

**CHAPTER: 700**

**Operational Security**

**DEPARTMENT ORDER:**

**708 – Searches**

**OFFICE OF PRIMARY  
RESPONSIBILITY:**

**OPS**

**Effective Date:**

**February 28, 2020**

**Amendment:**

**November 20, 2021**

**Supersedes:**

**DO 708 (11/5/12)**

**Scheduled Review Date:**

**October 1, 2022**

**ACCESS**

**Contains Restricted Section(s)**

# Arizona Department of Corrections Rehabilitation and Reentry



**Department Order Manual**

A handwritten signature in black ink, appearing to be "David Shinn", written over a horizontal line.

David Shinn, Director

## TABLE OF CONTENTS

<b>STANDARDS .....</b>	<b>1</b>
<b>PURPOSE.....</b>	<b>1</b>
<b>PROCEDURES .....</b>	<b>1</b>
<b>1.0 SEARCHES – GENERAL PROCEDURES .....</b>	<b>1</b>
<b>2.0 SEARCHES OF INMATES.....</b>	<b>9</b>
<b>3.0 SEARCHES OF EMPLOYEES/VOLUNTEERS/INTERNS/PROGRAM ASSOCIATES/CONTRACTORS... </b>	<b>11</b>
<b>4.0 SEARCHES OF MEMBERS OF THE PUBLIC (VISITORS) .....</b>	<b>13</b>
<b>5.0 SEARCHES OF OFFENDERS BY COMMUNITY CORRECTIONS STAFF .....</b>	<b>14</b>
<b>IMPLEMENTATION.....</b>	<b>14</b>
<b>DEFINITIONS/GLOSSARY.....</b>	<b>15</b>
<b>AUTHORITY.....</b>	<b>15</b>

## **STANDARDS** *[Revision – November 20, 2021]*

American Correctional Association (ACA) Standards: 5-ACI-3A-19, 5-ACI-3A-20, and 5-ACI-3A-21

## **PURPOSE**

This Department Order establishes measures to control the introduction or possession of contraband and maintain a safe and secure environment for staff, inmates and visitors. Control is accomplished through searches of inmates, offenders who are under supervision in the community, staff, visitors, property and inmate living areas, and common areas. Searches are conducted in a manner that is professional and dignified, and shall not involve any punishment, harassment, intentional embarrassment, or cause damage to personal property of the search subject.

## **PROCEDURES**

### **1.0 SEARCHES – GENERAL PROCEDURES**

- 1.1 Wardens and Deputy Wardens shall ensure: {5-ACI-3A-19} {5-ACI-3A-20} *[Revision – November 20, 2021]*
  - 1.1.1 Searches are conducted as often as necessary to control contraband and to recover missing property.
    - 1.1.1.1 Searches shall not be executed for the purpose of punishment or harassment and with respect to an inmate’s right to authorized personal property. *[Revision – November 20, 2021: Section 1.1.1.1 thru 1.1.1.3.1]*
    - 1.1.1.2 Manual or instrument inspection of body cavities may only be conducted when there is a reasonable suspicion that an inmate is concealing contraband and when the inspection has been authorized by the Warden or designee.
    - 1.1.1.3 All body cavity searches shall be authorized by a search warrant obtained by the Criminal Investigations Unit (CIU).
      - 1.1.1.3.1 The inspection shall be conducted in private by a local healthcare provider.
  - 1.1.2 Searches of inmates, living areas, work areas, and common areas are conducted as part of the daily operation of the institution. *[Revision - November 20, 2021]*
  - 1.1.3 Searches are frequent, unannounced, and irregularly timed.
  - 1.1.4 Staff members conduct searches whenever they have reason to believe inmates or visitors are concealing contraband.
  - 1.1.5 Sensors and mechanical devices are used in an appropriate legal manner.
  - 1.1.6 Searches are performed on all vehicles entering or departing the secure perimeter of the unit.

