RHODE ISLAND DEPARTMENT OF CORRECTIONS
POLICY AND PROCEDURE

	POLICY NUMBER: 9.46-1 DOC	EFFECTIVE DATE: 01/22/03	PAGE 1 OF 7
	REPEALS: 9.46 DOC	DIRECTOR: Please use BLUE ink.	
SECTION: SECURITY AND CONTROL		SUBJECT: NARCOTICS DETECTION PROGRAM	
AUTHORITY: Rhode Island General Laws (RIGL) § 42-56-10 (22), Powers of the director			
REFERENCES: ACA Standards 3-4184, Control of Contraband; 3-4445, Visitor Registration; RIDOC Policy # 24.03-1 DOC, Visits			
INMATE / PUBLIC ACCESS?		X YES	
AVAILABLE IN SPANISH?		X NO	

I. PURPOSE:

To establish guidelines for the use of narcotics detection equipment by specifically trained Rhode Island Department of Corrections (RIDOC) employees.

II. POLICY:

The Rhode Island Department of Corrections (RIDOC) uses narcotics detection equipment to detect exposure to controlled substances and explosives, to reduce or eliminate the introduction of this contraband, and to assist outside law enforcement agencies when they request use of this equipment.

RECEIVED
JAN 02 2003
RI SECRETARY OF STATE
ADMINISTRATIVE RECORDS

Date of Public Notice: 08/11/2002

Date of Public Hearing: 09/13/2002

III. PROCEDURES:

A. Definitions

1. Non-Intrusive Search - A search of a non-intrusive nature of the clothed body by technical means which may include a walk through a metal detector or a hand-held scanner. This may also include the wiping or vacuuming of the person and/or personal articles.

2. Narcotics Detection Equipment - Chemical detection systems used to detect exposure to illicit narcotics and explosives. Samples are collected by wiping or vacuuming the person and/or his/her personal articles and then placing the filter or swipe into the unit; up to six (6) seconds later, the results are displayed.

3. Narcotics Detection Program Coordinator - RIDOC employee appointed by the Director or designee who is responsible for overseeing the use of narcotics detection equipment and reporting results to the Director or designee.

4. Narcotics Detection Program Operator - RIDOC employee appointed by the Director or designee, who is trained in the operation of narcotics detection by the Narcotics Detection Program Coordinator. At no time shall any person other than a RIDOC Narcotics Detection Operator/Coordinator operate the narcotics detection equipment.

B. Applicability

These regulations apply to:

1. visitors who have been approved to visit an inmate (see policy # 24.03-1 DOC, Visits, or a successive policy);

2. any member of the public entering the institution who is not:

   (a) an employee of the Rhode Island Department of Corrections;

   (b) a contract employee;

   (c) an attorney or attorney's agent;

(d) a volunteer;

(e) an intern; or

(f) a contractor.

3. all RIDOC offenders.

C. Duties and Responsibilities of Personnel

1. Narcotics Detection Program Coordinator

a. The Director or designee selects a RIDOC employee to act as the Narcotics Detection Program Coordinator. S/he is responsible for reporting on the status of the Program to the Director or designee.

b. The primary duties and responsibilities of the Narcotics Detection Program Coordinator are:

(1) Scheduling of narcotics detection equipment for deployment.

(2) Providing training, guidance and leadership to Narcotics Detection Program Operators.

(3) Ensuring discipline, control and accountability of Narcotics Detection Program Operators.

(4) Ensuring all required reports and logs are prepared and submitted in accordance with this policy.

(5) Developing an annual training plan for approval by the Director or designee.

(6) Coordinating handler information, including site and shift assignments and telephone numbers.

(7) Acting as the liaison with RIDOC facility managers and the Narcotics Detection Program Operators.

(8) Ensuring that all daily, weekly, and monthly maintenance for narcotics detection equipment is performed.

(9) Ensuring that all supplies for narcotics detection equipment are ordered and kept in stock for machine use.

(10) Investigating and resolving complaints concerning narcotics detection equipment.

2. Narcotics Detection Program Operators

a. The Director or designee selects RIDOC employees to serve as Narcotics Detection Program Operators.

b. The primary duties and responsibilities of Narcotics Detection Program Operators are:

(1) Operating narcotics detection equipment accurately, expeditiously and efficiently.

(2) Reporting any deficiencies and failures to the Narcotics Detection Program Coordinator.

(3) Maintaining all required reports and logs.

D. Visitor Searches

1. Signs will be posted (in English and Spanish) at all visiting entrances that state:

Please be advised that as part of its continuing effort to prevent the introduction of drugs into its facilities, the Rhode Island Department of Corrections utilizes narcotics detection equipment. This equipment detects exposure to controlled substances/explosives on persons, property and clothing.

