SEARCHES OF OFFENDERS

REVIEW/REVISION HISTORY:

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SUMMARY OF REVISION/REVIEW:

Adjusted officer references throughout

APPROVED:

Signature on file  
12/15/13

BERNARD WARNER, Secretary  
Department of Corrections  
Date Signed
REFERENCES:

DOC 100.100 is hereby incorporated into this policy; ACA 4-4192; ACA 4-4194; DOC 310.000 Orientation for Offenders; DOC 420.311 Dry Cell Search/Watch; DOC 420.312 Body Cavity Search; DOC 420.360 Searches by Canines; PREA Standards 115.15(a)-(c)

POLICY:

I.  [4-4192] The Department has established procedures to search offenders to control contraband and provide for its disposition.

II. All searches will be conducted in a professional manner, while recognizing privacy needs and avoiding unnecessary force, embarrassment, or indignity to the offender being searched.

DIRECTIVE: [4-4192]

I. General Requirements

A. All newly admitted offenders will be provided information on searches during orientation per DOC 310.000 Orientation for Offenders.

B. Employees will wear protective gloves when searching any person or article, or the surface of any item, to lessen the possibility of becoming contaminated with blood or body fluids.

II. Routine Searches

A. A routine search may include an electronic, canine, or pat search and will be conducted regularly at designated movement/transfer points and randomly throughout the facility as determined by the Superintendent/designee.

B. An electronic search of the personal belongings and the clothed body of an offender may be conducted.

C. Any authorized method of canine search per DOC 420.360 Searches by Canines may also be used in conjunction with an electronic search.

D. Pat searches will be conducted by trained employees/contract staff. Pat searches of female offenders will only be conducted by female employees/contract staff, except in emergent situations.

1. Emergent used in this context is limited to:
a. Situations in which a delay would result in the likely loss of dangerous contraband,

b. Field apprehension of an escapee, and/or

c. Unscheduled movement situations (e.g., a crime scene where evacuation of offenders needs to occur immediately, but a check for weapons by pat search needs to be conducted).

2. When a male employee/contract staff pat searches a female offender, a report will be completed in the Incident Management Reporting System (IMRS) before the end of shift. The distribution will include the PREA Coordinator.

3. A pat search may include any of the following:

a. Patting the hands along the fully clothed body of the offender,

b. Removal of the coat, hat, and/or shoes,

c. A manual search of all belongings in the offender’s immediate possession,

d. Visual inspection of nasal passages, hands, hair, ears, and mouth, and

e. The removal of hearing aids, dentures, and/or eyeglasses.

E. Random electronic, pat, and/or canine searches may be conducted for security concerns without individual or particular suspicion.

III. Strip Searches

A. Strip searches will be conducted:

1. When entering and exiting an Intensive Management Unit.

2. When entering and/or exiting other secure areas, as identified by the Superintendent.

3. At Security Level 3, 4, and 5 facilities after direct contact with the public, to include:

a. Returning from a location outside the secure perimeter of the facility,
b. Returning from a contact visit of any type, or

c. Arriving from a non-Department facility or in transit from another Department facility.

B. A strip search will be conducted when a reasonable belief has been established that the offender is carrying contraband dangerous to self or others, or creates the potential to disrupt the orderly operations of the facility.

C. Searches of an offender with a prosthetic device(s) will be performed in an area that ensures the offender’s privacy and safety when such devices are removed from the offender’s immediate possession for a search. Having the offender remove such devices, other than hearing aids, dentures, and/or eyeglasses, will be treated and documented as a strip search.

1. Medical will be consulted when necessary to avoid injury to the offender and damage to the device.

D. All strip searches will be documented before the search, or as soon as possible after the completion of an emergent strip search. The documentation must contain, at a minimum:

1. Date of search,
2. Name of offender,
3. DOC number,
4. Reason for search, and
5. Names and gender of employees conducting the search.

E. [4-4194] A strip search may be conducted at pre-designated movement control points or other locations throughout a facility when:

1. Measures are taken to ensure the privacy of the offender(s) being strip searched,
2. Movement or programming has occurred that increases the likelihood of contraband introduction, and/or
3. An employee observes or receives information regarding suspicious behavior on the part of one or more offenders which raises safety/security concerns.

F. [4-4194] A strip search must be conducted by 2 trained employees.
1. Staffing will meet the following gender requirements, unless waiting for an employee of the designated gender may result in serious bodily injury to the offender, the employee, or others:
   a. Strip searches of female offenders will be conducted by female employees.
   b. Strip searches of male offenders require that one of the employees conducting the search be male. If the second person conducting the strip search is female, she will position herself to observe the employee doing the strip search, but will not be in direct line of sight with the offender.

2. If a strip search is conducted that does not meet these gender requirements for staffing, a confidential report will be completed in IMRS and submitted before the end of shift. The distribution will include the PREA Coordinator.

G. [4-4194] A strip search is a visual inspection of an offender which requires him/her to:

1. Remove all clothing items and personal belongings,
2. Face the employee and spread feet to shoulder width,
3. Raise arms to shoulder level and open hands, spread fingers, and rotate hands to expose palms and back of hands,
4. Bend at the waist and run hands through hair vigorously,
5. Spread and swivel hands a second time,
6. Permit visual inspection of the ear canal and remove hearing aid, if present,
7. Pull ears forward to check behind ear and lobe,
8. Tilt head back for inspection under chin and in nasal passages,
9. Open the mouth, lift tongue, and pull cheeks and lips away from gum line,
10. Remove any dentures or false teeth,
11. Spread and swivel hands a third time,
12. Raise arms to expose underarms,
13. Show chest and stomach area,
14. Raise all excess or rolled flesh, to include breasts of females,
15. If male, expose the genitals by lifting penis and then scrotum,
16. If female, assume a squatting position and cough,
17. Expose bottoms of feet and between toes by turning away from the employee, and
18. Separate buttocks to expose anus.

H. A strip search includes a careful search of all clothing items and personal effects.
IV. Other Searches
   
   A. Searches for the safe recovery of internally concealed contraband will be conducted per DOC 420.311 Dry Cell Search/Watch.
   
   B. Searches of the rectal and/or vaginal cavity will be conducted per DOC 420.312 Body Cavity Search.

V. Monitoring and Training

   A. All custody employees and applicable contract staff will receive training in effective and proper search techniques, including methods of documentation. Training will be documented in the employee/contract staff’s training record.
   
   B. Supervisors will monitor search techniques and provide feedback and training to correct any deficiencies.

DEFINITIONS:

The following words/terms are important to this policy and are defined in the glossary section of the Policy Manual: Dangerous Contraband. Other words/terms appearing in this policy may also be defined in the glossary section.

ATTACHMENTS:

None

DOC FORMS:

None