DEPARTMENT OF CORRECTIONS

Policy Number:	**301.030**
Title:	**Contraband**
Effective Date:	**4/14/2025**

PURPOSE: To ensure the safety, security, and orderly operation of correctional facilities by identifying, prohibiting, and controlling items allowed on facility grounds.

APPLICABILITY: All adult and juvenile Minnesota correctional facilities

DEFINITIONS:

Allowable container or bag – a non-glass and non-metal container or bag that is see-through when it is empty.

Contraband – objects that by either statute or this policy are not allowed in a Minnesota correctional facility or on its grounds unless they have been specifically authorized by the facility warden (or designee who is a captain or higher authority).

Controlled substance – a drug, substance, or immediate precursor identified in Schedules I through V of Minn. Stat. § 152.02.

Featuring – the central theme of the material is promoting content or prohibited content. This definition does not include published material containing nudity illustrating medical, educational or anthropological content.

Nudity – the depiction of human male or female genitals, anus, or pubic area or of the female breast or a substantial portion of the breast below the top of the nipple, with or without see-through covering, such as "pasties," lace, mesh, and body paint through which the covered area is showing; coverings emphasizing the depiction of human genitals; or tight-fitting clothing through which the contours of the genitals are clearly visible.

Published materials – any book, booklet, pamphlet, magazine, periodical, newsletter, newspaper, or similar material published by any individual, organization, company, or corporation that is distributed or made available through any means for a commercial purpose.

Tobacco, tobacco-related device, and electronic delivery device – items as defined in Minn. Stat. § 609.685.

PROCEDURES:

A. Prohibited Items

Incarcerated people are only authorized to possess items in accordance with DOC policy, such as Policy 302.250, “Property” and Policy 302.020 “Mail,” which govern how items may be used and the number or volume of items incarcerated people may possess. Use of items in an unauthorized area or by someone not authorized to use them are considered contraband and a violation of this policy. Additionally, the following items and related paraphernalia, as examples, are considered contraband and are not allowed inside the secure perimeter of any Minnesota correctional facility or on the grounds of facilities with minimum units:

1. Alcohol or intoxicants, controlled substances (such as tobacco or nicotine), explosives

or incendiary paraphernalia, firearms, weapons, or devices that create a substantial danger of physical harm or jeopardize facility security;

2. Any item that teaches or describes the manufacture or illicit use of weapons, explosives, or devices that create a substantial danger of physical harm or jeopardize facility security;

3. Escape paraphernalia and any item that teaches, advocates, describes, or contains plans for activities in violation of facility rules, escape, or other criminal activity;

4. Published and non-published materials such as books, magazines, photos, drawings, etc.
   a) Pertaining to martial arts, gang-related material, weapon and bomb making, and escape-related material;
   b) Featuring tattooing, nudity, or sexually explicit written content where the central theme of the item promotes contraband or prohibited content; or
   c) Sexually explicit materials that contain depictions or written descriptions of prohibited content, including the following examples:
      (1) Direct physical stimulation of unclothed genitals,
      (2) Masturbation,
      (3) Sexual intercourse (including vaginal, oral, anal, or bestiality),
      (4) Bodily fluids,
      (5) Flagellation or torture in a sexual context, and
      (6) Sex-related materials determined to constitute a risk to the safety and security of the facility, facilitate criminal activity, or undermine incarcerated person/resident rehabilitation.