All visitors on Departmental property are subject to screening. NOTE: Infants and children are tested by their parents or legal guardians only after the parents/guardians have been tested and do not exceed the threshold or alarm levels. At no time does the Narcotics Detection Program Operator touch or hold the infant/child.

If you or any children accompanying you are scanned and receive a positive reading at a predetermined level, a second scan will be performed. If you or any children accompanying you still test positive, entrance to the facility will be denied. Visitors may submit appeals, consistent with RIDOC's Visits policy.

2. All visitors entering a randomly-selected facility are scanned by Narcotics Detection Program Operators. Scans of visitors may also be initiated based upon reasonable suspicion or intelligence information. The Operators maintain a log of all scans and positive results.

   a. Infants and children are tested by their parents or legal guardians only after the parents/guardians have been tested and do not exceed the threshold or alarm levels. The parents/guardians are instructed by Narcotics Detection Program Operators on how to administer the test. At no time does the Program Operator touch or hold the infant/child. If the parent/guardian refuses to scan the child, the child is not permitted entry into the facility. The parent/guardian is also informed that minors cannot be left unattended in the reception area or on the grounds.

3. Where the visitor does not exceed the threshold or alarm levels, s/he is permitted entry and a regular visit.

4. If exposure to controlled substances and/or explosives is detected, the visitor is given a second test.

   a. If the results are negative, the visitor is processed as usual.

   b. If the results are positive, the visitor is denied entrance to the facility.

5. The following guidelines will be utilized when a visitor has tested positive with narcotics detection equipment.

   NOTE: A refusal to be tested constitutes a positive result with the narcotics detection equipment. The following guidelines will also be utilized when a visitor who has been "processed" (i.e., signed in, approved to visit) refuses to be tested with the narcotics detection equipment.

First Occurrence:	Visiting privileges suspended for seven (7) days.
Second Occurrence:	If within six (6) months of first occurrence, visiting privileges suspended for thirty (30) days.
Third Occurrence:	If within six (6) months of second occurrence, visiting privileges suspended for one hundred and eighty (180) days.
Fourth Occurrence:	If within one (1) year of third occurrence, visiting privileges suspended for a minimum of one (1) year. Reinstatement of visiting privileges requires written approval of the Warden.
Fifth Occurrence:	If within one (1) year of the fourth occurrence, visiting privileges permanently rescinded. Reinstatement of visiting privileges requires written approval of the Director of Corrections or designee.

a. Wardens, at their discretion, may reduce the period of visiting suspension for the first and second occurrences. Deviation from established guidelines for subsequent occurrences requires the Assistant Director of Institutions and Operations' approval.

b. All deviations from guidelines which increase the period of visiting suspensions require the Assistant Director of Institutions and Operations' approval.

c. Visitors who wish to appeal suspensions of visiting privileges should refer to item III.E., Visitor Registration and Search Procedures, of policy 24.03-1 DOC, Visits, or a successive policy.

6. The following guidelines will be utilized when a visitor, who is allowed to visit only once a month, has tested positive with narcotics detection equipment.

First Occurrence:	Visiting privileges suspended for ninety (90) days.
Second Occurrence:	Visiting privileges suspended for one hundred and eighty (180) days.
Third Occurrence:	Visiting privileges suspended for one (1) year.
Fourth Occurrence:	Visiting privileges permanently rescinded. Visitors who would like their visiting privileges reinstated must submit a written request to the Director of Corrections or designee.

E. Confiscated Controlled Substances/Explosives

Any controlled substance or explosive confiscated is handled in accordance with Chain of Custody Procedures and turned over to the Special Investigations Unit (SIU) for investigation.

F. Reporting and Recording of Data

All positive visitor tests are documented, including the date; facility; operator; name, race, and gender of the visitor; and the result. This information is forwarded by the Narcotics Detection Program Operator to the Narcotics Detection Program Coordinator or designee, who will, in turn, forward said results each week to the Director, Assistant Director of Institutions and Operations, facility Warden(s), Deputy Warden(s) (Programs), SIU, and the Correctional Emergency Response Team (CERT) Commander.

G. Suspension During Emergency

In an emergency situation or extended disruption of normal institutional operation (including, but not limited to riot, disturbance, natural disaster, work stoppage), any provision or section of this policy may be suspended by the Director or designee for a specific period of time.

RECEIVED
JAN 02 2003
RI SECRETARY OF STATE
ADMINISTRATIVE RECORDS