


PBP FORM 290  PITTSBURGH BUREAU OF POLICE <i>"...accountability, integrity and respect."</i>		SUBJECT: "STRIP AND BODY CAVITY SEARCHES"	ORDER NUMBER: 45-1
		PLEAC STANDARD: 1.2.5	PAGE 1 OF 2
ISSUE DATE: 7/1/2014	EFFECTIVE DATE: 7/1/2014	ANNUAL REVIEW DATE: JULY	RESCINDS: ALL PREVIOUS
			AMENDS: NONE

1.0 POLICY/PURPOSE

- 1.1 The purpose of this policy is 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.
- 1.2 The Pittsburgh Bureau of Police 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 interest of this agency's prisoner detention and holding facilities. Recognizing the intrusiveness that these searches may impose on individual privacy, however, it is the policy of the Pittsburgh Bureau of Police 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 and in accordance with the procedural guidelines for conducting such searches as set forth in this policy.
- 1.3 Nothing in this policy shall preclude an officer from immediately recovering a weapon if the officer can articulate that any delay would cause imminent danger to the safety of the officer or others

2.0 DEFINITIONS

- 2.1 **Strip Search** - Any search of an individual requiring the removal or rearrangement of some or all clothing to permit the visual inspection of genitals, anus, breasts, buttocks or under-garments.
- 2.2 **Body Cavity Search** - Any search, excluding the mouth, involving the visual inspection or the internal physical examination of body cavities or organs such as the stomach cavity.
- 2.3 **Supervisor** - Any management or non-management police officer with oversight responsibility for other officers including sergeants, lieutenants and other officers with similar responsibilities. To be considered a supervisor for the purposes of this policy, an officer must hold the Civil Service rank of Sergeant or above.
- 2.4 **Senior Supervisor** - Any management or non-management police officer with oversight responsibility for other officers including commanders, assistant chiefs, deputy chiefs, the Chief and other officers with similar responsibilities.

3.0 STRIP SEARCHES

- 3.1 Any strip search conducted must be done with the explicit approval of a supervisor **or** senior supervisor.
- 3.2 Individuals arrested for traffic violations and other minor offenses of a nonviolent nature shall not be subject to strip searches unless the officer has **probable cause** to believe that the individual is concealing contraband, weapons or other evidence of a crime, **OR articulable reasonable suspicion that the person is concealing a weapon or contraband AND that the weapon or contraband poses an imminent threat to the suspect, the officers, or the general public.**
- 3.3 A strip search may be conducted when the individual to be searched gives consent to the search by any means acceptable by law.
- 3.4 Field strip searches of prisoners shall be conducted only under exigent circumstances where the life of officers or others may be placed at risk, and only in privacy with the explicit approval of a supervisor or senior supervisor.

3.5 When authorized by a supervisor or senior supervisor, strip searches may be conducted only as follows:

- In conformance with approved hygienic procedures and professional practices.
- Excluding field searches authorized by this policy, in a room specifically authorized for this purpose.
- By the fewest number of officers necessary and only by those of the same sex as the person being searched.
- Field strip searches shall be conducted under conditions that provide privacy from all but those authorized to conduct the search, and in an area isolated from others.
- The individual shall not be required to remain unclothed any longer than is absolutely necessary.

4.0 BODY CAVITY SEARCHES

4.1 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 of a crime or contraband within a body cavity, the following procedures shall be followed:

- 4.1.1 The suspect shall be kept under constant visual surveillance until a body cavity search is conducted or an alternative course of action taken.
- 4.1.2 The officer shall consult with his/her immediate supervisor to determine whether probable cause exists to seek a search warrant. The officer 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.
- 4.1.3 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 offenses and the basis for the officer's probable cause.
- 4.1.4 On the basis of a search warrant, only an authorized physician, or medically trained personnel operating at the physician's direction, shall perform a body cavity search.

4.2 Under no circumstances will a Pittsburgh police officer conduct a body cavity search.

4.3 For safety and security reasons, the search shall be conducted at a hospital or the Allegheny County Jail in the room designated for such searches.

4.4 Body cavity searches shall be performed with due recognition of privacy, and with all hygienic concerns previously addressed in this policy.

5.0 REPORTING PROCEDURES

5.1 All strip searches, field strip searches and body cavity searches will require the completion of the appropriate sections of the "Field Contact/Search/Seizure Report" (PBP Form #5). It will be the responsibility of the supervisor or senior supervisor who authorizes these searches to insure the proper reports are completed and submitted by the end of the tour of duty.

Approved By:

Regina McDonald
Acting Chief of Police

Date: