

The Department is notifying the Board of an emergency situation and declaration of an emergency variance pursuant to §1-15(b)(3) of the Minimum Standards. An emergency situation prevents the Department's continued compliance with §1-03(c,d,f,g,j) Shaving, Haircuts, Personal Health Care Items, Clothing, Housing Areas; §1-04(b)(2-3) Single Occupancy; §1-05(a-c) Lock-In; §1-06 Recreation; 1-07(c,h) Congregate Religious Services; §1-08(b-d) Judicial and Administrative Proceedings, Access to Counsel, Access to Co-Defendants; §1-08(f)(4) Law Library Access; §1-08(g)(2-4) Legal Documents and Supplies Access; §1-09(c-d,f) Visiting Schedule, Initial Visit, Contact Visits; §1-11(c-d) Outgoing Correspondence; §1-12(d) Packages; §1-13(a-c) Publications; and §1-14 (a-b) Access to Media, as they pertain to an individual in custody suspected of concealing a weapon and the placement of that individual in separation status housing.

On July 28th, 2019 two individuals in Department custody were involved in a violent incident, causing serious injury. Following review of Genetec video and in consideration of the injuries (lacerations) suffered by the victim, it was determined that the individuals were involved in a slashing incident and were suspected to be in possession of bladed weapons. The individuals subsequently received a body scan on July 28th, 2019. The body scans returned positive findings for unknown metallic objects (suspected weapons) located in the individuals' respective body cavities. Following the positive findings, the individuals were processed and placed in separation status on July 29th, 2019 pending recovery of the suspected weapons.

Maintaining the safety and security of individuals in custody and staff is a critical function and responsibility of the Department. The existence of a suspected weapon in a Department facility poses a significant threat to the safety of the population in custody and staff. The nature of this emergency situation prevents the Department's continued compliance with the Minimum Standards enumerated above. The Department appreciates the Board's consideration of this matter.