

**POLICY 5.70 CONDUCTING SEARCHES**

**Policy Committee Chair**

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**Approved**



Felice Upton, Assistant Secretary  
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**Authorizing Sources**

RCW Chapter 10.79  
RCW 13.40.460  
RCW Chapter 72.05  
WAC 137-36-040  
WAC 289-16-200  
28 CFR Part 115 PREA Juvenile Facility  
Standards

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**I. PURPOSE AND SCOPE**

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This document establishes policy for the search and seizure of contraband and restricted property in JR-operated or contracted facilities and by region staff, including JR youth and young adults (referred to as “youth” throughout policy).

All staff, contractors, volunteers, and interns working in or for Juvenile Rehabilitation (JR) are responsible for reviewing and complying with JR policies.

**II. POLICY**

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**1. JR will conduct and authorize searches.**

- 1.1. Staff may search youth, visitors, living units and program areas.
- 1.2. Searches may be conducted as appropriate on a random or routine basis to ensure health, safety and security, to control contraband or restricted property, or to recover missing property.
- 1.3. Staff conducting searches must complete required de-escalation, crisis management, and physical intervention trainings.

**2. JR staff must conduct searches without the use of unnecessary force.**

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**3. Searches must be conducted in such a way as to protect the dignity and respect of the person and property being searched while maintaining the integrity of the search.**

3.1. Staff must use courteous and neutral language during a search.

3.2. Staff will recognize searches may be traumatic for youth who are victims of abuse.

**4. JR will make information about search and seizure practices available to youth under its jurisdiction.****CROSS-GENDER SEARCHES****5. Cross-gender pat searches and cross-gender comprehensive personal searches are prohibited except in exigent situations. (PREA Standard 115.315)**

5.1. All cross-gender pat searches and cross-gender comprehensive personal searches must be documented on the Cross Gender Search form (DCYF Form 20-286). Documentation must be accessible for review at any time. (PREA Standard 115.315 (c))

5.2. Staff must receive training in appropriate, professional, and respectful techniques for cross-gender searches, so they may be used in the event of an exigent situation. (PREA Standard 115.315 (f))

**6. Transgender and intersex youth will not be searched or physically examined in a manner humiliating or degrading or for the sole purpose of determining a youth's anatomical sex. (PREA Standard 115.315(e))**

6.1. Determination of a youth's anatomical sex must be made by self-identification or as a part of a general medical exam conducted by a medical practitioner. (PREA Standard 115.315(e))

**7. Transgender and intersex youth may request either a male or female staff member conduct a pat-down or comprehensive personal search. (PREA Standard 115.315(e))**

7.1. Requests must be accommodated in order to support the youth's views regarding their own vulnerability or potential re-traumatization.

7.2. Searches where the transgender youth has chosen the gender of the staff to conduct the search are not considered cross-gender searches and do not require completion of the Cross Gender Search form (DCYF Form 20-286).

7.3. The staff assigned to conduct the search may request a different staff be assigned.

**8. Medical professionals conducting comprehensive personal searches may be a different gender than the individual being searched. (PREA Standard 115.315 (a))****REQUIRED SEARCHES****9. Staff will conduct mandatory searches in specific situations.**

9.1. Use of a body scanner or comprehensive personal searches are conducted at initial intake to institutions or when youth are transferred between institutions.

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- 9.2. In the institutions, when there is reasonable suspicion a residential youth possesses contraband, staff will conduct a pat search, and a body scanner or comprehensive personal search.
- 9.3. In the community facilities, when there is reasonable suspicion a residential youth possesses contraband, staff will conduct a pat search or electronic search.
- 9.4. Pat search, body scanner, or search of youth and a general area search of the bathroom will be conducted prior to conducting a urinalysis.
- 9.5. Pat search, body scanner, or electronic searches will be conducted after visitation.
- 9.6. Pat search, or electronic searches will be conducted at intake to the community facility.
- 9.7. In the institutions, pat search, body scanner, or electronic searches are conducted prior to, and return from, off campus movement and activity.
- 9.8. In the community facilities, pat search or electronic searches are conducted when youth return from any time away from the facility.
- 9.9. Pat search, body scanner, or electronic searches are conducted prior to movement of youth by the JR Transportation Unit in accordance with Policy 5.40, *Transporting JR Youth*. The sending institution is responsible for conducting the search.
- 9.10. Pat searches are conducted when a youth is taken into custody by staff in the region.
- 9.11. Body scanner searches, if available and in addition to above, are conducted for the following situations:
  - 9.11.1. On all visitors to institutions. Visitors who fail or refuse body scanner searches must be denied entry and documented in an incident report.
  - 9.11.2. Intermittently after youth completes work or class (examples include: recreation, wood shop, welding, auto shop, kitchen, campus crew, security, etc.). When body scanner searches do not occur, electronic searches will be conducted.

