

7.202 BOOKING SEARCHES.

Booking searches, like field searches, should be conducted by an Officer of the same sex as the arrestee. In the event an Officer of the same sex as the arrestee is not available to conduct such a search in the jail, the Officer may request the assistance of civilian jail personnel in conducting the search, provided the Officer is physically present while the booking search is conducted.

A. Strip and Visual Body Cavity Searches:

All strip and visual body cavity searches shall have prior approval by the Watch Commander who shall evaluate the necessity of conducting each search case. In the event a strip or skin search is necessary, it shall be conducted in all cases by a person of the same sex as the arrestee and shall be done at a jail facility.

B. Physical Body Cavity Searches:

Should the search and/or other information lead personnel to believe an inmate may have contraband substance secreted within a body cavity, a search warrant shall be obtained and the prisoner transported to the appropriate medical facility where a physical body cavity search will be conducted by licensed medical personnel.

C. Searching Arrestee's Purse:

When an arrestee has a purse in his possession, the purse shall be taken immediately from the individual and searched to determine whether it contains deadly weapons or any items of evidential value. When practical, witnesses shall be present during the search.

7.203 SEARCHING PERSONS ARRESTED FOR MINOR OFFENSES AND JUVENILES.

Section 4030 of the California Penal Code places restrictions on strip searches of pre-arraigned infraction or misdemeanor arrestees, including juveniles detained prior to a detention hearing, whose offenses do not involve a weapon, controlled substance or violence.

A. PAT-DOWN:

Pat-down, metal detector, and thorough clothing searches of the arrestee may be conducted to discover concealed weapons and contraband before placement in a holding cell.

B. STRIP OR VISUAL BODY CAVITY SEARCHES:

“Strip Search” means a search which requires a person to receive or arrange some or all of his clothing so as to permit a visual inspection of the underclothing, breasts, buttocks, or genitalia of such person.

“Visual Body Cavity Search” means visual inspection of a body cavity. Strip or visual body cavity searches may not be conducted unless:

1. The offense involved a weapon, controlled substance or violence; and/or,
2. There is “reasonable suspicion based on specific and articulate facts to believe such person is concealing a weapon or contraband, and a strip search will result in the discovery of the weapon or contraband.” Prior written authorization for the search must be obtained from the on-duty Watch Commander. The authorization shall include the “specific and articulate facts” upon which the reasonable suspicion was based.

A strip search may be conducted on arrestees when such persons are housed in the general jail population and all of the following are true:

1. The person is not cited and released.
2. The person is not released on his “Own Recognizance” (O.R.).
3. The person is not able to post bail within a reasonable time, not less than 3 hours.

C. REQUIRED SEARCH PROCEDURES:

All searches (strip, visual, and physical body cavity) require the following procedures:

1. All persons present shall be of the same sex as the arrestee.
2. The search shall be conducted in “an area of privacy so that the search cannot be observed by persons not participating in the search.”
3. Persons conducting the search “shall not touch the breasts, buttocks, or genitalia of the person being searched.”

D. PHYSICAL BODY CAVITY SEARCHES:

“Body Cavity” means the stomach or rectal cavity of a person, and the vagina of a female person. “Physical Body Cavity Search” means physical intrusion into a body cavity for the purpose of discovering any object concealed in the body cavity.

Physical body cavity searches shall only be conducted:

1. Under the authority of a search warrant.
2. At an appropriate medical facility by licensed personnel.