DEPARTMENT OF CORRECTIONS

**Policy Number:** 204.049
**Title:** Tattoo Program
**Effective Date:** 08/22/23

**PURPOSE:** To provide incarcerated persons with career/technical programming through the tattoo program and to establish guidelines for tattoo services provided to incarcerated individuals.

The tattoo programs must conform to all requirements governed by applicable Minnesota state laws and rules. Incarcerated persons in the tattoo programs are permitted, as part of the curriculum, to provide tattooing services to other incarcerated persons. Incarcerated individuals in the tattoo programs must only provide services under the supervision and with the approval of the tattoo program supervisor. Incarcerated persons providing tattoo services through this program obtain experience in a wide variety of tattoo styles and this better prepares them for seeking and securing employment following release.

**APPLICABILITY:** Minnesota Department of Corrections (DOC), Minnesota Correctional Facility Stillwater (MCF STW)

**DEFINITIONS:**
Body art establishment – any structure or venue, whether permanent, temporary, or mobile, where body art is performed.

Tattoo apprenticeship program – approved tattoo programming that leads to a verifiable and accepted credential as a body art technician.

Client – incarcerated person who receives an authorized tattoo.

**PROCEDURES:**
A. Eligibility
1. To be eligible for participation in the tattoo program as an apprentice/tattoo artist, an incarcerated person program must:
   a) Be one-year discipline free;
   b) Have a minimum of two years remaining in the facility;
   c) Have a high school diploma or GED diploma; and
   d) Must present a portfolio of drawings.
2. To be a client who may receive a tattoo, the client must:
   a) Be six months discipline free;
   b) Have funds available to provide payment for a tattoo; and

c) Sign the Body Art Consent and Health Disclosure Form (attached) before tattooing.

B. Licensure

1. Incarcerated persons participating as apprentices in the tattoo program must demonstrate satisfactory levels of client services, as stipulated by Minnesota state laws and rules, prior to the completion of the apprenticeship program and licensure.

2. The DOC provides incarcerated persons who are enrolled in the tattooing program the opportunity to apply for a Minnesota Body Art Technician license. To apply, incarcerated persons must have sufficient time in the program, have successfully completed all prerequisites, and be in good standing within the program.

3. The DOC provides program participants with sufficient variety and contact hours of tattooing practice to:
   a) Optimize the attainment of job-specific skills; and

   b) Better ensure job placement and success following release.

C. Services and Fees

1. Program participants are paid flat hourly fees when first attending the program, until they are sufficiently skilled, as determined by the tattoo program supervisor, to be able to provide tattoos to clients and receive commissions from the sale of tattooing, as described in section C.7, below.

2. Financial services staff are responsible for processing financial transactions made through facility tattoo programs.

3. The tattoo supervisor guides the process of pricing each tattoo. The cost of the tattoo must not exceed $25.00 per session.

4. The client completes a tattoo charge sheet after the tattoo supervisor screens and approves the client for receiving a tattoo and the tattoo design to be provided.

5. Clients must make payments in full, regardless of the number of sessions, by submitting a charge sheet prior to the first session.

6. Once the tattoo project is complete, health services staff sends the tattoo program the charge sheets for all of the sessions of that project one last time to verify that funds should be released to the tattoo artist and to health services.

7. Funds received through the tattoo completion must be distributed as follows:
   a) Forty percent of the client payment funds must be deposited into the health services budget from which tattoo supplies are purchased; and

   b) The remaining 60 percent must be deposited into the account of the

incarcerated person who is the tattoo artist. Restitution, fines, or child support obligations from a county must be applied in accordance with Policy 300.100, "Offender/Resident Accounts."

D. Tattooing

1. Tattoos provided must follow all policy guidelines designated by the DOC which may include such examples as subject matter, placement, and design:
   a) No tattoos may be placed on a client's head, face, buttocks, or genitalia.

   b) Tattoo designs must be consistent with DOC security and contraband policies and procedures.

2. Tattoos must be provided by a trained apprentice under the supervision of a licensed tattoo technician in the sanitary conditions outlined in this policy and in Minnesota Department of Health (MDH) codes, and in an approved/licensed area.

