

Searches

514.1 PURPOSE AND SCOPE

The purpose of this policy is to provide clear direction on maintaining the safety and security of the facility by conducting searches, in balance with protecting the rights afforded by the United States Constitution.

The introduction of contraband, intoxicants or weapons into the Nevada County Sheriff's Office facilities poses a serious risk to the safety and security of staff, inmates, volunteers, contractors and the public. Any item that is not available to all inmates may be used as currency by those who possess the item, and will allow those in possession of the item to have control over other inmates. Any item that may be used to disengage a lock, other electronic security devices or the physical plant itself, seriously jeopardizes the safety and security of this facility. Carefully restricting the flow of contraband into the facility can only be achieved by thorough searches of inmates and their environment.

Nothing in this policy is intended to prohibit the otherwise lawful collection of trace evidence from an inmate/arrestee.

514.1.1 DEFINITIONS

Definitions related to this policy include:

Contraband - Anything unauthorized for inmates to possess or anything authorized to possess but in an unauthorized quantity.

Modified strip search - A search that requires a person to remove or rearrange some of his/her clothing that does not include a visual inspection of the breasts, buttocks or genitalia of the person but may include a thorough tactile search of an inmate's partially unclothed body. This also includes searching the inmate's clothing once it has been removed.

Pat-down search - The normal type of search used by correctional officers within this facility to check an individual for weapons or contraband. It involves a thorough patting down of clothing to locate any weapons or dangerous items that could pose a danger to the correctional officer, the inmate or other inmates.

Physical body cavity search - A search that includes a visual inspection and may include physical intrusion into a body cavity. Body cavity means the stomach or rectal cavity of a person, and the vagina of a female person.

Strip search - A search that requires a person to remove or rearrange some or all of his/her clothing to permit a visual inspection of the underclothing, breasts, buttocks, anus or outer genitalia of the person. This includes monitoring of a person showering or changing clothes where the person's underclothing, buttocks, genitalia or female breasts are visible to the monitoring employee.

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514.2 POLICY

It is the policy of this office to ensure the safety of staff, inmates and visitors by conducting effective and appropriate searches of inmates and areas within the facility in accordance with applicable laws (15 CCR 1029(a)(6)).

Searches shall not be used for intimidation, harassment, punishment or retaliation.

514.3 PAT-DOWN SEARCHES

Pat-down searches will be performed on all inmates/arrestees upon entering the secure booking area of the facility. Additionally, pat-down searches should occur frequently within the facility. At a minimum, the staff shall conduct pat-down searches in circumstances that include:

- (a) When inmates leave their housing units to participate in activities elsewhere in the facility (e.g., exercise yard, medical, program, visiting) and when they return.
- (b) During physical plant searches of entire housing units.
- (c) When inmates come into contact with other inmates housed outside of their housing units, such as work details.
- (d) Any time the staff believes the inmates may have contraband on their persons.

Except in emergencies, male staff may not pat down female inmates and female staff may not pat down male inmates. Absent the availability of a same sex staff member, it is recommended that a witnessing staff member be present during any pat-down search of an individual of the opposite sex. All cross-gender pat-down searches shall be documented (28 CFR 115.15).

514.4 MODIFIED STRIP SEARCHES, STRIP SEARCHES AND PHYSICAL BODY CAVITY SEARCHES

Correctional officers will generally consider the reason for the search, the scope, intrusion, manner and location of the search, and will utilize the least invasive search method to meet the need for the search.

514.4.1 STRIP SEARCHES PRIOR TO PLACEMENT IN A HOUSING UNIT

Strip searches prior to placement in a housing unit shall be conducted as follows:

- (a) No person held prior to placement in a housing unit shall be subjected to a modified strip search or strip search unless there is reasonable suspicion based upon specific and articulable facts to believe the person has a health condition requiring immediate medical attention or is concealing a weapon or contraband. Factors to be considered in determining reasonable suspicion include, but are not limited to:
 - 1. The detection of an object during a pat-down search that may be a weapon or contraband and cannot be safely retrieved without a modified strip search or strip search.
 - 2. Circumstances of a current arrest that specifically indicate the person may be concealing a weapon or contraband. A felony arrest charge or being under the

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influence of a controlled substance should not suffice as reasonable suspicion absent other facts.

3. Custody history (past possession of contraband while in custody, assaults on staff, escape attempts, etc.).
 4. The person's actions or demeanor.
 5. Criminal history (level of experience in a custody setting, etc.).
- (b) No modified strip search or strip search of an inmate shall be conducted prior to admittance to a housing unit without prior authorization from the sergeant or officer in charge (OIC).
- (c) The staff member conducting the modified strip search or strip search shall:
1. Document the name and sex of the person subjected to the strip search.
 2. Document the facts that led to the decision to perform a strip search of the inmate.
 3. Document the reasons less intrusive methods of searching were not used or were insufficient.
 4. Document the supervisor's approval.
 5. Document the time, date and location of the search.
 6. Document the names, sex and roles of any staff present.
 7. Itemize in writing all contraband and weapons discovered by the search.
 8. Process all contraband and weapons in accordance with the office's current evidence procedures.
 9. If appropriate, complete a crime report and/or disciplinary report.
 10. Ensure the documentation is placed in the inmate's file. A copy of the written authorization shall be retained and made available to the inmate or other authorized representative upon request.

514.4.2 STRIP SEARCHES UPON ENTRY INTO A HOUSING UNIT

Strip searches will be conducted on all inmates upon admission into a housing unit.

Arrestees who are eligible for release or who will be released when they are no longer intoxicated will not be placed into a housing unit or have unmonitored or unsupervised contact with previously housed inmates.

Arrestees who are arranging bail shall be permitted a reasonable period of time, not less than 12 hours, before being placed in a housing unit.

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514.4.3 MODIFIED STRIP SEARCHES AND STRIP SEARCHES OF INMATES IN A HOUSING UNIT

A strip search of an inmate in a housing unit should be conducted when the inmate has entered an environment where contraband or weapons may be accessed. This includes, but is not limited to, the following:

- (a) Upon return from contact visits
- (b) Upon leaving the kitchen, shop, farm, etc.
- (c) Upon return to the housing unit from outside the confines of the facility (court, work-release, work detail, medical visits)

Inmates returning from court with release orders shall not be subject to strip searches or modified strip searches unless the reasonable suspicion exists based on specific and articulable facts that the person is concealing a weapon or contraband. The inmate should not be returned to the housing unit, except for retrieving his/her personal property under the direct visual supervision of staff.

Staff members may conduct modified strip searches and strip searches of inmates outside the above listed circumstances only with supervisor approval. Staff members and supervisors must make a determination to conduct a strip search by balancing the scope of the particular search, intrusion, the manner in which it is conducted, the justification for initiating it and the place in which it is conducted. Less invasive searches should be used if they would meet the need for the search. For example, a pat-down or modified strip search may be sufficient as an initial effort to locate a larger item, such as a cell phone.

The staff member conducting a modified strip or strip search outside the above listed circumstances shall:

- Document in writing the facts that led to the decision to perform a strip search of the inmate.
- Document the reasons less intrusive methods of searching were not used or were insufficient.
- Document the supervisor's approval.
- Document the time, date and location of the search.
- Document the names of staff present, their sex and their roles.
- Itemize in writing all contraband and weapons discovered by the search.
- Process all contraband and weapons in accordance with the office's current evidence procedures.
- If appropriate, complete a crime report and/or disciplinary report.

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- Ensure the completed documentation is placed in the inmate's file. A copy of the written authorization shall be retained and made available to the inmate or other authorized representative upon request.

514.4.4 MODIFIED STRIP SEARCH AND STRIP SEARCH PROCEDURES

All modified strip searches and strip searches shall be conducted in a professional manner under sanitary conditions and in an area of privacy so that the search cannot be observed by persons not participating in the search.