- 1.2 Wardens and Deputy Wardens shall designate placement of the electronic metal detectors, body scanners, and hand wands. {5-ACI-3A-19} ***[Revision - November 20, 2021: Sections 1.2 and 1.2.1]***
- 1.2.1 Complex Majors shall be responsible for scheduling all complex searches. Complex searches include but is not limited to, staff, visitors, parking lot, inmate work crews, inmate work locations, etc.
- 1.3 **General Search Requirements**
- 1.3.1 Captains shall ensure searches are conducted as follows: ***[Revision - November 20, 2021]***
  - 1.3.1.1 Staff members shall document searches of inmate living areas, and any search in which contraband (other than nuisance contraband) is found in the Correctional Service Log, Form 105-6, and unit search log to provide a permanent record of searches.
  - 1.3.1.2 Staff members shall forward all search-related documentation through their chain of command to the Deputy Warden.
    - 1.3.1.2.1 Deputy Wardens shall establish a file for all reports documenting searches to provide a system of recording searches.
- 1.3.2 All persons entering an institution/facility are subject to being searched prior to entering.
- 1.3.3 Individuals who are entering an institution for the purpose of visiting an inmate must consent to searches as part of the registration process outlined in Department Order #911, Inmate Visitation.
- 1.3.4 Persons who refuse an authorized search; and are believed to be in possession of contraband or illegal contraband; or refuse to remove or reveal contraband or illegal contraband shall be denied entrance. Refer to the following Department Orders for specific denial procedures and appropriate penalties:
  - 1.3.4.1 Department Order #202, Public Access - Tour and Board Hearing
  - 1.3.4.2 Department Order #205, Contractor and Program Associate Security
  - 1.3.4.3 Department Order #911, Inmate Visitation
- 1.4 **Vehicle Search** {5-ACI-3A-19} ***[Revision - November 20, 2021]***
  - 1.4.1 Vehicles Entering/Exiting the Unit – All vehicles entering or departing the secure perimeter of the unit shall be searched. Staff members shall ensure:
    - 1.4.1.1 Vehicles entering the unit are issued a steering wheel lock. This shall be utilized while the vehicle is left unoccupied inside the unit.

- 1.4.1.2 Vehicles are inspected to ensure they are equipped with a locking gas cap. A staff escort shall accompany the vehicle while it is on the yard. **[Revision - November 20, 2021]**
- 1.4.1.3 All vehicle doors are lockable. Vehicles that cannot be locked shall not be permitted inside the secure perimeter without the approval of the Shift Commander. A security escort shall also accompany the vehicle or maintain a constant visual of the vehicle while it is on the yard.
- 1.4.1.4 All vehicles entering and exiting are thoroughly inspected to include the undercarriage, all compartments (e.g., engine and trunk), and all inside storage areas. Inspection may be aided with a mirror and camera to augment the search process.
- 1.4.1.5 All vehicle searches are documented on the Vehicle/Vendor Tracking Log, Form 708-2.
- 1.4.1.6 All traffic entering or exiting the unit is approved by the Shift Commander.
- 1.4.1.7 Sally Port gates are not opened simultaneously absent exigent circumstances and are approved by the Shift Commander.
- 1.4.2 Commercial Vehicles – In addition to the guidelines outlined in 1.4.1, the Sally Port Officer shall ensure:
  - 1.4.2.1 When commercial vehicles come into complex, the traffic control officer shall screen the vehicle/driver for the presence of contraband. Visitors and commercial contractors are not allowed to possess any weapons on grounds. They will be turned away if observed. **[Revision – November 20, 2021: Sections 1.4.2.1 and 1.4.2.2]**
  - 1.4.2.2 When a vehicle arrives at the entry point of any institution, any weapons that are possessed by the occupants or present in the vehicle must be secured in a lock-box at a location designated by the Warden or designee. The Shift Commander shall authorize entry. Cell phones are permitted and must be secured.
  - 1.4.2.3 Upon entering the unit, all commercial/delivery vehicle cargo areas are secured with an assigned security padlock. Vehicles departing the unit, shall remove the padlock prior to departure.
    - 1.4.2.3.1 Commercial vehicles shall be directly supervised by security staff during all times when the vehicle cargo area is not secured.
- 1.4.3 Emergency Response Vehicles
  - 1.4.3.1 Emergency Response Vehicles (limited to: Fire Trucks and ambulances) shall: **[Revision – November 20, 2021: Sections 1.4.3.1 thru 1.4.3.1.2]**
    - 1.4.3.1.1 Not be delayed upon entry.

