

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,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) 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 September 6th, 2019 the Department had reason to believe that two individuals in custody were in possession of dangerous contraband. One individual was observed by staff to be in possession of dangerous contraband following a visit. The individual refused to comply with body scan search procedures on September 6th, 2019 and subsequently received placement in separation status on September 6th, 2019 pending recovery of the suspected contraband. The second individual received a body scan on September 6th, 2019 upon transfer to a Department facility. Following a positive body scan finding, the individual was processed and placed in separation status on September 6th, 2019 pending recovery of the suspected contraband.

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 and dangerous contraband 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.