

Rhode Island Department of Corrections
POLICY UNIT

TO: RIDOC Employees

FROM: A.T. Wall II, Director

ATW

DATE: January 8, 2014

SUBJECT: 9.18-4 DOC, Introduction of Unauthorized Items into the
Adult Correctional Institutions, 08/08/11

Effective immediately the above-referenced policy is amended to include the attached 12/19/13 Memorandum of Assistant Director David McCauley.

Unless otherwise specified, unit/program/facility managers are responsible for ensuring subordinate staff is adequately trained in the contents of this policy.

This policy IS approved for inmate/public access.



**STATE of RHODE ISLAND and PROVIDENCE PLANTATIONS
DEPARTMENT of CORRECTIONS
INTER – OFFICE MEMO**



DATE: 12/19/13

TO: Department of Corrections
DEPT: All RIDOC Staff
FROM: David McCauley, Assistant Director
DEPT: Institutions and Operations
SUBJECT: Electronic Cigarettes

Please be advised that electronic cigarettes (E-Cigs) are not permitted into any of the facilities and are categorized as contraband. The Department's Policy is currently being revised to reflect this.

Thank you for attention to this matter

Rhode Island Department of Corrections

INTERIM MEMORANDUM

TO: RIDOC Employees

FROM: A.T. Wall II, Director *DTW*

DATE: 08/08/2012

SUBJECT: **9.18-4 DOC**; Introduction of Unauthorized Items into the Adult Correctional Institutions

Please be advised that the following section of the within policy is revised as follows:

III. **PROCEDURES:**

B. *Second paragraph*

The following are examples of unauthorized items. However, this list may not be all inclusive:

18. Global Positioning System (GPS) devices - or any other devices which provide information on an exact location or which track the movement of a vehicle or person (including but not limited to Garmin Nüvi or TomTom brand devices)
19. Any other battery operated or electronic device.

**Rhode Island Department of Corrections
POLICY UNIT**

TO: RIDOC Employees

VIA: *gma* Ellen Evans Alexander, Assistant Director
ack Administration

FROM: *gma* Gina M. Caruolo, Chief/Program Development
ack Administration

DATE: 07/26/2011

SUBJECT: 9.18-4 DOC Introduction of Unauthorized Items into the Adult
Correctional Institutions

The enclosed policy, effective 08/08/11, supercedes policy # 9.18-3 DOC and contains the following change(s) (underscore = new text; ~~strikethrough~~ = deleted text):

I. **PURPOSE:**

To provide guidance for all administrators, supervisors, and staff of the Rhode Island Department of Corrections (RIDOC) concerning the introduction of unauthorized items into Adult Correctional Institutions' (ACI's) facilities by employees, volunteers, ~~visitors~~ and/or vendors/~~contractors~~/~~contract employees~~, program providers and/or any other individual/entity. Individuals found bringing unauthorized and/or illegal items into ACI facilities are subject to disciplinary action and/or prosecution under applicable laws.

II. **POLICY:**

Unauthorized items shall not be brought beyond the Main Control Center or secure perimeter of ~~into~~ any ACI facility.

III. **PROCEDURES:**

A. In the context of this policy, ACI facilities include all custody facilities.

B. Unauthorized items are generally defined as those items not approved by the manager of each facility for introduction into that facility. Items listed below are not allowed beyond the Main Control Center without the express consent of the Warden or Deputy Warden.

The following are examples of unauthorized items. However, this list may not be all inclusive:

PLEASE NOTE: THE BELOW LIST HAS BEEN REORDERED FROM 9.18-3 DOC. ONLY THE FOLLOWING ITEMS WERE REVISED AND/OR ADDED.

3. Cellular phones and smartphones (including but not limited to Blackberry, Android, and iPhones) and any other device that facilitates wireless communication (i.e., Bluetooth headsets). (Please see Assistant Director Bailey's memo at Attachment 1 concerning Level II and Level III exceptions to this item.)

NOTE: This prohibition includes all state or Department issued cellular phones and wireless devices.

- a. RIDOC Inspectors, Investigators (SIU) and/or members of the Rhode Island State Police (RISP) who enter a facility to respond to an active crime scene are exempt from this prohibition.
 - b. During a Level II or Level III incident RIDOC responders may obtain permission to bring cellular phones and wireless devices into an affected facility. This permission can only be granted by the Warden of the affected facility or on-site Incident Commander.
 - c. If a cellular phone/wireless device is brought into a facility pursuant to III. B. 3. a. or if permission is granted pursuant to III. B. 3. b., a Main Control Center Officer must visually inspect the phone/device, record the identity of the person with the phone/device, the telephone number, and the time in and out. In the event that a phone/device is reported missing within a facility, the Logistics' Chief or the Shift Commander is to be contacted immediately (actual contact, not a voice message) so the telecommunications carrier can be contacted and the phone/device service can be remotely shut down.
4. Portable multimedia devices capable of playing or recording any audio or video format, and capable of storing and playing digital media such as audio, video, images, documents, etc.

- a. This includes but is not limited to laptops and tablet devices such as iPads or other brands, music devices such as iPods or other brands, and e-Books readers such as Kindles or other brands and tape/video recorders.
- b. There shall be an exception for any RIDOC staff member using a state-owned laptop, and program providers or contractors using their own laptops to perform authorized duties or work. Only the Assistant Director for Institutions and Operations may grant this exception.

There shall be an exception for any RIDOC staff member using a state-owned tape/video recorder, and program providers or contractors using their own tape/video recorder to perform authorized duties or work. Only the Assistant Director for Institutions and Operations may grant this exception.

NOTE: It shall be the responsibility of the unit manager, contract/program manager or RIDOC point of contact to obtain the exception and notify the facility manager in writing, i.e., e-mail detailing the granted exception.

6. Data storage devices that have not been authorized by RIDOC Management Information Systems (MIS) - this includes but is not limited to USB flash memory storage devices and external hard drives.

NOTE: Authorized devices may be obtained or approved for purchase from RIDOC MIS.

7. Reading material which is not job-related and has not been approved by the Deputy Warden
9. Drugs, prescription or non-prescription, unless they are for personal use by an individual covered by this policy-an employee's personal use. (The sharing of prescription drugs is prohibited.)

The presence or consumption of controlled substances is prohibited unless they are being taken pursuant to a valid medical prescription and the side effects of the medication will not prevent an individual from performing any job function.

A staff member who works in a secure area or in proximity to the inmate population and has in his/her possession prescription medication must take steps to assure that these substances are stored in such a way that they are not accessible to the inmate population.

Officers working a weapons post may not be in the possession of a weapon while under the influence of any medication that impairs judgment.

NOTE: The Rhode Island Medical Marijuana Act at RIGL § 21-28.6-7 specifically states that it does **not** permit:

(a) “any person to undertake any task under the influence of marijuana, when doing so would constitute negligence or professional malpractice.”

(b) the smoking of marijuana “in a correctional facility; or public place.”

16. Personal cuffs and/or keys Personal security equipment (including, but not limited to, handcuffs and/or cuff keys and canisters which dispense Oleoresin Capsicum (OC) and/or chemical agents)

DC. Prescription Medication

Employees, volunteers, and/or vendors, contractors, contract employees, and program providers who work in secure areas and/or in close proximity to the inmate population and have in their possession prescription medication are responsible for taking steps to ensure said medication is stored in such a way that it is not accessible to the inmate population.

- E. Only RIDOC staff members are allowed to carry wallets and personal keys into facilities. All Ppersonnel should, however, refrain from introducing large amounts of cash into any correctional facility.

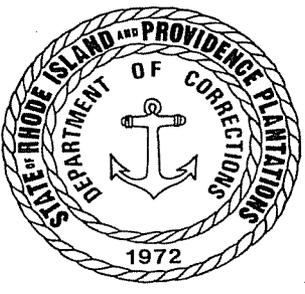
- G. Within 60 days of the issuance of this policy, facility specific procedures shall be created to address any areas outside the secure perimeter to which inmates have access. Procedures shall be submitted to the Assistant Director for Institutions and Operations.

Persons responsible for implementing the provisions of this policy are also responsible for ensuring adequate supplies of attachments are available for use by staff.

Unless otherwise specified, facility/unit/program managers are responsible for ensuring subordinate staff are adequately trained in the contents of this policy.

This policy IS approved for inmate/public access.

RHODE ISLAND DEPARTMENT OF CORRECTIONS POLICY AND PROCEDURE

	POLICY NUMBER: 9.18-4 DOC	EFFECTIVE DATE: 08/08/2011	PAGE 1 OF 5
	SUPERCEDES: 9.18-3 DOC	DIRECTOR: Please use BLUE ink. 	
SECTION: SECURITY AND CONTROL		SUBJECT: INTRODUCTION OF UNAUTHORIZED ITEMS INTO THE ADULT CORRECTIONAL INSTITUTIONS	
AUTHORITY: Rhode Island General Laws (RIGL) § 42-56-10 (22), Powers of the director			
REFERENCES: ACA standards 4-4192, Control of contraband; 4-4503, Visitor registration; RIDOC policy #'s 3.10 DOC, Drug Free Workplace: Substance Abuse; 3.14-2 DOC, Code of Ethics and Conduct; 7.01-1 DOC, Accountability And Procedures for the Utilization of Community Agencies, Volunteers, Interns, and/or Employees of Outside Public or Private Organizations; 13.02-4 DOC, Access to Institutional Facilities by Attorneys and Their Agents; Rhode Island General Laws (RIGL) § 11-25-8, Conveyance to prisoner instruments for escape; § 11-25-14, Conveyance of unauthorized articles to or from institutions; § 11-25-10, Conveyance of intoxicants to prisoner			
INMATE / PUBLIC ACCESS?		<input checked="" type="checkbox"/> YES	
AVAILABLE IN SPANISH?		<input checked="" type="checkbox"/> NO	

I. PURPOSE:

To provide guidance for all administrators, supervisors, and staff of the Rhode Island Department of Corrections (RIDOC) concerning the introduction of unauthorized items into Adult Correctional Institutions' (ACI's) facilities by employees, volunteers, and/or vendors, contractors, contract employees, program providers and/or any other individual/entity. Individuals found bringing unauthorized and/or illegal items into ACI facilities are subject to disciplinary action and/or prosecution under applicable laws.

II. POLICY:

Unauthorized items shall not be brought beyond the Main Control Center or secure perimeter of any ACI facility.

III. PROCEDURES:

- A. In the context of this policy, ACI facilities include all custody facilities.
- B. Unauthorized items are generally defined as those items not approved by the manager of each facility for introduction into that facility. Items listed below are not allowed beyond the Main Control Center without the express consent of the Warden or Deputy Warden.

The following are examples of unauthorized items. However, this list may not be all inclusive:

- 1. Radios
- 2. Television sets
- 3. Cellular phones and smartphones (including but not limited to Blackberry, Android, and iPhones) and any other device that facilitates wireless communication (i.e., Bluetooth headsets).

NOTE: This prohibition includes all state or Department issued cellular phones and wireless devices.

- a. RIDOC Inspectors, Investigators (SIU) and/or members of the Rhode Island State Police (RISP) who enter a facility to respond to an active crime scene are exempt from this prohibition.
- b. During a Level II or Level III incident RIDOC responders may obtain permission to bring cellular phones and wireless devices into an affected facility. This permission can only be granted by the Warden of the affected facility or on-site Incident Commander.
- c. If a cellular phone/wireless device is brought into a facility pursuant to III. B. 3. a. or if permission is granted pursuant to III. B. 3. b., a Main Control Center Officer must visually inspect the phone/device, record the identity of the person with the phone/device, the telephone number, and the time in and out. In the event that a phone/device is reported missing within a facility, the Logistics' Chief or the Shift Commander is to be contacted immediately (actual contact, not a voice message) so the telecommunications carrier can be contacted and the phone/device service can be remotely shut down.

4. Portable multimedia devices capable of playing or recording any audio or video format, and capable of storing and playing digital media such as audio, video, images, documents, etc.
 - a. This includes but is not limited to laptops and tablet devices such as iPads or other brands, music devices such as iPods or other brands, and e-Books readers such as Kindles or other brands and tape/video recorders.
 - b. There shall be an exception for any RIDOC staff member using a state-owned laptop, and program providers or contractors using their own laptops to perform authorized duties or work. Only the Assistant Director for Institutions and Operations may grant this exception.

There shall be an exception for any RIDOC staff member using a state-owned tape/video recorder, and program providers or contractors using their own tape/video recorder to perform authorized duties or work. Only the Assistant Director for Institutions and Operations may grant this exception.

NOTE: It shall be the responsibility of the unit manager, contract/program manager or RIDOC point of contact to obtain the exception and notify the facility manager in writing, i.e., e-mail detailing the granted exception.

5. Cameras/camera phones
6. Data storage devices that have not been authorized by RIDOC Management Information Systems (MIS) - this includes but is not limited to USB flash memory storage devices and external hard drives.

NOTE: Authorized devices may be obtained or approved for purchase from RIDOC MIS.

7. Reading material which is not job-related and has not been approved by the Deputy Warden.
8. Weapons of any kind, including pen knives.
9. Drugs, prescription or non-prescription, unless they are for personal use by an individual covered by this policy.

The presence or consumption of controlled substances is prohibited unless they are being taken pursuant to a valid medical prescription and the side effects of the medication will not prevent an individual from performing any job function.

A staff member who works in a secure area or in proximity to the inmate population and has in his/her possession prescription medication must take steps to assure that these substances are stored in such a way that they are not accessible to the inmate population. Officers working a weapons post may not be in the possession of a weapon while under the influence of any medication that impairs judgment.

NOTE: The Rhode Island Medical Marijuana Act at RIGL § 21-28.6-7 specifically states that it does **not** permit:

- (a) "any person to undertake any task under the influence of marijuana, when doing so would constitute negligence or professional malpractice."
- (b) the smoking of marijuana "in a correctional facility; or public place."

10. Illegal drugs
11. Alcoholic beverages
12. Tobacco products, matches, and/or butane or other gas operated cigarette lighters
13. Masking tape, duct tape or similar products
14. Playing cards and games (including computer games)
15. Tools (other than Maintenance or state-owned)
16. Personal security equipment (including, but not limited to, handcuffs and/or cuff keys and canisters which dispense Oleoresin Capsicum (OC) and/or chemical agents)
17. Civilian clothing in secure areas (limited to locker room)

C. Prescription Medication

Employees, volunteers, and/or vendors, contractors, contract employees, and program providers who work in secure areas and/or in close proximity to the inmate population and have in their possession prescription medication are responsible for taking steps to ensure said medication is stored in such a way that it is not accessible to the inmate population.

1. Staff members, who require prescription medication to be in their possession, are to store said medication in its original container and limit the quantity to a 2-day supply.
2. In the event a staff member is held over in excess of two (2) days, s/he must inform the Shift Commander regarding the need to replenish the supply of prescription medication.

E. All personnel should refrain from introducing large amounts of cash into any correctional facility.

F. Authorized items for attorneys are covered in 13.02-4 DOC, Access to Institutional Facilities by Attorney's and their Agents, or successive policy.

It is the Shift Commander's/Supervisor's responsibility to ensure all attorneys' receptacles (briefcases, pocketbooks, handbags, purses, backpacks, etc.) going into visiting rooms of the facilities are inspected for unauthorized items (in keeping with language from policy 13.02-4 DOC, or a successive policy, regarding the policy's reference to "one receptacle - briefcase, pocketbook, handbag, purse, backpack, etc.").

G. Within 60 days of the issuance of this policy, facility specific procedures shall be created to address any areas outside the secure perimeter to which inmates have access. Procedures shall be submitted to the Assistant Director for Institutions and Operations.