



## ADULT COMMUNITY CORRECTIONS DIVISION STANDARD OPERATING PROCEDURES

Procedure No.: ACCD 3.1.1700	Subject: <b>SEARCHES AND CONTRABAND CONTROL</b>
Reference: <a href="#">P&amp;P 60-4</a> ; <a href="#">DOC 3.1.17</a> ; <a href="#">53-1-203, MCA</a>	Page 1 of 3
Effective Date: 08/25/14	Revision Dates:
Signature / Title: /s/ Kelly Speer, Acting ACCD Administrator	

**This procedure is referenced as ACCD 3.1.17 Searches and Contraband Control in Section 1.F.4. Standard Contract Terms; Emergency Preparedness; Use of Force, in the following contracts: Alternatives, Inc., Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, Passages, Connections Corrections Program (CCP), Elkhorn, Nexus, START, and WATCH Contract.**

### I. DIVISION DIRECTIVE:

The Adult Community Corrections Division programs and facilities will develop, implement, and enforce operational procedures that detect and control the introduction, fabrication, possession, and transmission of contraband within its facilities and programs.

### II. DEFINITIONS:

ACCD-Adult Community Corrections Division Program/Facility – The Division includes the Adult Interstate Bureau; the Probation and Parole Bureau; and the Facilities Program Bureau which includes the Missoula Assessment and Sanction Center (MASC), Treasure State Correctional Training Center (TSCTC), and the contracted facilities of Prerelease Centers (PRC), Sanction Treatment Assessment Revocation & Transition (START), Warm Springs Addiction Treatment and Change Program (WATCH), Connections Corrections Program (CCP), Passages Alcohol and Drug Treatment (Passages ADT), Passages Assessment Sanction & Revocation Center (Passages ASRC), NEXUS Correctional Treatment Center (NEXUS), and Elkhorn Treatment Center (Elkhorn).

Administrator – The official, regardless of local title (division or facility administrator, bureau chief, warden, superintendent), ultimately responsible for the facility or program operation and management.

Body Cavity Search – A manual or instrument inspection of an offender's anal or vaginal body cavities.

Chief of Security – The staff person, regardless of local title (associate warden of security, director of operations), designated by the administrator to manage the facility's security program.

Contraband – Any item possessed by an offender or found within the facility that is illegal by law, prohibited by policy or procedure, or unauthorized by those legally charged with the administration and operation of the facility.

Department – The Montana Department of Corrections.

Pat Search – The manual body search of an individual that requires the removal of outer clothing, e.g., coats, hats, gloves; emptying of pockets; and inspection of papers, bags, books, or other carried items (also referred to as clothed body search).

Reasonable Suspicion – A conclusion drawn from specific, objective facts which would permit a reasonable and experienced correctional staff person to suspect that an individual or set of

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circumstances poses a threat to facility security, or to the health, safety, and security of offenders, staff, visitors, contractors, or community, members, including, but not limited to, committing, or conspiring or attempting to commit a crime or rule violation.

Reasonable Suspicion Search – The search of person, property, or area where there is a reasonable suspicion that a law or policy has been violated.

Strip Search – A visual inspection of an individual’s unclothed body and thorough search of the unworn clothing to detect concealed contraband (also referred to as unclothed body search).

### III. PROCEDURES:

#### A. Probation & Parole (P&P) Bureau

P&P Bureau staff will follow the procedures of *P&P 60-4 Searches of Offender’s Person, Vehicle, Residence/Confiscation of Offender’s Property* when conducting searches of offenders under the supervision of the Bureau.

#### B. Treasure State Correctional Training Center (TSCTC)

TSCTC staff will follow the procedures of *CTC Operational Procedure 3.1.17, Searches and Contraband Control* when conducting searches of offenders in the TSCTC program.

#### C. ACCD Facilities

ACCD facilities will develop procedures to establish search plans to include the following:

1. Unannounced and irregularly timed searches of rooms, offenders and offender work areas;
2. Perimeter searches;
3. Prohibited use or transfer of wireless messaging;
4. Requirements for the search offender religious items;
5. Avoidance of unnecessary force, embarrassment, or indignity to the offender;
6. Staff training in effective search techniques that protect both offenders and staff from bodily harm;
7. Conduct of searches to control contraband, recover missing or stolen property, and prevent escapes or other disturbances;
8. Respect for offenders’ personal property;
9. Annual review of search procedures with updates as necessary;
10. Documentation of all searches, excluding pat searches that do not result in the discovery of contraband or result in a disciplinary write-up; itemizing of any found contraband; and submission of documentation to the chief of security;
11. Offenders, visitors and staff are subject to pat searches at any time:
  - a. Pat searches will be conducted by staff of the same gender of the individual being searched, whenever possible; and
  - b. Full pat searches will be conducted in accordance with facility training requirements;

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- i. Staff will pass his/her hands deliberately and carefully in and around the crotch area; and
  - ii. Carefully search for items that may be concealed in females' bras; and
  - iii. Inspect shoes, insoles and heels as time and circumstances allow.
12. Strip-search requirements and techniques applicable to offenders:
  - a. Except in emergency situations, staff of the same gender as the offender will conduct strip searches in a private area and based on a reasonable suspicion that the offender carrying contraband or other prohibited material;
  - b. Reasonable suspicion is not required for strip-searches when offenders return from contact with the general public or from outside the facility; and
  - c. Trained staff will conduct strip-searches and do so in a respectful and dignified manner.
13. The restricted use of body cavity searches:
  - a. Only health care providers, excluding facility health care providers, will conduct body cavity searches when there is a reason to do so and only with the written authorization of the facility administrator;
  - b. In such cases, a physician must authorize the instrument or surgical examination of body cavities; and
  - c. Health care providers must:
    - i. Conduct body cavity searches in private;
    - ii. Fully document the search and its results;
    - iii. Forward documentation and authorizations to the offender's record; and
    - iv. Whenever possible, have security staff available to ensure safety and proper handling of contraband.
14. Required frequent facility area searches, which include housing, visiting, and general areas, to prevent serious incidents or escapes/walk-aways and uncover contraband.
  - a. Facility staff will conduct housing unit searches in a manner that:
    - i. Respects offenders' personal property;
    - ii. Handles offender property judiciously using care not to willfully discard, break, or misplace items; and
    - iii. Leaves the area as close to the way it was found as possible.
  - b. Facility staff who damage or destroy personal property will submit a report with the property to the appropriate supervisor.
15. Administrators will require staff training to include the following procedures:
  - a. Proper techniques to detect prohibited items, uncover potential security breaches, and protect both offenders and staff from undue harm;
  - b. Use of security equipment;
  - c. Preventive measures and proper safeguards to use during searches, such as methods to avoid the danger of "needle sticks" that may lead to infection; and
  - d. Proper responses to other potentially hazardous conditions.

**IV. CLOSING:**

Questions concerning this procedure should be directed to the P&P Bureau Chief, Facility Administrator, or Facilities Program Bureau.