Unless conducted by a qualified health care professional or in case of an emergency, a modified strip search or strip search shall be conducted by staff members of the same sex as the person being searched (Penal Code § 4030). Any cross-gender modified strip searches and cross-gender strip searches shall be documented (28 CFR 115.15).

A second officer may be used for safety and security with the approval of a supervisor.

The staff member conducting a strip search shall not touch the breasts, buttocks or genitalia of the person being searched. These areas may be touched through the clothing during a modified strip search.

- (a) The searching staff member may instruct the inmate to:
 1. Remove his/her clothing.
 2. Raise his/her arms above the head and turn 360 degrees.
 3. Bend forward and run his/her hands through his/her hair.
 4. Turn his/her head first to the left and then to the right so the searching correctional officer can inspect the inmate's ear orifices.
 5. Open his/her mouth and run a finger over the upper and lower gum areas, then raise the tongue so the correctional officer can inspect the interior of the inmate's mouth. Remove dentures if applicable.
 6. Inmates may be instructed to lift, move, or adjust portions of their body to ensure a full visual search is conducted.
 7. Turn around and raise one foot first, then the other so the correctional officer can check the bottom of each foot.
 8. For a visual cavity search, turn around, bend forward and spread the buttocks if necessary to view the anus.
- (b) At the completion of the search, the inmate should be instructed to dress in either his/her street clothes or jail-supplied clothing, as appropriate.

[See attachment: Strip Search Forms.pdf](#)

514.4.5 PHYSICAL BODY CAVITY SEARCH

Physical body cavity searches shall be completed as follows:

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- (a) No person shall be subjected to a physical body cavity search without the approval of the Jail Commander or the authorized designee and only with the issuance of a search warrant. A copy of any search warrant and the results of the physical body cavity search shall be included with the related reports and made available, upon request, to the inmate or authorized representative (except for those portions of the warrant ordered sealed by a court).
- (b) Only a physician may conduct a physical body cavity search. Except in exigent circumstances, only a physician who is not responsible for providing ongoing care to the inmate may conduct the search (15 CCR 1206(o)).
- (c) Except for the physician conducting the search, persons present must be of the same sex as the person being searched. Only the necessary staff needed to maintain the safety and security of the medical personnel shall be present (Penal Code § 4030).
- (d) Privacy requirements, including restricted touching of body parts and sanitary condition requirements are the same as required for a strip search.
- (e) All such searches shall be documented including:
 - 1. The facts that led to the decision to perform a physical body cavity search of the inmate.
 - 2. The reasons less intrusive methods of searching were not used or were insufficient.
 - 3. The Jail Commander's approval.
 - 4. A copy of the search warrant.
 - 5. The time, date and location of the search.
 - 6. The medical personnel present.
 - 7. The names, sex and roles of any staff present.
 - 8. Any contraband or weapons discovered by the search.
- (f) Completed documentation should be placed in the inmate's file. A copy of the written authorization shall be retained and made available to the inmate or other authorized representative upon request.
- (g) All contraband and weapons should be processed in accordance with the office's current evidence procedures.
- (h) If appropriate, the staff member shall complete a crime report and/or disciplinary report.

514.4.6 BODY SCANNER SEARCH

When a scanner is reasonably available, a body scanner should be performed on all inmates/arrestees upon entering the secure booking area of the facility.

If a body scanner is used, members (Penal Code § 4030):

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- (a) Within sight of the visual display of a body scanner depicting the body during a scan shall be of the same sex as the person being scanned, except for physicians or licensed medical personnel.
- (b) Should ask female inmates if they are pregnant prior to a body scan and should not knowingly use a body scanner on a woman who is pregnant.

The body scanner should generally be used whenever reasonably practicable in place of a modified strip search, strip search or body cavity search of an inmate in housing unless one of those searches is reasonably necessary after the scan.