5. Security threat group paraphernalia;

6. Materials that advocate racial, religious, or national hatred in such a way as to create a serious danger of violence within a facility;

7. Cameras of any type, unauthorized recording equipment, personal communication devices such as two-way radios, personal transmitting pagers, personal earpieces and watches with stand-alone cellular or data plans, and medical communication devices are allowed if approved by the warden;

8. Unauthorized mobile data devices, such as cell/mobile/smart phones, laptops, notebooks, electronic books, tablets, media players, iPads, and computer data storage devices;

9. Personal self-defense items, such as irritants, batons, knives, etc;

10. Personal handcuff keys, non-issued duty belts, or attachments;

11. Matches, lighters, torches, flammable aerosols such as hairspray and cleaner, and other flammable devices;

12. Glass containers, metal containers, metal utensils such as knives, forks, and personal tools, for example, scissors, multi-tools, and pocket knives;

13. Tobacco, nicotine, tobacco-related devices, and electronic delivery devices as defined in Minn. Stat. § 609.685, subd. 1, except in a personally owned vehicle in a designated parking area, a nicotine patch prescribed by a medical professional, or as part of a American Indian ceremony as described in Policy 302.310, “Use of Tobacco for American Indian

Ceremonies."

14. Wrapped packages or gifts;

15. Incarcerated people/residents' possession of documents containing information detailing the circumstances of another incarcerated person's/resident's crime, for example, another incarcerated person's/resident's face sheets, police reports, internet material, newspaper articles, or legal documents filed in state district court, such as criminal complaints, motions, affidavits, sentencing orders, warrants of commitment, dockets, and similar documents. These examples do not include caselaw. While some caselaw contains descriptions of others' crimes, incarcerated people are entitled to view and possess caselaw in the library and possess caselaw (printed) in their cells/rooms. Caselaw includes published and unpublished orders and opinions from state and federal appellate courts, including such examples as the Minnesota Court of Appeals, Minnesota Supreme Court, United States Supreme Court, and the United States Court of Appeals for the Eighth Circuit;

16. Any information related to filing false or fraudulent Uniform Commercial Code (UCC) liens, including blank or completed UCC forms, materials related to copyrighting one's own name, materials describing or advocating filing UCC liens against government employees (see also Policy 302.020 "Mail");

17. Objects that have been altered; and items specifically directed to be removed from the facility or stored for safekeeping;

18. Any other item determined to present a risk to the security of the facility or safety of staff and/or incarcerated people/residents; and

19. Any other object that violates Minnesota state statute.

B. Authorized Exceptions

1. The prohibitions of this policy do not apply to health services personnel carrying controlled substances for use in the practice of their profession, discipline staff, office of special investigations (OSI) staff, corrections canine officers who carry controlled substances for the purpose of training their dogs, or sheriffs or other peace officers carrying firearms in the discharge of their duties.

2. Staff must not bring any published materials into the facility except for professional journals and publications used for incarcerated person/resident education and treatment programs. These items must comply with DOC policy regarding content.

3. Personal computers such as laptops, iPads, and tablets and computer data storage devices such as disks, drives, and CD ROM, can be approved by information technology (IT) and a captain if the user has a contracted business relationship with the department or is advancing the DOC mission. This includes contractors, post-secondary education partner employees, Minnesota Attorney General's Office staff, law enforcement, polygraphists, approved research projects, federal benefits hearings, incarcerated person/resident representatives, and professional legal visits. Incarcerated person/resident lawyers on a professional legal visit may submit a request to the incarcerated person's/resident's caseworker for a facility laptop. Incarcerated person/resident visitors are not allowed to bring these items into any correctional facility. (See also Policy 105.205, "Computerized Information Resources Security" and Policy 760.030, "Post-Secondary Education Student Use of Electronic Devices.")

4. DOC-issued cell/mobile/smart phones and personal cell/mobile/smart phones approved by the facility warden per the process outlined in Policy 104.470, “Mobile Communications Devices” are authorized to enter a secure facility perimeter.

