| UTAH DIVISION OF JUVENILE JUSTICE AND YOUTH SERVICES<br>POLICY AND PROCEDURES | |
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| **CONTRABAND** | |
| **RATIONALE:** To maintain the safety and security of both staff and minors, and to ensure treatment and program requirements remain undisturbed, all contraband items will be seized and managed according to this policy.<br><br>*Related Policy, Rule, Statute: JJYS policy: UCA 76-10-503; JJYS Policy 04-05 Juvenile Property Control; 05-09 Evidence; 06-01 Creation, Storage, and Retention of Juvenile Records* | |

| **Original Effective:**<br>**August 11, 2004** | **Revision:**<br>**October 5, 2026** | **Next Review Due:**<br>**October 5, 2029** |
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## I. DESCRIPTION

Contraband will be categorized as items that are either program prohibited or illegal, with subsequent handling and oversight managed based on that classification. All such items must be kept out of reach of minors.

## II. DEFINITIONS

The following terms are defined for this policy as:

A. **Contraband:** Illegal items or items prohibited by Division policy, a Division facility or a program operation manual. Contraband items may include, but are not limited to: weapons, jewelry, money, electronic devices, cell phones, items capable of being used to effect an escape or an item that might interfere with the treatment process.

B. **Illegal Contraband:** An item identified as illegal under federal or state law and the possession of which by a minor may result in criminal charges. This includes an item that may have been used in a crime. Examples include, but are not limited to: sexual images of a minor, tobacco, vaping devices, illicit drugs, paraphernalia, alcoholic beverages, and weapons.

C. **Contraband - Program Prohibited:** Although these items may not be illegal, minors are prohibited from possessing them by Division policy or facility and program operations manuals. These include, but are not limited

to: money, jewelry, knives, lighters, matches, and other property as designated in the facility or program operations manual.

D. **Evidence:** Items that may be used in the prosecution of a violation of federal or state law.

## III. POLICY

A. Staff shall be alert to the possibility of contraband items coming into a Division facility or program.
B. Incident reports, personal inventory forms, daily logs, evidence or contraband log, and any additional records related to the confiscation and disposal of contraband items shall be maintained according to JJYS policy 06-01 Creation, Storage, and Retention of Juvenile Records.
C. An incident report shall be completed whenever contraband is discovered.
D. A staff member suspected of facilitating the introduction or exchange of illegal contraband shall be reported to law enforcement for investigation and potential legal action.

## IV. PROCEDURE

A. Staff shall immediately confiscate contraband items when discovered. If it is determined that the items could be considered as evidence, staff shall act according to Division policy 05-09 Evidence.
B. For regulatory purposes, items identified as contraband shall be placed into two categories and controlled accordingly.
    1. Illegal Contraband:
        a) Staff shall confiscate, inventory, and act according to Division policy 05-09 Evidence.
    2. Contraband - Program Prohibited items belonging to the minor which may be returned to a minor upon release shall be managed as per JJYS policy 04-05 Juvenile Property Control.
    3. Contraband - Program Prohibited items that can be used as weapons, such as knives, may not be returned to a minor upon release and may only be released to the parent or guardian after the parent or guardian has signed for the item(s).
        a) The parent or guardian confirms receiving the item and that they are not a restricted person and can legally accept the item identified (UCA 76-10-503)by signing the form.
        b) If a parent or guardian does not want the item or refuses to sign the form, they may give permission to the Division to donate or destroy the item. Verbal approval from the parent or guardian shall be documented on the

form.

c) If a parent or guardian does not respond within 90 calendar days, the APD shall follow JJYS policy 04-05 Juvenile Property Control.

d) If there is a belief that the restricted item was used in a crime, law enforcement shall be notified. All contacts, notification, or actions shall be documented and maintained as per JJYS Policy 05-09 Evidence.

4. Money in the possession of the minor or received by the minor via visitors, mail, or other source, is a restricted item, and must immediately be placed into the facility or program safe or designated secure area and documented in the minor's personal property inventory.

   a) Money must be returned to the minor upon release or to their parent or guardian.

   b) When a minor has more than $200 upon admission to the facility, staff shall notify the APD, secure the money, and establish a plan on how to transfer possession (such as contacting the parent or guardian to pick it up).

## V. Continuous Renewal

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

This policy has been reviewed by the Division of Juvenile Justice and Youth Services Executive Management Team and is approved upon the signature of the director.

April Graham, Director
Division of Juvenile Justice & Youth Services

10/05/2026
Signature Date