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**Notes and  
References**

## **Searches: Policy, Definitions, Procedures**

### **I. Introduction**

This policy is consistent with Section 4030 of the California Penal Code and Section 1360 of Title 15.

- A. Searches are not conducted for harassment, discipline, or punishment, but to maintain a safe and secure facility, and provide for the safety and security of visitors, the public, and staff. Searches shall balance the safety and security needs of the facility with privacy expectations of those being searched.
- B. Facility and pat-down searches may be conducted as deemed necessary by the Probation Manager of the Juvenile Hall, Deputy Probation Officer, Supervising (SPO), or their designee, on a routine, random or incident-specific basis.
- C. The authority to conduct visual body searches and body cavity searches is derived and restricted by various statutory laws and state regulations, including:
  - 1. The United States Constitution, 4<sup>th</sup> Amendment
  - 2. The California Constitution, Article I, Section 13
  - 3. California Penal Code, Section 4030
  - 4. California Code of Regulations, Title 15 Section 1360, Minimum Standards for Juvenile Facilities.
  - 5. Applicable Federal and State case law.

### **II. General Policy**

- A. Searches shall be conducted for the purpose of establishing and maintaining a safe and secure detention facility, and to prevent the introduction of contraband into the detention environment.

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- B. The provisions of this section related to visual body searches and body cavity searches shall apply to any youth in custody at the juvenile hall and shall not differentiate between felony or misdemeanor offenses, 777 WIC (Probation violations) or Pre/Post Detention Hearing.
  
- C. All youth admitted into juvenile hall shall be subject to an intake search. This includes a pat-down and use of a handheld metal detector. After completing the initial intake shower and once the youth is dressed in institution clothing, the youth will be searched a second time with a handheld metal detector. Circumstances requiring a more intrusive search, in addition to an intake search, must be approved by the SPO or Manager with documentation via a Worker’s Special Report (WSR) establishing reasonable suspicion.
  - 1. Staff are to be sensitive to the fact that searches are intrusive, and impact a person’s individual space and privacy. Some persons may be accustomed to or not bothered by them while others may find them uncomfortable. Additionally, persons with histories of trauma may be especially impacted by them no matter how unobtrusive.
  - 2. This policy will be narrowly construed to allow visual body searches and visual body cavity searches only under limited conditions provided for in this chapter and by law.
  - 3. Searches of transgender and intersex youth shall comply with Title 15 Section 1352.5(f). Searches shall not be performed for the purpose of determining the youth’s anatomical sex.

Sec. III,  
this Chapter

See Strip Search  
Authorization  
Checklist  
(Attachment A)

**III. Definitions**

- A. **Intake Search:** A search conducted by the means of pat-down, metal detector, wand, or clothing search at the time of admission.
  
- B. **Pat-down Search:** A hand search conducted outside the clothing of a youth.
  
- C. **Visual Body Search:** A search that requires the youth to remove or arrange some or all of his or her clothing so as to permit a visual inspection of undergarments, breasts, buttocks, or genitalia. It may include the need to “squat and cough,” but does not include physically touching the person being searched.

See Sections  
IV & V of  
this chapter;  
4030(f) PC

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- D. **Body Cavity:** For purposes of this policy, a body cavity search means a search of a person’s naval, rectal cavity or vagina; such searches are performed pursuant to existing law or court order, and are to be performed by a person with appropriate medical training.
- E. **Visual Body Cavity Search:** A visual inspection of a body cavity.
- F. **Physical Body Cavity Search:** A physical intrusion into a body cavity for the purpose of discovering any object concealed in the body cavity.
- G. **Reasonable Suspicion:** Specific and articulable facts to believe a person is concealing contraband and a visual body search will result in locating the contraband.

**IV. Post Admission Pat-Down Searches/Metal Detector Searches**

- A. Upon admission, all youth shall be subject to complete pat-down search by a Juvenile Institutions Officer (JIO) of the same gender with basic training in searches provided by the successful completion of 832 PC training. Pursuant to PREA Standard 113.315, officers shall not conduct cross-gender pat-down searches except in exigent circumstances, including situations wherein an immediate pat-down search of the youth is necessary for the safety and security of the facility and a same-gender officer is not readily available. Should a cross-gender pat-down search be conducted, the search must be justified and shall be documented in a WSR to include the specific reasons for the search.
- B. Whenever feasible, the facility shall respect the youth’s preference regarding the gender of the staff member who conducts any search of the youth.
- C. Such searches, which can include the use of a metal detector or wand, will be completed on youth:
  - 1. When returning from Court;
  - 2. When returning from a visit;
  - 3. When returning from an appointment outside the facility, e.g., medical or dental appointments;

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4. When returning from furlough or any other activity or status of release that is unsupervised by staff;
  5. When returning from play yard or any activity outside the unit.
  6. When returning from school at the end of the school day or if they return to their room on a school break. Additionally, pat-down searches may occur at period breaks if there is a reasonable suspicion that contraband may be found.
- D. Change of Search Status after Admission:
1. During the time a youth is in juvenile hall, a higher level of search may be conducted based on information or circumstances that justify a visual body search and upon prior approval from the facility SPO. All information sustaining a higher level of search will be documented in a WSR to include the SPO authorizing the search.
- E. Physical Body Cavity Search:
1. No youth at the juvenile hall shall be subjected to a physical body cavity search without a court order authorizing the physical body cavity search. All such searches shall be performed by authorized medical personnel not assigned to the institution. A sworn staff of the same gender shall be present during the search for security and evidentiary purposes.
  2. A WSR shall be completed detailing the specific facts upon which the authorizing Officer established reasonable suspicion to request the court order.
  3. Documentation within the WSR of an authorized physical body cavity search shall include:
    - a. The authorizing Judge and language and date of the court order;
    - b. Time, date and place of the search;

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- c. The name, title, and gender of the medical personnel conducting the search;
- d. A statement of the results of the search, including a list of any items removed from the person searched.
- 3. The court order authorizing the search shall be retained in the youth's juvenile hall office file.
- 4. All physical body cavity searches will be logged in a strip search/body cavity search log and/or database by date, youth name, admitting offense, requesting supervisor, authorizing magistrate and WSR numbers.

**V. Visual Body Searches**

- A. Visual body searches of detained youth are permissible in accordance with existing law and this policy. The purpose of a visual body search is to contribute to:
  - 1. The security of a detention facility through the detection and confiscation of contraband;
  - 2. The safety of youths held in the detention setting, and employees, treatment providers, and visitors who work in or come into the detention setting through the early identification of health conditions and the detection of dangerous items.
- B. Visual body searches are performed for the following reasons:
  - 1. Detection of wounds, infections, ailments, bruising, and other medical conditions that may require attention or investigation;
  - 2. Detection of otherwise non-visible tattoos that may indicate gang affiliation, racist attitudes, or other factors affecting classification;

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3. Documentation of otherwise non-visible identifying information or pre-existing conditions such as the presence of scars, marks, or other unique characteristics;
  4. Detection and confiscation of prohibited items (or contraband).
- C. A visual body search for purposes of this policy includes the following elements:
1. A visual inspection of a detained youth’s entire unclothed body.
  2. Verbal instructions to a detained youth to assist in the search by moving, lifting, or showing body parts.
  3. Officer of the same gender as the detained youth performing the search (except in cases where there are transgender considerations).
  4. Search is conducted in a manner and location that ensures as much privacy as possible and mitigates as much anxiety as possible.
- D. This policy describes the circumstances under which visual body searches may be performed on youth brought into or admitted into the detention facility but who *are not* introduced into the general facility population, and youth who *are* introduced into or who are returning to the general facility population. For purposes of this policy, youth will either be held during the intake process or are already detained, and visual body searches will be either required, authorized, or not authorized.
- E. A Strip Search Authorization Form (Pro-558) must be completed with SPO or Manager each time a visual body search is conducted.

