POLICY

DRY CELL SEARCH/WATCH

REVIEW/REVISION HISTORY:

Effective: 12/3/02
Revised: 10/16/07
Revised: 3/5/09
Revised: 12/12/11
Revised: 3/1/15

SUMMARY OF REVISION/REVIEW:

III.A.1. - Added clarifying language
VII.I. & J. and VIII.B.7., D.1., & D.4. - Adjusted language for clarification
VIII.F.3. - Removed form use

APPROVED:

Signature on file

1/23/15

BERNARD WARNER, Secretary
Department of Corrections

Date Signed
POLICY

DRY CELL SEARCH/WATCH

REFERENCES:

DOC 100.100 is hereby incorporated into this policy; RCW 9.94.040; RCW 9.94.041; RCW 69.50; DOC 420.250 Use of Restraints; DOC 420.310 Searches of Offenders; DOC 420.375 Contraband and Evidence Handling; DOC 460.150 Confidential Offender Information; DOC 560.200 Religious Programs; Records Retention Schedule

POLICY:

I. The Department may, after reasonable suspicion has been established, place an offender in a secure room/cell for safe recovery of internally concealed foreign substances, instruments, or other contraband to ensure facility security and offender safety and health.

DIRECTIVE:

I. Placement Determinations

A. DOC 21-408 Dry Cell Watch Authorization must be completed and authorized by the Superintendent/designee before placing an offender on a dry cell watch. The Duty Officer may provide verbal authorization after normal working hours, which must be followed up with the written authorization.

B. A dry cell watch will only be authorized when the Superintendent/designee or Duty Officer determines that reasonable suspicion exists, as documented on DOC 21-408 Dry Cell Watch Authorization, that the offender is concealing contraband internally.

1. When reasonable suspicion is based on information supplied by a confidential informant, the reliability of the informant and the information provided will be assessed and documented per DOC 460.150 Confidential Offender Information before placement.

   a. After normal working hours, the Duty Officer may assess the reliability of the informant and information through the Shift Commander.

C. A copy of DOC 21-408 Dry Cell Watch Authorization, with all confidential information that could lead to the identification of informants removed or blacked out, will be given to the offender within one hour after initial placement.
II. Offender Review Request

A. An offender must complete the Offender Response section of DOC 21-408 Dry Cell Watch Authorization within 8 hours of initial placement to request a review of the dry cell placement.

B. The Superintendent/designee will evaluate the offender’s response and complete the Superintendent/Designee Review section of DOC 21-408 Dry Cell Watch Authorization.
   1. An in-person hearing is not required. The review process must be completed within 24 hours of placement, excluding weekends or holidays.
   2. The offender should be permitted a reasonable amount of time to review the form, with all confidential information that could lead to the identification of informant sources removed or blacked out, after the Superintendent/designee has completed the review process.

III. Pre-Placement Procedure

A. The offender will be given the opportunity to voluntarily retrieve the contraband/foreign object before placement on a dry cell watch.
   1. All members of the escort will document the request for voluntary retrieval and the results in the dry cell search/watch logbook.

B. Before an offender is placed on dry cell watch, his/her health record will be reviewed by a Registered Nurse, Nurse Practitioner, Physician’s Assistant, or Physician employed or contracted by the facility to ensure a continuation of medically necessary prescriptions, modalities, and/or medical devices, and to address any medical complaints the offender may have.
   1. X-ray examinations will not be performed unless medically required.

C. A urine sample will be obtained when the dry cell watch is initiated.

IV. Placement Procedure

A. The offender will be handcuffed and his/her pant legs will be tightly taped, allowing for circulation, so contraband will not be lost by excreting it down the pant leg as the offender walks.

B. The offender will be escorted in handcuffs to the dry cell by 2 custody employees.
C. The dry cell Watch Officer will be an officer of the same gender as the offender.

D. The offender will be strip searched per DOC 420.310 Searches of Offenders upon arrival at the dry cell. All personal clothing will be searched, inventoried, placed in a bag, and stored in a secure place.

E. The offender will be clothed in a pair of specially designed coveralls that may be worn over underclothing. Underclothing will be shorts and T-shirt for men and panties, bra, and T-shirt for women.

V. Location

A. The dry cell search/watch will be performed in a room/cell located in the facility hospital/infirmary. In minimum facilities without a hospital/infirmary, the Superintendent will identify an appropriate room/cell or make arrangements to transport the offender to a facility with the necessary resources.

1. The room/cell will be searched to ensure that no contraband is present before the dry cell watch begins.

2. All items not allowed by this policy will be removed from the room/cell.

3. All windows will be closed and locked.

4. The only authorized furniture is a mattress and pillow that have been searched and checked for tears.

5. The room/cell temperature will be between 68 and 78 degrees Fahrenheit. Auxiliary heating/cooling may be used to raise/lower the temperature, if necessary.

6. The room/cell will have adequate lighting and ventilation.

7. All running water will be turned off during the entire watch procedure. The toilet bowl will be covered, flushed, and taped to prevent the offender from disposing of any objects.

B. Unauthorized persons will not be allowed in the vicinity of the dry cell search/watch room/cell.

VI. Responsibilities

A. The Shift Commander on duty when the offender is first placed on a dry cell watch will give the offender a copy of this policy informing him/her of the search/watch procedure. The policy will be provided in other languages, if necessary.
1. The offender will acknowledge receipt of the policy in writing. This acknowledgment will be attached to the logbook.
   a. The document will state “I’ve read and understand the provisions of DOC 420.311 Dry Cell Search/Watch” and will be signed by the offender and witnessed by the Shift Commander.
   b. If the offender refuses to sign the acknowledgment, an employee will sign, witnessing the refusal.

B. The dry cell Watch Officer will maintain constant visual observation of the offender.

C. The Shift Commander/designee will:

1. Provide the Watch Officer:
   a. Thorough instructions on established procedures before placement on the post.
   b. A relief officer every 4 hours.
   c. Means to contact the Shift Commander without leaving the post.
   d. A post operations manual for dry cell searches and the dry cell search/watch logbook to record all information pertaining to the watch.

2. Make at least one post inspection every 4 hours to confirm that the:
   a. Officer is properly briefed,
   b. Watch is being done according to established procedures, and
   c. Logbook is being properly maintained.

3. Check and log the cell temperature.

4. Make and sign an entry in the logbook noting that the above referenced items have been inspected, and note any deficiencies and/or corrective actions.

5. Check the logbook to determine whether the authorized time limits have expired, contraband has been retrieved, and/or the offender has had the 3 required consecutive normal bowel movements. This information will be reported to the Superintendent/designee through the chain of command.
D. The Health Services Manager will ensure:

1. There are written instructions for medical supervision of a dry cell search procedure, and

2. Employees/contract staff are trained and familiar with the medical responsibilities involved with a dry cell search/watch.

VII. Search Procedures

A. The room/cell will be searched at least once every 8 hour shift.

B. The offender will be strip searched before being removed from the room/cell for any activity outside the room/cell.

C. The offender will be strip searched and the cell searched at each exchange of clothing and at the conclusion of the dry cell watch.

D. All items removed from or placed in the cell will be searched.

E. Other searches may be performed anytime there is suspicious activity. The reasons for the search will be entered in the logbook.

F. All searches will be done by employees other than the assigned dry cell Watch Officer.

G. All searches and results will be logged.

H. Feces and toilet paper will be thoroughly checked by employees other than the assigned Watch Officer, using appropriate protective equipment.

1. If contraband is found, it will be processed per DOC 420.375 Contraband and Evidence Handling to ensure the chain of evidence is maintained.

2. Employees will dispose of feces and urine by flushing it down a toilet other than the one in the dry room/cell.

I. Employees will use extreme caution and vigilance when involved in a dry cell search/watch to ensure the offender does not re-ingest the contraband, secretly remove an object which may be used as a weapon, or cause self-injury.

J. Restraining devices may be used per DOC 420.250 Use of Restraints when the offender’s behavior poses a substantial risk to his/her own safety or the safety of others, or the offender is disruptive and/or uncooperative.
VIII. Conditions During Dry Cell Search/Watch

A. Authorized Items

1. One mattress, one blanket, and one pillow.
2. One wedding ring.
3. One religious medallion/necklace, which will be worn under coveralls.
4. One paperback book or magazine to read at a time, or paper and pencil, as long as they are not used to hide covert actions designed to remove the contraband. These items will be removed from the immediate vicinity of the offender when not being used.

B. General Requirements

1. The Watch Officer will contact the Shift Commander before entering or allowing any entry into the room/cell.
2. The offender’s hands will be kept in plain sight of the officer at all times, except when the offender is sleeping.
3. The offender may have the opportunity to exercise in the room/cell.
4. Non-employee/contract staff visitors will not be permitted.
5. Emergency phone calls will be allowed with Shift Commander approval.
6. The offender will remain in coveralls at all times, with the zipper locked and plastic restraints secured in the wrist channels. The officer will unlock and unzip the coveralls:
   a. To permit bowel movements/urination,
   b. For medical requirements, and
   c. For bathing, when authorized.
7. When the offender is removed from the dry cell, s/he will be placed in handcuffs and escorted by 2 custody employees.

C. Mail

1. Only first class mail will be delivered to the offender. All other mail will be held until release from the dry cell watch.
   a. The offender will be given one piece of mail to read at a time.
b. After the offender reads the mail, it will be searched and stored with the offender’s personal clothing.

c. The mail will be returned to the offender after the dry cell watch is concluded.

2. If the offender has a court imposed deadline, s/he will notify the Watch Officer. The officer will pass the information through the chain of command to the Superintendent/designee, who will determine what actions, including delivery of legal mail, need to be taken.

