

Chippewa County Correctional Facility <u>Policy & Procedure</u>	Effective Date: 9/1/1997	Policy Number: 5 . 5
	Updated: 9/30/2020	Page Number: 1 of 2
Section: Security and Control	Reference: MCL 764.25(b) ACA 4-ALDF 2C-05 NDS 2019 – 2.7 – Search of Detainees	
Subject: Body Cavity Searches	Authority: Michael D. Bitnar, Sheriff	
Rescinds: All Previously Issued Policies, Procedures, Directives, or Memoranda Relative to this Topic		

I. POLICY

It is the policy of the Chippewa County Correctional Facility to conduct body cavity searches pursuant to M.C.L. 764.25(b).

II. DEFINITIONS

“**Body Cavity**” means the interior of the human body not visible by normal observation, being the stomach, intestines, and/or rectal cavity of all persons and the vaginal cavity of a female person.

“**Body Cavity Search**” means the physical intrusion into a body cavity for the purpose of discovering any object concealed in a body cavity.

III. PROCEDURE

- A. All body cavity searches shall be conducted pursuant to M.C.L. 764.25(b).
- B. A search of a body cavity shall not be conducted without a valid search warrant on any individual. If there is concern about loss of evidence, introduction of contraband, etc., the individual in question should be detained in such a way to prevent the loss of such evidence or contraband (e.g. in an observation cell with toilet facilities turned off and under constant visual supervision).
- C. A body cavity search shall be conducted by a licensed physician or physician’s assistant, licensed practical nurse, or registered professional nurse acting with the approval of a licensed physician. If the body cavity search is conducted by a person of the opposite

sex as the person being searched, the search shall be conducted in the presence of a person of the same sex as the person being searched.

- D.** The articulable facts supporting the conclusion that reasonable suspicion exists shall be documented.
- E.** If a Body Cavity Search is conducted, the law enforcement officer who executes the warrant shall prepare an incident report containing all of the following:
 - 1. Copy of the search warrant
 - 2. Name and sex of the person searched
 - 3. Name and sex of person who conducted the search
 - 4. Date, time, and place of search
 - 5. A list of all items recovered from the person who was searched
 - 6. The name(s) and sex of all persons present at the time the search was conducted
- F.** The inmate/detainee's health and welfare shall be considered prior to performance digital or simple instrument search.
- G.** Whenever possible, transgender inmate/detainees shall be permitted to choose the gender of the individual conducting the body-cavity search.