

HAVERFORD TOWNSHIP POLICE DEPARTMENT OPERATIONS MANUAL



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Accreditation Index 1.2.5		Rescinds: Directive # 1.2.5 of January 2024
Chapter: One – Organization & Management Role		Section: Two – Limits of Authority
Chief of Police: <i>John F. Viola</i>		

SUBJECT: STRIP AND/OR BODY CAVITY SEARCHES

I. PURPOSE

The purpose of this Directive is to provide officers with guidelines for determining if and under what conditions the use of strip searches and body cavity searches are 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 prisoner(s); to detect and secure evidence of criminal activity and to safeguard the security, safety and related interests of the Department’s prisoner detention and holding 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 the 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

Strip Search – Any search of an individual requiring the removal or rearrangement of some or all clothing to permit the visual inspection of genital areas, buttocks, anus, or female breasts.

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. PROCEDURES

A. Strip Searches

1. Individuals arrested for traffic violations and other minor offenses of a nonviolent 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 not limited to, one or more of the following criteria:

- a. the nature of the offense charged
- b. the arrestee's appearance and demeanor
- c. the circumstances surrounding the arrest
- d. the arrestee's criminal record, particularly past crimes of violence and narcotics offenses.
- e. the discovery of evidence of a major offense in plain view or in the course of a search incident to the arrest.
- f. detection of suspicious objects beneath the suspect's clothing during a field search incident to arrest.

2. Field strip searches of prisoners shall be conducted only in the rarest of circumstances under exigent circumstances where the life of officers or others may be placed at risk, and only with the explicit approval of a supervisory officer.
(PLEAC 1.2.5 a)

3. Where articulable, reasonable suspicion exists to conduct a strip search, the arresting officer shall request a supervisor or other designated authority for permission to proceed with the search. The supervisor should review the basis of the officer's reasonable suspicion and ensure the criteria for a strip search have been met.
(PLEAC 1.2.5 a)

4. When authorized by the supervising authority, strip searches may be conducted only:

- a. by designated personnel;
- b. in conformance with approved hygienic procedures and professional practices;
- c. by the least number of personnel necessary and only by same gender officers; and
- d. under conditions that provide privacy from all but those authorized to conduct the search.
(PLEAC 1.2.5 b)

e. Privacy provisions regarding video recordings

- i. CCTV cameras and BWCs will be activated during searches.
- ii. During strip searches, all remote-access CCTV monitors will be turned off to ensure privacy.
- iii. The CCTV camera itself may continue to record for documentation purposes.
- iv. Footage from BWCs and CCTV recordings of strip searches will be restricted.
- v. Access to this footage is limited to personnel directly involved in the incident or their supervisors, and only for necessary investigative or evidentiary purposes.
- vi. Prior to any public release, visual footage must be redacted with a privacy screen. This redaction is to ensure the subject's dignity is maintained, and only relevant parts of the footage are made available.
(PLEAC 1.2.5 c)

5. Juveniles

- a. Strip searches of juveniles are prohibited except when all of the following conditions are met:
 - i. The juvenile is in custody;
 - ii. There is reasonable suspicion that the juvenile possesses or has immediate access to an implement that poses a threat of imminent bodily harm to themselves or others;
 - iii. All other less intrusive methods of discovering and removing the implement have been exhausted, including the use of alternative search techniques that can be performed while the juvenile is fully clothed; and
 - iv. The juvenile has been given notice, in a manner that is consistent with the juvenile's primary language and developmental stage, and that takes into account accommodations for disability, that they will be searched. Additionally, they are given the chance to voluntarily reveal any items they are carrying as an alternative to undergoing a search.

6. Following a strip search, the officer performing the search shall complete the Strip and Body Cavity Search form.

B. Body Cavity Searches

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:

1. The officer shall consult with his immediate supervisor 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.
2. If probable cause exists for a body cavity search, an affidavit for a search warrant shall be prepared that clearly defines the nature of the alleged offense and the basis for the officer's probable cause.
3. On the basis of a search warrant, a body cavity search shall be performed only by an authorized physician or by other medically trained personnel at the physician's direction.
4. Search warrants must be approved by a representative of the District Attorney.
(PLEAC 1.2.5 a)
5. For safety and security reasons, a designated officer or matron will witness the search.
(PLEAC 1.2.5 b)
6. Body cavity searches shall only be conducted in the presence of those officers who are of the same sex as the person being searched.
(PLEAC 1.2.5 b)
7. Body cavity searches of juveniles are prohibited unless exigent circumstances exist.
8. Following the search, the officer of the search shall complete the Strip and Body Cavity Search form.
(PLEAC 1.2.5 c)

C. Visual Inspection of the mouth

1. Nothing in this directive is meant to restrict a cursory visual inspection of the mouth.

BY ORDER OF THE CHIEF OF POLICE