

3-09-001 Searches of Inmates Cells



PURPOSE OF ORDER:

The purpose of this order is to establish procedures for searching inmate housing areas (cells and dormitories) at Men's Central Jail (MCJ).

SCOPE OF ORDER:

This order shall apply to all employees assigned to, and/or working at MCJ.

ORDER:

As often as possible on each shift, and if time permits, personnel shall attempt to search inmate housing locations to control contraband. The floor sergeant shall be notified prior to the start of a search. **Every search** (full dorm, module, or single cell) shall be recorded in the electronic Uniform Daily Activity Log (e-UDAL), and the Custody Facility Search Report (SH-J-434) form in the Custody Automated Reporting and Tracking System (CARTS). The Custody Facility Search Report shall be completed and submitted on CARTS prior to the end of the shift. All personnel conducting searches of inmate living quarters shall employ the following procedures in order to standardize processes for these searches and affix supervisory and deputy responsibility:

1. When conducting any search of any row, module, dorm, or common area, **a sergeant must be present and supervise the search.**

- a. Tactical Cell Searches – When personnel gain information that narcotics and/or weapon(s) may potentially be held in an inmate's assigned cell, personnel shall advise their immediate supervisor at the rank of sergeant, prior to executing any search. A **sergeant** shall develop a tactical plan for personnel to systematically secure the inmates in a safe manner. Personnel who are tasked with entering the cell shall be equipped with a protective vest and a helmet. Unless exigent circumstances exist, personnel shall enter the cell in a controlled manner. The **sergeant** who developed the tactical plan shall be present and ensure an operational handheld video camera is in position to record the events of the search. Prior to any tactical cell search, the on-duty watch commander shall be advised of the circumstances.

 - b. Hazard Mitigation Searches – When personnel observe any safety hazard, including, but not limited to visual obstructions and/or fire hazards, personnel shall obtain approval from the supervising **sergeant** prior to initiating a hazard mitigation search. The supervising **sergeant** shall develop a tactical plan for the systematic and secure search of the inmate's cell. The plan should prioritize the safety of personnel involved and outline procedures for controlled entry. Personnel tasked with entering the cell shall be equipped with a protective vest and helmet to ensure personal protection. These safety measures are mandatory unless exigent circumstances exist that justify alternative actions. Personnel shall enter the cell in a controlled and organized manner, adhering to the tactical plan developed by the supervising **sergeant**. The supervising **sergeant** responsible for the tactical plan shall be present during the search. An operational handheld video camera shall be in position to record all events of the search ensuring transparency and accountability. Prior to initiating any hazard mitigation cell search, the on-duty watch commander shall be informed of the circumstances surrounding the search.

 - c. Single cell searches can be performed in the presence of a supervising line deputy (SLD) with the approval of the floor sergeant.

 - d. All vacant cells and dayrooms shall also be searched.

 - e. Searches of **propria-persona (Pro-Per)** inmate cells shall be conducted in accordance with the provisions specified in MCJ Unit Order 5-23-061, "Law Library and Operating Procedures for Propria Persona Inmates."

 - f. Reasonable attempts should be made to video record all housing and facility searches.
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2. All searches shall be performed in a respectful manner that preserves the dignity of the inmate's

personal property. Deputies and custody assistants shall conduct a search in the least disruptive manner possible while still conducting a thorough search.

3. All personnel shall be aware of the items that constitute contraband as defined in Custody Division Manual (CDM) sections 5-06/000.00 - 5-06/010.10 which relate to allowable inmate property.
 - a. Inmate personal property shall not be needlessly damaged, altered, destroyed, or thrown about.
 - b. Personal items shall be carefully examined for specific evidence of alteration or signs of contraband secretion. If significant indications of the above exist, items such as shaving cream, candy bars, deodorant, toothpaste, etc., shall be unpackaged.
4. All personnel shall employ thorough searching techniques. Areas generally found distasteful or perceived to be inaccessible (dirty toilets, sinks, light fixtures, etc.) shall be examined with care, as contraband is commonly concealed in these areas.
5. All contraband not withheld as evidence shall be transported to the basement kitchen by a deputy. It shall then be sent directly out of the facility with the trash, to avoid re-circulating throughout the facility.
6. Any items in good useable condition shall be recycled. Such items to be recycled include, but are not limited to, religious items issued by chaplains and forms issued by the Department.
7. At the conclusion of any search, the supervising sergeant or SLD shall oversee the clean-up of the searched area and shall be made immediately available to answer any inmate complaints. If a complaint relates to inappropriately discarded property (i.e. eyeglasses, prescription medication), the property shall be returned immediately.

All searches shall be conducted in accordance with the procedures outlined in CDM section 5-08/010.00, "Searches."

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