

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF JUVENILE JUSTICE SERVICES  
POLICY AND PROCEDURES

Policy No.: 05-02	Effective Date: 05/05/04	Revision Date: 07-30-15
Subject: Searches of Person, Room, State Vehicle		

**I. Policy Statement**

Recognizing the intrusiveness of searches on individual privacy, Division staff shall conduct searches only with proper justification, and with due recognition and deference for the dignity of those being searched. Searches will be conducted in accordance with procedural guidelines set forth in this policy and the search Matrix. Every effort shall be made to minimize the discomfort and embarrassment of the juvenile during a search. Strip searches will **never** be conducted in a group setting. A search shall **never** be performed to punish, harass or humiliate the juvenile being searched.

**II. Rationale**

The purpose for searches authorized through this policy is to discover and confiscate contraband. Searches shall be conducted in such a manner as to ensure safety and security, while preserving the dignity of the juveniles or visitors involved.

**III. Definitions**

- A. "Contraband" items are those for which possession by a juvenile is either illegal by federal or state law or prohibited by the policy of the Division or a particular Division facility or program. Contraband items include, but are not limited to: tobacco, illicit drugs, paraphernalia, alcoholic beverages, weapons, jewelry, money, electronic devices, cell phones, items capable of being used to effect an escape, or any item that might interfere with the treatment process.
- B. "Reasonable Suspicion" as used in this policy, is suspicion, based on specific and clearly articulated facts, that a particular juvenile is concealing contraband, and that a search is likely to result in the discovery of the contraband.
- C. "Wand search" is a search of a person who is fully clothed, by using a hand-held metal detector, sensor or scanner to detect metal objects.
- D. "Rub search" is a search of a juvenile conducted with the juvenile clothed, by using the searcher's hands to perform a quick but thorough search for contraband by "rubbing" the outer layer of clothing, and avoid making direct contact with the juvenile's skin. The juvenile shall be wearing at least one outer layer of clothing in addition to underwear.
- E. "Strip search" is a search of a juvenile in which the juvenile is required to remove all their clothing and expose all parts of their body to a *visual* search for contraband. The searcher conducts a careful *visual* examination of the nude

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juvenile, and a thorough visual and hand search of the juvenile's removed clothing. Staff shall not touch the juvenile during a strip search.

- F. "Body cavity search" is an intrusive search requiring physical probing of the vagina or anus, for the purpose of discovering contraband. **Body cavity searches are prohibited in Division facilities.** (Removal of an object by licensed medical personnel is not considered a body cavity search).
- G. "Room search" is a thorough visual and physical search of a juvenile's assigned room in either a Division facility or community placement, for the purpose of discovering contraband.
- H. "Search matrix" is the Division's reference guide that allocates permissible types of searches, based upon each facility, program or office function.
- I. "Secure area" of a correctional facility is the portion of that facility where the general population of juveniles congregates and engages in their daily activities, and which is not generally accessible to visitors. Contact visitation rooms shall not be considered a secure area of a correctional facility.
- J. "Community-based programs" are non-secure residential or nonresidential programs designated to supervise and rehabilitate juvenile offenders in the least restrictive setting, consistent with public safety, and designated or operated by the Division. Control and supervision of non-adjudicated juveniles placed with the Division for temporary services in receiving centers, youth services, and other programs established by the Division are also considered community-based placements.

#### IV. Procedures

Staff shall conduct all searches of persons, rooms, and state vehicles in accordance with the current crisis intervention training system, and in compliance with the Division's search matrix.

- A. When reasonable suspicion of the presence of contraband exists, staff shall use the least intrusive method of search likely to discover the contraband. Some factors which could be considered case-by-case to determine whether reasonable suspicion exists, include, but are not limited to:
  - 1. Statements by the juvenile or reports from other sources.
  - 2. Behavior of the juvenile, e.g., excessive nervousness, unusual conduct.

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3. Discovery of clues in earlier less intrusive searches, indicating the likely presence of contraband
4. Obvious drug use or intoxication.
5. Evasive or contradictory answers to questions.