**REQUIRED AUTHORIZATION****10. Staff may conduct the following searches without prior authorization:**

- 10.1. Electronic
- 10.2. Room
- 10.3. General Area
- 10.4. Pat Search
- 10.5. Body Scanner

**11. Comprehensive personal searches and K-9 searches require prior authorization.**

- 11.1. K-9 searches require Superintendent, Regional Administrator, or designee's approval.

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- 11.2. Comprehensive personal searches when there is reasonable suspicion of contraband that presents a credible threat of harm to themselves or others, require Associate Superintendent or designee's approval. The Officer of the Day (OD) may provide approval.

**ROOM SEARCHES****12. Room searches may be conducted randomly, routinely, and upon reasonable suspicion of the presence of contraband.**

- 12.1. Unannounced and irregular searches of youth rooms are authorized.
- 12.2. Each youth's room will be searched at least once per week.
- 12.3. Staff will search and inspect each room prior to occupancy of a new youth.
- 12.4. Rooms searched must be returned to the original condition to the greatest extent possible.
- 12.5. Restricted property will be handled in accordance with Policy 2.30, *Managing Youth Property and Residential Accounts*.
- 12.6. Room searches must not be conducted for punitive purposes.
- 12.7. In the community facilities, room searches will be conducted at least twice per month.
- 12.8. Room searches will be documented in the legal log and other local tracking forms.

**GENERAL AREA SEARCHES****13. General area searches may be conducted randomly, routinely, and upon reasonable suspicion of the presence of contraband.**

- 13.1. Unannounced and irregular searches of youth work areas are authorized.
- 13.2. General area searches will be conducted at least once per shift.
- 13.3. General area searches will be documented in the legal log and the shift summary.

**K-9 SEARCHES****14. K-9 searches at JR facilities may be conducted at the request of an appointing authority by trained State Patrol, Special Commitment Center, Department of Corrections, military, or local law enforcement personnel.**

- 14.1. Institutions may develop agreements with law enforcement, the military, Special Commitment Center, and DOC for the use of K-9 searches at JR facilities.
- 14.2. Searches for contraband using a K-9 team will be conducted on identified areas (a general area search or room search).
- 14.3. For safety and security and to minimize interference, youth will not observe or be in close proximity of a K-9 search.
- 14.4. K-9 searches may not be used as part of a search on a person.
- 14.5. K-9 searches may be used in the search process for escaped youth at the discretion of local law enforcement.

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14.6. K-9 searches will be documented in an ARI in ACT.

**COMPREHENSIVE PERSONAL SEARCHES****15. Comprehensive personal searches may be conducted only when the following conditions are met:**

- 15.1. Use of the body scanner has been offered and refused.
- 15.2. A minimum of two staff members must perform comprehensive personal searches. One staff member to visually observe the searching staff within earshot to ensure the safety of the person conducting the search and the youth, but not in view of the youth, and another staff member to conduct the search. The second staff may be a medical staff member.
- 15.3. Staff conducting a comprehensive personal search are not permitted to touch the youth.
- 15.4. Staff wear protective gloves (latex or Kevlar) during a comprehensive search and only search of youth of the same gender.
- 15.5. Comprehensive personal searches must be conducted in private, allowing observation only by persons directly involved in the search. (ACA 4-JCF-4C-63). The length of time any youth is required to be unclothed will be as short as possible to ensure that contraband is not concealed.

**16. During the comprehensive personal search, staff shall provide information regarding the search process using clear, easily understood, trauma-informed language and instructions while conducting the search.****17. Comprehensive personal searches are prohibited in community facilities.****18. Comprehensive personal searches may be conducted on youth in institutions only when reasonable suspicion exists that a youth is carrying contraband that presents a credible threat of harm to themselves or others and a body scanner is not available, or the results of the body scanner are inconclusive.**

- 18.1. Use of a body scanner or comprehensive personal searches are authorized immediately upon intake to the institution to reduce the introduction of contraband.
  - 18.1.1. An Incident Report is only required if contraband was recovered during the search.

**19. If a comprehensive personal search is conducted based on a reasonable suspicion, the search and the approval must be documented in an IR.****20. Comprehensive personal searches must be conducted by Officer staff who are not assigned to living units.**

- 20.1. If a non-unit Officer staff is not available and the comprehensive personal search is emergent, pre-approval from an Associate Superintendent, Facility Administrator, Superintendent or Administrative Office of the Day must be obtained before a comprehensive personal search may be conducted. The AOD or other approving administrator must document approval and reason in writing.