- 1.4.3.1.2 Be exempt from normal search procedures, if exigent circumstances are present, and must be escorted and remain under consistent visual observation until departure. ***[Revision - November 20, 2021]***
- 1.4.3.1.3 Be visually searched prior to entering the unit.
- 1.4.3.1.4 Escorted by Correctional Officers. The Shift Commander shall assign an appropriate number of officers to escort the emergency vehicle from the time it enters the unit until it departs the unit.
- 1.4.3.2 Ambulances shall be visually searched to ensure only the escorting officer, ambulance staff and departing inmate(s) are in the vehicle.
  - 1.4.3.2.1 Departing inmate(s) shall be fully restrained in accordance with Department Order #705, Inmate Transportation.
    - 1.4.3.2.1.1 Pregnant inmates shall be restrained in accordance with Department Order #705, Inmate Transportation.
- 1.4.4 Exiting the Sally Port
  - 1.4.4.1 All vehicles shall be searched for inmates attempting to escape. This search shall cover all compartment areas, to include undercarriages that are large enough to conceal inmates. No vehicles are exempted from this procedure.
  - 1.4.4.2 A mirror, ladder and/or camera shall be utilized to check the roofs of departing vehicles.
  - 1.4.4.3 Every individual leaving the unit shall be positively identified through the use of picture ID, with the Sally Port Officer physically handling the ID card to verify authenticity.
- 1.4.5 Parking Lot Searches
  - 1.4.5.1 The Warden, unit Deputy Warden, and Complex Major may authorize the Narcotic Service Dog(s) to be used for searches of staff, visitors, and private vehicles.
    - 1.4.5.1.1 All persons and vehicles entering/exiting prison property may be subject to search. ***[Revision - November 20, 2021]***
  - 1.4.5.2 The Service Dog Handler shall direct/oversee all activities of the Service Dog.
    - 1.4.5.2.1 All subsequent search results shall be recorded on an Information Report, Form 105-2.

- 1.4.5.2.2 If narcotics or any other illegal contraband is located, immediate notification shall be made to the Criminal Investigations Unit (CIU) through the chain-of command. Staff shall initiate a Significant Incident Report, Form 105-3.
  - 1.4.5.2.3 A Service Dog shall be utilized when available to search employee and visitor vehicles randomly on all visitation days, and when there is probable cause or reasonable suspicion.
  - 1.4.5.2.4 The Service Dog Handler shall ensure all occupants exit the vehicle prior to commencing the search.
  - 1.4.5.2.5 To minimize possible injury to any person, and reduce the liability to the Department, narcotic service dog searches of individual person, whether staff or visitors, shall be conducted through a barrier screen.
  - 1.4.5.2.6 An approved portable barrier screen may be used in lieu of a fixed chain-link fence with no-climb barrier screen.
  - 1.4.5.2.7 All Service Dog Handlers shall have access to a portable barrier screen.
  - 1.4.5.2.8 Special care shall be taken to prevent vehicle damage.
  - 1.4.5.2.9 All contents of the vehicle, including articles of clothing not being worn, may be searched by the Service Dog Handler.
- 1.5 Electronic Metal Detectors and Hand Wands – Employees, contractors, program associates, volunteers and interns shall be required to clear a metal detector prior to entering a unit. Searches of visitors shall be in accordance with Department Order # 911, Inmate Visitation. {5-ACI-3A-19} *[Revision - November 20, 2021]*
- 1.5.1 Individuals who fail to successfully clear the electronic metal detector shall:
    - 1.5.1.1 Be afforded one more attempt to clear the detector.
    - 1.5.1.2 Remove any article of clothing or accessories, to include shoes if necessary, in an attempt to clear the detector again. Any items(s) removed shall be thoroughly inspected and searched prior to returning them to the individual.
    - 1.5.1.3 After two failed attempts, be searched with a hand wand to determine the area which activated the electronic metal detector.
      - 1.5.1.3.1 Individuals who cannot clear the hand wand shall be pat searched in the area which activated the hand wand.
  - 1.5.2 All property, including personal property and food items, shall be inspected and cleared through the electronic metal detector, hand wand or x-ray, as applicable.

