

27.21 Contraband Collection and Disposition

Application: To All Department of Children's Services Youth Development Center Employees

Authority: TCA 37-5-105 (3); 37-5-106

Standards: 8-306; **PREA:** 115.364; **COA Standards:** PA-JJR 14.04, **PAASE:** 6.01

Commissioner:

Date:

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Glossary:

- ◆ Chain of custody:
 - Refers to the proper handling and tracking of contraband by obtaining proper signatures of confiscated property/contraband that may be used as evidence.
- ◆ Contraband:
 - Items considered contraband include, but are not limited to: drugs, tobacco, alcohol, money, aerosol cans, medication not prescribed, glass containers, jewelry, cell phones, pornography, gambling items, gang-related materials, items used as weapons.
- ◆ Relinquishment
 - Relinquishment applies to the process of surrendering the physical possession and control of contraband to another person or agency.

Policy Statement:

All confiscated contraband shall be properly photographed, logged, and safely stored until it is returned or destroyed. Illegal contraband and weapons are relinquished to Law Enforcement (LE) for evidentiary purposes and disposal.

Purpose:

To provide a process for the collection, control, tracking, and disposal of contraband that ensures the safety of employees, youth and visitors.

Procedures:

A. Notification of contraband procedures

Prohibited items that are not allowed on state property or within the secure perimeter of the Youth Development Center (YDC) are referred to as contraband. All contraband is

confiscated. All youth, staff, and visitors are educated about what they can or cannot bring on state property or into the facility as indicated below.

1. Informing Youth

During the orientation process youth are informed of items considered contraband via the [Youth Handbook for a Tennessee Youth Development Center.](#)

2. Informing Visitors

A notice is posted at the entrance to inform visitors of items considered contraband.

3. Informing staff

Staff is trained on contraband policy and protocol during orientation. This training requirement is documented in the employee training file.

B. Procedures for the collection of contraband

1. All confiscated contraband is given to the Shift Leader.
2. The Shift Leader ensures staff has completed form **CS-0496, Incident Report** and has initiated form **CS-1099, Contraband Chain of Custody/Possession** by identifying the contraband and the persons who discovered and relinquished the contraband. The chain of custody section is properly completed with signatures of all persons the contraband has been transferred to or from.
3. All confiscated contraband is photographed and either destroyed or secured by the Shift Leader.
 - a) For legal or non-valuable contraband, the Shift Leader:
 - ◆ Attaches the printed photograph of the contraband to the disciplinary report and form **CS-1099, Contraband Chain of Custody/Possession** then gives the documentation to the Disciplinary Hearing Officer/designee to use in the youth's hearing. The contraband is destroyed in accordance with Section C.
 - b) For **illegal or valuable** contraband, the Shift Leader:
 - ◆ Places the contraband items inside individual visible, sealable, and tamper-proof bags (envelope/pouch). Each bag is sealed and form **CS-1099, Contraband Chain of Custody/ Possession** is stapled to the exterior of the bag;
 - ◆ Stores each contraband bag inside the fire-proof designated locked box in the Central Operations Center (COC) and keeps them secured until they are returned to the owner or given to LE;
 - ◆ Records all stored contraband in the contraband logbook located in COC; and
 - ◆ Contacts the owner or LE and coordinates pickup. Once the contraband is claimed by the appropriate person, form **CS-1099, Contraband Chain of Custody/ Possession** is placed in the youth's file.

Note: The Superintendent/designee and Security Manager are the only persons authorized to access the evidence after placement into the locked contraband drop box.

C. Disposition of contraband

1. At least two staff members are identified to witness the disposal of contraband.
2. Prior to **legal or non-valuable** contraband being destroyed, the shift leader completes the Date and Disposal Method column on form **CS-1099, Contraband Chain of Custody/Possession**.
 - a) **Tobacco Products**
 - ◆ Individual Cigarettes/Cigars are disposed of by stripping the tobacco from the cigarette/cigar and flushing it down the toilet or placing it in the trash just prior to trash pick-up.
 - ◆ Chewing tobacco is disposed of by removing contents from the can and placing it in the trash just prior to trash pick-up.
 - b) **Alcohol**

Disposal of products containing alcohol is accomplished by pouring the contents down a drain or flushing it down a toilet.
3. LE is contacted when **illegal drugs or weapons** are found on campus. These contraband items are photographed, documented and stored until relinquished to LE in accordance with Section B, unless otherwise instructed by LE
 - a) **Illegal Drugs/Narcotics**

The Superintendent/designee notifies LE of all illegal drugs/narcotics. Any medication confiscated is photographed by the Shift Leader and then relinquished to designated medical staff for disposal as directed in DCS Policy [20.15, Medication Administration, Storage, and Disposal](#).
 - b) **Weapons/ammunition**

The Superintendent/designee notifies LE to retrieve firearms and other weapons (i.e. knives, clubs, etc.) for disposal and obtains a receipt for chain of custody. Items that are not illegal but have been used as a weapon to harm someone are considered weapons (i.e. shank, sharp object, etc.).
4. The Superintendent is authorized to classify any confiscated item as contraband. In this circumstance, the same relinquishment process with the owner or LE is followed.

Valuables or Discretionary Items

 - a) The Superintendent identifies all staff authorized to bring cellular phones into the facility on [Memo: Cellular Phone Authorization](#).

- ◆ Cellular phones are prohibited except for designated personnel. Unapproved cellular phones and other confiscated valuables, found in possession of a staff member, are photographed and documented in front of the staff person. The staff person is then required to immediately remove the contraband from the facility. Progressive discipline is followed for staff.
 - ◆ Visitors are not allowed to bring cellular phones into the facility. If a visitor is found with a cellular phone or other valuables inside the secure area of the YDC, he/she is required to remove them from the facility immediately. A photograph is only needed if a disciplinary hearing is required due to the youth being in possession of the item.
 - b) A staff member, who mishandles contraband with the intent to steal, hide, or destroy items, may receive disciplinary action up to and including termination.
 - c) When valuables (other than currency) are confiscated from youth, the Superintendent/designee determines whether the item is retained at the facility or returned to the youth's nearest relative or guardian.
5. All United States **currency** obtained through illegal means or confiscated from a youth is deposited into the State of Tennessee General Fund account after it is photographed and documented in accordance with Section B of this policy.

Forms:

[CS-0496 Incident Report](#)

[CS-1099, Contraband Chain of Custody/Possession](#)

Collateral Documents:

[Memo: Cellular Phone Authorization](#)

[20.15, Medication Administration, Storage and Disposal](#)