

**MILLE LACS BAND OF OJIBWE
HEALTH AND HUMAN SERVICES POLICY & PROCEDURE**

Department: Substance Use Disorders-Four Winds Lodge **Policy Number:** HHS-SUD-FW 4704

Policy Title: Contraband Search and Seizure

Attachments:

Revision History: 6/2017, 1/2018 **Revised by/Date:** Lindsay Misquadace-Berg 7/2021

Approved by:

Lindsay Misquadace-Berg, Four Winds Treatment Director



Date:

7/28/21

Approved by:

Nicole Anderson, Commissioner of HHS



Date:

7-31-2021

POLICY STATEMENT: Four Winds Lodge complies with all tribal, state, and federal laws concerning weapons, illicit drugs and specified contraband. Possession of contraband at intake may result in delayed or denied admission. Possession of contraband at any time may result in client discharge.

PURPOSE: The purpose of this policy is to ensure the safety of clients/families and staff of Four Winds, to support this policy staff will receive training and education for controlling situations where contraband is brought onto the premises.

DEFINITIONS:

Visual Search – A search of the person, asking that contents of pockets, purses, bags, back packs, etc. be revealed.

PROCEDURE:

1. The Treatment Director or designee is responsible for implementing this procedure and for assuring that all staff are aware and receive training.
2. For the protection and welfare of clients, staff, and visitors, staff will search for and seize all contraband articles or substances discovered during admission, or anytime during treatment. Contraband will be seized and disposed of per this policy.
3. A search of person and property is completed at the time of admission, return from medical leave, authorized pass, provisional discharge revocation, or when probable cause exists.
4. Additional searches are performed at the discretion of the Treatment Director or designee.
5. The rationale for and results of every search are recorded in the medical record. Confiscated items are disposed of per this policy or retained in a secure area for return to the client at the time of discharge.
6. Any packages or envelopes received by clients or brought onto the unit by clients/family/visitors will be opened by client with staff present; staff will check for contraband.
7. A search of a client's person, sleeping area or possessions may be immediately conducted when probable cause exists, for example:
 - a. The client is exhibiting unusual behavior.
 - b. A need to determine the presence of dangerous items when dealing with a potentially suicidal, self-injurious or assaultive client.
 - c. There is evidence or report of possession of contraband by another client, relative, or visitor.


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8. Individual and room searches
 - a. Prior to a search, staff will explain to the client the reason for the search and that staff will be examining his/her personal belongings. Once the client has been informed of the impending search, she/he must be kept under constant supervision until the search has been completed.
 - b. During any search, staff will be respectful of the client's dignity and cause as little disruption as possible.
 - c. The client will be present when personal belongings are being searched, unless his or her behavior or circumstances are such that his or her presence makes the search impossible or there is a refusal to cooperate; behavior will be documented.
 - d. To protect both the client and the staff conducting the search, at least two staff members shall be present at all times. If difficulty with a particular client is anticipated, sufficient additional staff should be obtained prior to conducting the search.
 - e. Every item shall be closely scrutinized, all containers will be opened, and contents checked, all surfaces in the client's living area will be searched.
 - f. The client will be asked to "turn out" pockets and/or empty contents of hand bag, remove footwear etc.
 - g. The client may be asked to loosen or remove clothing so that staff might see if contraband is hidden in underclothing. A gown will be available, as needed.
 - h. If a body cavity search is deemed necessary by the Treatment Director or designee, a licensed independent practitioner must conduct it.
9. Staff will complete an Incident Report describing what lead to the search, and how the search was conducted. If contraband was found, where the item was found, and a description of the item or substance will be documented. The same information will be included in the progress note.
10. Disposal / Documentation of contraband:
 - a. If an item is discovered that could be considered contraband, staff will take possession until the Treatment Director, or designee makes a determination as to whether it is appropriate to return the item to the client. If return to the client is not appropriate, such items must be clearly identified, documented in the personal property inventory and immediately disposed of.
 - b. Items such as intoxicating beverages, controlled substances, or a chemical substance which cannot be identified, drug paraphernalia and drug containers shall be turned over to the Treatment Director or designee for disposal to be done by two staff, or if appropriate given to law enforcement. Documentation of this action must be made in the client's medical record and an Incident Report completed.
 - c. The Treatment Director or designee will give weapons, explosives and firearms of any type to law enforcement authorities. The client will be informed of his/her right to contact law enforcement to reclaim following discharge. Documentation of this action must be made in the client's medical record. An Incident Report will be completed.

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FOUR WINDS LODGE CONTRABAND ITEMS:

1. Sharps – example: knives, scissors, needles
2. Weapons, real or toy, such as guns, brass knuckles, chains, or any other instrument that could be used as a weapon
3. Alcohol or drugs/drug paraphernalia
4. Unidentified medications
5. Prescription medication not authorized by program medical staff
6. Unidentified chemical substances
7. Over-the-counter medications including herbal products
8. Any item containing alcohol or other mood altering substance, for example: hair spray, mouthwash, rubbing alcohol, nail polish remover, hand sanitizers, glues, perfume, aftershave, etc.
9. Aerosols
10. Lighter fluid or any other combustible etc.
11. Explosives
12. Pagers, cell phones, beepers
13. Electronic games, tablets or computers
14. Cameras
15. Televisions
16. Pornography
17. Extension cords

Internal and/or External References	
Compliance - Posting Date	7/31/2021 
Replaces – Policy Number	
Next Review - Due Date	