5. Weapons in accordance with Policy 103.135 “Personal Firearms”.

6. Medical supplies and electronic medical devices
   a) Staff may bring personal medical supplies for their shift(s)/workday into the facility’s secure perimeter if the supplies are in an allowable container or bag. This includes inhalers, epi-pens, epi-pen style insulin syringes, diabetic lancets, glucose meters and medically prescribed electronic devices such as blood sugar monitor and heart monitor. Staff who are bringing prescribed electronic medical devices or insulin injection devices into the facility must have prior approval from the regional human resources director (RHRD) and warden. Over-the-counter medication and glucose tablets are not controlled substances and are allowed. Other items may be allowed through review and approval from the RHRD and the warden.

   b) Prohibited supplies such as insulin syringes and creams must remain outside of the secure perimeter in a personal vehicle, a medical locker if provided by the facility, or an approved staff locker.

7. Deliveries (flowers, etc.), except food for consumption during the shift, must be retained outside the perimeter for pick-up after the shift.

8. Food items purchased from a restaurant/vendor, such as pizza, sub-sandwiches, fast food, etc., are allowed for consumption during the shift. These items must be in the original packaging from the restaurant/vendor. This includes paper cups containing fountain drinks and coffee from these restaurant/vendors. Items must be opened for inspection at security access points. All other food, medications, etc. must be in an allowable transparent container or bag.

9. Staff are allowed, with the approval of the facility captain, to bring in some office/workplace and personal items, including examples as:
   a) Refrigerators;
   b) Music radios;
   c) Electric appliances/coffee pots with metal carafe;
   d) Insulated or non-insulated metal coffee cups; (cups shall only be stored in areas where incarcerated people/residents are not allowed);
   e) Decorations;
   f) Lamps; and
   g) Framed personal pictures (without the glass pane).

C. Enforcement and Prevention
   1. All facility areas are subject to periodic searches for contraband. All incarcerated people/residents are subject to a search of their persons, living and work areas, and possessions at any time. See Policies 301.010, "Searches" and 301.011, “Juvenile Facility Searches” regarding searches of staff, incarcerated people/residents, visitors, outside agencies, and contractors.
   2. Facilities must provide continued training to staff on all aspects of contraband.

   3. Facilities must post or provide notices about contraband to staff, incarcerated persons/residents, and visitors.

4. All department employees, contractors, visitors, and volunteers found to be in possession of contraband in violation of Minn. Stat. § 243.55 may be detained for up to two hours while the watch commander, juvenile administration, or a higher authority determines whether the contraband warrants notifying local law enforcement. Contraband prohibited by this statute is identified in Procedure A.1. A confidential incident report must be written by the staff member who found the contraband. Confidential incident reports may be included in investigatory documents and must be retained at the facility.

5. When staff discover contraband, they must confiscate it and process it in accordance with evidence processing procedures (see Policy 301.035, "Evidence Management"). Contraband may be used as evidence in a court of law or in incarcerated person/resident discipline. Contraband may not be brought into or sent out of the facility and must be disposed of, except for authorized items that exceed the allowed limits or for individuals to whom this policy does not apply (see Procedure B). A record of disposition must be maintained as part of the evidence processing procedure. Disposition records must be retained by the discipline unit at the facility.

INTERNAL CONTROLS:

A. Property disposition forms must be retained by the discipline unit at the facility.

B. Incident reports must be retained at the facility according to the retention schedule.

REFERENCES: Minn. Stat. §§ 152.01, subd. 4; 152.02; 243.21, subd. 2; 243.55; 243.555; and 609.685, subd. 1
Policy 302.250 "Offender Property"
Policy 301.010, "Searches"
Policy 301.110, "Security Threat Groups"
Policy 302.020, "Mail"
Policy 103.135, "Personal Firearms"
Policy 104.470, "Mobile Communications Devices"
Policy 103.200, "Smoking and Use of Tobacco Products"
Policy 302.310, Use of Tobacco for American Indian Ceremonies"
Policy 301.035, "Evidence Management"
Policy 105.205, "Computerized Information Resources Security"
Policy 301.011, "Juvenile Facility Searches"

REPLACES: Policy 301.030, "Contraband," 1/15/19.
All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

ATTACHMENTS: None

APPROVED BY:
Commissioner of Corrections