Policy 5.70, **Conducting Searches 11/15/2023****COMPREHENSIVE PERSONAL SEARCH WHEN STAFF HAS A REASONABLE SUSPICION YOUTH POSSESSES CONTRABAND****21. A comprehensive personal search will be conducted on youth in institutions where reasonable suspicion exists that a particular youth is carrying contraband that presents a credible threat to themselves and others. Staff will complete the following steps:**

- 21.1. Provide the option of the body scanner in lieu of the comprehensive personal search if the body scanner is available. Information about the body scanner, which is posted in living unit common areas and at the body scanner, will be reviewed with the youth if requested.
  - 21.1.1. JR Officer will determine if the body scanner met the screening need for contraband and a comprehensive personal search is not necessary.
- 21.2. If the youth refuses the body scanner, is ineligible to use the body scanner, the body scanner did not meet the screening need for contraband, or the body scanner is not available, staff will obtain approval from an Associate Superintendent, Facility Administrator, Superintendent or Administrative Officer of the Day for a comprehensive personal search.
- 21.3. Staff will then document the comprehensive personal search in an ACT Incident Report, including the following information:
  - 21.3.1. Name of approver for the comprehensive personal search;
  - 21.3.2. Offer of the body scanner as an alternative, if available and appropriate, and youth response;
  - 21.3.3. Description of the reasonable suspicion necessitating the comprehensive personal search;
  - 21.3.4. Description of the youth's compliance with the comprehensive personal search and efforts staff used to engage the youth in a comprehensive personal search;
  - 21.3.5. Results of the body scanner and/or comprehensive personal search to include what was recovered, pictures and securing of evidence, if any; and
  - 21.3.6. Names and titles of all staff involved in the incident and if an exception was required for unit staff to conduct the search.
- 21.4. Staff may not use restraints and isolation in response to a refusal of a comprehensive personal search unless the youth is physically resistant OR staff have a reasonable, youth-specific belief the youth possesses contraband that presents a credible threat of harm to themselves or others.
  - 21.4.1. Before applying restraints, staff must again offer the youth use of the body scanner and ask the youth to turn over any contraband to staff. If the youth refuses, staff will explain the protocol to the youth, and then will complete the following steps:
    - 21.4.1.1. Notify the Superintendent or Administrative Officer of the Day;
    - 21.4.1.2. Place the youth in a clean isolation room;

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- 21.4.1.3. Place the youth in wrist restraints;
  - 21.4.1.4. Maintain direct line of sight observation;
  - 21.4.1.5. Activate the isolation room camera if available and activate the hand-held camera;
  - 21.4.1.6. Begin the Room Confinement and Isolation (RCI) tracking form. Youth cannot be refused food, water, or bathroom access. Include times that the following were offered and youth's response:
    - 21.4.1.6.1. Medical;
    - 21.4.1.6.2. Mental health;
    - 21.4.1.6.3. Food;
    - 21.4.1.6.4. Water; and,
    - 21.4.1.6.5. Bathroom access.
  - 21.4.1.7. Document all items in an ACT Incident Report, including the names of all staff involved in the incident from the beginning through the removal of the restraints.
- 21.4.2. The Superintendent or AOD will consult with a Psychology Associate or Psychologist if the youth who refused the search is in isolation and restraints for over one hour. The goal of consultation is to end the restraint and isolation as soon as possible.
- 21.4.2.1. If the youth is in restraints for one hour or longer, there have been two or more instances of the use of restraints or isolation on the same youth during the past 90 days, or upon request of the youth, staff will notify a Psychology Associate, Psychologist, or specialized staff so they can meet with the youth within 24 hours.
- 21.4.3. Supervisory review, per JR Policy 5.10 Restraints will occur for all incidents where youth are placed in restraints and isolation within three business days to ensure requirements of this policy were met.
- 21.5. If available and feasible, staff with rapport with the youth who are refusing search shall be directed to the area to assist with the request for search.

Policy 5.70, **Conducting Searches 11/15/2023****CONTRABAND****22. All contraband and restricted property discovered during searches must be confiscated and may be subject to disposal or law enforcement referral.**

- 22.1. Seized contraband and restricted property must be secured using chain of custody standards.
- 22.2. Law enforcement must be notified of significant seizures of narcotics, illegal drugs, and weapons that would be a law violation.
  - 22.2.1. If law enforcement declines to accept custody of contraband, the Superintendent, Regional Administrator, or program Officer of the Day (OD) must be informed.
- 22.3. The contraband must be properly disposed of in the presence of two witnesses and documented in the evidence log.

