

Section 2: Reception and Release
Subject: Strip and Body Cavity Searches
Minimum Standard: 5120-1-08-01(A)(7)
Revised: 07/2009, 12/2011, 09/2015, 05/2019

Authorized: _____ **Effective date:** _____
Sheriff Paul A. Sigsworth

POLICY

It is the policy of the Erie County Sheriff to conduct reasonable, legally authorized strip searches of newly received jail inmates to insure the safety and security of both the inmates and Sheriff's Office employees, to prevent the introduction of contraband into the Erie County Jail, and to discover contraband that may constitute evidence of criminal activity. It is also the policy of the Erie County Sheriff to conduct legally authorized body cavity searches as necessary. Strip and/or body cavity searches will be conducted under the authority outlined in Ohio Revised Code Section 2933.32 and Standards for Jails in Ohio, using the procedures outlined in this policy and approved by the Erie County Prosecutor.

REFERENCES

Ohio Revised Code Section 2933.32
Standards for Jails in Ohio
Florence v. Board of Chosen Freeholders; 132 S. Ct. 1510; decided April 2, 2012
Williams v. City of Cleveland; 771 F. 3d 945; 6th Circuit; decided November 10, 2014

PROCEDURE

- A. Body Cavity Search - An inspection of the anal or vaginal cavity of a person that is conducted visually, manually, by means of any instrument, apparatus or object, or in any other manner after the person has been accepted for incarceration in and has been admitted as a prisoner to the Erie County Jail.
- B. Strip Search - An inspection of the genitalia, buttocks, breasts, or undergarments of a person that is preceded by the removal or re-arrangement of some or all of the person's clothing that directly covers the person's genitalia, buttocks, breasts or undergarments and that is conducted visually, manually, by means of any instrument, apparatus or object, or in any other manner after the person has been accepted for incarceration in and has been admitted as an inmate to the Erie County Jail.
- C. Employee - includes any member of the Erie County Sheriff's Office assigned to perform inmate intake duties in the Erie County Jail.
- D. Contraband - includes narcotics, drug instruments, weapons, cellular telephones, tobacco products and any other object that is prohibited by law or policy from being possessed by an inmate in the Erie County Jail.

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- A. All Erie County Jail inmates who have been afforded a reasonable opportunity to secure release on bail or recognizance, who have failed to secure such release, and who will be integrated into the general prisoner population of the jail and who are changing into the required jail inmate uniform will be subject to strip search. [Ohio Revised Code Section 2933.32(A)(2); *Florence v. Board of Chosen Freeholders*, 132 S. Ct. 1510].
- B. Only employees of the same sex as the inmate being searched will be in the presence of an inmate being strip searched and will conduct such a search, unless an emergency situation arises during the conduct of said search requiring immediate assistance from other employees regardless of their sex (i.e.: medical emergency involving the inmate, inmate becomes combative, etc.)
- C. All strip searches will be conducted in the inmate processing room, immediately adjacent to the shower stall. Inmates will be strip searched out of sight of any other inmate. (*Williams v. City of Cleveland*, 771 F. 3d 945).
- D. Strip searches will be conducted as follows:
 - 1. The inmate will be advised to remove all of his/her clothing. The clothing will be placed on the floor and the inmate will be advised to step away from the clothing for a sufficient distance such that the inmate cannot reach the clothing during the conduct of the strip search to access any hidden contraband.
 - 2. Once the inmate has removed all of his/her clothing—and if the head hair is of sufficient length—the inmate will be instructed to bend his/her head down and run his/her hands vigorously through the scalp to dislodge or expose any contraband that may be present in the hair.
 - 3. The inmate will then be instructed to open his/her mouth wide and to stick out and lift up his/her tongue. A visual examination will be made of the open mouth and under the tongue to ensure that no contraband is secreted in the mouth.
 - 4. The inmate will then be instructed to face the employee, and show his/her palms to the employee conducting the search while extending the arms above the head to ensure that no contraband was “palmed” during the scalp or oral examinations and that no contraband is concealed under the armpits or inside the arms.
 - 5. If physiologically appropriate, female inmates will be advised to lift their breasts and the underside of the breasts will be visually examined for any contraband that may be taped thereto or otherwise concealed between the breasts and the body.
 - 6. Male inmates will be instructed to lift their genitalia and a visual examination will be made to ensure that no contraband is taped or otherwise affixed to the genitalia.
 - 7. If a female inmate is observed to have a tampon inserted vaginally, the inmate will be instructed to remove the tampon. Once the tampon is removed, it will be visually inspected

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by the employee conducting the search to ensure that no contraband is attached thereto. The inmate will then be advised to properly wrap and place the tampon in a suitable refuse receptacle.

8. Once the inspection of the front of the body is completed, the inmate will be instructed to turn around and face away from the employee conducting the search. The inmate will then be instructed to bend over, grasp the buttocks with the hands, and pull the buttocks apart. A visual inspection will be made to ensure that no contraband is concealed between the buttocks.
9. While the inmate is bent over, he/she will be instructed to cough three times and an observation of the inmate's rectum will occur in an attempt to observe any contraband that may be concealed therein.
10. The inmate will then be instructed to stand back up and will be instructed to show the employee the individual soles of the feet to expose any contraband that may be taped or otherwise hidden there.
11. The inmate will then be instructed to again show the employee conducting the search the palms of the hand. If no contraband is observed, the strip search process is completed.
12. If an inmate is found to be in possession of any contraband during the strip search process, the employee will utilize his/her judgment and training to determine how the contraband should be initially handled. In most cases, it would be appropriate to have the inmate drop the item on the floor and to continue the strip search process. Weapons must be immediately secured prior to the strip search process continuing.
13. In the event that contraband is observed protruding from a body cavity during the strip search process, the inmate will be instructed to remove the contraband, once removed from the body cavity, the contraband will be handled by the employee as listed above. Under no circumstances will an employee remove any contraband from the body cavity of an inmate unless the situation poses a life-threatening risk to the inmate or an employee. If the inmate refuses to remove the contraband from a body cavity, the inmate will be immediately restrained as necessary and the shift supervisor and nurse and/or jail physician will be contacted and a body cavity search will then be conducted.

BODY CAVITY SEARCHES

Unless there is a legitimate medical reason or medical emergency justifying a warrantless search, a body cavity search shall be conducted only after a search warrant is issued that authorizes the search. In any case, a body cavity search shall be conducted under sanitary conditions and only by a physician, or a registered or licensed practical nurse, who is registered or licensed to practice in this state. [Ohio Revised Code Section 2933.32(B)(4)].

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The procedure for conducting a body cavity search will be prescribed by the medical professional conducting that search.

DELOUSING

All inmates, after being strip searched, will be immediately instructed to shower in the facility located in the processing area. All such inmates will be required to be deloused by being issued individual amounts of a liquid delousing product to be used for self-application (Florence v. Board of Chosen Freeholders, 132 S. Ct. 1510).

Reviewed and approved: _____ Date

Gerhard Gross
Chief, Civil Division
Erie County Prosecutor's Office