





San Francisco Juvenile Probation Department

Juvenile Hall Policy and Procedures Manual

Chapter 10 - Security and Control

Policy Number:	10.10
Policy Name:	Searches
Authority:	Title 15, 1360 PREA: 115.315 Penal Code: 4030
Replaces:	9.08 Search and Contraband (07/20/2005)
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Related Policies and Procedures:	3.01 - Admission, Referral, Screening and Classification 5.03 - Youth Rights and Responsibilities 5.11 - Transgender and Intersex Youth 8.12 - Bilingual and Multicultural Services 10.11 - Contraband 10.17 - Use of Physical Restraints
Related Forms:	Search Authorization Form Room Assignment Sheet
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I. POLICY

Juvenile Hall administration shall develop and implement written policies and procedures governing the search of youth, the facility, and visitors. Policies and Procedures shall provide that:

- A. Searches shall be conducted to ensure the safety and security of the facility, public, visitors, youth, and staff.
- B. Searches shall be conducted in a manner that preserves the privacy and dignity of the person being searched and shall not be conducted for harassment or as a form of discipline or punishment.
- C. Strip searches and visual or physical body cavity searches shall comply with Penal Code Section 4030.
- D. Physical body cavity searches shall only be conducted by a medical professional.
- E. Any youth held after a detention hearing shall only be strip searched with prior approval of a supervisor when there is reasonable suspicion based on specific and articulable facts to believe that youth is concealing contraband. The reasonable suspicion shall be documented.
- F. Searches of transgender and intersex youth shall comply with Section 1352.5.
- G. Cross-gender pat-down searches and strip searches are prohibited except in exigent circumstances or when conducted by a medical professional. Such searches must be justified and documented in writing.

Juvenile Hall staff shall start at the least intrusive type of search reasonable for ensuring safety and security. Juvenile Hall staff shall only escalate the intrusiveness of the search based on information obtained during the less intrusive search.

All Juvenile Hall staff shall comply with the restrictions of searches set forth in California Penal Code Section 4030. Under California Penal Code Section 4030(n), any person who knowingly or willfully authorizes or conducts a search in violation of this section of the penal code is guilty of a misdemeanor.

While engaging in search operations, Juvenile Hall staff shall adhere to all Juvenile Hall policies and procedures and to the techniques and principles administered during training. Officer safety and the safety of others are paramount concerns in all arrest and search situations.

Juvenile Hall staff shall consult with the Officer of the Day in advance of arresting and/or searching youth in all cases except in rare situations when the circumstances do not permit. In all cases, the Officer of the Day shall conduct a post-arrest and/or post-search review to ensure arrests and searches were conducted properly in accordance with policy and law.

II. PURPOSE

This search policy ensures that the rights of youth are respected and that while being subject to searches, youth are always treated with fairness, dignity, and respect. Several youths in the facility may find submitting to body searches very difficult or upsetting due to experiences with past traumas such as sexual abuse that could make physical contact or lack of control seem threatening. As a result, youth may become uncooperative during searches. Juvenile Hall staff may not always know about a youth's past experiences however they should always be aware of the connection between trauma and behavior and, when possible, respond in ways that promote the youth's sense of safety rather than resorting to force. Juvenile Hall staff can promote a sense of safety by being calm, communicative, and respectful throughout the search process and by ensuring that procedures for the search of diverse youth populations such as transgender, female, or youth with limited English proficiency are conducted properly. Juvenile Hall is dedicated to encouraging accountability and promoting rehabilitation of youth as well as maintaining the safety and security of those detained, visiting, and working in Juvenile Hall. Monitoring of youth in detention through searches is never intended as a form of punishment or discipline but rather is meant to further these goals.

