



DEPARTMENT OF CORRECTIONS
PROGRAMS AND FACILITIES BUREAU
FACILITY OPERATIONAL REQUIREMENT

Requirement:	PFB 6.2.425 SEARCHES AND CONTRABAND CONTROL
Effective Date:	11/23/2020 Page 1 of 3
Revision Date(s):	
Reference(s):	53-1-203, MCA
Signature / Title:	/s/ Megan Coy, Programs and Facilities Bureau Chief

This requirement is referenced as *ACCD 3.1.1700 Searches and Contraband Control* in Section 3.H.1 Security/Counts 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. PURPOSE:

The Programs and Facilities Bureau will provide direction for contract facilities in conducting searches of offenders' person, and will assist in the development, implementation, and enforcement of operational procedures that detect and control the introduction, fabrication, possession, and transmission of contraband within the facilities.

II. DEFINITIONS:

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, 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.

PFB-Programs and Facilities Bureau – The Bureau oversees the facilities providing assessments and sanctions, prerelease, and treatment services.

Clothed Body 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 a pat search).

Unclothed Body 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 strip search).

III. REQUIREMENTS:

A. PROCEDURE DEVELOPMENT:

1. PFB contract facilities will develop procedures to establish search plans that include:
 - a. unannounced and irregularly timed searches of offenders, offender rooms, and work areas;
 - b. perimeter searches;
 - c. requirements for the search of offenders' religious items;
 - d. avoidance of unnecessary force, embarrassment, or indignity to the offender;

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- e. how to conduct searches to control contraband, recover missing or stolen property, and prevent escapes or other disturbances;
 - f. respect for offenders' personal property;
 - g. annual review of search procedures with updates as necessary;
 - h. documentation of all searches, excluding clothed body 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;
 - i. offenders, visitors, and staff are subject to clothed body searches at any time;
 - j. unclothed body-search requirements and techniques applicable to offenders;
 - k. the restricted use of body cavity searches;
 - l. how to ensure reasonable accommodations for offenders with disabilities;
 - m. how to conduct cross gender clothed body searches, and searches of transgender and intersex offenders, in a professional, respectful, and least intrusive manner possible;
 - n. required frequent facility area searches, which include housing, visiting, and general areas, to prevent serious incidents or escapes and uncover contraband;
 - o. proper techniques to detect prohibited items, uncover potential security breaches, and protect both offenders and staff from undue harm;
 - p. use of security equipment;
 - q. 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
 - r. proper responses to other potentially hazardous conditions.
2. Facilities will require staff training on search and contraband control procedures and effective search techniques.

B. PROCEDURE REQUIREMENTS:

1. Clothed Body Searches:
 - a. conducted by staff of the same gender of the individual being searched whenever possible; and
 - b. conducted in accordance with approved facility training requirements:
 - 1) staff will pass his/her hands deliberately and carefully in and around the groin area;
 - 2) carefully search for items that may be concealed in bras; and
 - 3) inspect shoes, insoles, and heels as time and circumstances allow.
2. Unclothed Body Searches:
 - a. conducted by trained staff in a respectful and dignified manner;
 - b. except in emergency situations, conducted by staff of the same gender as the offender in a private area and based on a reasonable suspicion that the offender is carrying contraband or other prohibited material; and
 - c. reasonable suspicion is not required for unclothed body-searches when offenders return from contact with the general public or from outside the facility.
3. Body Cavity Searches:
 - a. conducted only by health care providers, excluding facility health care providers, when there is a reason to do so and only with the written authorization of the facility administrator; and

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- b. in such cases, a physician must authorize the instrument or surgical examination of body cavities.

4. Facility Area Searches:

- a. conducted by staff in a manner that:
 - 1) respects offenders' personal property, using care not to willfully discard, break, or misplace items; and
 - 2) 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.

IV. CLOSING:

Questions concerning this procedure should be directed to the Programs and Facilities Bureau.