

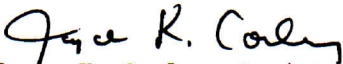


U.S. Department of Justice

Federal Bureau of Prisons

Washington, D.C. 20534  
January 28, 2008

MEMORANDUM FOR EXECUTIVE STAFF  
WARDENS

FROM:   
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Correctional Programs Division

SUBJECT: Staff Entrance Procedures - Additional Guidance

This memorandum provides additional guidance for electronically searching staff according to the agreement titled Electronic Searches of Bureau of Prisons Staff (November 8, 2007) (hereinafter referred to as "the staff entrance procedures"). As indicated therein, it is the responsibility of the employee to clear the metal detector by either passing all items through the metal detector or by placing all items on an available x-ray machine for screening.

**Reasonable Assurance Required** - In every situation, staff conducting searches must be reasonably assured that staff entering secure confines do not possess prohibited objects. The term "reasonably assured" does not mean "absolutely certain." Rather, it is a decision-making standard that realistically balances the need to preserve institution safety and security, with the need to allow staff to enter secure confines as quickly as possible to perform their official duties.

**Conducting Staff Searches** - Non-supervising staff conducting searches are authorized and responsible for initially determining whether reasonable assurance exists in every situation. If reasonable assurance exists, staff entry should be permitted without delay. The staff entrance procedures require supervisor consultation only after the origin of the item causing the metal detector alert cannot be initially resolved with reasonable assurance by the non-supervising staff member conducting the search.

When an entering staff member alerts to walk-through metal detection, the non-supervising staff member conducting the search should request that all metal items be removed and either placed through the x-ray machine, secured in a vehicle, or otherwise secured in the storage area described in the staff entrance procedures agreement.

If still alerting to walk-through metal detection, the entering staff member should be asked to identify any other known possible sources of metal that are not removable, for example, a zipper, pant clasp, hairpin, underwire bra, or implanted medical device or metal prosthesis. A hand-held metal detector should then be used to isolate and identify the alerting area. The hand-held metal detector operator may be the opposite gender of the entering staff member, and hand-held metal detection may occur in the open area directly past the walk-through metal detector.

It is expected that the vast majority of staff will clear metal detection screening with minimal delay. However, when the alerting area is isolated, identified, and cannot be resolved, a supervisor should be immediately summoned for consultation to determine the next appropriate step, including whether reasonable suspicion exists to conduct a limited pat or visual search of the alerting area.

**Role of Supervising Staff** - Once summoned for consultation, the supervisor should first review the efforts taken to clear the entering staff member. Personal items such as those listed above need not be removed at this time, but the surface of the alerting area should be carefully observed by a same-gender supervisor (or other same-gender staff member under direction of the supervisor) to see if any unusual outline appears on the surface of the clothing of the alerting area, which could indicate a concealed prohibited object.

The entering staff member can assist in expediting the procedure by providing easy visual access to the outer clothing area. If the supervisor does not observe an unusual outline, and the offered explanation for the alert is reasonable and consistent with the inspection, the supervisor conducting the search may conclude that reasonable assurance exists, and entry should be permitted without delay.

In some cases, however, the supervisor may lack reasonable assurance that the origin of the item causing the alert is not

due to a prohibited object. Examples of such circumstances may include, but are not limited to:

- unusual outlines on the surface of the clothing of the alerting area;
- insufficient ability to assess whether any object is under the clothing due to loose fitting or bulky clothing;
- unusual nervousness on behalf of the entering staff member;
- an illogical or unreasonable explanation by the entering staff member; or
- reliable intelligence.

In these type situations, the supervisor must make a decision whether reasonable suspicion exists to conduct a limited pat or visual search of the alerting area. Unresolved positive metal detection, whether or not accompanied by one or more of the above factors, can support a finding of reasonable suspicion.

Guidance for conducting a limited pat search based on reasonable suspicion is provided in the policy for searching visitors, and includes the requirements for doing so in a private screening area, by same-gender staff, and recording in a logbook.

If a limited pat search of the alerting area fails to resolve the metal detection alert, a limited visual search may be necessary. Again, guidance for conducting a limited visual search based on reasonable suspicion is provided in the policy for searching visitors, and includes the requirements for doing so in a private screening area, by same-gender staff, with the Warden's authorization, and recording in a logbook.

**Medical Alert Pass** - The staff entrance procedures provide for staff to obtain a medical alert pass from the Warden, upon request and verification of a condition that will regularly trigger metal detection. The purpose of the medical alert pass is not to relieve the entering staff member of his/her responsibility to clear the staff entrance procedures, but rather to provide an opportunity for the staff member and administration to tailor the procedure to that staff member's unique medical situation, with the goal of clearing the staff member as quickly as possible. Staff conducting searches of entering staff with medical passes must still be reasonably assured that no prohibited objects are entering secure confines.