III. PROCEDURE

A. Body Searches

i. General Procedures for Body Searches of Youth

- a. Juvenile Hall staff shall, to the extent possible, conduct all searches in a manner that preserves the privacy and dignity of the youth being searched.
- b. Juvenile Hall staff shall start with the least intrusive type of search corresponding to the security risk and/or reasonable suspicion and commensurate with ensuring the safety and security of youth and staff. Juvenile Hall staff may only escalate the intrusiveness of the search based on information obtained during the less intrusive search.
 1. Types of searches may include Scan Search, Pat Search, Strip Search, and Physical Body Cavity Search by a medical professional.
 2. These searches will be governed by the security needs of the facility and the procedures listed in this policy.
- c. Juvenile Hall staff shall maintain calm and sensitive comportment throughout the search process.
- d. Juvenile Hall staff shall respectfully explain all steps of the search process to the youth. If a youth has limited English proficiency, communication about searches shall be provided in the youth's language.

- e. Prior to conducting a Strip Search, Juvenile Hall staff shall complete a Search Authorization Form articulating the basis for reasonable suspicion. Juvenile Hall staff shall obtain written authorization from the Officer of the Day or designated Senior Counselor on the Search Authorization Form prior to beginning the search.
 - f. After completing a search, Juvenile Hall staff shall attach the original Search Authorization Form to either the Admissions Form or the Incident Report.
- ii. Intake Searches (see Policy 3.01 – Admission, Referral, Screening and Classification)
- a. When a youth enters Juvenile Hall, a Juvenile Hall staff member shall conduct a Pat Search and may also conduct a Scan Search of the youth.
 - b. Juvenile Hall staff shall only conduct a Strip Search at intake with a reasonable articulable suspicion.
 - c. Reasonable suspicion upon intake may include:
 - 1. The youth is currently charged with a crime involving drugs (except when arrested for a violation of Health and Safety Code 11550 only) or a crime involving weapons or violence as documented on the admission form. A felony charge cannot be the sole basis for

determining that reasonable suspicion exists.

2. The youth has a history of convictions or arrests for crimes involving weapons, drugs, or violence (except when arrested for a violation of Health and Safety Code 11550 only). The Juvenile Hall staff member performing the search shall review the youth's case summary in the Automon to ensure that the information confirms the circumstances justifying a Strip Search.
3. Prior to the search, if the Officer of the Day or designee has reasonable suspicion to believe the youth is in possession of contraband (see Policy 10.11 – Contraband) based on facts that are not limited to the offense charged or the history of offenses.

iii. **Body Searches of Detained Youth**

- a. Juvenile Hall staff may also conduct searches of the youth at times other than intake such as when youth are returning from activities outside of the living unit, court, outside of the facility, or visiting so long as one or more of the following criteria are met.
- b. For youth who were cleared for a Strip Search during intake, additional Strip Searches may take place only when:

1. The Juvenile Hall staff member has reasonable suspicion that the youth may be concealing contraband.
 2. The youth has returned to the living unit after leaving the living unit and not being under the constant direct visual supervision of a Juvenile Hall staff member.
 3. The youth had physical contact with persons other than SFJPD employees or other court personnel including when the youth does not leave the living unit.
- c. If a Juvenile Hall staff member believes there is a need to Strip Search a youth who has not previously qualified for a Strip Search for reasons articulated in a Search Authorization form, the Juvenile Hall staff member shall complete a Search Authorization Form and obtain written authorization from the Officer of the Day or designee prior to conducting the search. Reasoning for the search shall be based on documented reasonable suspicion and may only take place where a less intrusive search is not enough.
- iv. **Body Search Methods**
- a. **Scan Searches:** All persons entering Juvenile Hall may be subject to one or more Scan Searches.

b. Pat Searches

1. A person of the same gender as the person to be searched will conduct the pat search, whenever possible. Pat searches of transgender persons should be conducted in accordance with the current PREA standards. Transgender and intersex youth shall be given the opportunity to express their preference for the gender of the Juvenile Hall staff member conducting the search. Such preference shall be granted on a case-by-case basis.
2. All pat searches shall be done in the presence of the transporting law enforcement agency or other Juvenile Hall staff members for the purposes of having a witness.
3. To conduct a Pat Search, Juvenile Hall staff shall conduct a systematic body quadrant search as follows:
 - Using clear language and sensitivity while informing the youth of the process in advance of each step.
 - Ask the youth to remove outer clothing and shoes while moving these items away from the youth for later search.

