



Clayton County Police Department

PROCEDURES

Subject STRIP & BODY CAVITY SEARCHES		Procedure # D20	
Authorizing Signature 	Effective 03-02-2026	<input type="checkbox"/> New <input checked="" type="checkbox"/> Amended <input type="checkbox"/> Rescinds	Total Pages 6

I. PURPOSE

It is the purpose of this policy to establish clear and consistent guidelines regarding strip and body cavity searches of individuals in custody. The use of strip searches and/or body cavity searches may, under certain conditions, be necessary to protect the safety of officers, the public and the offender, and to detect and secure evidence of a crime.

II. POLICY

The Clayton County Police Department (CCPD) recognizes the intrusiveness of strip and body cavity searches to individual privacy. Therefore, it is the policy of this Department that such searches shall be conducted only with proper authority and justification, with due recognition for the human dignity of those being searched, and in accordance with the procedural guidelines set forth in this policy. This policy does not address inspections of subjects who have been relinquished to other agencies.

III. DEFINITIONS

Body Cavity Search: Any search involving the physical or visual examination of a person’s internal, genital, or anal cavities. It may, in some instances, include internal organs, such as the stomach cavity.

Gender-Nonconforming: A broad term referring to people who do not behave in a way that conforms to the traditional expectations of their gender, or whose gender expression does not fit neatly into a category. Related terms include genderqueer, nonbinary, androgynous, and gender-variant.

Intersex: A general term used to describe a variety of conditions in which a person is born with a variation in sex characteristics, including chromosomes, reproductive anatomy and/or or genitals, and therefore cannot be distinctly identified as male or female. For example, a person may be born with genitalia that appear female, but with internal anatomy that is predominantly male. Being intersex is different from being transgender; the term “intersex” is not synonymous with the term “transgender”.

Strip Search: Any search of an individual requiring them to remove or rearrange some or all of their clothing to permit the visual inspection of skin surfaces, specifically the buttocks, genital/groin area, and/or breasts.

Transgender: An umbrella term for people whose gender identity or expression is different from cultural expectations associated with their assigned sex at birth. “Trans” is shorthand for “transgender.” Transgender is an adjective, not a noun; thus, “transgender people” is appropriate but “transgenders” is disrespectful. Being transgender does not imply any specific sexual orientation; therefore, transgender people may identify as straight, gay, lesbian, bisexual, etc.

IV. PROCEDURES

- A. When any person is taken into the custody by an officer, that individual must be thoroughly searched for weapons, contraband, or items that might aid an escape.
- B. As in all situations, the officer taking a person into custody must consider certain factors when deciding the scope of a search.
 - 1. These factors include, but are not limited to:
 - a. The sex and age of the person in custody;
 - b. The sex of the officer conducting the search;
 - c. The crime with which the person is charged;
 - d. The person's disposition toward violence;
 - e. The urgency of the situation or the presence of a crowd;
 - f. The conditions of the area where the person is taken into custody; and
 - g. The physical condition of the person in custody.
 - 2. Factors that shall not be considered include:
 - a. An officer's statement that a person in custody has already been searched;
 - b. The fact that the person was previously in the custody of another officer or; and
 - c. The fact that the current officer personally witnessed the person being searched by another individual.
- C. All persons arrested shall be searched at the scene of the arrest. These searches should be conducted by persons of the same sex as the person arrested, whenever practical. If searching someone of the opposite sex, it is recommended that another officer be present. When searching, officers shall be aware of proper hygiene procedures, to include the use of personal protective equipment (e.g., gloves, masks, etc.). Nothing in this section is intended to preclude officers from conducting searches that are authorized by Department policy, State law, and consistent with officer safety.

D. Search Incident to a Lawful Arrest

The type of search conducted is dependent upon the situation surrounding the detention or arrest. A recognized exception to the search warrant requirement is a search incident to a lawful arrest. This exception permits an officer to perform a warrantless search during or immediately after a lawful arrest. The reason for the search is to remove any weapons the arrestee may use to resist or escape, and to seize evidence to prevent its concealment or destruction. During the retrieval of weapons or contraband, the officer shall make every effort not to expose the arrestee's undergarments, buttocks, anus, genitals, or breasts.

- 1. All items in the offender's possession must be thoroughly examined.
- 2. Any weapon, contraband, or any other item of evidentiary value shall be removed from the offender and processed in accordance with CCPD SOP: *E3: Evidence & Property Control*.

E. Strip Search

- 1. A strip search incident to a lawful arrest shall be conducted only when properly authorized by a supervisor and only in the event that there is reasonable articulable suspicion that the offender is concealing a weapon, evidence, or contraband.

