

Chippewa County Correctional Facility <u>Policy & Procedure</u>	Effective Date: 9/1/1997	Policy Number: 5 . 4
	Updated: 9/30/2020	Page Number: 1 of 2
Section: Security and Control	Reference: MCL 764.25(a) ACA 4-ALDF 2C-03, 2C-04 NDS 2019 – 2.7 – Searches of Detainees	
Subject: Strip 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 strip searches pursuant to M.C.L. 764.25(a).

II. DEFINITION

A strip search is defined as a search that requires a person to remove his/her clothing to expose the underclothing, buttocks, breasts, and genitalia.

III. PROCEDURE

A. A person who is arrested or detained for a misdemeanor offense, or an offense which is punishable only by a civil fine shall not be strip searched unless both of the following occur:

1. The person arrested is being lodged into a detention facility by order of a court or there is **reasonable cause** to believe that the person **is concealing a weapon, controlled substance, and/or evidence of a crime.**
2. The strip search is conducted by a person who has obtained prior written authorization from the Sheriff, and/or his/her designee.

B. A person who is committed to jail by a court order and/or detainer shall be thoroughly strip searched prior to being placed in a cell or cellblock.

- C.** A strip search conducted under this section shall be performed by a person of the same sex as the person being strip searched and shall be performed in a place that prevents the search from being observed by a person not conducting or necessary to assist with the search. A law enforcement officer who assists in the strip search shall be of the same sex as the person being searched.
- D.** If multiple strip searches need to be conducted, officers will strip search one person at a time.
- E.** If a strip search is conducted under this section, the officer conducting the strip search shall prepare an incident report justifying the strip search. The incident report shall contain the following information:
1. Name and sex of the person subjected to the strip search.
 2. Name(s) conducting the strip search.
 3. Date, time, and location of the strip search.
 4. Justification for conducting the strip search.
 5. A list of all items recovered from the individual who was strip searched.
 6. If conducted for the Chief Law Enforcement Officer, a copy of the written authorization.
- All strip search reports will be submitted to the Jail Administrator for review.
- F.** All strip searches involving ICE detainees will be documented via the JMS system. This includes ICE detainees who are entering and/or reentering the facility.
- G.** Inmate/detainees will be not strip searched for the sole purpose of determining the individual's genital characteristics. If the gender is unknown, it may be determined during conversations with the inmate/detainee, by reviewing medical records, or, if necessary a medical examination conducted by a medical practitioner.

Note: This section shall not apply to the strip search of a person lodged in a detention facility by an order of a court and/or any person returning to the facility from Work Release, Community Service, Trustee duties, etc. In such cases, all persons shall be thoroughly strip searched prior to being placed in a cell and/or cellblock.