- Ask the youth if he or she has any concealed items including weapons, needles, or drugs.

- Direct the youth to face the Juvenile Hall staff member and spread his or her feet apart with arms held out to the sides with open palms. Then direct the youth to turn around and place his or her hands against the wall or on the counter.

- Direct the youth to maintain a position with feet apart and slightly off-balance. Juvenile Hall staff shall maintain a balanced stance as much as possible and hold onto the belt area of the youth.

- Tuck thumb inside waistband while sliding an open palm across the waist above the genitalia area. Check the front and back pockets. Check back waistband by tucking thumb inside waistband while sliding an open palm across the waist above the buttocks area.

- Check youth's chest, sides, arms, and back by patting. For females, check bra bands and under breast area with open palms down.

- Pat youth's collar, shoulders, and run fingers through hair.
- Visually inspect ears, nose, mouth, and under tongue.
- Check outside of legs to bottom of feet and inside legs to groin.
- Inform youth when the search is completed and allow him or her to release from the search position.

v. **Strip Search**

- a. A person of the same gender as the person to be strip searched will conduct the search. Strip Searches of transgender persons should be conducted in accordance with current PREA standards. Transgender and intersex youth shall be given the opportunity to express their preference for the gender of the Juvenile Hall staff member conducting the search. Such preferences shall be granted on a case-by-case basis.
- b. Juvenile Hall staff shall only conduct a Strip Search with a reasonable articulable suspicion.
- c. Prior to conducting a Strip Search, the Juvenile Hall staff member shall complete a Search Authorization Form articulating the basis for reasonable suspicion. Juvenile Hall staff shall obtain written authorization from the Officer of the Day or designated Senior

- Counselor on the Search Authorization Form prior to beginning the search.
- d. Juvenile Hall staff shall conduct all Strip Searches in an area of privacy so that the search cannot be observed by persons not participating in the search [PC 4030(m)]. The Juvenile Hall staff member conducting the search shall stand in the doorway with another Juvenile Hall staff member in the area as a witness.
 - e. Juvenile Hall administration and staff shall never allow or conduct cross-gender searches of youth [PREA 115.315].
 - 1. Searches conducted by medical staff may be exceptions to this rule when necessary.
 - 2. See Section VIII – Special Considerations and Populations below including procedural considerations related to Cross-Gender, Transgender or Gender Non-Conforming Searches and Sensitivity Related to Trauma History below (see LGBTQI Protocol for more on best practices when communicating with youth).
 - f. Juvenile Hall staff shall never touch a youth during the Strip Search unless a forced Strip Search is warranted (see section VII below for procedures related to Uncooperative Youth) [PC 4030(j)].

- g. Juvenile Hall staff shall verbally direct the youth to enter the private area and remove clothing.
 - h. Juvenile Hall staff shall then collect the clothing for search prior to finishing the Strip Search.
 - i. If the youth being searched has a cast, bandage, or other medical device that shall be searched, the Juvenile Hall staff member shall request the assistance of the nurse and/or medical staff.
 - j. Juvenile Hall staff shall search all the youth's clothing carefully and return it to the youth as quickly as possible.
 - k. Juvenile Hall staff shall ensure the appropriate documentation of the search is included in the youth's file [PC 4030(i)]. After completing a search, Juvenile Hall staff shall attach the original Search Authorization Form to either the Admissions Form or the Incident Report.
- vi. **Body Cavity Search**

Youth shall never be subject to a physical body cavity search except under the authority of a search warrant issued by a magistrate specifically authorizing a physical body cavity search [PC 4030(h)].

