
Chapter: **Searches and Contraband**

Classification: **Public Document**

Subject: **Contraband Disposal**

For: **All Custody**


Authorized by the Executive Director

Policy

- 1 Superintendents will ensure contraband is disposed of in accordance with the:
 - (a) Correctional Services Act
 - (b) Correctional Services Regulations
 - (c) Controlled Drugs and Substance Act
 - (d) requirements of the N.S. Department of Environment
 - (e) Policy and Procedures

Authority

- 2 The authority for the disposal of contraband is in accordance with Sections 66 and 94(1) (ao) and (ap) of the *Correctional Services Act*, Sections 70 to 73 of the *Correctional Services Regulations* and Sections 24 to 28 of the *Controlled Drugs and Substance Act*.

Return of Seized Item

- 3 In accordance with Section 73 of the *Correctional Services Regulations*, items or substances seized will be stored in the personal property of the individual in custody if it is
 - (a) determined not to be contraband
 - (b) no longer needed as evidence
 - (c) there is no dispute over ownership
- 4 In accordance with Section 71 of the *Correctional Services Regulations*, superintendents or the youth custody manager
 - (a) may permit the individual in custody to arrange for the safekeeping of the items seized
 - (b) may dispose of the contraband seized
- 5 Any money found in an individual's possession must be confiscated and may be
 - (a) processed in accordance with Section 3

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- (b) held in trust for the individual
- (c) deposited in the local general trust fund in accordance with Section 73(d)(l) of the *Correctional Services Regulations*

Controlled Drugs and Substances

- 6 In accordance with the *Controlled Drugs and Substances Act*, requirements relating to the disposal of all contraband substances, including prescription medications, are as follows
- (a) where there is no such court application, the item will be disposed after 60 days
 - (b) where the seized prescribed medication is not required as evidence in a court proceeding, disposal prior to 60 days may occur when the
 - i. individual gives consent to the disposal
 - ii. item had been issued by Correctional Health Services

Disposal

- 7 The superintendent, youth custody manager, or delegate, will dispose of controlled substances, not required as evidence by the police and if the requirements of Section 6(a) of this policy do not apply, as follows
- (a) medications will be returned to the pharmacy for disposal
 - (b) alcoholic substances will be disposed of, and containers recycled
 - (c) cannabis in accordance with facility SOP
- 8 Excess supplies such as facility-issued bedding and clothing will be returned to the facility's storage area.
- 9 Food items will be destroyed.
- 10 When items are to be placed in the garbage, staff, rather than individuals in custody employed in building cleaning and maintenance duties, will deposit such items directly into exterior refuse containers.

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Documentation

- 11 When disposing of contraband, Correctional Services staff will complete the Disposal of Contraband form ([39.08.00-A](#)). The Disposal of Contraband form will be
- (a) uploaded to JEIN when contraband is seized from an individual
 - (b) forwarded to superintendent or youth custody manager

Standard Operating Procedures (SOP)

- 12 Superintendents and the youth custody manager will establish SOP with respect to additional requirements and procedures for contraband disposal, including specific delegations of authority, disposal methods and locations.