B. Wand search

1. Staff may conduct a wand search of a juvenile at any time. Staff may conduct a wand search of a visitor prior to entry into a Division facility.
2. When conducting a wand search, a staff member shall use a hand-held metal detector, sensor or scanner to scan the entire body of the juvenile or visitor.
3. Staff shall not make physical contact with the searched individual during the search.
4. If the metal detector sounds, staff shall instruct the searched person to remove any metal objects and then staff shall repeat the scan.
5. In the event that a juvenile is found with contraband, staff shall confiscate the contraband and complete an incident report in accordance with the Division Incident Report Policy 05-15.
6. In the event that a visitor is found with contraband which is not illegal, staff shall ask the visitor to take the contraband to their car or secure it in the lockers provided, and once the contraband is so secured, shall allow the visitation. If the contraband found on the visitor is *illegal*, staff shall deny the visitation, call law enforcement to report the incident, and document the incident in an incident report.

C. Rub search

1. Staff may conduct a rub search of a juvenile when (a) a juvenile is being admitted to detention, (b) is returning from any visit, vocational program, or work crew, (c) prior to a secure transport, and/or (d) when there is reasonable suspicion that a juvenile may be in possession of contraband. A wand search may also be conducted in conjunction with conducting a rub search.
2. When conducting a rub search, staff shall be sensitive to the discomfort or embarrassment of the juvenile and do so with the utmost respect.

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3. A rub search shall be conducted while the juvenile is wearing at least one outer layer of clothing (in addition to underwear).
4. Cross-gender rub searches are permissible only when a search is required and there is no other staff of the same gender available, and only with a witness (Division staff, allied agencies, law enforcement, or facility video and audio surveillance) present to observe the search.
5. A juvenile who expresses concerns about being touched in the process of a rub search may request to have a strip search conducted instead of a rub search. Staff shall be sensitive to and accommodate such requests to prevent trauma and/or re-victimization.
6. Staff shall maintain professional communication during the rub search and avoid conversation that distracts staff. Staff shall not allow personal embarrassment to compromise a complete and thorough search.
7. Staff shall ask the juvenile to remove all personal belongings other than the outer layer of clothing, and staff shall conduct a visual and hand search of such belongings (e.g., wallet, keys, money, jewelry, belt, hat, shoes, etc).
8. Staff shall ask the juvenile to face away from the staff and assume a safety position as trained by the current crisis intervention training.
9. Staff shall conduct a thorough rub search from the head to the feet of the juvenile. This is a clothing search and staff shall avoid contact with the skin. Staff shall conduct a thorough search of ;
  - a. Hair and/or wig;
  - b. Head: mouth, ears, and nostrils. Simply visually observe, do not touch these areas of the juvenile's body.
  - c. Neck: shirt collars.
  - d. Hands: examine hands, fingers spread and extended.
  - e. Arms: inside and out from the armpits to cuffs.
  - f. Chest and abdomen: shirt pockets, seams, under bra band, straps, metal push-up wires.
  - g. Waistline: back of belts and belt buckles.
  - h. Shoulder blades & middle of the back to the waist: search sides and seams, be careful to check for blades taped to flat areas or sewn into seams.
  - i. Abdomen: front pockets, seams, hips, back pockets, groin area, vertical seams.
  - j. Legs: pockets, outside and inside of legs, cuffs.
  - k. Feet: instruct the juvenile to remove shoes and socks, check inside lining, sole and heel, turn socks inside out. Check the bottom of both feet.

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D. Strip search

1. Staff *shall* conduct a strip search on every juvenile admitted to a *secure care* facility.
2. Staff *shall* conduct a strip search on a juvenile who is being admitted to a *detention* facility when the following conditions exist:
  - a. The juvenile is in Division custody.
  - b. The juvenile is brought in by law enforcement for a drug related offense and/or currently under the influence of alcohol or a controlled substance.
  - c. The juvenile is being admitted for a weapons offense.
3. Staff *may* conduct a strip search of a juvenile being admitted to or already placed in a detention facility when the juvenile does not meet the above criteria (Section D- 2), but there is reasonable suspicion that the juvenile may be concealing contraband that could not be detected by a rub search or hand-held metal detector.
4. Strip searches shall not be conducted outside of a Division facility. Strip searches are not allowed in any community based programs/placements except for Observation & Assessment and residential work programs.
5. Staff in Observation & Assessment and residential work programs may strip search only when there is reasonable suspicion of the presence of contraband. Secure care facilities and detention centers are the only facilities allowed to conduct a strip search based on *either* admission *or* a reasonable suspicion of contraband.
6. Staff shall explain the strip search process to the juvenile in an appropriate and professional manner. Every effort shall be made to minimize the discomfort and embarrassment of the juvenile during a strip search.
7. A strip search shall never be performed to punish, harass or humiliate the juvenile being searched.
8. Same gender staff shall perform strip searches (cross-gender strip searches are not permitted). Strip searches shall be conducted in the presence of two staff or one staff with another staff monitoring via security video surveillance with audio. If surveillance is used, staff conducting the search shall be in camera view and the juvenile being searched shall not be in camera view.
9. Staff shall complete the Division's "Strip Search Checklist" form, 05-02 A for all strip searches. Staff shall indicate the purpose of the strip search and

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complete a statement of reasonable suspicion if the justification for the search is other than admission into a secure care facility or a detention facility.

10. Prior to the juvenile removing his/her clothing, staff shall visually examine the head: including hair for lice, nose, ears, and mouth. Look under the tongue and around teeth.
11. Staff shall respectfully instruct the juvenile to remove their clothing and then staff shall perform a thorough search of the removed clothing.
  - a. Turn the shirt inside out: check seams, cuffs, collars and pockets.
  - b. Shoes and socks: check sole and heel, examine inside foot and turn socks inside out.
  - c. Pants: turn inside out, examine waistband, cuffs, seams and pockets.
  - d. Underwear: turn inside out, check waistband and seams.
12. Staff shall conduct a thorough visual search of the juvenile (with clothing removed) and avoid physical contact with the juvenile's body.
  - a. Arms and shoulders: Require the juvenile to raise arms and check arm pits and breasts. Look for needle tracks or evidence of previous suicide attempts, personal injuries or other abnormalities. Examine hands with fingers spread and extended.
  - b. Legs and feet: Check inside the legs and bottom of the feet and in between the toes.
  - c. Bandages and casts: Examine any prostheses or false teeth. If staff have questions, they shall request assistance from the facility medical personnel or other qualified medical personnel.
  - d. Groin and buttocks:
    - i. Examination of areas difficult to see shall be conducted by instructing the juvenile to reposition to make that portion of the body visible.
    - ii. Instruct the juvenile to squat down and then return to standing position. Instruct the juvenile to bend over and spread the cheeks of the buttocks. If a female is wearing a sanitary napkin, instruct her to remove it and issue a new one.
    - iii. If an object is seen protruding from the anus or vagina, or the juvenile reports the presence of an object in such area, staff shall not retrieve the object. Staff shall contact supervisor or APD and then call trained and licensed medical personnel. Medical shall make the determination if the object can be removed safely and if it cannot be removed safely and/or if medical is not available, staff shall call 911 for assistance. Staff shall calmly instruct the juvenile to lay on their side and call on the radio for a blanket to provide cover and preserve the dignity of the juvenile while awaiting assistance. Staff shall document the incident.

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E. Body cavity search

Body cavity searches are prohibited at any Division facility.

F. Personal Property Search

Staff shall conduct a thorough search of all personal property that accompanies a juvenile at the time of admission into a Division facility or residential program, regardless of the prior placement. Staff shall search purses, wallets, clothing, bags, crutches, slings, casts, and any other property that may conceal contraband. Staff shall inventory the incoming property and document it on an inventory form in accordance with Division Policy 04-05 Juvenile Property Control. When a contraband item which is illegal is found, staff shall temporarily secure the item as potential evidence in accordance with Division Policy 05-09, Evidence, and complete an incident report in accordance with Division Policy 05-15, Incident Reports.

G. Room search

Staff shall perform a thorough visual and physical search of a juvenile's assigned room (when required and as described in facility/program Operations Manuals), whether in a facility, community placement, or home.

1. Staff shall conduct room searches with two staff when possible, or one staff and a witness (proctor parent, tracker, etc.), in community placement or home.
2. Staff shall conduct regular and random room searches in Division facilities and send quarterly documentation of these searches to the facility APD.
3. All room searches shall be conducted in a systematic manner with respect to the juvenile's property. The room shall be left in the condition it was found. Items which are not contraband shall not be intentionally damaged or destroyed.
4. Contraband found during the search will be confiscated, the chain of evidence maintained, and the required documentation of the incident shall be recorded.

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H. Vehicle search

A thorough visual and physical search of a State vehicle shall be conducted before and after transporting a juvenile, to remove any contraband (particularly any items that could be used as a weapon or to effect an escape), in accordance with the Division's Transportation Policy 05-04.

I. Search Matrix

This matrix is designed to inform staff at Division programs which types (level) of person searches is available to them. Please refer to the full written Policy and Procedures for clarification of what each search entails.

Correctional Facilities	Type of Person Search Allowed			
	Wand Search	Rub Search	Strip Search	Cavity Search
Secure Facilities	Yes	Yes	Yes	NO
Detention Centers	Yes	Yes	Yes	NO

\*Strip searches are to be conducted within the appropriate Division facility. Strip searches are never to be conducted outside of a facility.

Community-Based Programs	Type of Person Search Allowed			
	Wand Search	Rub Search	Strip Search	Cavity Search
O&As/ Community Placement EIPs	Yes	Yes	With Reasonable Suspicion	NO
Residential Work Programs	Yes	Yes	With Reasonable Suspicion	NO
Transition/Unique Programs	Yes	Yes	NO	NO
Receiving Centers	Yes	Yes	NO	NO
Diversion Programs	Yes	Yes	NO	NO
Youth Services	Yes	Yes	NO	NO
Shelter/non-secure beds	Yes	Yes	NO	NO

Below, is a listing of all Division programs organized by function (e.g., community programs, correctional facilities, early intervention, and rural programs). If you are unsure where your program fits in the above matrix, please refer to this list.

Office of Community Programs	
<b>Case Management</b> <ul style="list-style-type: none"> <li>• In-Community Services</li> </ul>	<b>Transition/Unique Programs</b> <ul style="list-style-type: none"> <li>• Ogden EIP</li> <li>• Genesis Work Program</li> </ul>

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<b>Office of Correctional Facilities</b>	
<p style="text-align: center;"><b>Secure Facilities</b></p> <ul style="list-style-type: none"> <li>• Decker Lake Youth Center</li> <li>• Mill Creek Youth Center</li> <li>• Slate Canyon Youth Center</li> <li>• Wasatch Youth Center</li> </ul>	<p style="text-align: center;"><b>Transitional Support Services</b></p> <p>Supervision and support for youth in the community.</p>

<b>Office of Early Intervention</b>	
<p style="text-align: center;"><b>Diversion</b></p> <ul style="list-style-type: none"> <li>• Davis Area Youth Center</li> <li>• Home Detention</li> <li>• Lightning Peak</li> <li>• Salt Lake Early Intervention</li> </ul>	<p style="text-align: center;"><b>Receiving Centers</b></p> <ul style="list-style-type: none"> <li>• Archway Youth Services</li> <li>• Davis Youth Services</li> </ul>
<p style="text-align: center;"><b>Observation and Assessment</b></p> <ul style="list-style-type: none"> <li>• Ogden O&amp;A</li> <li>• Ogden In-Home</li> <li>• Salt Lake O&amp;A</li> <li>• Springville O&amp;A</li> </ul>	<p style="text-align: center;"><b>Detention Centers</b></p> <ul style="list-style-type: none"> <li>• Weber Valley Detention</li> <li>• Farmington Bay Youth Center</li> <li>• Salt Lake Valley Detention</li> <li>• Slate Canyon Detention</li> </ul>
<p style="text-align: center;"><b>Youth Services</b></p> <ul style="list-style-type: none"> <li>• Archway Youth Services</li> <li>• Davis Youth Services</li> </ul>	

<b>Office of Rural Programs</b>										
<b>Multi-use Program</b>	<b>Functions</b>									
	DT	SF	HD	OA	RC	DV	SH	SS	WC	YS
Box Elder JJS										√
Cache Valley Youth Center	√		√	√	√		√			√
Canyonlands Youth Center	√				√		√			√
Castle Country Youth Center	√				√					√
Central Utah Youth Center	√			√	√		√			√
Dixie Area Detention	√								√	
Duchesne County Youth Services			√							√
Iron County Youth Center					√		√			√
Southwest Utah Youth Center	√	√	√							
Split Mountain Youth Center	√		√	√	√					√
Washington Co. Youth Crisis Center			√		√		√			√

DT: Detention SF: Secure Facility HD: Home Detention DV: Diversion OA: Observation & Assessment  
RC: Receiving Center SH: Shelter SS: State Supervision WC: Work Camp YS: Youth Services

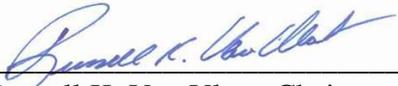
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**V. Continuous Renewal**

This policy shall be reviewed every three (3) years to determine its effectiveness and appropriateness. This policy may be reviewed before that time to reflect substantive change.

This policy has been reviewed by the Board of Juvenile Justice Services and is approved upon the signature of the Director.

  
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Russell K. Van Vleet, Chair  
Board of Juvenile Justice Services

07-30-15  
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Signature Date

  
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Susan V. Burke, Director  
Division of Juvenile Justice Services

07-30-15  
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Signature Date