



Sheridan Police Department
Policies and Procedures
10.3
Chapter 10 – Search & Seizure
Section 3 – Strip and Body Cavity Searches

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Signature:

The Sheridan Police 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 and to detect and secure evidence of a crime. Recognizing the intrusiveness of these searches on individual privacy, they shall be conducted with deference for the human dignity of those being searched and in accordance with the procedural guidelines as set forth in this policy.

Definitions

- Strip Search – Any search of an individual requiring the removal or rearrangement of some or all clothing to permit the visual inspection of the genitals, buttocks, anus, female breasts or undergarments covering such areas.
- Body Cavity Search – Any search involving not only visual inspection of skin surfaces but also the internal physical examination of body cavities and, in some instances, organs such as the stomach cavity.

10.3.1 Strip Searches

- A. The decision to strip search must be based on specific factors which give rise to reasonable suspicion that the prisoner may be concealing weapons, escape implements, contraband, or evidence. Reasonable suspicion may be based upon, but is not limited to, one or more of the following criteria:
1. The nature of the offense charged;
 2. The arrestee's appearance and demeanor;
 3. The circumstances surrounding the arrest;
 4. The arrestee's criminal record, particularly past crimes of violence and narcotics offenses;
 5. The discovery of evidence in plain view or in the course of a search prior to an arrest; and
 6. Detection of suspicious objects beneath the suspect's clothing during a search incident to arrest.
- B. Field strip searches of prisoners shall be conducted only in the rarest of circumstances under exigent circumstances where the life of officers or others may be at risk. Explicit approval of a supervisory officer should be obtained prior to such a search.
- C. Where articulable, reasonable suspicion exists to conduct a strip search, the arresting officer shall make a request for such action to the detention supervisor or other designated authority.
- D. When authorized, strip searches may be conducted only:
1. On lawfully arrested persons;

2. By the least number of personnel necessary and by the same sex if readily available; and
 3. Under conditions that provide privacy from all but those authorized to conduct the search.
- E. The prisoner will not be required to remain unclothed any longer than is absolutely necessary.
- F. Non-sworn personnel will not be used to conduct, assist or witness a strip search.
- G. Following a strip search, the officer performing the search shall submit a written report that details; at a minimum, the following:
1. The facts and circumstances establishing the reasonable suspicion for the search;
 2. Date and place of the search;
 3. Identity of the officer conducting the search;
 4. The names of the approving supervisor and the witness officer;
 5. Identity of the individual searched;
 6. A detailed description of the nature and extent of the search; and
 7. Any weapons, evidence, or contraband found during the search.

10.3.2 Body Cavity Search

- A. Should examination of a suspect during a search 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 shall be followed:
1. The officer shall inform the prisoner of the intent to conduct a body-cavity search thus giving the prisoner the opportunity to voluntarily surrender the suspected contraband.
 2. The officer shall consult with the shift supervisor to determine whether probable cause exists to seek a search warrant for a body cavity search. The decision to seek a search warrant shall 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 or poses a threat to the safety of officers or others.
 3. If probable cause exists for a body cavity search, an affidavit for a search warrant shall be prepared that clearly defines the nature of the alleged offense, the basis for the officer's probable cause and specific factors giving rise to the belief that the item(s) sought are concealed in the prisoner's body.
 4. On the basis of a search warrant, a body cavity search shall be performed by qualified medical personnel in surroundings suitable to their needs.
 5. Body cavity searches shall be performed with due recognition of privacy and hygienic concerns.
- B. The mouth is the only body cavity that may be searched without a warrant. If an officer has probable cause to believe that a prisoner is concealing something in his or her mouth, the officer may use reasonable force to prevent the swallowing of the object and may remove the object.
- C. Upon completion of a body cavity search, any items recovered will be documented on the search warrant return and in the officer's report.
- D. The officer's report should include the fact that a body cavity search was conducted and:
1. The facts and circumstances establishing the probable cause for the search;
 2. Date and location where the search took place;
 3. Identity of the individual searched;
 4. The name of the approving supervisor;
 5. Name of the judge authorizing the warrant;

6. Identity of the medical practitioner conducting the search;
 7. The name of the witness officer;
 8. A description of the nature and extent of the search; and
 9. Results of the search including any weapons, evidence, or contraband found.
- E. The case file should include a copy of the report of the medical practitioner performing the search.