**VI. Visual Body Searches - Intake Processing**

- A. Youth brought into or admitted to the detention facility for intake processing are those youth who are being held until such time that they are either

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- released from the facility or are detained and introduced into the general facility population.
- B. Since visual body searches contribute to the safety and security of the detention facility by controlling the *general* detention population, they are not permitted on youth who are not introduced into the general population, except as specified.
- C. Youth not being introduced into the general detention population include the following:
1. Youth brought to the detention facility by a law enforcement officer for an offense under Section 602 of the Welfare and Institutions Code, but whose history, offense, and status do not require further detention, and eventual release to a parent or guardian is anticipated.
  2. Youth brought to the facility by a law enforcement officer or other person for behavior described in Section 601 of the Welfare and Institutions Code.
  3. Youth temporarily housed at the facility for matters pursuant to Section 300 of the Welfare and Institutions Code.
  4. Youth who are admitted to and housed in the facility in a manner where they are not exposed to, have access to, or are otherwise able to participate in programming with the general detention population.
  5. Youth who are admitted to and housed in the facility but who are not introduced to the general detention population pending a detention hearing before the Juvenile Court.
- D. The following are exceptions to the prohibition against visual body searches on youth during intake processing:

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1. An officer has reasonable suspicion to believe that a youth may be concealing a prohibited or dangerous item and the youth’s safety cannot be assured without a visual body search.
  2. A youth has indicated they are in possession of a prohibited item and will not relinquish it.
  3. A youth has a documented history of concealing prohibited items during previous admissions to the facility.
- E. A youth’s history and type of present offense may influence a decision to perform a search pursuant to one of the above exceptions.
- F. Authorizations and Documentation
1. Visual body searches performed during intake processing require prior authorization and justification, and in all cases will be documented with a Worker’s Special Report.
  2. Authorization is to be obtained from a Supervisor or above.

**VII. Visual Body Searches – Detained**

- A. Youth who are detained in the facility are those youth who have been fully admitted to the detention facility and have been introduced into the general detention population and who are participating in programming.
- B. Since visual body searches contribute to the safety and security of the detention facility by controlling the general detention population, they are permitted or required on youth who are introduced into the general population, as specified.
- C. A youth’s history and type of offense will not influence a decision to perform a *mandatory* visual body search.



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- D. A youth’s history and type of offense may influence a decision to perform a *permissible* visual body search.
  
- E. Visual body searches are required as follows:
  - 1. Whenever a youth is introduced to a living unit and has full or partial access and exposure to other detained youth, employees, treatment providers, or visitors, and is participating in regular programming;
  - 2. Whenever a youth returns from a furlough from outside the facility, regardless of the duration;
  - 3. Whenever a youth returns from an absence from the facility unless the youth has been in the constant custody of a Deputy Probation Officer or law enforcement officer.
  
- F. Visual body searches are permitted as follows:
  - 1. Whenever a youth returns from a visit, appointment, or interview from within the facility when there has been no direct or limited supervision or observation of the youth by an officer;
  - 2. Whenever there is suspicion that a youth may be concealing a prohibited item based on an officer’s direct observations of a youth’s actions, behavior, or comments, or some other indication that a prohibited item may be present.
  
- G. Authorizations and Documentation
  - 1. Required visual body searches do not require prior authorization or justification, but in all cases will be documented with a Worker’s Special Report.

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2. Permitted visual body searches do not require prior authorization, but do require justification, and in all cases will be documented with a Worker’s Special Report.

**H. Conducting Visual Body and Searches:**

1. Documentation within the WSR of an authorized visual body search shall include the date, time and place of the search, the name of the person conducting the search and a statement of the results of the search, including a list of any items removed from the person searched. All visual body searches will be logged in a visual body search or body cavity search log and/or database by date, youth’s name, admitting offense, and authorizing SPO or Manager. A copy of the WSR will also be kept in a binder in the administration area of the juvenile hall.
2. Persons conducting a visual body search shall never touch any area of the youth including, but not limited to the breasts, buttocks, or genitalia of the person being searched.
3. All persons conducting or present during a visual body search shall be of the same gender of the youth being searched.
4. All visual body searches shall be conducted in an area of privacy, out of view of other persons not participating in the search. Visual body searches shall require two staff of the same gender to be present.
5. In circumstances where the search involves a transgender youth or youth whose gender expression is apart from their gender assignment, the person conducting the visual body search may be of the opposite gender from the youth if the youth prefers it and agrees to it. In such cases, that agreement is to be secured before the search and documented in the WSR.

**VIII. Contraband Control**

- A. Preventative measures to control the entry and movement of contraband into the juvenile hall, such as weapons, drugs, etc., shall be established to ensure the safety of youth and staff. Staff must be aware of what items are authorized

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in youth rooms. Preventative measures shall include, but not be limited to random searches of youth, their rooms, and the living units.

