



Charles D. Baker  
Governor

Karyn E. Polito  
Lieutenant Governor

Daniel Bennett  
Secretary

*The Commonwealth of Massachusetts*

*Executive Office of Public Safety & Security*

*Department of Correction*

*50 Maple Street, Suite 3*

*Milford, MA 01757*

*(508) 422-3300*

*www.mass.gov/doc*



Carol Higgins O'Brien  
Commissioner

Katherine A. Chmiel  
Thomas E. Dickhaut  
Paul L. DiPaolo  
Deputy Commissioners

March 6, 2015

Patricia A. DeJuneas  
Sibbison & DeJuneas  
One McKinley Square  
Boston, MA 02109-2724

RE: Your Visit to MCI Norfolk on 2/24/15

Dear Attorney DeJuneas,

Your February 25, 2015 letter addressed to the Secretary of the Executive Office of Public Safety and Security ("EOPSS") has been referred to me for response. In your letter you express concerns about a search that you experienced at MCI-Norfolk on February 24, 2015.

Thank you for sharing your concerns. The introduction of contraband into a correctional facility is a serious threat to the security of that facility and to the safety of staff and inmates alike. Unfortunately, there have been past instances in which inmate visitors, including attorneys, have attempted to introduce contraband into Department of Correction facilities. After receiving your letter, the Department reviewed its existing regulations, policies, and practices. The Department's current search procedures are contained in 103 CMR 486.07(4) - (6) (searches of attorneys) and 103 CMR 483.14 (searches of visitors). Given the concerns raised in your letter, however, the Department will be issuing new Standard Operating Procedures that will detail search practices in circumstances where an underwire bra may be the item causing the positive alert for the detection of metal. These Standard Operating Procedures should address your concerns and will ensure consistent practices and conformance with existing search policies throughout Department facilities.

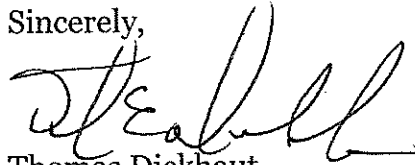
The Standard Operating Procedures will delineate what is to occur in circumstances where any visitor fails to successfully pass the walk-through and hand-held metal detectors and where the detectors indicate that the metal is in a location consistent with an underwire bra. In such circumstances, staff shall inquire of the visitor as to what the visitor believes to be the cause of the

positive alert. If the answer to this inquiry, in conjunction with the metal detector results, satisfies the staff person that an underwire bra is the cause of the positive alert, barring any other security concerns, the visitor shall be allowed into the facility without any further search being conducted.

If the staff person is not satisfied that the positive indication of metal is caused by an underwire bra, then the visitor shall be asked to consent in writing to a pat search. Should a visitor decline to consent to a pat search under these circumstances, the visitor will not be permitted entrance into the facility. Any pat search will not include asking the visitor to shake out the bra.

I trust this letter addresses your concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Dickhaut', written in a cursive style.

Thomas Dickhaut  
Deputy Commissioner, Prison Division  
Massachusetts Department of Correction

cc: Daniel Bennett, Secretary, EOPSS  
Carol Higgins O'Brien, Commissioner, Massachusetts Department of Correction  
Sean Medeiros, Superintendent, MCI-Norfolk