

# POLICE DEPARTMENT HANOVER PARK, ILLINOIS



DIRECTIVE: 209-P

REFERENCE STANDARDS: 1.2.8

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SUBJECT: Strip and Body Cavity Search

PURPOSE: To establish guidelines that are necessary for agency personnel's safety and security or to seize evidence of criminal activity.

## I. Detainee Search

- A. When a lawful arrest is affected, a Peace Officer may reasonably search the person arrested for the purpose of:
  - 1. Protecting the Officer from attack.
  - 2. Preventing the person from escaping.
  - 3. Discovering the fruits of the crime.
  - 4. Discovering any instruments, articles, or things which may have been used in the commission of or which may constitute evidence of an offense.
- B. All persons brought into the booking/processing area shall be searched by a member of the same sex unless circumstances exist that prevent this from occurring.

## II. Strip Searches (725 ILCS 5/103.1)

- A. No person arrested for a traffic regulatory or misdemeanor offense, except in cases involving weapons or a controlled substance, shall be strip-searched unless there is reasonable belief that the individual is concealing a weapon or controlled substance.  
(1.2.8a)

- B. "Strip search" means having an arrested person remove or arrange some or all clothing so as to permit a visual inspection of the genitals, buttocks, anus, female breasts or undergarments of such person.
- C. All strip searches conducted under this section shall be performed by persons of the same sex as the arrested person and on premises where the search cannot be observed (visually or by CCTV) by persons not physically conducting the search. Consideration may be given to a person's gender identity or expression. (1.2.8b)
- D. Every Peace Officer or employee of the police department conducting a strip search shall:
  - 1. Obtain written permission of the supervisor authorizing a strip search in accordance with this section.
  - 2. Prepare a report of the strip search. The report shall include the written authorization from the supervisor, name of the person subjected to the search, names of persons conducting the search, as well as the time, date, and place of the search. (1.2.8d)
    - a) A copy of the report shall be provided to the person subjected to the search.
    - b) The original document shall be inventoried and submitted into evidence.
    - c) A copy of the report shall be provided to the Deputy Chief of Operations without unnecessary delay.
  - 3. No search of a body cavity other than the mouth shall be conducted without a duly executed search warrant. Any warrant authorizing a body cavity search shall specify that the search must be under the supervision of a physician licensed to practice medicine in all its branches in this State.
- E. Special consideration should be given to the age and/or mental capacity of the subject to be searched. Strip and body cavity searches of juveniles are discouraged unless a parent or guardian has been notified the juvenile is in custody and the search will be conducted. (1.2.8c)

