



**DEPARTMENT OF CORRECTIONS  
Programs**



<b>Title:</b>	<b>Searches of Medicine Bags</b>	<b>DOC Policy: 90.2.2</b>
<b>Effective:</b>	<b>2/4/08</b>	<b>Supercedes: N/A</b>
<b>Applicability:</b>	<b>Institution staff, Transport staff, and any other DOC staff authorized to conduct searches</b>	
<b>Directives Cross-Reference:</b>	<b>Rules: Religious and Spiritual Activities – Div 143 Searches (Institutions) – Div 041</b>	
<b>Attachments:</b>	<b>None</b>	

**I. PURPOSE**

The purpose of this policy is to establish appropriate guidelines and procedures for the receipt and search of Native American medicine bags.

**II. DEFINITIONS**

A. **Medicine Bag:** A small leather pouch secured by a leather strap, which secures the bag around the neck of the owner. The medicine bag is worn around the neck under the shirt or placed in the pocket. The bag may contain a variety of sacred object; such as, small stones, numerous herbal compounds, small bones or teeth, a very small amount of tobacco, or small tufts of animal fur or hair.

**III. POLICY**

It is the policy of DOC to allow inmates to practice their faith traditions without jeopardizing the safety and security of the facility. Further, it is the policy of DOC that all staff show courtesy and respect for each faith tradition practiced by inmates in DOC facilities.

**A. Transport and Receipt of Medicine Bags**

1. Inmates who are adherents of the Native American faith tradition are authorized to possess one medicine bag. The medicine bag is a sacred object. Thus staff should not touch the bag or its contents during a search, except as absolutely necessary to ensure the safety and security of the facility.
2. Medicine bags may be introduced into the facility only by the facility chaplain or by recognized DOC volunteers of the Native American faith tradition. The facility chaplain shall provide written authorization for an approved medicine bag on an inmate's property list. All medicine bags will be searched according to the procedures in this policy prior to being given to the inmate recipient.
3. An inmate placed in disciplinary segregation may keep his/her medicine bag, but staff shall ensure the thong is placed in the inmate's property while the inmate is in disciplinary segregation.
4. When an inmate is transferred to another facility, the medicine bag shall be transported with the inmate's property. After the inmate is in receipt of the medicine

bag at the receiving facility, staff shall direct the inmate to present the medicine bag for inspection.

#### **B. Procedures for Searching Medicine Bags**

1. In accordance with the DOC rules on **Religious and Spiritual Activities** (OAR 291-143) and **Searches (Institutions)** (OAR 291-041), searches of inmate religious activity areas and religious or spiritual items shall be conducted in a manner that reflects an awareness for and sensitivity to individual religious or spiritual beliefs, practices, and with respect for the objects or symbols used in the religious practice.
2. Medicine bags may be searched only by authorized DOC staff. Since the medicine bag is sacred, staff should avoid touching the bag and its contents during a search. If staff handle the medicine bag or its contents at any time during a search, it shall be documented.
3. Staff will escort the inmate to a private indoor location to complete the search. Staff shall direct the inmate to empty the contents of the bag onto a clean sheet of paper to ensure adequate visual inspection.
4. Staff shall direct the inmate to turn the bag inside out to permit a thorough view of the bag's interior surfaces. When the search is complete, staff shall direct the inmate to replace the contents of the bag.
5. If contraband is found, the medicine bag and its contents will be confiscated. If appropriate, the inmate may be issued a misconduct report, in accordance with the rule on **Prohibited Inmate Conduct and Processing Disciplinary Actions** (OAR 291-105).
6. If an inmate refuses to allow a search of his/her medicine bag, staff shall immediately escort the inmate to a location isolated from other inmates. The medicine bag and its contents will be confiscated. If appropriate, the inmate may be issued a misconduct report, in accordance with the rule on **Prohibited Inmate Conduct and Processing Disciplinary Actions** (OAR 291-105).

#### **IV. IMPLEMENTATION**

This policy will be adopted immediately without further modification.

Certified: \_\_\_\_\_  
Birdie Worley, Rules Coordinator

Approved: \_\_\_\_\_  
Mitch Morrow, Deputy Director