

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 August 6<sup>th</sup>, 2019 the Department had reason to believe that three individuals in custody were each in possession of contraband. The Department received credible intelligence regarding the first individual's possession of contraband. Department staff observed the second individual concealing contraband after the individual refused a standard search procedure. The third individual failed a standard search procedure. The three individuals subsequently received body scans on August 6<sup>th</sup>, 2019. Each of the three body scans returned a positive finding for an unknown object (suspected weapon) located in the respective individual's body cavity. Following the positive findings, the three individuals were processed and placed in separation status on August 6<sup>th</sup>, 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 suspected weapons in Department facilities 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.