1.5.3 Special Medical Conditions For individuals – Persons with a special medical condition that may affect the reading of electronic detection equipment, (i.e., prosthesis, an embedded metal surgical pin or plate) shall advise the Ingress/Egress officer.

1.5.3.1 The person is required to provide written documentation from a medical provider of the specific medical condition, which shall be approved by the unit Deputy Warden or On-Site Duty Officer.

1.5.3.2 Persons with such a medical condition shall be required to clear a hand wand, with the exception of the area of the medical condition, which shall be pat searched.

## 1.6 Pat Search

1.6.1 Pat searches shall be performed by staff of the same gender as the subject being searched. Exceptions for inmate searches are listed in section 2.0.

1.6.2 Pat searches shall be conducted when necessary and as needed.

1.6.3 When performing a pat search, the following procedures shall be followed:

1.6.3.1 Prior to proceeding with a pat search, staff members shall put on their personal protective equipment.

1.6.3.2 Direct the subject to remove any hat jacket, scarf, gloves, etc., and then to face away from the staff member. Special attention shall be paid to the:

1.6.3.2.1 Inside rim of hat.

1.6.3.2.2 Jacket pockets.

1.6.3.2.3 Sleeves.

1.6.3.2.4 Lining and seams, looking for alterations or hidden pockets.

1.6.3.3 Direct the subject to remove any object which may injure or stick the staff member performing the search (i.e., tattoo, hypodermic or sewing needles, etc.) **[Revision - November 20, 2021]**

1.6.3.4 Direct the subject to empty his/her pockets and hand all items to you for inspection. Search each item thoroughly. Set the items down within your view, but out of the reach of the subject.

1.6.3.5 Direct the subject to stand with legs apart (approximately two feet), to extend arms out to the sides, with his hands open, fingers spread apart and thumbs pointed down. Inspect the palms to ensure no contraband is concealed there.

1.6.3.6 If subject has long hair, braids, or a ponytail, have the subject take his/her hair down and shake vigorously.



- 1.6.3.7 Start by placing both hands on either arm, patting around the arm ensuring both the front and back of the arm is searched.
  - 1.6.3.7.1 Begin at the wrist if a long-sleeved shirt is worn.
  - 1.6.3.7.2 Work towards the torso.
  - 1.6.3.7.3 The same procedure shall be used on the other arm.
- 1.6.3.8 Reach around the front chest of the subject and pat the subject starting at the collar.
  - 1.6.3.8.1 The process can be done by sections, beginning on the left side and then on the right side, allowing the staff member to maintain one hand on the back of the subject to aid in creating separation from the subject if an aggressive move is made.
  - 1.6.3.8.2 Continue down the subject's torso, patting the chest, stomach, and top of groin area.
  - 1.6.3.8.3 Work around the sides of the torso, onto the back and down to the spine to the waistband.
  - 1.6.3.8.4 Reach around the subject to the front waist area and squeeze the waistline, progressing in regular intervals towards the center of the back.
- 1.6.3.9 The staff member shall then begin the pat search of the upper part of the subject's leg, well into the groin and buttocks area, moving downward toward the ankle.
  - 1.6.3.9.1 All areas of the legs, groin, and buttocks areas shall be searched thoroughly.
  - 1.6.3.9.2 All pockets shall be checked.
  - 1.6.3.9.3 The same procedure will be repeated on the other leg.
- 1.6.3.10 If an inmate is suspected of concealing contraband within his/her clothing, the staff member may relocate the inmate to another location and a strip search may be conducted.
  - 1.6.3.10.1 If a staff member suspects an employee, contractor, program associate, or visitor of hiding contraband, they shall follow the requirements listed in sections 3.0 and 4.0.
  - 1.6.3.10.2 Minor visitors shall not be pat or strip searched.

