

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

General Order ☒
Special Order ☐
Personnel Order ☐

ORDER NUMBER

707

Subject

Strip and Body Cavity Searches

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Rescinded**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:

1.2.5

Distribution

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

I PURPOSE

It is the purpose of this policy to provide officers with guidelines for determining if and under what conditions the use of strip searches and body cavity searches are legally permissible and to establish guidelines for the appropriate conduct of such searches.

II POLICY

This 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; to detect and secure evidence of criminal activity and to safeguard the security, safety and related interests of this agency's prisoner detention and holding facilities or other facilities. Recognizing the intrusiveness of these searches on individual privacy, however, it is the policy of this department that such searches shall be conducted only with proper authority and justification, with due recognition and deference for the human dignity of those being searched and in accordance with the procedural guidelines for conducting such searches as set forth in this policy.

III DEFINITIONS

A. Strip Searches:

Any search of an individual requiring the removal or rearrangement of some or all clothing to permit the visual inspection of any or all skin surfaces including genital areas.

B. Body Cavity Search:

Any search involving not only visual inspection of skin surfaces but the internal physical examination of body cavities, and in some instances, organs such as the stomach cavity.

IV REGULATION

A. Strip Searches:

1. Individuals arrested for traffic violations and other minor offenses of a non-violent nature shall not be subject to strip searches unless the arresting officer has articulable, reasonable suspicion to believe that the individual is concealing contraband or weapons. Reasonable suspicion may be based upon, but is not limited to, one or more of the following criteria:
 - a. The nature and seriousness of the offense charged.
 - b. The arrestee's appearance and demeanor.
 - c. The circumstances surrounding arrest.
 - d. The arrestee's criminal record, particularly past crimes of violence, use of firearms or other weapons and narcotics offenses.
 - e. Physical resistance or violence towards officers.
 - f. Unusual, suspicious or nervous behavior exhibited by arrestee.
 - g. Detection of suspicious objects beneath the suspect's clothing during a field search incident to arrest.
 - h. Reason to believe the arrested person is a danger to himself or others.
2. Where articulable, reasonable suspicion exists to conduct a strip search, the arresting officer shall make a request for such action to the Shift Supervisor or Detective Sergeant that clearly defines the basis for suspicion. It shall be documented in the incident report that the supervisor either authorized or did not authorize the request for a strip search.
3. When authorized by the Shift Supervisor or Detective Sergeant, strip searches may be conducted only:
 - a. In conformance with approved hygienic procedures and professional practices;
 - b. In a cell or room specifically authorized by policy or procedure for this purpose;
 - i. The Chief of Police has identified the following locations as being locations where strip searches may be conducted:
 1. the restroom adjacent to the temporary holding bench area;
 2. a designated room in the Montgomery County Correctional Facility;
 - a. personnel of MCCF may conduct a strip search, in compliance with MCCF policy and procedure, at the request or direction of an officer of this department;
 3. where necessary, and not in a police or detention facility, any location that affords privacy and ensures the dignity of the individual being searched.
 - c. By the least number of personnel necessary and only by those of the same sex; and
 - d. Under conditions that provide privacy from all but those authorized to conduct a search.
4. When authorized to conduct a strip search, the arresting officer shall document in the Incident Report:
 - a. The identity and sex of all persons present during the strip search.
 - b. The identity of the officer that specifically conducted the strip search.
 - c. The specific location where the strip search was conducted and any measures to ensure privacy.

B. Body Cavity Searches:

1. Should visual examination of a suspect during a strip search and/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:
 - a. The officer shall consult with the Shift Supervisor or Detective Sergeant 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 and/or poses a threat to the safety of officers or others, and/or the security of the department's detention operations or of any other facility.
 - b. If probable cause exists for a body cavity search, a search warrant shall be prepared that

clearly defines the nature of the alleged offense and the basis for the officer's probable cause.

- c. On the basis of a search warrant, a body cavity search shall be performed only by a physician or by other medically trained personnel at the physician's direction.
- e. For safety and security reasons, the search shall be conducted at the Montgomery County Correctional Facility, in a room designated for this purpose. If a physician is not available at MCCF the prisoner may be transported to a local hospital or other medical facility.
- e. All visual monitoring devices will be deactivated for strip and body cavity searches.
- f. Two officers of the same sex as the prisoner should be present for the body cavity search. However, there may be occasions when this is impractical. The Shift Supervisor or Detective Sergeant should determine the most appropriate method of search when two officers of the same sex are not available.
- g. Body cavity searches shall be performed with due recognition of privacy and hygienic concerns previously addressed in this policy.
- h. The authorized individual conducting the search shall file a report with the Lower Providence Township Police Department. The witnessing officer or officers shall document the search either in an Incident Report or Supplemental Report, whichever is most applicable, to ensure the accurate memorialization of the search.

Michael Jackson

Michael Jackson
Chief of Police

