WEST NORRITON TOWNSHIP POLICE DEPARTMENT

Subject: Strip/Body Cavity Search		Policy # 1.2.5
Accreditation 1.2.5		
Effective Date: April 17, 2008	Revised Date: April 9, 2024	
By Authority Of: Chief Michael A. Kelly	Signature: Michael A. Kelly	

1.2.5 STRIP/BODY CAVITY SEARCH

A. PURPOSE:

These guidelines establish procedures for officers of the West Norriton Township Police Department to conduct strip searches and body cavity searches upon individuals who are in custody pursuant to an arrest affected on probable cause.

B. POLICY:

The use of the post-arrest strip searches and body cavity searches may, under certain specific conditions be necessary to secure concealed evidence and to ensure the safety of police officers, civilians, other prisoners and the security of the cell block. Accordingly, when conditions require such searches, it is the policy of the West Norriton Township Police Department to conduct such searches in a reasonable manner which upholds the privacy interests possessed by arrestees, both adults and juveniles, under the law, while satisfying the safety interests of the West Norriton Township Police Department.

C. PROCEDURES: All procedures shall apply to both adults and juveniles.

1. Definitions

   a. Strip Search – The removal or rearranging of some or all of an arrestee's clothing, including the under garments of such person, so as to permit only a visual inspection of any or all skin surfaces of the arrestee.
   b. Body Cavity Search – The inspection of a person's anus, genitalia, and mouth by medical personnel under sanitary conditions, which is conducted manually or by means of a medical instrument.
   c. Medical Personnel – A physician, registered nurse, or practical nurse licensed to practice medicine by a governmental agency.

2. Strip Searches

   a. All strip searches shall be conducted pursuant to applicable law, affording minimum embarrassment and maximum privacy for the arrested person.

b. Officers shall only conduct a strip search upon a person following his or her arrest when the following conditions are present:

   i. The person to be strip searched has been arrested pursuant to probable cause; and
   ii. There is a separate reasonable suspicion to believe the arrested person is concealing a weapon, a controlled dangerous substance, as defined by "The Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act," 35 P.S. 780-101-780-144, or evidence of a crime, on his or her outer person.

c. After a finding of reasonable suspicion to believe the arrested person is concealing a weapon, a controlled substance, or evidence of a crime, a West Norriton Township Police Officer will inform the arrested person of his/her intention to perform a strip search, thus, giving the arrested person the opportunity to voluntarily surrender the suspected contraband.
d. Strip searches shall only be conducted in a controlled environment of the West Norriton Township Police Department, with no less than two police officers present, with at least one officer being of the same sex as the person searched.
e. All strip searches conducted under this section shall be performed where the search cannot be observed by persons not physically conducting the search or not absolutely necessary to conduct the search and all video monitors shall be turned off.
f. Prior to initiating any strip search, officers shall take the necessary precautions to prevent blood borne pathogen (body fluids) contamination. Necessary precautions may include the wearing of rubber gloves or other protective equipment.
g. The arrested person shall remove every article of clothing, including wigs and limb prosthetics, and he or she shall give these articles to the West Norriton Township Police Officer for inspections.
h. When the West Norriton Township Police Officer visually observes a weapon, a controlled substance, or evidence of a crime during the strip search, the officer shall remove the item and begin West Norriton Township Police Department standardized evidentiary collection procedures.
i. Should the arrested person resist the strip search, and become violent, additional officers of the same sex as the arrested person shall restrain the arrested person and assist in the strip search. Only sufficient force will be applied in order to complete the search.
j. Should the arrested person resist the strip search, and the number of officers needed to restrain him is insufficient, the following procedure shall be followed:

   i. Officers of the opposite sex may be called upon to subdue the prisoner before he or she is strip searched.
   ii. Once the person is subdued and properly restrained (handcuffs, shackles, etc.), the officers of the opposite sex shall leave the room before the search is conducted.

k. During the performance of a strip search of a male arrestee based on reasonable suspicion, the West Norriton Township Police Officers shall request the male arrestee to lift his genitals. Should the male deny the request to lift his genitals, the West Norriton Township Police Officers shall obtain a search warrant based on probable cause to effectuate the lifting of the genitals. An officer shall only conduct a warrantless lifting of the male genitals of the arrested person when the following conditions are present.

   i. There is separate probable cause to believe the arrested person is concealing a weapon, a controlled dangerous substance, as defined by "The Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act," 36 P.S. 780-101-780-144, or evidence of a crime.
   ii. An extreme emergency exists, which requires the protection of the lives of the arrested person, other prisoners or officers, or it is necessary to prevent serious breaches of security or destruction of evidence; and
   iii. A valid exception to the warrant requirement exists.

l. During the performance of a strip search of an arrestee based on reasonable suspicion, the West Norriton Township Police Officer shall request the arrestee to deeply bend forward at the waist. Should the arrestee deny the request to bend his or her waist, the officer shall obtain a search warrant based on probable cause to effectuate the bending of the arrestee's waist when the following conditions are present:

   i. There is separate probable cause to believe the arrested person is concealing a weapon, a controlled dangerous substance, as defined by "The Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act," 35 P.S. 780-101-780-144, or evidence of a crime;
   ii. An extreme emergency exists, which requires the protection of the lives of the arrested person, other prisoners or officers, or it is necessary to prevent serious breaches of security or destruction of evidence, and
   iii. A valid exception to the warrant requirement exists.

