person; comes into a youth's possession through unauthorized channels or which is not on or is used as evidence for a disciplinary hearing and deemed contraband by a supervisor or designee.

- DJC – Division of Juvenile Corrections
- DOC – Department of Corrections

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DOC-1266 – Contraband Property Tag

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

HSU – Health Services Unit

J-Tracker- Juvenile Management Information System

RDA – Records Disposition Authority

## **Procedure**

### I. Seizure of Contraband

- A. Any staff who reasonably believes that an item is contraband may seize the item whether or not the staff believes a violation has occurred.
- B. Items believed to be contraband shall be confiscated and will require a DOC-1266 and a J-Tracker Incident Report to be completed.
- C. All sharps (needles, razors, homemade weapons, etc.) shall be retained as evidence per facility procedure. If the contraband item is deemed to pose a health, sanitation or safety risk, photographs shall be taken of the contraband (e.g., fecal matter, medication, intoxicants).
  1. Any photographs shall be labeled using the corresponding J-Tracker incident report number and shall be maintained as evidence per facility procedure.
  2. These items shall be disposed of consistent with this policy.
- D. Property which is not determined to be contraband shall be returned to the youth or rightful owner.
- E. Property belonging to the facility shall be returned to service if in a usable condition.

### II. Retention and 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 20 days after the date of the hearing decision being delivered to the youth.
    - a. Prior to disposal, a photograph shall be taken of the items.
    - b. Photographs shall be labeled with the corresponding J-Tracker incident report number.
    - c. Documents and photographs shall be retained in compliance with the applicable RDA.
    - d. Contraband to be used as evidence in outside prosecution shall be maintained per facility procedure 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 (e.g., fecal matter, medication, intoxicants).

### III. Disposition/Disposal of Contraband

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- A. If the disciplinary process has been completed, the disposal of item(s) shall be in accordance with this policy. Disposal shall be as follows:
1. Currency/cash. All confiscated money shall be deposited in the State's general fund.
  2. Checks, U.S. Bonds, and other Securities
    - a. 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.
    - b. Upon proof of ownership and the source of a U.S. Bond or other security, the item shall be held in a designated facility location until it can be returned to the owner.
    - c. If the owner is a youth, it shall be held until their release.
  3. Property
    - a. If there is no J-Tracker incident report number, the contraband may be disposed of or sent out at the youth's expense in accordance with facility procedure.
    - b. The decision of how the property is processed shall be made by the Superintendent, Regional Chief, or designee.
  4. Controlled, intoxicating, foreign and/or hazardous substances shall be disposed of by the facility or given to law enforcement for use as evidence or for disposal.
  5. 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.
  6. Facilities shall develop a procedure for disposal of sharps (e.g., razors, syringes, needles.)
  7. Medication taken as contraband shall be delivered to HSU for disposal in accordance with DJC Policy 500.80.12.
  8. State property may be returned to service if in usable condition.
  9. Contraband found through the inspection of parcels, packages, and any other incoming or outgoing items shall be disposed of in accordance with DJC Policy 300.05.07.

cc: Office of the Secretary  
DJC Leadership Team

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<b>Division of Juvenile Corrections Facility/Region Implementation Procedure</b>	
Facility/Region:	
DJC Policy Number: 300.05.16	
Subject: Contraband	
New Effective Date: 10/24/2018	Original Effective Date: 6/10/2014
Will Implement: <input type="checkbox"/> As Written <input type="checkbox"/> With following procedures for facility implementation	
Superintendent's/Regional Chief'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. Youth

III. Other