

WOONSOCKET POLICE DEPARTMENT

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CHIEF OF POLICE



TYPE OF ORDER	NUMBER/SERIES	ISSUE DATE	EFFECTIVE DATE
General Order	370.00	7/2/2024	7/2/2024
SUBJECT		PREVIOUSLY ISSUED DATES	
Strip & Body Cavity Searches		7/17/2019, 11/1/2013	
ACCREDITATION		RE-EVALUATION DATE	
CALEA Standards: 1.2.8 RIPAC Standards: 2.7		6/7/2021	
INDEX		DISTRIBUTION	
Prisoner Handling		Sworn Personnel	

STRIP AND BODY CAVITY SEARCHES

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

The Woonsocket Police 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 the department's prisoner detention and holding facilities. Therefore, these procedures shall be equally applicable to both adult and juvenile detainees.

RI 2.7(c)

While recognizing the intrusiveness of these searches on individual privacy however, it is the policy of the 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 following the procedural guidelines for conducting such searches as outlined 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 the genital area, buttocks, and/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

RI 2.7(a)

1. Individuals arrested for traffic violations or any criminal offense shall not be subjected 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 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 during a search incident to the arrest.
 - f. Detection of suspicious objects beneath the suspect's clothing during a field search incident to arrest.
2. When articulable, reasonable suspicion exists to conduct a strip search, the arresting officer shall make a verbal request for such action to the Officer-in-Charge (OIC) or supervisor that clearly defines the basis for suspicion.
 - a. When authorized by the OIC or supervisor, strip searches may be conducted only in the following manner:
 - 1) By sworn department personnel.
 - 2) In conformance with approved hygienic procedures and professional practices.

- 3) In the designated Strip Search Area, the shower stall in the detention facility. Strip searches shall not be conducted within view of CCTV cameras.
- 4) By the least number of personnel necessary and only by those of the same sex as the suspect/prisoner.
- 5) Under conditions that provide privacy for all but those authorized to conduct the search.

3. 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.

RI 2.7(b)

B. TRANSGENDER / GENDER IDENTITY / GENDER EXPRESSION CONSIDERATIONS

1. Some detainees that come into our custody may be transgender or gender non-conforming, meaning that the gender they were assigned at birth does not match their current gender identity and/or that they do not identify with the binary gender (i.e. male or female). Furthermore, a detainee's gender expression (the external appearance of one's gender identity, usually expressed through behavior, clothing, haircut, and/or voice) may differ from the gender assigned at birth even without medical or other physiological modifications.
2. In cases where the gender expression of a detainee is unclear and/or unknown to officers, it is reasonable to inquire of the detainee, tactfully and respectfully, as to their gender identity.
3. The anatomical sex of a detainee is not relevant to their gender identity/expression. Accordingly:
 - a. Personnel shall not inquire about the intimate details of a detainee's anatomy or medical/surgical status/history to determine either the detainee's birth sex, anatomy, or gender identity/expression.
 - b. A search/frisk/strip search shall not be performed to determine a detainee's anatomical gender.
4. Individuals who identify as transgender or gender non-conforming have the right to indicate their preference to be searched by either a male or female officer or detention attendant. If an individual's gender request can be reasonably and expeditiously accommodated 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 search any detainee, regardless of the gender identity/expression of the detainee, officer, or supervisor.

- a. If the individual's request cannot be honored, the search shall be conducted with proper decorum and due consideration for the privacy of the individual.

C. 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 procedure shall be followed:

RI 2.7(a)

1. The suspect shall be kept under constant visual surveillance until a body cavity search is conducted or an alternative course of action is taken.
2. The officer shall consult with their 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.
3. 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.
4. Based on 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.
5. Whenever feasible, the search shall be conducted at a medical facility taking the appropriate security precautions.
6. A physician will not conduct a body cavity search with or without a search warrant unless the suspect/prisoner consents to the search. If the suspect/prisoner refuses to allow the search, the suspect/prisoner may be detained and held until the evidence can be obtained through the elimination of body waste. If this becomes the course of action, the suspect shall be kept under constant visual surveillance until the evidence is retrieved.
7. Body cavity searches shall be performed with due recognition of privacy and hygienic concerns previously addressed in this policy.

D. REPORTING

RI 2.7(d)

1. Following a strip search or body cavity search, the following information, at a minimum, shall be documented in the appropriate police report:
 - a. Date and place of the search.
 - b. Identity of the officer(s) conducting the search.
 - c. Identity of the individual searched.
 - d. Those present during the search.
 - e. A detailed description of the nature and extent of the search.

- f. Any weapons, evidence, or contraband found during the search.

Per order,

Thomas F. Oates, III

Chief of Police

Written directives published within PowerDMS are in full force and effect on the referenced dates and have been approved by the Chief of Police