5-03/030.05 - Search of Suspects During Station Booking Procedure

Department policy to conduct strip, visual body cavity, and physical body cavity searches of suspects, when necessary during station booking procedures, shall be observed for the welfare and protection of the individual suspect. These searches are defined as follows:

- A strip search is a search which requires a person to remove or arrange some or all of his clothing so as to permit a visual inspection of the underclothing, breasts, buttocks, or genitalia;
- A visual body cavity search is the visual inspection of a body cavity; and
- A physical body cavity search is the physical intrusion into a body cavity for the purpose of discovering any object concealed in the body cavity.

NOTE: Body cavity means stomach, rectal, and vaginal cavities.

All strip, visual body cavity and physical body cavity searches shall have prior approval of the watch commander, who shall closely evaluate the need for same and shall approve or disapprove.

When a request for any of the described searches concerns a suspect or subject arrested for a misdemeanor/infraction, the watch commander shall determine if the search is appropriate pursuant to Section 4030 PC.

Section 4030 PC restricts the searching of:

- Prearraigned detainees when the detention is for a misdemeanor or infraction offense not involving weapons, controlled substances, or violence; and
- Minors detained prior to a detention hearing when the offense does not involve weapons, controlled substances, or violence.

Exception: When there is reasonable suspicion based on specific and articulable facts to believe such person is concealing a weapon or contraband and a strip or visual body cavity search will result in the discovery of the weapon or contraband.

A person who knowingly and willfully authorizes or conducts a strip, visual, or physical body cavity search in violation of 4030 PC is guilty of a misdemeanor.

When authorizing the strip and/or visual body cavity search of a person arrested for a misdemeanor/infraction, the watch commander shall complete and sign a Strip Search Authorization Record (SH-R-399) which shall be forwarded to his unit commander for review.

All strip and visual body cavity searches shall be conducted in an area of privacy and be conducted by deputies, custody assistants, or matrons of the same sex as the suspect. When necessary, an over the clothes pat-down search for weapons may be conducted by a deputy of the opposite sex of the suspect in the presence of another deputy.

Should the visual examination and/or information lead searching personnel to believe a suspect may have contraband secreted within a body cavity, personnel shall keep the suspect under constant observation and

advise the watch commander, who shall determine if circumstances warrant a physical body cavity search. The watch commander shall ensure that a proper search warrant is obtained authorizing the physical intrusion into a body cavity for the purpose of discovering a concealed object, prior to having the physical body cavity search conducted.

The search into any body cavity must be conducted by a physician or other medical person (nurse) at the direction of a physician and only pursuant to a search warrant. The search should be conducted at the appropriate jail hospital under sterile clinical conditions.

Occasionally, a complete strip or visual body cavity search of a recalcitrant female may not be accomplished at a station. In such instances, the following procedures shall apply:

- Adult female:
  - Transport and book directly into CRDF. Advise the booking unit of circumstances; and
  - Keep under constant observation during detention at station;
- Juvenile female:
  - Arrange for immediate transfer to Central Juvenile Hall or release. Advise admittance unit of circumstances; and
  - Keep under constant observation during detention at station.

Strip Search Authorization Records (SH-R-399) and required body cavity search warrants shall be retained for two years in a separate file at the originating unit. Upon request, copies shall be provided to the person searched or their designated representative.