6-07/010.00 Inmate Searches

All inmates shall be thoroughly searched prior to placing the inmate in a booking cell. The search shall include: [REDACTED TEXT]

DEFINITIONS

- Pat Down/Cursory Search: A search which requires the physical "patting" of a person over their clothing. Absent exigent circumstances, all pat down/cursory searches of female inmates shall be performed by female jailers or matrons
- Strip Search: A search which requires a person to remove or re-arrange some or all of their clothing to permit a visual inspection of the underclothing, breasts, buttocks or genitalia
- Visual Body Cavity Search: This search is the visual inspection of a person's body cavities (i.e., rectal and vaginal cavities)
- Physical Body Cavity Search: This search is the intrusion into a person's body cavity for the purpose of discovering and/or retrieving any object concealed within the cavity.

TRANSGENDER AND INTERSEX INMATE SEARCHES

- In all cases, a transgender or intersex person shall have their identity respected and be treated with dignity. Under no circumstances shall officers search any person for the purpose of determining genital status or presence/absence of breasts or for the purpose of demeaning transgender or intersex individuals
- Under no circumstance shall transgender or intersex inmates be subject to more invasive search procedures than non-transgender or cisgender inmates
- More invasive searches, including strip searches, visual body cavity searches, and physical body searches shall be, in all circumstances, conducted by officers of the gender requested by the transgender or intersex person. No personnel may be present who are not directly relevant to the search, and the search shall be conducted in private
- If any deviation occurs regarding the policy for transgender and intersex searches, to include emergencies, an immediate supervisor shall be notified of the deviation and it shall be noted in the e-UDAL.

If contraband is identified in a body cavity of an inmate during a strip search or visual body cavity search, personnel shall immediately notify a supervisor (sergeant or higher). Personnel shall verbally encourage the inmate to remove the secreted contraband, but shall not force the inmate to remove the secreted contraband. Sound officer safety tactics should be employed in the case the secreted contraband is a weapon. If the inmate does not comply, then custody personnel shall follow the procedures outlined in the contraband watch procedures.

STRIP SEARCHES

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 a particular search.

When a request for any of the described searches concerns a suspect or subject arrested for a misdemeanor

or an infraction, the watch commander shall determine if the search is appropriate pursuant to Section 4030 PC.

Section 4030 PC restricts strip searching of:

- Pre-arraigned inmates when the detention is for a misdemeanor or infraction offense not involving weapons, controlled substances or violence
- 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 articulated 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 a weapon or contraband.
      Note: 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 the 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 gender requested by the suspect. When necessary, a pat-down search for weapons may be conducted by a deputy of the opposite sex 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. Personnel shall 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 personnel (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:

- Keep under constant observation during detention at station
- Transport and book directly at CRDF
- Advise CRDF of circumstances

Juvenile female:

- Keep under constant observation during detention at station

- Arrange for immediate transfer to Central Juvenile Hall (also known as Eastlake Juvenile Hall) or release
- Advise the juvenile hall of circumstances

Strip Search Authorization Records (SH-R-399) and required body cavity search warrants shall be retained for 2 years in a separate file in the watch commander's office at the originating unit. Upon request, copies shall be provided to the person searched or their designated representative.

CONTRABAND

The following is considered to be contraband:

- Any goods brought illegally into the jail facility
- Goods brought legally into the facility but possessed by inmates without proper authorization
- Goods rightfully in the possession of inmates but in excess of authorized limits (These items will be stored or placed into the inmate's property)
- Any item legally possessed which has been altered
- Any item illegally in the possession of an inmate or in violation of posted facility rules.