

SEARCHES

STANDARD NO(S):

NYSSA #38

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REFER TO:

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I. OBJECTIVE:

To state the policy and procedures regarding various types of searches conducted within the facility.

II. POLICY:

It is the policy of the Seneca County Correctional Facility to protect the health, safety and security of all individuals within the facility by conducting searches of inmates, the facility and its grounds to detect any potential hazards and prevent the introduction of contraband into the facility.

III. DETAILS:

A. For the purpose of this directive the following definitions will apply:

1. Frisk Search (Pat Search) – A search by hand of an inmate and articles worn while the inmate is clothed.
2. Strip Search – A visual inspection of an inmate's naked body and physical examination of the inmate's clothing.
3. Body Cavity Search – A physical examination of an inmate's rectal and/or genital cavities. This examination will only be conducted by medical personnel and in the presence of an officer of the same sex as the inmate.
4. Area Search – A formal search of any specific area of the facility.
5. Cell Search – A search of an inmate's living area.
6. Overall Search - A formal search of the entire facility including the out-buildings and grounds.
7. Body Orifice Scanning System (B.O.S.S. Chair) – A non-intrusive scanning chair designed to detect metal objects concealed on a persons body in such places as the oral, nasal, abdominal, anal, and/or vaginal cavities and the foot.

B. Searches of inmates and areas of the facility will be conducted in order to:

1. Prevent the introduction of contraband.
2. Detect the presence of or manufacturing of weapons, escape devices or drugs.
3. Prevent escapes or disturbances.
4. Discourage theft and recover stolen or missing property.
5. Detect and alleviate any fire, health or safety hazards.

IV. INDIVIDUAL SEARCHES:

A. Frisk Search (Pat Search)

1. All inmates will be subject to a frisk search at any time.
2. Searches will be conducted in a careful, attentive and orderly manner.
3. Officers will avoid the use of unnecessary force, and refrain from causing embarrassment or indignity to the inmate.
4. Searches must be conducted by an officer of the same sex as the inmate being searched.

B. Strip Searches (Upon Initial Admission)

1. Upon initial admission, inmates are not to be strip searched unless officers have a reasonable suspicion that they are concealing a weapon or contraband.
2. All searches will be conducted in the shower/search room, and only by the Booking and/or Escort Officer(s).
3. Reasonable suspicion is less than probable cause, but more than an assumption or guess. Reasonable suspicion may be based on the crime charged, particular characteristics of the arrestee, and/or circumstances surrounding the arrest. When reasonable suspicion exists, officers should, when possible, consult with the arresting officer(s) to obtain any additional information that may be helpful in making such determination.

NOTE: There are valid reasons for an officer to be present when a newly arrived inmate exchanges clothing and takes a shower. The inmate is now in custody and clothing must be inventoried. It is reasonable that an officer of the same sex be present to supervise showers and clothing exchanges where inmates are not instructed to bend over or lift their genitals. This is not a strip search.

Essentially, a strip search occurs when an officer of the same sex requires an inmate to bend over or lift genitals, thus inspecting the inmate's naked body, to check for the presence of contraband.

4. Strip searches conducted upon admission will be authorized by the Shift Supervisor. In the event such search is authorized, the officer conducting the search will make a computer entry of the search. Such entry will include the date, time and location of the search, the reasonable suspicion displayed or obtained, the authorizing Shift Supervisor's name and any found items. The following will be recorded with a brief detailed description of all the factual

circumstances which support each of the applicable factors giving rise to reasonable suspicion:

- a. Results of a criminal history check, arrest information from current offense, or information from the inmate's file.
 - b. Information or documents received from the court, arresting agency, transporting agency, or informant indicating a particular contraband risk.
 - c. Information provided during the booking process (i.e., inmate volunteers information, sets off electronic detection device, etc.).
 - d. Inmate history of escape, attempted escape, or dangerous contraband possession within a correctional facility.
 - e. Inmate is suicidal or has a history of suicidal tendencies.
 - f. Current charges against the inmate involve drugs and/or weapons.
 - g. Information derived from a minimally invasive search, such as a frisk search (pat search) or property inventory.
 - h. Inmate appears to be under the influence of or is actively using drugs.
 - i. Observation of the inmate's unusual behavior (i.e., particularly nervous, fidgety, sweaty, uncooperative, disturbed, assaultive, etc.).
 - j. Inmate gives evasive or contradictory answers to questions.
 - k. Gang affiliation.
 - l. Inmate is wearing loose-fitting, baggy, or bulky clothing which precludes an effective pat search and/or indicates concealed contraband.
 5. Strip searches must be conducted in an orderly, attentive, and systematic manner.
 6. Officers will avoid the use of unnecessary force and refrain from causing embarrassment or indignity to the inmate.
 7. Strip searches must be conducted by an officer of the same sex as the inmate being searched.
 8. Strip searches will not be used for the purpose of harassment or punishment.
- C. Strip Searches (other than upon initial admission)**
1. Strip searches will be conducted when:
 - a. An officer has reasonable suspicion that an inmate is concealing contraband or a weapon.
 - b. An inmate has had contact with the general public. This includes intermittent status inmates who will be strip searched upon each admission subsequent to their initial admission
 - c. An inmate has completed a contact visit.

2. Strip searches will be conducted only by Escort Officers and other staff as designated by the Shift Supervisors.
3. Strip searches will only be conducted with prior authorization by the Shift Supervisor.
4. Strip searches will be conducted in the shower/search room, the search room adjacent to visitation, or the inmate's cell.
5. Strip searches will be conducted in an orderly, attentive, and systematic manner.
6. Officers will avoid the use of unnecessary force and refrain from causing embarrassment or indignity of the inmate.
7. Strip searches will be conducted by an officer of the same sex as the inmate being searched.
8. Strip searches will not be used for the purpose of harassment or punishment.

D. Body Cavity Searches

1. Body cavity searches must be authorized by the Chief Administrative Officer and only in circumstances where there are compelling reasons to believe that the inmate to be searched has concealed in their rectal/vaginal cavity contraband of such a nature that it constitutes a clear threat to the safety and security of the facility.
2. Body cavity searches will be conducted only when:
 - a. All other non-intrusive methods have been exhausted.
 - b. A foreign objects presence is indicated by metal detector but is not visible during a strip search.
 - c. A foreign object is observed to be present during a strip search.
 - d. Intelligence information obtained by Sheriff's Office Administration, Chief Administrative Officer or medical staff indicates the probability of the presence of contraband in the body cavities of the inmate to be searched.
3. Manual or instrument searches of body cavities will only be conducted by medical staff from an outside medical facility.
4. B.O.S.S. Chair body cavity searches will be conducted upon every inmate at the time of their initial admission to the facility. The B.O.S.S. Chair emits a low intensity magnetic field to non-intrusively scan for concealed metal objects which have been secreted in or about an inmate's body. First, the inmate will sit in the chair and have their lower cavity and abdominal regions scanned. Secondly, the inmate will place their chin on the oral sensor plate and roll their head from side-to-side (ear-to-ear) twice to have their oral cavity scanned. Lastly, the inmate will place one foot at a time on the foot sensor box so that their toes touch the end stop, roll their foot from side-to-side twice (ankle-to-ankle), and then slide their foot downward along the strip to have their feet scanned. When metal is detected, visual and audible alarms are activated. Any time an alarm is activated; the officer performing the scan will immediately secure the inmate and notify their Shift Supervisor.

V. FACILITY SEARCHES

A. Area Searches

1. Mandatory unannounced area searches will be conducted at intervals of no less than one (1) search in each Housing Unit per calendar month..
2. An area search may be initiated by the Shift Supervisor on an as-needed basis when information is obtained that a possible threat to the safety, security and good order of the facility exists.
3. All area searches will be conducted by Escort Officers and other staff as designated by the Shift Supervisor.

B. Cell Search

1. There will be a complete search of each cell before it is occupied by a new inmate.
2. All daily routine housing unit cell searches will be performed on an unannounced basis. All cell searches will be conducted by the Housing Unit Officer. All such searches will be documented in the Daily Cell Inspection Binder located at the Housing Unit Officer's station. Officers will be mindful not to establish patterns.
3. Housing Unit Officers assigned to the male Housing Units will conduct two (2) cell searches per shift, excluding the 2300-0700 shift. Housing Unit Officers assigned to the female Housing Unit will conduct one (1) cell search per shift, excluding the 2300-0700 shift.
4. Prior to a cell search, the inmate will be given a pat search. However, if there is reasonable suspicion to believe the inmate is in possession of any type of contraband that may not be detected by a pat search, the Housing Unit Officer, with the authorization of the Shift Supervisor will strip search the inmate. In both cases, the inmate will be removed from their cell and placed outside the cell prior to the cell search.
5. All cell searches will be conducted in a careful, attentive and orderly manner. Every effort will be made to leave the cell in the same condition it was in prior to the search.
6. Any inmate who has reason to believe their personal property has been damaged or is missing as a result of a cell search may give written notification to the Shift Supervisor as outlined in the policy entitled "Inmate Grievance Program".

C. Overall Search

1. Overall searches will be done to ensure the safety and security of the facility.

2. An overall search will be carried out by CERT and/or designated Escort Officers.

VI. RECORD KEEPING

- A. Documentation of searches will ensure the inmate's constitutionally protected rights are balanced with the interest in operating a safe and secure facility.
- B. In order to substantiate reasonable suspicion and the frequency and manner of searches, the following searches will be recorded using [Form CF-009 \(Incident Report\)](#) or by other means.
 1. Strip searches upon initial admission
 2. Body cavity searches
 3. Area searches
 4. Daily cell searches
 5. Overall searches

VII. DISPOSAL OF CONTRABAND

- A. To ensure accountability of confiscated items considered contraband, all items discovered during a search will be recorded and disposed of in accordance with procedures outlined in the policies entitled "Inmate Property" and "Contraband".