- B. Youth returning from furlough (temporary release) may be subject to a visual body search pursuant to policy and procedure described in Section I-V, of this chapter.
- C. Contraband is loosely defined as any item or substance that is not allowed in a youth's personal possession or without supervision by staff.
  - 1. Contraband is any object, instrument or item, including hygiene supplies that are or could be made into an edged, pointed, or blunt weapon.
  - 2. Contraband is any substance that can be ingested to alter a youth's mood or behavior.
  - 3. Contraband is any drug paraphernalia, including matches, lighter, smoking pipe, straw, rolling papers, or any other object, instrument, or item that can be used to ingest any mood-altering substance.
- D. Additional Items of Contraband (include but are not limited to):
  - 1. Note or communications from other youth
  - 2. Homemade pencils
  - 3. Maps
  - 4. Glass
  - 5. Staples
  - 6. Paper clips
  - 7. Items dropped by staff
  - 8. Extra clothing
  - 9. Electronic items, such as cell phones

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- 10. Plastic Spoons
- 11. Weapons of any kind
- 12. Medication
- 13. Food Items
- 14. Altered playing cards
- 15. Toothbrushes, combs, etc.
- 16. Rocks, screws, strings, tooth picks, rubber bands, etc.
- E. Items allowed within a youth's room are: One Bible, one paperback book, one letter, one picture, drawings and items included in the Tools for Success.

**IX. Room Searches**

- A. Room searches insure the safety and security of the facility, staff, youth and the community.
  - 1. Effective room searches may prevent escapes, assaults and self-inflicted injuries.
  - 2. Effective room searches may prevent vandalism to the facility, hold staff and youth accountable.
- B. Guidelines for Room Searches:
  - 1. Staff need to perform random searches, to avoid predictability.
    - a. Room searches will be chronicled and documented in the End of Shift report, activity log in IMPACT, in addition to WSRs that may be generated as a result of contraband being discovered.
  - 2. Staff must be detailed, methodical and thorough when conducting a room search.

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3. Staff will be systematic when searching each room.
4. If contraband is suspected, staff will conduct a search. If possible, conduct a search of the youth's room and person at the same time.
5. Staff should be familiar with common locations for hiding contraband.
6. Staff will follow the chain of evidence if contraband is found:
  - a. Notify the supervisor on duty
  - b. Photograph the contraband (if necessary for use in due process of discipline or prosecution)
  - c. Secure materials
  - d. Depending on contraband, notify assigned deputy probation officer and police (Sr. DPO or designee)
  - e. Document via WSR
7. Staff will always follow "universal safety precautions" when conducting room searches (gloves and, if needed, safety glasses and masks).

**C. Procedures for Room Searches:**

1. [REDACTED]
2. [REDACTED]
3. [REDACTED]

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- 4. [REDACTED]
- 5. [REDACTED]
- 6. [REDACTED]
- 7. [REDACTED]
- 8. [REDACTED]
- 9. [REDACTED]
- 10. [REDACTED]
- 11. [REDACTED]

**X. Facility Searches**

A. [REDACTED]

B. Search of Unit: Periodic and random documented searches are conducted of the units/day rooms, similar to that of room searches. Staff will check under

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tables, books on bookshelves, laundry and common latrine, under seats, floor perimeters, etc. As with room searches, unit/day room searches are conducted in an organized and methodical manner.

C. [REDACTED]

1. [REDACTED]

a. [REDACTED]

(1) [REDACTED]

(2) [REDACTED]

b. [REDACTED]

c. [REDACTED]

d. [REDACTED]

e. [REDACTED]

f. [REDACTED]

2. Security Check: This will be completed in all units housing youth at the beginning of each shift.

a. [REDACTED]

b. [REDACTED]

c. [REDACTED]

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- d. [REDACTED]
- e. [REDACTED]
- f. [REDACTED]
- g. [REDACTED]
- h. [REDACTED]
- i. [REDACTED]

D. Narcotics K-9: A K-9 officer and narcotic sensing dog, from local law enforcement agencies, will be periodically requested to conduct random searches of the facility and grounds.

