Minnesota Department of Corrections

Division Directive:	**204.085**	**Title:**	**Offender/Resident Personal Photographs**
Issue Date:	**11/3/15**		
Effective Date:	**11/17/15**		

AUTHORITY: Minn. Stat. §241.01.

PURPOSE: To provide offenders/residents an opportunity to have current photographs taken of themselves.

APPLICABILITY: Adult Facilities

DIRECTIVE: Offenders/residents have an opportunity to have a personal photograph taken for a fee. Except for handling fees, all monies generated by the offender/resident photograph program are deposited into the Social Welfare Fund and are used for expenses (e.g., cameras, photographer pay, etc.). Social welfare funds are processed according to DOC Policy 300.100, "Offender Accounts." Information regarding photo expenditures is retained in financial services.

DEFINITIONS: None

PROCEDURES:

A. Each facility may develop instructions outlining a process for offenders/residents to obtain personal photographs. The process may include instructions about such areas as
   1. Times for photos,
   2. Locations (visiting, recreation or other designated area);
   3. Rules;
   4. Photo fees;
   5. Payment process;
   6. Appropriate dress attire;
   7. Obscene gestures;
   8. Gang related signs;
   9. Security procedures.

B. The facility photograph program supervisor/designee reviews offender photos to ensure that
   1. All photographs adhere to department directives and policies; and
   2. For offender appropriateness and photograph product quality.

C. Photo rules
   1. No photos may be taken that show affiliation with unsanctioned groups or gangs.
   2. Clothing
      a) All clothing must comply with Division Directive 302.250, "Offender Property."
      b) No coats, jackets, or gloves of any kind may be worn.

c) No head wear (caps, hats, head bands, dew rags, etc.) may be worn.
d) Offenders/residents must wear shoes, boots, or sandals.
e) No shower slippers.
f) Offenders/residents must wear a shirt with sleeves.
g) Shirts must be buttoned except for top two buttons.
h) Shorts/pants must be worn above the hips.
i) Belts must be centered and buckled.
j) No altered clothing or items in disrepair may be worn.

3. No changing of clothes are allowed during the photo taking process.

4. Only medically authorized eyewear is allowed during the taking of photos.

5. Necklaces and religious medallions must be kept under the shirt.

6. No equipment objects or items are allowed in photographs.
   a) Exceptions must be submitted to photo coordinator.
   b) These objects include recreation equipment, wrist bands, gloves, make shift wrist bracelets, glasses hanging from pockets, key chains, rubber bands or string on wrists, offender ID's, etc.

7. No exchanges of property are allowed. See Division Directive 302.250, "Offender Property."

8. Photos may only be taken at designated times.

9. Staff must confiscate all photos of questionable content and write an incident report.
   a) Designated staff review confiscated photos.
   b) A Photo Confiscation Notice (attached) must be issued to the offender.
   c) Notices for residents are attached to juvenile facility instructions.
   d) No refunds or retakes are allowed for confiscated photos.
   e) Incident reports are retained and distributed according to Policy 300.300, "Incident Reports."
   f) Confiscated photos are retained by the facility.

10. Retakes of photos
   a) Staff retain possession of all photos resulting in retakes.
   b) The photo coordinator/designee authorizes and approves all re-takes.

11 One offender/resident per photograph.
   a) Exceptions include but are not limited to: Family members, recreation sponsored tournament team photographs (where applicable), etc.
   b) All exceptions must be requested in writing via kite and approved by designated staff.

12. All offender/resident photos are taken only with facility approved cameras.

13. The cost of offender/resident photos is determined by each facility's need to reflect the costs associated with purchase of cameras, supplies and offender photographer wages.

14. No gestures (gang related or otherwise), or actions deemed inappropriate. Examples include but are not limited to obscene gestures or inappropriate touching of self or others.

15. Offenders/residents are allowed to sit, stand or crouch if deemed appropriate by staff viewing the photo taking process.

16. Duplicate photos or photocopies are not allowed.

17. Photos taken in Visiting Room are governed by visiting rules. (See Division Directive 302.100, "Visiting.")

18. Offenders/residents are allowed to have no more than 20 photo tokens or tickets in their possession at any one time. Offenders/residents must not detach the tickets.

19. The number of photos taken during a session is determined by each facility.

D. Loss of Photo Privileges

1. Consequences for photo rule violations are as follows:

a) 1st offense: 30 days loss of photo privileges.

b) 2nd offense: 60 days loss of photo privileges

c) 3rd offense: loss of photo privileges for an indefinite period of time to be reviewed after one year upon offender request.

2. Juvenile facility instructions identify consequences for resident photo rule violations.

3. Rule violation information must be maintained by photo staff.

INTERNAL CONTROLS:

A. Financial information regarding photos is retained in financial services.

B. Incident reports are retained and distributed according to Policy 300.300, “Incident Reports.”

REVIEW: Annually

REFERENCES: Division Directive 303.020, “Offender Dress/Hygiene/Hair Care.”
Policy 302.300, “Religious Programming.”
Division Directive 302.250, “Offender Property.”
Policy 303.010, “Offender Discipline.”
Policy 301.110, “Security Threat Groups.”
Division Directive 302.100, "Visiting."

SUPERSESSION: Division Directive 204.085, "Offender Personal Photographs," 5/5/09.
All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

ATTACHMENTS: Photo Confiscation Notice (204.085A)

/s/
Assistant Commissioner
Facility Services