

**Lower Providence Township Police Department
Eagleville, Pennsylvania**

General Order ☒
Special Order ☐
Personnel Order ☐

ORDER NUMBER

701

Subject

Custody Search

Date of Issue

February 17, 2020

Effective Date

February 17, 2020

Expiration Date

**Until Amended or
Rescinded**

Issued by:

Michael Jackson, Chief of Police

Amends

Rescinds

All Previous Orders

Standard Number:

1.2.2/1.2.3 / 2.5.1 / 2.5.3

Distribution

- 1. General Order Manuals**
- 2. Records Manual**
- 3. Reading Verification to all Personnel**

I. PURPOSE

To provide guidelines to Lower Providence Township Police officers outlining reasonable causes and procedures for custody searches of arrested persons.

II. POLICY

Arrested persons will be searched incident to arrest by officers of the Lower Providence Township Police Department. Searches will be conducted in a reasonable manner based on reasonable suspicion. The extent and scope of the search will be governed by the totality of the circumstances and facts present at the time of the search. The search is intended to accomplish a legitimate police purpose and is not intended to be repulsive, demeaning, dehumanizing, or embarrassing.

III. DEFINITIONS

A. CUSTODY SEARCH

Custody exists when an officer places a suspect under arrest. Functionally equivalent situations exist when a "reasonable person," in the suspect's position, would feel their freedom has been restricted to the same degree as a formal arrest. A custody search is a legal warrantless search of a person suspected of committing a crime and is in custody. The search is conducted by the arresting officer prior to transporting suspects to a police facility. This initial search of the suspect is conducted for the safety of the police officer and the public as well as the suspect. Any contraband or weapons found during the custody search may be confiscated without a warrant if the officer has probable cause to make an arrest.

IV. REGULATION

- A. A custody search incident to arrest is lawful if and when the arrest is lawful. These searches are intended to:
1. Locate and remove any objects or property that may be used to compromise the security of the police facility.
 2. To seize any contraband or evidence of a crime which could be destroyed, lost, or stolen if not immediately seized.
- B. Custody searches may occur immediately at the arrest scene and/or upon arrival at the police department. Searches incident to arrest can range from pat-down searches to emptying pockets and clothing, to searching the area and possessions within the immediate reach of the person arrested. Strip and body cavity searches will be conducted in accordance with regulations set forth in the department's Strip and Body cavity Search policy.
1. Field Custody Searches Permitted immediately following arrest:
 - a. Conducted for the safety of officers and others in the immediate area.
 - b. Before transport in a police vehicle.
 - c. Before incarceration in a cell at the police station at the time of booking.
 2. Custody searches should be conducted by two officers, with one officer searching and one officer providing security.
 3. Prisoners should be kept off balance by placing them in a spread eagle position against a wall or other stationary object.
 4. Leather or rubber gloves should be worn by searching officers using extreme caution when placing their hands in areas that may contain sharp instruments.
 5. In searching the prisoner's person, the officer should follow a systematic approach beginning from the top of the head and working down to the soles of their feet.
 6. All items of clothing should be thoroughly checked as they are often used to hide weapons, illegal drugs and related contraband. Particular attention should be given to shoes, hats, and belts. Below the belt line, check the hips and buttocks as well as the groin area. The groin area and the buttocks are the least inspected areas of prisoners, in large measure because of the hesitancy of many officers to make contact of this type. Many streetwise prisoners are aware of this take advantage of the officer's natural hesitancy by hiding weapons or items in these areas.
 7. All weapons located during a custody search should be recorded on the incident report as well as the witnessing officer's name. Unlike strip and body cavity searches, any officer may perform a custody search on prisoners of either sex.

Michael Jackson

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Chief of Police