[See attachment: Body Scanner.pdf](#)

514.5 TRANSGENDER SEARCHES

Staff shall not search or physically examine a transgender or intersex inmate for the sole purpose of determining genital status (see Prison Rape Elimination Act Policy for transgender and intersex definitions). If genital status is unknown, it may be determined during conversations with the inmate, by reviewing medical records or, if necessary, by obtaining that information as part of a broader medical examination conducted in private by a qualified health care professional (28 CFR 115.15).

All modified strip searches, strip searches and pat-down searches of transgender and intersex inmates will be conducted in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs. If a transgender or intersex inmate's genitalia status is female, the inmate will be searched by a female correctional officer only. If a transgender or intersex inmate's genitalia status is male, the inmate will be searched by a male correctional officer only.

The on-duty supervisor will be notified prior to a cross-gender search. All cross-gender searches will be documented in an incident report.

514.6 CONTRABAND SEARCHES

The staff should always be alert to the possible presence of contraband and shall take immediate action to seize the contraband when practicable. There are several types of searches that contribute to contraband control and to maintaining a safe and secure environment.

514.7 HOUSING UNIT SEARCHES

Housing unit searches should occur as directed by a supervisor. These searches should include all of the living spaces occupied by inmates. Housing unit searches should be scheduled in a manner that does not create a pattern where the inmates can predict such searches. During a housing unit search:

- (a) All inmates may vacate their living areas and be searched by staff.
- (b) Inmates should be escorted to a separate holding area, such as the recreation yard.
- (c) Staff should search the living areas of the inmates, including bedding, personal storage areas, bunks and other areas with inmate access.

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- (d) Any weapons or contraband located shall be processed in accordance with the current evidence procedures.
- (e) The staff should attempt to identify the inmate who possessed the contraband and file appropriate inmate discipline and/or crime reports.
- (f) Any alcoholic beverage possessed by inmates shall be seized and the appropriate inmate disciplined and/or criminal charges filed.
- (g) Any authorized item found in excess of the limited quantity (e.g., food items, newspapers) should be seized and discarded.

At the conclusion of the housing unit search, closely supervised inmate workers should clean the unit. All authorized inmate personal property should be respected and living areas should be returned to an orderly condition.

514.8 PHYSICAL PLANT SEARCHES

The following areas of this facility should be periodically searched for contraband:

- (a) Exercise yards should be searched for contraband prior to and after each inmate group occupies the yard.
- (b) Holding cells should be searched prior to and after each inmate occupies the cell.
- (c) Program areas, such as classrooms and multipurpose rooms should be searched after each use by an inmate or inmate group.
- (d) Laundry areas should be searched before and after each inmate group occupies the area.
- (e) Kitchen areas should be frequently searched for contraband and to account for tools, knives and food items.
- (f) Inmate visiting and public areas should be frequently inspected for contraband.
- (g) The facility perimeter should be searched at least once each shift for contraband.

514.8.1 CANINE-ASSISTED SEARCHES

It is the policy of this facility to use canines to assist the staff in searching for contraband. Such searches shall occur only with the approval of a supervisor. Only canines trained in the detection of contraband, such as drugs, alcohol and weapons, will be allowed within the secure perimeter of the facility. Canines trained solely in crowd control or to assist in physically subduing individuals will not be used in the facility.

Canines will generally be used to assist the staff in general physical plant or living area searches. Contact between inmates and canines should be kept to a minimum (see the Canines Policy).

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514.9 CRIMINAL EVIDENCE SEARCHES

The Jail Commander or the authorized designee should be notified, as soon as practicable, any time it is suspected that a crime has been committed in the facility or other area controlled by the facility staff, and there is a need to search for evidence related to the crime.

Any evidence collected in connection with an alleged crime shall be reported, documented and stored to protect it from contamination, loss or tampering, and to establish the appropriate chain of custody. A search for evidence may be conducted by staff whenever there is a need for such action.

Crimes committed within the facility should be reported to the operations division as soon as practicable if deemed necessary by a supervisor. The responding peace officer will be responsible for evidence collection and documentation when possible.

