

CIRCULAR



Title
Searches of Prisoners

Circular Number
CIR-03-15

Effective Date
October 29, 2003

Distribution
A

Related to
GO-PCA-502.01 (Transportation of Prisoners)

DISTRICT OF COLUMBIA

The purpose of this Circular is to remind members of the Metropolitan Police Department (MPD) of the provisions, outlined in GO-PCA-502.01 (Transportation of Prisoners) Section IV.B (Searches of Prisoners). In accordance with this directive members shall abide by specific procedures to ensure that strip searches are conducted legally and with minimal intrusion to the individual being searched. The Department recognizes that the use of strip 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 the Department's detention facilities. Members are reminded that such searches shall be conducted only with proper justification and authorization from an Assistant District Commander, with due recognition and deference for the human dignity of those being searched and in conjunction with the following procedural guidelines:

1. Whenever a member takes control of a subject whether for transporting or processing, he/she shall conduct a field search. It shall not be assumed that another member has searched the prisoner. (CALEA 71.1.1)

Note: A field search consists of the removal of coats, jackets or outer clothing to facilitate the search of these garments and those clothes the prisoner is wearing such as patting down the prisoner and reaching into and squeezing their pockets and any items within their possession such as handbags, pocket books, book bags, etc.

2. A "strip" or "squat" search shall be conducted only when the member has reason to suspect that weapons, contraband or evidence are concealed on the person or in the clothing in such a manner that employing a field search technique may not discover them. Suspicion may be formed on facts surrounding the crime or arrest, on the basis of information received about prisoner, or as a result of discoveries during the field search. These searches can be conducted only with the authorization of the Assistant District Commander and in a secure area. A sworn member of the same sex as the prisoner shall conduct the search in a private and secure area.

Note: A Strip Search consists of having a prisoner remove or arrange his/her clothing to allow a visual inspection of the genitals, buttocks, anus, breast and undergarments. A Squat Search consists of having a prisoner crouch or squat while their undergarments and other

clothing are removed, exposing the genital and anal area. This type of search permits contraband or other material concealed in the genital area to become visible or dislodged.

3. Under no circumstances shall members of this Department perform a "body cavity" search. When probable cause exists that a prisoner has weapons, contraband or evidence secreted in a body cavity, the Assistant District Commander can authorize this search. The search will be conducted at the D.C. General Hospital in a secure and private area, where only a physician can conduct the examination. A sworn member of the same sex as the prisoner shall be present to seize any evidence obtained.

Note: A Body Cavity Search is the searching of a prisoner's genital and/or anal cavities to retrieve contraband, weapons or evidence of a crime that may be concealed within these areas.

4. The arresting officer shall be responsible for recording the details of strip, squat and/or body searches of prisoners in a log that shall be maintained in the station. The information contained in the logbook shall include date, time, justification, search type, items recovered, members involved in the search, members witnessing the search, the name of the Assistant District Commander who authorized the search and when applicable, the name of the person notifying the Central Cellblock. The Assistant District Commander shall review this information for its accuracy.
5. When a body cavity, squat or strip search has been conducted on a prisoner, the station clerk is responsible for notifying members of Central Cellblock that the prisoner was searched and what type of search was conducted. A notation shall be recorded in the district logbook.
6. An inventory list of the personal property recovered from a prisoner during a search shall be recorded on the Property Book, PD Form 82. (See GO-SPT-601.01 Recording, Handling and Disposition of Property Coming Into Custody of the Department).

Members with questions or concerns regarding procedural guidelines for conducting searches of prisoners shall seek the assistance of an immediate supervisor.


Nola M. Joyce
Senior Executive Director
Office of Organizational Development