**XI. Search of Visitors**

- A. Limited administrative searches may be conducted (visitors, contract personnel, etc.) to ensure the safety, security and sound operation of the facility.
  - 1. Visitors are required to walk through the metal detector, at the entrance of the facility, or may be subjected to a search by hand-held metal detector, as authorized by the on-duty Sr. DPO or designee, SPO, or Probation Manager.
  - 2. Staff may conduct a pat-down or directly search the property of any visitor who will be having a contact visit upon approval of Administration.
  - 3. Visitors may be requested to turn pockets inside out and/or remove outer garments to have them searched for contraband
    - a. Should the visitor refuse, they may be denied entry or will have a no contact visit.



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- B. Visitors may be denied entrance into the juvenile hall if the metal detector is activated during a search and there is reasonable suspicion that the visitor may be carrying a weapon, contraband, or other property not allowed in the facility.
- C. A Court order preventing on-going visitations shall be obtained should the Probation Manager, based on reasonable suspicion, determine a visitor or visitors are a risk to the safety and security of the Juvenile Hall, staff, and/or youth.

**XII. Urine Testing**

- A. At times, the assigned DPO may request a urine sample be obtained from a youth who has been ordered by the Court to be subject to such testing.
- B. Individual, unit or intake toilets can be used to obtain the urine sample.
  - 1. The medical office cannot be used for obtaining or testing urine samples.
- C. Urine samples are evidence and the chain of custody must be maintained. Follow the procedures noted at intake for the handling and logging of urine specimens.

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**ATTACHMENT A**  
**STRIP SEARCH AUTHORIZATION**  
**REASONABLE SUSPICION FACTORS – CHECKLIST**

Youth \_\_\_\_\_ Offense \_\_\_\_\_

Facility \_\_\_\_\_ Arresting Agency \_\_\_\_\_

Date \_\_\_\_\_ Time \_\_\_\_\_

**Specific Factors Establishing Reasonable Suspicion:**

Supervisors (SPO/Manager) will review the factors listed below prior to authorizing a strip search and provide written justification for "YES" answers.

1. Present offense or prior criminal history that includes the possession of weapons or controlled substances.  
YES \_\_\_\_\_ NO \_\_\_\_\_

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2. Documented history of concealing contraband/drugs or weapons beneath their clothing in this or any institution.  
YES \_\_\_\_\_ NO \_\_\_\_\_

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3. During an arrest/intake pat-down search, arresting officer/intake staff found drugs or a weapon.  
YES \_\_\_\_\_ NO \_\_\_\_\_

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4. Staff observation of unusual conduct/behavior, furtiveness, excessive nervousness, and the youth provided evasive or contradictory answers to questions during the intake process.  
YES \_\_\_\_\_ NO \_\_\_\_\_

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5. Staff members/arresting officer observe behavior that indicates a youth is attempting to conceal any mood altering substance, drug paraphernalia, weapons, or any other contraband on their person.  
YES \_\_\_\_\_ NO \_\_\_\_\_

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6. Staff receive reliable information from a third party source that the youth has used a controlled substance or other mood altering products within the previous 24-hour period or that they are possibly concealing drugs, weapons or other contraband.  
YES \_\_\_\_\_ NO \_\_\_\_\_

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7. Staff are aware that a specific item that could be used for a weapon is missing within the Juvenile Hall, and that the minor had access to the area from which the item was taken.  
YES \_\_\_\_\_ NO \_\_\_\_\_

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8. Discovery of incriminating articles/contraband in less intrusive searches.  
YES \_\_\_\_\_ NO \_\_\_\_\_

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9. Past/current conduct in the facility, e.g. (assaultive behavior, contraband, self-mutilation, suicidal ideation, gestures, or attempts).  
YES \_\_\_\_\_ NO \_\_\_\_\_

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**NO STRIP SEARCH INDICATED: Comments: (i.e. precluded by charge and record)**

Intake Officer Name \_\_\_\_\_

**STRIP SEARCH AUTHORIZATION** YES \_\_\_\_\_ NO \_\_\_\_\_

Supervisor (SPO/Manager): \_\_\_\_\_ Date/Time: \_\_\_\_\_

Staff Conducting Search: \_\_\_\_\_ Date/Time: \_\_\_\_\_

Staff Conducting Search: \_\_\_\_\_ Date/Time: \_\_\_\_\_

WSR #: \_\_\_\_\_ Results of Search: \_\_\_\_\_