



The purpose of this guidance document is to establish procedures for the Vermont Department of Correction's (DOC) policy on [contraband](#). These procedures shall:

1. List of items considered contraband by the DOC; and
2. Establish procedures for the disposition of contraband.

PROCEDURES:

1. Contraband Classification – The following items shall be considered contraband:
 - a. Illegal drugs or non-prescribed pharmaceuticals;
 - b. Drug paraphernalia;
 - c. Weapons or any item altered or not used for its intended purpose;
 - d. Money or funds in any negotiable form;
 - e. Tobacco, cigarettes, electronic cigarettes or other tobacco substitutes, or other tobacco products;
 - f. Electronic devices (e.g. cell phones; laptops; digital media/external storage devices etc.);
 - g. Clothing (above the amounts authorized, or items not approved or altered for unauthorized use in accordance with the administrative directive on [offender property](#));
 - h. Non-Allowable property (e.g. lighters; matches; tattoo paraphernalia; etc.)
 - i. Excess property;
 - j. Alcohol;
 - k. Tools or items that may be used to aid in escape;
 - l. Any item manufactured by inmate(s) that is not authorized; and
 - m. Any written document that promotes a threat to institutional safety and security (e.g. Gang Constitution).
2. Incident Reporting
 - a. Contraband in the following categories does not need to be documented as an incident report:
 - i. money amounting to less than \$10;
 - ii. non-allowable property; or
 - iii. excess property.
 - b. All other contraband items must be documented according to the DOC's policy on [incident reporting](#).
 - i. Staff shall enter the contraband log number into the narrative portion of the incident report.
3. Contraband Storage

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- a. The following items of contraband are considered “serious contraband” and shall be stored in a secure area under lock and key, with limited access to specific individuals designated by the Superintendent:
 - i. Illegal drugs or non-prescribed pharmaceuticals;
 - ii. Drug paraphernalia;
 - iii. Weapons or any item which may be used as a weapon;¹
 - iv. Electronic devices (e.g. cell phones; tablets; etc.);
 - v. Money or funds in any negotiable form; and
 - vi. Tobacco, cigarettes, electronic cigarettes or other tobacco substitutes, or other tobacco products.

Note that the above items shall be tagged and classified using the [Vermont Department of Correction’s Contraband/Criminal Physical Tag and Chain of Custody Form](#).

4. Contraband Confiscated from an Inmate

- a. When a DOC staff member confiscates any item of contraband from an inmate, then that DOC staff member shall log the confiscated item into the property module in OMS.
- b. Once the inmate and DOC staff member have signed the [form](#), it shall be scanned into the Offender Management System (OMS) and placed as an attachment in the inmate’s record.
- c. The DOC staff member shall then issue the inmate a copy of the completed [Confiscation of Inmate Property Form](#).

Note the DOC’s policy on searches and investigations provides additional guidance which may be relevant to contraband.

5. Contraband Log

- a. A contraband log shall be maintained at each correctional facility for “[serious contraband](#).”
- b. The contraband log shall include the following information:
 - i. Description of confiscated contraband;
 - ii. Any identifiable markings on the contraband itself;
 - iii. Date and time of contraband confiscation;
 - iv. Location where the contraband was found;
 - v. Staff member(s) names of who discovered contraband;
 - vi. Disposition of contraband;
 - vii. Assigned log number given to the specific contraband article.

¹ Illegal drugs or non-prescribed pharmaceuticals, drug paraphernalia, and weapons are considered criminal physical evidence as they are illegal in nature.

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- 1) Log Numbering – each item of contraband shall be identified by a unique number which shall be prefixed by the facility’s initials and the calendar date, followed by a dash (-) and sequential and uninterrupted numbers for logged contraband items (e.g. NWSCF,02.18.16-198); and
 - viii. Method of introduction, if known.
6. Chain of Custody
- a. If the contraband falls into any of the below categories, and is stored, handled, inventoried, removed, or returned from the secure storage area, then the activity shall be noted on the [Vermont Department of Correction’s Contraband/Criminal Physical Tag and Chain of Custody Form](#).
 - i. Illegal drugs or non-prescribed pharmaceuticals;
 - ii. Drug paraphernalia;
 - iii. Weapons or any item which may be used as a weapon;
 - iv. Money or funds in any negotiable form;
 - v. Tobacco, cigarettes, electronic cigarettes or other tobacco substitutes, or other tobacco products; and
 - vi. Electronic devices.
 - b. This note shall include the following information:
 - i. Employee’s name;
 - ii. Date and time of activity;
 - iii. Reason why the activity took place; and
 - iv. Any other relevant information.
7. Contraband Inventory – [Serious contraband](#) shall be inventoried monthly, by the SOS, or designee, to ensure proper accountability.
8. Disposal of Contraband and Disciplinary Report Evidence – When all administrative and applicable legal or due process proceedings requiring the contraband or physical evidence have been completed, the Superintendent shall authorize the disposal of contraband in accordance with the following procedures:
- a. Weapons or any item which may be used as a weapon²:
 - i. Confiscated firearms shall be released to the Vermont State Police (VSP). Such removal shall be documented in accordance with the chain of custody and the Superintendent shall be notified. In every case of weapon disposal, proper documentation must be completed.
 - ii. Sharp weapons shall be disposed of by use of a “sharps container.”
 - iii. The Superintendent shall ensure other weapons are disposed of in a safe and secure manner.

² Individual razor blades can be photographed and disposed of in a sharps container upon seizure.
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- b. Illegal Drugs or Drug Paraphernalia:
 - i. Confiscated drugs shall be released to the VSP. Such removal shall be documented in accordance with the chain of custody.
 - ii. Pharmaceutical drugs not prescribed by a physician to the inmate or not in their original container shall be treated as Illicit Rx. They shall be confiscated and documented like any other illegal drug, following the same notification procedures for a criminal offense.
 - iii. Pharmaceutical drugs that are prescribed to the inmate and in their original container should be disposed of in accordance with the DOC's policy on Offender Property.³
 - 1) Correctional staff shall log the confiscated pharmaceutical drugs in the property module in the OMS.
 - c. Alcohol (commercial or homemade)
 - i. Contraband alcohol shall be disposed of in the presence of a witness and documented.
 - d. Hazardous or Infectious Material
 - i. All hazardous materials shall be disposed of in accordance with the [Toxic Materials and Hazardous Communication Protocol](#).
 - e. Money or funds in any negotiable form
 - i. Any confiscated money or funds in any negotiable form shall be disposed of according to existing [state procedures](#). Proper documentation shall be completed.⁴
 - f. Tobacco Products
 - i. Tobacco products, cigarettes, electronic cigarettes or other tobacco substitutes, shall be disposed of in the presence of a witness and documented.
 - g. Other Items
 - i. Other items that cannot be returned to the rightful owner shall be disposed of or destroyed in accordance with the DOC's policy governing [offender property](#).
9. Property secured from offenders in the field is governed by the DOC's policy on offender property.
10. Local Procedures
- a. Each facility Superintendent shall be responsible for promulgating local procedures in implementing this document.

³ Previously approved Keep-On-Person prescriptions are excluded from this requirement.

⁴ Confiscated money refers to money found on an inmate after they have been lodged in the facility. Inmate monies identified during intake and booking are dealt with pursuant to inmate property and monies are credited to the inmate's account.

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