- a. Any authorized physical body cavity searches shall be done under sanitary conditions and only by a physician, nurse practitioner, registered nurse, licensed vocational nurse, or emergency medical technician Level II who

are licensed to practice in the State of California [PC 4030(k)].

- b. Visual Body Cavity Searches: Juvenile Hall staff shall never touch a youth during a Visual Body Cavity Search [PC 4030(j)].
 - c. Juvenile Hall staff shall conduct all authorized Body Cavity Searches in an area of privacy so that the search cannot be observed by persons not participating in the search [PC 4030(m)].
 - d. Juvenile Hall staff shall ensure the appropriate documentation of the search is included in the youth's file [PC 4030(i)]. After completing a search, Juvenile Hall staff shall attach the original Search Authorization Form to either the Admissions Form or the Incident Report.
- vii. Uncooperative Youth
- a. When a youth who meets the criteria for a Strip Search or higher level of search is uncooperative or non-compliant and a Search Authorization Form has been properly obtained, Juvenile Hall staff shall notify the Officer of the Day immediately.
 - b. The Officer of the Day shall make every reasonable effort to avoid having to order the forcible removal of clothing from a non-compliant youth. This may include placing the youth in a secure room to ensure safety until the youth becomes cooperative.

1. Any time a youth is placed in a secure room pending a Strip Search, Juvenile Hall staff shall maintain direct visual supervision over the youth.
 2. If staffing limitations do not permit the posting of a Juvenile Hall staff member to maintain direct visual supervision or the Officer of the Day determines that other circumstances exist that require an immediate search, the Officer of the Day may authorize a search.
- c. If the Officer of the Day authorizes a forced Strip Search, he or she shall instruct Juvenile Hall staff to forcibly remove the youth's clothing so that the search may be conducted. Juvenile Hall Staff shall use the least amount of force necessary to carry out the search (see Policy 10.16 – Use of Force).
 - d. Juvenile Hall staff shall ensure the appropriate documentation of the search is included in the youth's file [PC 4030(i)]. After completing a search, Juvenile Hall staff shall attach the original Search Authorization Form to either the Admissions Form or the Incident Report.
- viii. Special Considerations and Populations
- a. Cross-Gender Searches: Juvenile Hall administration and staff shall never allow or conduct cross-gender searches of youth [PC 4030(i), PREA 115.315].

1. Searches conducted by medical staff may be exceptions to this rule when necessary.
 2. Any individuals present during a search (except for medical personnel) shall be of the same gender [PC 4030(i)]. Juvenile Hall staff should limit cross-gender supervision wherever possible, including searches and use of bathroom.
 3. Juvenile Hall staff of the opposite gender shall announce themselves before entering the living unit or area.
- b. Transgender and Gender-Nonconforming Searches: Juvenile Hall staff shall conduct searches of transgender youth in a sensitive and respectful manner [PREA 115.315].
1. Transgender and intersex youth shall be given the opportunity to express their preference for the gender of the Juvenile Hall staff member conducting the search.
 2. Such preference shall be granted on a case-by-case basis.
 3. Juvenile Hall staff shall never conduct a search of a youth for the sole purpose of identifying genitalia.
- c. Sensitivity to Trauma-History: Wherever possible, Juvenile Hall staff shall take into

consideration previous exposure to sexual abuse and other serious traumas which may render physical searches and intrusions distressing to youth.

ix. Search of Visitors

- a. Visitors may be asked to submit to a Pat Search prior to entering the facility if Juvenile Hall staff have reasonable suspicion that the visitor has contraband.
- b. The Officer of the Day shall approve and document the request for the Pat Search on an Incident Report.
- c. If the visitor refuses the request, the Officer of the Day may deny access to Juvenile Hall.

x. Search of Living Units and Other Locations

The Department may search the living units, individual rooms, the perimeter, or other areas of the facility at any time for any reason. This search is designed to uncover contraband, prevent escapes, maintain sanitary standards, and to eliminate fire and safety hazards. This search does not include a strip search or visual body cavity search of the youth.