1.7 Strip Search {5-ACI-3A-21} *[Revision - November 20, 2021]*

- 1.7.1 Strip searches shall be performed by a staff member of the same gender and performed in areas designated by the Warden, Deputy Warden or Administrator.

- 1.7.1.1 If reason exists for a strip search to be done immediately, the Shift Commander or Duty Officer may authorize the use of a private area other than the designated strip room.
- 1.7.1.2 At no time during the strip search shall any part of the person's body be touched by a staff member, with the exception of inspecting the person's hair as outlined in 1.7.2.3 of this section.
- 1.7.2 When performing a strip search the staff member shall direct the subject to:
  - 1.7.2.1 Empty all pockets and place possessions in an area inaccessible to the subject during the search.
  - 1.7.2.2 Remove all clothing and place in an area inaccessible to the subject during the search.
  - 1.7.2.3 Let down hair and to undo any braids. If staff determined the braids should not be undone, staff shall physically inspect the braids to ensure they are free of any contraband by feeling and bending the braids. The staff member shall:
    - 1.7.2.3.1 Place any hair products in an area inaccessible to the subject during the search.
    - 1.7.2.3.2 Direct the subject to run their fingers thoroughly through the hair. Look for any contraband concealed anywhere in the hair or on the scalp.
    - 1.7.2.3.3 Direct the subject to pull ear back to observe the area behind each ear. The staff member shall inspect both ears.
  - 1.7.2.4 Open mouth and direct the subject to:
    - 1.7.2.4.1 Roll tongue back to observe under the tongue.
    - 1.7.2.4.2 Stick tongue out to observe the back of the throat.
    - 1.7.2.4.3 Inspect the upper and lower gum-lines.
    - 1.7.2.4.4 Inspect dentures or false plates.
  - 1.7.2.5 Extend arms out to the side, with fingers extended and spread apart.
  - 1.7.2.6 Raise arms so the hands are above the head.
    - 1.7.2.6.1 Inspect both arm pits.
    - 1.7.2.6.2 Inspect the entire torso.
    - 1.7.2.6.3 Direct females to lift and separate breasts to inspect all sides.
  - 1.7.2.7 Extend arms forward to inspect the hands and fingernails. The staff member shall inspect:

- 1.7.2.7.1 Palms of both hands.
- 1.7.2.7.2 Back of both hands.
- 1.7.2.7.3 Between each finger of both hands.
- 1.7.2.8 Spread legs apart to inspect the genital area. The staff member shall direct males to lift:
  - 1.7.2.8.1 Penis to inspect the area underneath.
  - 1.7.2.8.2 Testicles to inspect the area underneath.
- 1.7.2.9 Turn around to inspect the posterior. The staff member shall inspect the:
  - 1.7.2.9.1 Nape of the neck. Hair shall be lifted as necessary.
  - 1.7.2.9.2 Back of the shoulders.
  - 1.7.2.9.3 Spinal area.
  - 1.7.2.9.4 Buttocks.
- 1.7.2.10 Lift each leg to inspect the sole of each foot.
- 1.7.2.11 Bend forward and spread buttocks. The staff member shall:
  - 1.7.2.11.1 Inspect for any hidden objects. For female inmates, also inspect the vaginal area.
  - 1.7.2.11.2 If reasonable suspicious contraband may be present, direct the subject to squat down and cough.
  - 1.7.2.11.3 If still suspicious contraband may be present, contact medical personnel to provide a more intrusive search.
- 1.7.3 The staff member shall thoroughly inspect clothing before returning the subject.
- 1.8 Inmates do not need to be subjected or undergo a strip search if they successfully pass the body scanning process. ***[Revision – November 20, 2021: Sections 1.8 and 1.8.1]***
  - 1.8.1 Strip searches may be employed to confirm the presence of contraband that cannot be clearly identified by the body scanner.

