

HANCOCK COUNTY ORDINANCE NUMBER TWENTY-TWO (22)

PROHIBITION OF JAIL CONTRABAND

Section 1. Definitions. For purposes of this ordinance, the following definitions apply.

1. Contraband. "Contraband" includes, but is not limited to:

- a. Any item defined as contraband by Iowa Code §719.7.
- b. Cigarettes or any type of tobacco product.
- c. Matches, lighters or any other instrument or item capable of creating or facilitating the creation of a spark, fire or flame.
- d. Food or beverages.
- e. Any item provided to an inmate by the jail staff for hygiene or commissary purposes and which is not used or returned in the manner prescribed by the regulations of the jail.
- f. Any item not specifically approved by the Hancock County Sheriff to be used or possessed by an inmate or to be provided to an inmate by a member of the public.

2. Inmate. "Inmate" includes all persons within the custody of the Hancock County Sheriff, including, but not limited to, persons held as inmates in the jail, persons being transferred to or from the jail, persons being transported or transferred by any employee or designee of the Hancock County Sheriff, persons detained in the jail or booking facilities and any person under the custody of the Hancock County Sheriff by court order.

3. Provide. "Provide" includes direct transfer of an item from one individual to another, placing an item in a location accessible to an inmate and bringing or introducing an item into the jail facility.

4. Sheriff. "Sheriff" is the Hancock County Sheriff.

Section 2. Providing Contraband.

No person shall provide, attempt to provide or solicit another to provide or attempt to provide contraband to an inmate.

Section 3. Possessing Contraband.

No inmate shall possess, attempt to possess or solicit another person to provide contraband.

Section 4. Penalties.

Violation of this ordinance constitutes a simple misdemeanor, punishable by a fine of at least \$200 and no more than \$500, and by a jail sentence of at least seven days and no more than 30 days. Administrative penalties and loss of privileges may also be imposed upon inmates and visitors as provided by the Sheriff to ensure the safety of the public, employees, visitors, inmates and the facility.

Section 5. Severability Clause.

If any provision of this ordinance are for any reason illegal or void, then the lawful provisions of this document, which are separable from the unlawful provision, shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

Adopted and passed by the Hancock County Board of Supervisors on this 27th day of December, 2005.

Hancock County Board of Supervisors

Signed by:

Florence "Sis" C. Thomas-Greiman, Chairperson
Hancock County Board of Supervisors

Attested by:

Debra Bellinghausen, Auditor
Hancock County, Iowa