**23. Recovered contraband will be documented in an Incident Report.****STAFF SEARCH****24. Staff and their belongings may be subject to search upon entry to a JR facility.**

- 24.1. Institution staff will be subject to search by electronic devices, including body scanners and/or bag scanners, before entering a JR facility or office. Noticed of this must be clearly posted at facility and office entrances.
- 24.2. Searches of staff's belongings will be conducted in their presence.

**VISITOR SEARCH****25. Visitors and their belongings will be subject to search upon entry to a JR facility.**

- 25.1. Visitors will be subject to search by electronic devices, including body scanners, before entering a JR facility or office. Notice of this must be clearly posted at facility and office entrances.
- 25.2. Searches of visitors' belongings will be conducted in their presence.
  - 25.2.1. Staff must not attempt to confiscate visitors' property.
- 25.3. If a visitor refuses a search or does not pass the electronic search or body scanner, the visit will be denied.
  - 25.3.1. As appropriate, local law enforcement may be contacted.
  - 25.3.2. Entrance to the facility or future visiting privileges may be denied.
- 25.4. Staff must not interfere with a visitor or visitors departing the facility. Staff must not attempt to detain them in any way.



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**III. DEFINITIONS**

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**Body Scanner Search:** A whole-body x-ray security screening system to detect contraband on or within a person.

**Chain of Custody:** A process that tracks the movement of materials related to evidence throughout collection, secure holding, disposal, or transfer to law enforcement.

**Comprehensive Personal Search:** A search conducted in private space by a staff who is the same gender as the youth. An exception may be if a transgender or intersex youth has documented approval or requests to be searched specifically by a female or male staff. The search is facilitated in the most efficient and respectful manner possible and requires:

1. youth to remove articles of clothing
- 2) youth to hand clothing to staff
- 3) staff to efficiently inspect clothing for objects, and
- 4) staff to quickly return clothing to youth.

There is no physical contact with the youth during this procedure. This also includes searches upon intake or transfer between institutions, and when reasonable suspicion exists that youth possesses contraband that presents a credible threat of harm to themselves or others.

**Contraband:** Any item that is not issued or approved by staff. This includes:

- **Nuisance Contraband:** Any item not in its appropriate area and/or kept in excess (e.g., books, toilet paper, clothing, hygiene items, etc.).
- **Security Contraband:** Any item that can be used to inflict injury to a person (including drugs or medication), damage to property, or is an accessory used to aid in an escape.

**Cross-Gender Search:** Search of a male youth by a female staff, or of a female youth by a male staff.

**Electronic Search:** Search by a scanning device or metal detector.

**Exigent Circumstances:** Any set of temporary and unforeseen circumstances that require immediate action in order to combat a threat to the security or institutional order of a facility. (PREA Standard 115.5)

**Pat Search:** A thorough search of a fully clothed youth including all clothing and personal property in their possession.

**General Area Search:** A complete search of a targeted area (e.g., buildings, grounds, school, shop area, perimeter, or vehicles) at a JR facility. General areas do not include assigned youth rooms.

**Incident Report<sup>7</sup>:** A document completed in ACT recording a behavior, incident, issue, or event involving youth, staff, volunteer, contractor, or visitor. The report must be objective and provide the facts and sufficient detail to understand what happened. The report must also include any staff or youth witnesses and be signed off by a supervisor and completed before the shift ends.

**K-9 Search:** Search by a dog and a dog handler who are specially trained for detection of contraband.

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**Random Search:** A search conducted without reasonable suspicion at an unspecified time.

**Reasonable Suspicion:** Inferences made by staff from observations or other reliable information which gives reason to suspect a person is in possession of contraband or restricted property.

**Restricted Property:** Items which may jeopardize the safety, health, security, or treatment of youth, staff, visitors or of a facility. Restricted property may include contraband, but not all restricted property is contraband.

**Room Search:** A systematic search of a room assigned to a youth including personal property, fixtures, furnishings, hardware, or any other area where contraband or restricted property could be concealed.

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#### IV. REFERENCES

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American Correctional Association (ACA) Standards	Policy 5.70 Search Grid
CMIS Incident Report Quick Guide	National Commission on Correctional Health Care (NCCHC) Y-I-03 Forensic Information
GHS Standard #51 Youth Searches	PREA Juvenile Facility Standards

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#### V. RELATED JR POLICIES

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Policy 2.30 - Managing Youth Property and Residential Accounts	Policy 5.40 – Transporting JR Youth
Policy 4.60 – Ensuring the Health and Safety of LGBTQI Youth	Policy 5.90 - Applying PREA Juvenile Standards in JR

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#### VI. FORMS AND DOCUMENTS

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<b>Document Title</b>	<b>Available In ACT</b>	<b>Link</b>
PREA Cross Gender Searches		DCYF Form 20-286

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