D. Personal Hygiene

1. Shorts/panties will be exchanged daily.

2. A bedpan and/or urinal and toilet paper will be provided upon request of the offender.

3. An officer other than the Watch Officer must offer a washcloth, towel, bar of soap, and a basin of water before each meal and after each bowel movement/urination. All hygiene items will be assembled and maintained directly by the officer to ensure availability.

4. A toothbrush and some toothpaste will be furnished after each meal.

5. All personal hygiene items will be searched and removed from the cell after a reasonable amount of time.

6. An offender will be allowed a supervised shower if maintained on watch over 7 days. The Shift Commander will ensure that adequate security precautions are taken to prevent the loss of the contraband.

E. Meals

1. Meals and water will be provided. The Superintendent/designee will consult with medical staff if there are questions about what is an appropriate diet for the offender during the dry cell watch.

F. Medical Care

1. The offender will be checked by medical employees/contract staff once every 8 hour shift, and the results will be recorded in the logbook and offender’s health record.
2. Correctional employees/contract staff will not restrict any medications that have been ordered by a health care provider before or during the dry cell watch. If restrictions are made by medical employees/contract staff, the decision(s) and the reason(s) will be recorded in the logbook.

3. Medical employees/contract staff will check for a Health Status Report on file and/or decide if one is necessary to meet any medical needs for the offender.

4. If an offender requires or appears to require medical assistance, the officer will notify medical employees/contract staff, who will decide if assistance is needed.

5. The Watch Officer will initiate a request for the offender to be evaluated by medical employees/contract staff if an adverse reaction or problem is observed.

IX. Limitations on Conditions of Confinement

A. The conditions of confinement may be further limited for individual offenders when the conditions will result in danger to the offender or others, or present a threat to reasonable order and security.

B. Except in emergency situations, the Superintendent/designee must approve limitations to conditions of confinement in advance.

C. Limitations imposed for emergency situations will be reviewed by the Superintendent/designee.

X. Logbook

A. The Watch Officer will maintain the dry cell search/watch logbook. It is important that the officer not allow making entries in the logbook to distract him/her from the offender’s activities. The logbook will include, but will not be limited to:

1. Any statements the offender may make concerning the circumstances that resulted in his/her placement on dry cell watch,

2. Any unusual behavior,

3. What and when the offender eats and drinks,

4. The times the offender urinates and defecates, including the consistency and approximate quantity of feces,
5. Exercise periods,
6. Medical employees/contract staff examinations,
7. Any contraband recovered, if applicable,
8. Availability of hygiene items and whether or not the offender used them,
9. All searches conducted,
10. Room temperature readings twice per shift, and
11. Conditions of confinement, any changes to the conditions of confinement, and who authorized the changes.

B. When the logbook is closed, it will be maintained on file in the Captain/Senior Custody Officer’s office per the Records Retention Schedule.

XI. Duration of Dry Cell Watch

A. A dry cell watch must be concluded within 84 hours or after the equivalent of 3 consecutive normal bowel movements, whichever occurs first, unless:

1. The offender has not had the equivalent of 3 consecutive normal bowel movements within the 84 hour period. Written authorization for 24 hour extensions must be obtained from the Superintendent or designee with the rank of Captain or above on DOC 21-408 Dry Cell Watch Authorization.

2. The offender has had the equivalent of 3 consecutive normal bowel movements, but internally concealed contraband is still suspected. Written authorization for 24 hour extensions must be obtained from the Superintendent on DOC 21-408 Dry Cell Watch Authorization with concurrence of the appropriate Deputy Director.

   a. There must be specific and reliable information that the offender is concealing contraband by means of a method that would prevent the contraband from being passed after 3 consecutive normal bowel movements.

      1) The specific and reliable information must be documented on DOC 21-408 Dry Cell Watch Authorization.

3. There is reasonable suspicion that the offender has re-ingested or reinserted the contraband, or taken evasive or extraordinary steps to prevent passing the contraband. Written authorization for 24 hour
extensions must be obtained from the Superintendent on DOC 21-408 Dry Cell Watch Authorization with concurrence of the appropriate Deputy Director.

B. If it is determined that the dry cell watch should exceed 7 days, written authorization from the Assistant Secretary for Prisons/designee must be obtained.

C. The Shift Commander will inform the Superintendent, via the chain of command, when authorized time limits have expired and/or the contraband has been retrieved.

D. The removal of an offender from dry cell watch will be determined and authorized in writing by the Superintendent/designee on DOC 21-408 Dry Cell Watch Authorization. The Duty Officer may provide verbal authorization after normal working hours, which must be followed up with the written authorization.

1. A copy of the completed DOC 21-408 Dry Cell Watch Authorization, with all confidential information that could lead to the identification of informant sources removed or blacked out, will be given to the offender upon removal from the dry cell search/watch.

E. A urine sample will be obtained when the dry cell watch is concluded.

DEFINITIONS:

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

ATTACHMENTS:

None

DOC FORMS:

DOC 21-408 Dry Cell Watch Authorization