3. Body Cavity Searches

   a. All body cavity searches shall be conducted pursuant to applicable law, affording minimum embarrassment and maximum privacy for the arrested person.
   b. Prior to the application for a search warrant to conduct a body cavity search, West Norriton Township Police Officers shall obtain the authority of the Chief of Police or designee as assigned by the Chief of Police to permit such actions.
   c. The body cavity search shall only be conducted in a hospital or doctor's office by medical personnel using sanitized medical instruments and the necessary precautions to prevent blood borne pathogen (body fluids) contamination.

Necessary precautions for the medical personnel may include the wearing of rubber gloves or other protective equipment.

d. A body cavity search shall only be conducted upon a person following his or her arrest when the following conditions are present:

   i. The person whose body cavity is to be searched has been arrested pursuant to probable cause;
   ii. There is a separate probable cause to believe the arrested person is concealing a weapon, a controlled substance, as defined by "The Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act," 35 P.S. 780-101-780-144, or evidence of a crime, in his or her anus, genitalia, or mouth; and
   iii. A search warrant is obtained prior to the search.

e. A West Norriton Township Police Officer shall only conduct a warrantless body cavity search upon an arrested person when the following conditions are present:

   i. The person whose body cavity is to be searched has been arrested pursuant to probable cause;
   ii. There is separate probable cause to believe the arrested person is concealing a weapon, a controlled substance, as defined by "The Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act," 35 P.S. 780-101-780-144, or evidence of a crime; and
   iii. An extreme emergency exists, which requires the protection of the lives of the arrested person, other prisoners or officers, or it is necessary to prevent serious breaches of security or destruction of evidence, and
   iv. A valid exception to the warrant requirement exists.

f. Prior to the commencement of a mouth body cavity search, after a finding of probable cause to believe the arrested person is concealing a weapon, a controlled substance, or evidence of a crime within his or her mouth, and/or a search warrant is obtained, a West Norriton Township Police Officer will inform the arrested person of his/her intention to perform the body cavity search, thus, giving the arrested person the opportunity to voluntarily surrender the suspected contraband.
g. When the requirements of subsection "C5" in this section are met, the West Norriton Township Police Officer shall attempt to conduct the search with medical personnel present, in a hospital or doctor's office, and take precautions to prevent blood borne pathogen (body fluids) contamination.
h. When the requirements of subsection "C5" in this section are met and the officer has determined that it is impossible to transport the arrested person to a hospital or doctor's office due to applicable exigencies, the officer shall secure the custody of the arrested person and obtain medical personnel to conduct the search in a controlled environment at the West Norriton Township Police Department.

i. All body cavity searches shall be conducted in a controlled environment with no less than two police officers present, with at least one officer being of the same sex as the person searched.

j. All body cavity searches shall be performed where the search cannot be observed by persons not physically conducting the search, not designated under subsection "C7" to observe the search, or absolutely necessary to conduct the search and, if at the station, all video monitors shall be turned off.

k. When the West Norriton Township Police Officer visually observes a weapon, a controlled substance, or evidence of a crime during the body cavity search, the officer shall obtain the item from the medical personnel conducting the search and begin West Norriton Township Police Department standardized evidentiary collection procedures.

l. Should the arrested person resist the body cavity search, and become violent, additional officers of the same sex as the arrested person shall restrain the arrested person and assist in the body cavity search. Only sufficient force will be applied in order to complete the search.

m. Should the arrested person resist the body cavity search, and the number of officers needed to restrain him is insufficient, the following procedure shall be followed:

   i. Officers of the opposite sex may be called upon to subdue the prisoner before his or her body cavity is searched.
   ii. Once the person is subdued and properly restrained (handcuffs, shackles, etc.), the officers of the opposite sex shall leave the room before the search is continued.

4. Reporting

   a. The officer authorized under applicable law and the preceding rules and regulations to conduct the strip search or body cavity search, shall prepare an incident report of the strip search or body cavity search to include but not limited to:

      i. Name of person subjected to the search.
      ii. Name of person conducting the search and all persons present.
      iii. Name of supervisor approving the search.
      iv. Time, date and place of search.
      v. Narrative explaining the reason for the strip or body cavity search and results of the search.