

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 October 5th, 2019, the Department had reason to believe that an individual in custody was in possession of dangerous contraband following his involvement as the perpetrator of a slashing incident. The individual subsequently refused a body scan search on October 5th, 2019. Following the body scan refusal, the individual was processed and placed in separation status on October 5th, 2019 pending recovery of the suspected contraband weapon.

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 other 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.