The following does not constitute a strip search:

- a. The removal or rearranging of clothing reasonably required to render medical treatment or assistance.

- b. The removal of articles of outer clothing, such as coats, ties, belts, or shoelaces.
 - c. The removal of a weapon or contraband during a lawful frisk or pat-down (Terry frisk) or during a search incident to arrest, even if retrieving such items involves rearranging clothing to permit the inspection of a person's undergarments.
2. The arresting officer shall request permission from a supervisor prior to conducting a strip search. When seeking approval, the officer must clearly outline and document the specific reasons for requesting the search. This includes:
 - a. The characteristics of the offender to be searched that substantiate the reasonable suspicion or probable cause (e.g., nervousness, indications of drug use, etc.); and
 - b. Any details regarding the offender that may affect how the search is conducted (e.g., medical devices, pregnancy).

If there is a perceived overriding need for a strip search, a supervisor shall approve the officer's request.

3. This type of search is most appropriately conducted by the Clayton County Sheriff's Office (CCSO), as they possess appropriate facilities and trained personnel. Strip searches must be conducted in private, away from unauthorized persons and video surveillance, to protect the dignity and privacy of the individual. Only in the rarest of instances, where the safety of officers or others is clearly at imminent risk and where other reasonable alternatives are not readily available, should a strip search be performed outside of a police/detention or medical facility. The CCSO establishes policy for conducting strip searches inside the Clayton County Jail.
4. The vast majority of strip searches will be conducted by officers of the same gender as the offender being searched. Two (2) officers shall be present during the search. Should the offender pose a risk to the safety of the two officers conducting the search, additional officers should be utilized. Absent exigent circumstances, only persons of the same gender as the offender are permitted to perform or witness a strip search.

Transgender, Intersex and Gender Non-Conforming (TIGN) offenders have the right to indicate their preference to be searched by either a male or female officer. If a TIGN offender's search preference can be accommodated reasonably and expeditiously, without risk to officer safety, the request should be granted.

Under exigent circumstances, including but not limited to the existence of reasonable suspicion of imminent threat of bodily harm or escape, any officer may conduct a search of any offender, regardless of the gender identity/expression of the offender, officer, supervisor, or intake officer.

5. All officers present shall be aware of proper hygiene procedures when conducting a strip search, including the use of personal protective equipment (such as gloves, masks, and in more extreme cases, protective coveralls) to prevent biological contamination. Any recovered evidence shall be processed and handled in accordance with Department policy regarding biological material collection. Prior to conducting the search, officers may ask the offender if they have any communicable diseases or other medical conditions that may affect the search.
6. Officers shall not touch the offender while they are being strip searched unless necessary to remove a weapon, evidence, or contraband, or for officer safety purposes.
7. Juveniles will not be subjected to strip searches without prior approval of a juvenile court judge or juvenile intake officer, or pursuant to a search warrant.
8. All officers present during a strip search shall conduct themselves in a professional manner. Officers conducting strip searches shall perform the search in a manner that minimizes the embarrassment and discomfort of the offender. Officers shall not use any words, terms,

phrases, or hand gestures to embarrass, humiliate, demean, or criticize the offender or any parts of the offender's body.

9. Reporting/Documentation

- a. The arresting officer will complete an *Incident Report* or *Incident Supplemental Report* detailing the circumstances of the strip search. All strip searches will be thoroughly documented, to include the following information:
 - 1) All information concerning the arrest of the offender.
 - 2) The probable cause justifying the strip search.
 - 3) The name of the supervisor approving the strip search.
 - 4) The name of all officers who were present during the strip search.
 - 5) The location of the search, including steps taken to protect privacy.
 - 6) The location on the body and a detailed description of any weapon, evidence or contraband that was found or recovered.
 - 7) Any problems encountered or complaints made.
- b. All officers witnessing a strip search and the supervisor approving the strip search will complete an *Incident Supplemental Report*.
- c. If force was used against the offender, all appropriate documents will be completed in accordance to with CCPD SOP: *A5: Use of Force*.
- d. In the event that evidence or information disclosed during the search leads the officer to believe a body cavity search is warranted, the nature of that evidence shall be included in the report, along with recommendation for further action. This level of additional intrusion often requires judicial review, approval, and the presence of medical professionals.

F. Body Cavity Search

Searches incident to arrest and strip searches are often the primary means of establishing the probable cause necessary for conducting a subsequent body cavity search.