## 2.0 SEARCHES OF INMATES

- 2.1 Housing Unit and Facility Searches - All areas of the institution shall be searched at least once per quarter. This shall include all inmate living areas, work areas, or any location accessible to inmates. These search requirements are in addition to the random, targeted and common area searches. ***[Revision – November 20, 2021]***

- 2.1.1 All religious property items are subject to periodic security inspection and shall be handled with appropriate respect, including consultation with the institution's Chaplain when appropriate. See Department Order #904, Inmate Religious Activities/Marriage Requests, for further information.
  - 2.1.2 Whenever possible, two staff members shall be present during a housing unit search.
  - 2.1.3 When conducting a search of an inmate's living area for contraband or other evidence of illegal or unauthorized activity, staff may inspect and examine personal papers, books and other documents for the purpose of discovering escape plans, disturbance plans, construction or use of weapons or explosives, self-harm, or any other information that may constitute a threat to the safety and security of the prison.
    - 2.1.3.1 Unauthorized and unclaimed property and contraband shall be processed in accordance with Department Order #909, Inmate Property.
  - 2.1.4 Documents the inmate claims to be legal material will be scanned for contraband, but not read in their entirety. The Shift Commander shall evaluate material identified as contraband immediately upon removal of the item from the inmate's living area.  
***[Revision - November 20, 2021]***
- 2.2 Inmate Pat Searches
- 2.2.1 A pat search of an inmate shall be conducted by a staff member of the same gender as the inmate whenever possible, with the following exceptions.
    - 2.2.1.1 Male Correctional Officers shall not pat search female inmates, except in emergency situations. Pat searches of female inmates by male officers shall be documented in the Correctional Service Log, and shall include the searching officer(s) name and badge number, the inmate(s) name and ADCRR number, and the reason for the cross gender pat search.
    - 2.2.1.2 Female Correctional Officers may pat search male inmates if no male staff member is available to conduct the search within a reasonable amount of time.
    - 2.2.1.3 Pat searches conducted by a staff member who is not the same gender as the inmate shall be conducted in the presence of at least one additional staff member, whenever possible.
- 2.3 Strip Searches
- 2.3.1 Inmates whose work or program duties are outside the perimeter of the assigned unit shall be strip searched each time the inmate returns to the unit.
  - 2.3.2 Inmates who work in secured areas, such as the Kitchen, shall be strip searched prior to being released back to the yard, as outlined in section 1.0.

- 2.4 Use of Body Scanners and Ferrous Metal Detectors – At the discretion of the Warden or designee inmates may be subjected to the use of a walk thru metal detector, body scanner or ferrous metal detector to scan for contraband that may be concealed within the inmate's body. ***[Revision – November 20, 2021: Sections 2.4 and 2.4.1.3.3]***
- 2.4.1 The use of a body scanner does not require a physician authorization to proceed with the scanning.
- 2.4.1.1 Only trained staff of the same gender may operate and conduct the body scan of an inmate.
- 2.4.1.2 Inmates may be scanned when departing and/or arriving at the unit or at any time it is suspected they may possess contraband on their person.
- 2.4.1.3 If contraband is detected, required notifications shall be made in accordance with Department Order #105, Information Reporting, to include the immediate notification of the CIU.
- 2.4.1.3.1 The inmate shall be afforded the opportunity to relinquish the contraband.
- 2.4.1.3.2 If the inmate is unable to produce the contraband, the inmate shall be placed on a dry cell watch until the contraband is voluntarily relinquished by the inmate.
- 2.4.1.3.3 If the inmate is unwilling to cooperate and relinquish the contraband, CIU shall complete the affidavit and other necessary requirements to obtain a search warrant. A local non-Department medical provider shall perform the procedure to obtain the contraband.

