

DEPARTMENT OF HUMAN SERVICES
DIVISION OF JUVENILE JUSTICE SERVICES
POLICY AND PROCEDURES

Policy No: 05-10	Effective Date: 08/11/04	Revision Date: 08-11-14
Subject: Contraband		

I. Policy Statement

Items considered contraband shall be made inaccessible to the juveniles. Contraband items shall be classified as either illegal or restricted and shall be processed and controlled accordingly.

II. Rationale

Contraband items shall be confiscated and controlled, to ensure the safety and security of juveniles and staff, and minimize disruptions to treatment or program needs.

III. Definitions

- A. "Contraband" items are those for which possession by a juvenile is either illegal by federal or state law or prohibited by the policy of the Division or a particular Division facility or program. Contraband items include, but are not limited to: tobacco, illicit drugs, paraphernalia, alcoholic beverages, weapons, jewelry, money, electronic devices, cell phones, items capable of being used to effect an escape, or any item that might interfere with the treatment process.
- B. "GRAMA": is the Government Records Access and Management Act which governs the classification and retention of records that are prepared, owned, received, or retained by a state government entity, including The Division of Juvenile Justice Services (Utah Code Ann. 63G-2)

IV. Procedures

- A. Staff shall be alert to the possibility of contraband items coming into a Division facility/program. Staff shall immediately confiscate contraband items when discovered.
- B. For regulatory purposes, items identified as contraband will be placed into two categories and controlled accordingly.
 - 1. **Illegal Items:** These items are identified as illegal under federal or state law and possession of them by a juvenile may result in criminal charges. These items include, but are not limited to: tobacco, illicit drugs, paraphernalia, alcoholic beverages, and weapons. Staff shall confiscate, inventory, and store such items in a designated secure area in accordance to JJS Evidence Policy 05-09. Designated staff shall make a report to local law enforcement and complete an incident report for the Division. The facility Assistant Program

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Director (APD) or designee is responsible to securely store potential evidence until it can be released to law enforcement. In the event that law enforcement does not take custody of the contraband item, the APD is responsible for the proper disposal in accordance with federal and State law.

2. Restricted Items ó These items might not be illegal, however, possession of them by a juvenile is prohibited by policy of the Division or a particular Division facility or program. These items include, but are not limited to: money, jewelry, knives (legal), lighters, matches, and other property as designated in the facility/program operations manual. These items will be taken from the juvenile by staff, properly inventoried (with the inventory list recorded and signed for by the juvenile), and stored in a secure location inaccessible to juveniles (ordinarily placed into the juvenile's designated locker or another designated storage area). Staff may release such items to a parent/guardian with approval from the juvenile, or items stored by the Division will be returned to the juvenile upon release from the facility/program in accordance with JJS policy 04-05 regarding Juvenile Property Control.

C. Money in the possession of the juvenile or received by the juvenile via visitors, mail, or another source, is a restricted item per part B-2, and must be immediately deposited into the facility/program safe or designated secure area and documented in the juvenile's personal property inventory.

E. Incident reports, personal inventory forms, daily logs and any additional records related to the confiscation and disposal of contraband items must be maintained in the facility in accordance with JJS Incident Reporting Policy 05-15 and GRAMA regulations.

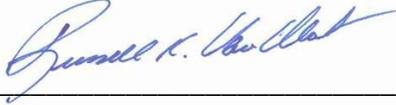
V. Continuous Renewal

This policy shall be reviewed every three (3) years to determine its effectiveness and appropriateness. This policy may be reviewed before that time to reflect substantive change.

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This policy has been reviewed by the Board of Juvenile Justice Services, and is approved upon the signature of the Director.



Russell K. Van Vleet, Chair
Board of Juvenile Justice Services

8-11-14

Signature Date



Susan V. Burke, Director
Division of Juvenile Justice Services

8-11-14

Signature Date