514.10 TRAINING

The Training Sergeant should provide training for staff in how to conduct pat-downs, modified strip searches and strip searches in a professional and respectful manner and in the least intrusive manner possible, consistent with facility security needs. This training should include cross-gender pat downs and searches, as well as searches of transgender and intersex inmates (28 CFR 115.15).

Attachments

Strip Search Forms (fillable).pdf

**NEVADA COUNTY
SHERIFF'S OFFICE**



SHANNAN MOON
SHERIFF / CORONER
PUBLIC ADMINISTRATOR

**STRIP SEARCH OR VISUAL BODY CAVITY SEARCH
INVENTORY**

CALIFORNIA PENAL CODE SECTION 4030

In accordance with California Penal Code Section 4030, the following information is provided.

Name of Officer(s) Conducting Search: _____

Sex of Officer(s) Conducting Search: _____

Date: _____ Time of Search: _____ Location of Search: _____

Name and Booking Number of Person Searched: BK# _____ Name: _____

Statement of results of search: _____

Property Inventory of Clothing: _____

Inventory of Contraband Found: _____

Disposition of Contraband: _____

Signature of Officer(s): _____

Body Scanner.pdf

NEVADA COUNTY SHERIFF'S OFFICE
Body Scanner and Radiation Information Sheet

YOU WILL RECEIVE RADIATION DURING A SECURITY SCREENING

Summary of Key Messages

- * People are exposed to ionizing radiation every day.
- * The ionizing radiation dose from the security screening process is much less than the average member of the public receives in one day from natural sources of radiation.
- * Exposure to ionizing radiation may increase an individual's risk of developing cancer later in life; however, at these very low doses the potential increase in risk is extremely small.

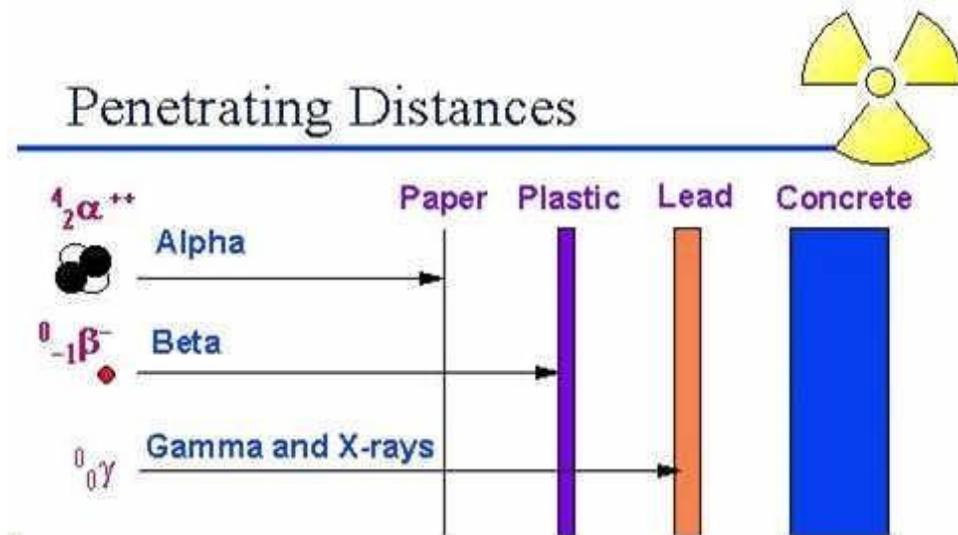
What is ionizing radiation?

Radiation is a form of energy. If radiation has sufficient energy to eject electrons from neighboring atoms, it is called ionizing radiation. This energy may be in the form of particles or electromagnetic waves.

What are the types of ionizing radiation?

The main forms of ionizing radiation are alpha particles, beta particles, gamma rays, and x-rays. This screening system uses x-ray.

Gamma and X-rays are electromagnetic waves (like radio waves and visible light, but more energetic). They are more penetrating than alpha and beta particles.