3. Facility staff must maintain a tool control inventory documenting tattoo equipment, equipment sanitation, and, when necessary, the disposal of equipment. That tool control inventory is retained by the tattoo program supervisor.

E. Tattoo Sanitation Regulations

1. Chairs used for tattoo services must be spaced no less than five feet apart center to center.

2. The incarcerated person providing tattooing services must wear clean clothes at all times.

3. The incarcerated person providing tattooing services must clean their hands thoroughly with soap and clean water before and after attending each client who is receiving tattooing services, as well as before and after any break time even if that is during work with the same client.

4. The incarcerated person providing tattooing services must follow the Tattooing Services Disinfectant Procedures (attached).
   a) Razors, needles, barrier films, bandages, and all other disposable instruments or appliances that come in contact with the client's body must be one-time use and disposed of properly per DOC policy and MDH guidelines. Needles/Sharps must be disposed of by an approved sharps removal company.

   b) All work surfaces, non-disposable instruments or electrical implements such as Tattoo machines, squeeze bottles, and power packs must be thoroughly cleaned and then sprayed with Opticide III® or an equivalent.

   c) Tattoo machine lubricant must be controlled by staff.

5. Hot and cold running water must be present with unobstructed access from the workstation. A sharps container must be provided at each workstation to accommodate all soiled needles used during the tattoo process.

6. After cleaning and disinfecting, all tattoo equipment must be kept in a clean, locked cabinet.

7. Separate, new, disposable equipment, barriers, sharps, and gloves must be used for each incarcerated person. These items are stored in a clean, locked cabinet.

F. Instrument Control

1. Incarcerated persons must not possess tattoo equipment and supplies, including needles, unless under the direct supervision of staff.

2. Staff must maintain a count log showing when the equipment items were received, when they were used, and the intended purpose.

3. Staff must conduct counts at least at the end of each tattooing session with a client, and complete the count log.

4. The count log is maintained by the tattoo program supervisor.

G. Personal Protective Equipment (PPE)

1. All PPE must be readily available to employees and to the program participants, as necessary, and provided at no cost.

2. The incarcerated person providing tattooing services must wear PPE at all times.

3. All single-use PPE must be removed prior to leaving the work area and properly disposed of as bio-hazard waste. Staff using reusable PPE must clean the PPE appropriately and store it in a designated location.

4. All procedures related to PPE use must be conducted in accordance with DOC Policy 105.113, "Personal Protective Equipment (PPE)."

H. Termination and Appeals:

1. Any non-compliance with program rules or discipline policies may lead to program suspension or termination of the incarcerated person's participation.

2. Incarcerated persons may appeal terminations by submitting a kite to the facility captain/health services project manager assigned to this program designee within 24 hours of receipt of termination paperwork.

3. The decision of the facility captain/health services project manager assigned to this program is final and cannot be grieved.

I. Facility staff must photograph all new tattoos and retain the photographs and any

descriptions, including adding the new information to COMS, according to DOC Policy 302.255, "Offender/Resident Identification Cards."

INTERNAL CONTROLS:

A. The tattoo program supervisor/designated security staff person retains the tattoo tool control inventory documentation and the tattoo equipment and supplies count logs.

B. Photographs and any descriptions of new tattoos provided through the program are entered into, and retained in, the COMS computer system.

**REFERENCES:** Minn. Stat. Chapter 146B
Policy 302.255, "Offender/Resident Identification Cards"
Policy 105.113, "Personal Protective Equipment (PPE)"
Policy 105.118, "Proper Management of Sharps and Sharp Containers"
Policy 204.010, "Offender Assignment and Compensation Plan"
Policy 300.100, "Offender/Resident Accounts"

**REPLACES:** All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

**ATTACHMENTS:** Body Art Consent and Health Disclosure Form (204.049A)
Tattoo Charge Sheet (204.049B)
Tattooing Services Disinfectant Procedures (204.049C)

**APPROVALS:**
Deputy Commissioner, Chief of Staff
Deputy Commissioner, Client Services and Supports
Assistant Commissioner, Agency Services and Supports
Assistant Commissioner, Facilities
Assistant Commissioner, Facilities
Assistant Commissioner, Health, Recovery, and Programming