1. Body cavity searches are typically prohibited without a search warrant unless there is probable cause or the exigent circumstances to believe that a person who has been arrested is concealing a weapon, evidence, or other contraband. A cursory visual inspection of the mouth is not considered a body cavity search.
2. When reasonable articulable suspicion exists for a body cavity search, an officer shall:
 - a. Notify their supervisor of the facts forming probable cause for the body cavity search and the importance of recovering the weapon, evidence, or contraband; and request permission to seek a search warrant.
 - b. When approved by a supervisor, the officer shall complete a search warrant affidavit and submit it to their supervisor for review and/or approval.
 - c. Upon approval of the search warrant application by the supervisor, the officer will present it to the appropriate judicial officer.
 - d. Upon a judicial officer signing the search warrant, it is the responsibility of the officer to execute the warrant.
3. When a search warrant is obtained, the officer must advise the offender that a judicial officer has authorized a body cavity search. If practicable, the officer shall display the warrant to the offender and allow them to read it. If displaying the warrant is not practical, the officer shall read to the offender the portion of the warrant authorizing the search and the specific limits of that search to the offender.

4. Body cavity searches shall be performed only in an authorized facility and in a room designated for this purpose. Searches must be conducted in a secure area with sufficient privacy to ensure the search is not observed by persons not directly involved. Unauthorized video recording devices in the search area shall be turned off. This does not apply to any recording devices used by medical personnel for the purpose of documenting the procedures as a part of a medical record.
5. Body cavity searches shall be conducted only by a medical professional, such as a physician, a registered nurse, or a licensed practical nurse, who is knowledgeable about body cavity search procedures and has the requisite equipment and training. Trained medical personnel are better equipped to conform to hygienic requirements, may prevent harm or injury while performing the search, and have a greater likelihood of detecting medical conditions or limitations that would influence the search.
6. On most occasions, two (2) officers of the same gender as the offender shall be present during the medical examination to provide security for the medical personnel and to document any evidence that may be found and recovered. Should the offender pose a risk to the safety of the medical personnel or the two witnessing officers, additional officers shall be utilized. Absent exigent circumstances, only persons of the same gender as the offender are permitted to perform or witness a body cavity search.

Transgender, Intersex and Gender Non-Conforming (TIGN) offenders have the right to indicate their preference to be searched by either a male or female medical professional. If a TIGN offender's search preference can be accommodated reasonably and expeditiously, without risk to officer safety, the request should be granted.

Under exigent circumstances, including but not limited to the existence of reasonable suspicion of imminent threat of bodily harm or escape, any officer may conduct a search of any offender, regardless of the gender identity/expression of the offender, officer, supervisor, or intake officer.

7. All officers present shall be aware of proper hygiene procedures when conducting a body cavity search, including the use of personal protective equipment such as gloves, masks, and in more extreme cases, protective coveralls to prevent biological contamination. Any recovered evidence shall be processed and handled in accordance with Department policy regarding biological material collection. Prior to conducting the search, officers may ask the offender if they have any communicable diseases or other medical conditions that may affect the search.
8. Officers shall not touch the offender during a body cavity search unless it is necessary to remove a weapon, evidence or contraband, or when it is necessary for officer safety purposes.
9. Juveniles will not be subjected to a body cavity search without prior approval of a juvenile court judge, juvenile intake officer, or pursuant to a search warrant.
10. All officers present during a body cavity search shall conduct themselves in a professional manner. Officers shall not use any words, terms, phrases, or hand gestures to embarrass, humiliate, demean, or criticize the offender or any parts of the offender's body.
11. Reporting/Documentation
 - a. The arresting officer will complete an *Incident Report* or *Incident Supplemental Report* detailing the circumstances of the body cavity search. All body cavity searches shall be thoroughly documented, to include the following information:
 - 1) All information concerning the offender's arrest.
 - 2) The name of the supervisor authorizing the search.

- 3) The names of the officers who were present during the search and the names of the officers witnessing the recovery of weapons, evidence, or contraband (or any other item, if applicable).
 - 4) The names of the physician, registered nurse, or licensed practical nurse performing the search and any other medical personnel who were present, including how they were involved in the examination and recovery of the weapon, evidence, or contraband (or any other item), that was recovered during the search.
 - 5) The location within the offender's body and the description of the weapon, evidence, or contraband (or any other item) that was recovered and/or found during the search.
 - 6) Any problems encountered or complaints made.
- b. All officers witnessing a body cavity search and the supervisor approving the body cavity search shall complete an *Incident Supplemental Report*.
 - c. If force was used against the offender, all appropriate documents shall be completed in accordance with CCPD SOP: *A5: Use of Force*.

V. REVIEW

This policy shall be reviewed periodically to ensure it remains in compliance and to determine if any additional training or changes to policy or procedures are necessary.

VI. CANCELLATION

This procedure amends and supersedes the following standard operating procedure: *D20: Strip & Body Cavity Searches*, dated August 13, 2021.