How may I be exposed to ionizing radiation?

Ionizing radiation is an everyday part of our environment. Low levels of radiation strike the earth in the form of cosmic rays and solar emissions. All soils contain naturally occurring uranium and thorium, which are radioactive. Uranium and thorium decay to produce radon, a radioactive gas that seeps from the soil into the air we breathe. Additionally, small amounts of radioactive material are found in our food supply and in many consumer products such as tobacco and smoke detectors. All of these sources of background radiation can vary widely depending on geographic location.

How much radiation do we typically receive?

Everyone receives some radiation dose every day. Most of this exposure comes from natural sources, but a portion comes from man-made sources, such as medical procedures.

Event	Cause	Dose (mRem)	Dose μ Sv	Every
Everyday exposures	Average US annual radiation dose	360	3,600	Year
Everyday exposures	Natural sources in the US	300	3,000	Year
Sleeping next to someone	Exposure comes from the naturally radioactive potassium in the other person's body	2	20	8 Hours
Living in a masonry home	Stone and brick have natural radioisotopes in them	7	70	Year
Living on the Earth	We are living in a sea of radon. It is made from the natural decay of uranium and thorium in the soil, left over from the creation of the solar system. Radon is a rare gas that diffuses out of soil and into the air. It contributes more than half of our background exposure.	200	2,000	Year
Air Travel	30,000 feet above the ground you're closer to the ionizing radiation from the sun.	0.5	5	Hour
Banana	Eating one banana (the dose is from the K-40)	0.01	0.1	One item
X-Ray - Dental	One scan	50	500	One scan
X-Ray - Chest	One scan	100	1,000	One scan
CAT Scan - Chest	One scan	600	6,000	One scan
Cosmic Radiation at Sea Level	(From outer space) Exposure depends on your elevation (how much air is above you to block radiation).	26	260	Year
Watching TV	3 hours daily	1	10	Year
NCRP Annual Dose Recommendation	NCRP recommends that members of the general public (including special groups such as pregnant women and children) receive less than 250 μ Sv (25mRem) effective dose per year from x-ray security screening.	25	250	Year
US Capitol Building	Dose from standing in front of the granite of the United States Capitol building.	85	850	Year
SOTER RS Scanner	One Scan	.15	1.5	One scan

Will this exposure to radiation make me radioactive?

No exposure to gamma rays or x-rays deposits energy in the body, but will not cause you to become radioactive.

Where can I get more information?

Environmental Protection Agency, Understanding Radiation
<http://www.epa.gov/radiation/understand/index.html>
 World Health Organization Ionizing Radiation Page
http://www.who.int/ionizing_radiation/en/
 NCRP Report No. 93, Ionizing Radiation Exposure of the Population of the United States <http://www.ncrppublications.org/>

Centers for Disease Control and Prevention Radiation Emergencies
 Page <http://www.bt.cdc.gov/radiation/emergencyfaq.asp>
 Health Physics Society fact sheets
<http://hps.org/publicinformation/radterms/>
 Food and Drug Administration, Radiological Health Program
<http://www.fda.gov/cdrh/radhealth/>

NEVADA COUNTY SHERIFF'S OFFICE

SOTER Pre-screening Questionnaire

Date: _____ Time: _____

Name of Person being Scanned: _____

Booking Number: ----- JMS PIN: -----

Gender: Male Female Other Other Identifying Number: _____

Screener: _____ OSN: -----

Prescreening Questions

- 1. Is the arrestee/inmate in a wheel chair? Yes No
- 2. Is the arrestee/inmate pregnant? Yes No
- 3. Has the inmate/offender undergone radiation or chemotherapy in the past 6 months? Yes No
- 4. Does the arrestee/inmate have a pacemaker? Yes No
- 5. Has the arrestee/inmate been provided a copy of this information sheet and questionnaire? Yes No
- 6. Has the arrestee/inmate been given an opportunity to have any concerns addressed? Yes No

Signature of Person being Scanned:

Signature of Screener:

Notes:

