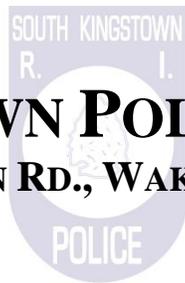


SOUTH KINGSTOWN POLICE DEPARTMENT

1790 KINGSTOWN RD., WAKEFIELD, RI 02879



POLICY NUMBER	ORDER TYPE	ORIGINAL ISSUE DATE	EFFECTIVE DATE
440.02	STANDING ORDER	1/23/04	5/14/18
CHAPTER : SUBSECTION		TITLE	
LAW ENFORCEMENT OPERATIONS : PRISONER HANDLING		STRIP & BODY CAVITY SEARCHES	
REVIEW DATES		REVISION DATES	
3/22/18		3/22/18	
DISTRIBUTION	REFERENCE	PAGES	
SWORN PERSONNEL	RIPAC 2.7	4	

I. PURPOSE

It is the purpose of this policy to provide officers with guidelines for determining if and under what conditions the use of strip searches and body cavity searches are legally permissible and to establish guidelines for the appropriate conduct of such searches whether to adults or juveniles.

II. POLICY

This department recognizes that the use of strip searches and body cavity searches may, under certain conditions, be necessary to protect the safety of officers, civilians, and other prisoners; to detect and secure evidence of criminal activity and to safeguard the security, safety and related interests of this agency's detention and holding facilities. Because of the intrusiveness on individual privacy such searches will only be conducted with proper authority, justification and recognition and deference of human dignity and all such searches will be conducted in accordance with these procedural guidelines.

III. DEFINITIONS

Strip Search - Any search of an individual requiring the removal or rearrangement of some or all clothing to permit visual inspection of the genital area, buttocks and/or female breasts.

Body Cavity Search - Any search involving not only visual inspection of skin surfaces, but the internal physical examination of body cavities and, in some instances, organs such as the stomach cavity.

IV. PROCEDURE

A. Strip Searches

1. Individuals arrested for traffic violations and other minor offenses of a nonviolent nature **will not** be subject to strip searches unless the arresting officer has articulable, reasonable suspicion to believe that the individual is concealing contraband or weapons.
2. Reasonable suspicion may be based upon, but is not limited to, one or more of the following criteria:
 - a. The nature of the offense charged;
 - b. The arrestee's questionable or peculiar actions;
 - c. The circumstances surrounding the arrest;
 - d. The arrestee's criminal record, particularly past crimes of violence and narcotics offenses
 - e. The discovery of evidence of a major offense in plain view or in the course of a search incident to the arrest;
 - f. Detection of suspicious objects beneath the suspect's clothing during a field search incident to arrest.
3. Field strip searches of prisoners will be conducted only in the rarest of circumstances under exigent circumstances where the life of officers or others may be placed at risk, and **only** with the explicit approval of a supervisory officer
4. When articulable and reasonable suspicion exists to conduct a strip search, the arresting officer will make a request for such action to the OIC, or other designated authority, that clearly defines the basis for suspicion.
5. When authorized by the supervising authority, strip searches may be conducted only:
 - a. By designated sworn personnel;
 - b. In conformance with approved hygienic procedures and professional practices;
 - c. By the least number of personnel necessary and with consideration of the suspect's gender or gender identity/expression; and
 - d. Under conditions that provide privacy from all but those authorized to conduct the search and in an area that affords privacy to the suspect/prisoner which is not in view of CCTV or other cameras.
 - i. The ends of the cellblock hallways underneath the cameras are the only areas within the SKPD holding facility that meet this requirement. This location allows the officer(s) to maintain visual observation while the suspect/prisoner is out of view of the cameras.
 - ii. Should exigent circumstances exist and a strip search be conducted elsewhere, officers conducting the search will ensure that privacy out of the view of CCTV and other cameras is afforded.
6. Following a strip search, the Officer performing the search will submit a written report to the supervisory authority that details, at a minimum, the following:
 - a. Date and place of the search;

- b. Identity of the Officer(s) conducting the search;
 - c. Identity of the individual searched;
 - d. Those present during the search;
 - e. A detailed description of the nature and extent of the search;
 - f. Any weapons, evidence or contraband found during the search;
7. No department member shall touch an arrestee undergoing a strip or visual body cavity search, unless the arrestee refuses to cooperate with search procedure, or the arrestee is unable to comply with the search due to mental condition, a physical condition, or is under the influence of intoxicating liquor and/or drugs.

B. Body Cavity Searches

1. Should visual examination of a suspect during a strip search and/or other information lead an Officer to believe that the suspect is concealing a weapon, evidence or contraband within a body cavity, the following procedures will be followed:
 - a. The suspect will be kept under constant surveillance until a body cavity search is conducted or an alternative course of action taken.
 - b. The officer will consult with his/her immediate supervisor to determine whether probable cause exists to seek a search warrant for a body cavity search.
 - c. The decision to seek a search warrant will recognize that a body cavity search is highly invasive of personal privacy and is reasonable only where the suspected offense is of a serious nature and/or poses a threat to the safety of officers or others, and/or the security of the department's detention operations.
 - d. If probable cause exists for a body cavity search, the Officer will first attempt to get consent to search and transport the suspect to the hospital.
 - e. A doctor normally **will not** conduct a body cavity search with or without a search warrant **unless the suspect consents** to such a search. Only a doctor or other medically trained personnel at the physician's direction may conduct the search.
 - f. If the suspect refuses consent to a body cavity search, an Affidavit and Search Warrant will be prepared that clearly defines the nature of the alleged offense and the basis for probable cause. A request to detain and hold the suspect until evidence can be obtained through elimination of body waste must be documented.
 - g. Upon conclusion of either consent to search or issuance of a search warrant for a body cavity search, the authorized Officer will file a report to include physician or medical personnel information as well as the requirements of Section A 6 of this order.
 - h. Body cavity searches will be performed with due recognition of privacy and hygienic concerns previously addressed in this policy.

C. Administrative Review

1. A copy of the strip or body cavity search report will be forwarded to the Chief of Police for review.

2. A copy of the report will then be filed with the Accreditation Manager for documentation purposes.

By Order of:



Joseph P. Geaber, Jr.
Chief of Police