### 3.0 SEARCHES OF EMPLOYEES, VOLUNTEERS, INTERNS, PROGRAM ASSOCIATES AND CONTRACTORS

- 3.1 Employees, volunteers, interns, program associates and contractors shall be required, as a condition of employment/service, to consent to have their persons, vehicles, and other items searched when on Department property. Such consent shall be obtained as part of the background investigation process as outlined in Department Order #602, Background Investigations.
- 3.1.1 Searches of approved religious property items being brought into the institution shall be conducted with appropriate respect.
- 3.1.2 All employees shall be searched at least once per quarter. ***[Revision - November 20, 2021]***
- 3.2 Under no circumstances shall any force be used in conducting a search of an individual. Instead, an uncooperative individual shall be advised of the consequences described in this Department Order and Department Order #601, Administrative Investigations and Employee Discipline.

- 3.2.1 Searches of individuals with electronic scanning equipment, pat searches and searches of vehicles and other personal items shall be conducted routinely by security staff in particular areas, at established check points, or based upon reasonable suspicion. *[Revision - November 20, 2021]*
- 3.2.2 Pat searches shall be conducted at least once each calendar quarter. These searches shall be irregularly timed, unannounced and conducted in accordance with the guidelines established in this Department Order.
  - 3.2.2.1 Pat searches shall be conducted by a staff member of the same gender as the individual.
- 3.2.3 Searches of vehicles on prison grounds, regardless of rank or position of the individual, may be conducted as authorized by the Warden, Deputy Warden or the institution's Chief of Security. The individual shall be present during the search of his/her vehicle.
- 3.2.4 Complex Administrative Offices and Community Corrections Reentry Centers are considered secure areas, and individuals and their personal and state issued property may be searched in these areas.
  - 3.2.4.1 Searches shall not be conducted routinely in non-secure administrative offices and facilities, including those at Central Office buildings. Individuals and their personal and state issued property may be searched at these locations when such searches are based on reasonable suspicion.
- 3.2.5 If an electronic sensor, pat search, staff observation or reliable information creates reasonable suspicion to believe an individual possesses contraband, the searcher may, if approved by the Warden or Off-Site Duty Officer, conduct a more thorough search, including a strip search. Staff members shall maintain a constant visual observation of the individual.
  - 3.2.5.1 The CIU shall be notified immediately and respond to ensure proper procedures are followed to preserve both the evidence and the individual's civil rights.
- 3.2.6 If staff observation or reliable information creates reasonable suspicion to believe an individual is under the influence of alcohol or drugs, the searcher may, if approved by the Warden or Off-Site Duty Officer, conduct a more thorough search, including drug and alcohol screening at the approved testing location.
  - 3.2.6.1 Employees shall be driven directly to the testing location, and then driven home following the test.
  - 3.2.6.2 Employees are not permitted to operate a vehicle (state or personal) if believed to be under the influence of alcohol or drugs.
- 3.2.7 Searches of employees may be conducted as part of an administrative investigation involving allegations of employee misconduct. The employee may be required to provide physical evidence, statements or testimony.

- 3.2.7.1 The Assistant Director or designee may require an employee to provide fingerprints, urine specimens, breath samples, handwriting examples or other evidence deemed appropriate during an administrative investigation. Employees who refuse such directives shall be denied entry to the institution and shall be subject to disciplinary action as outlined in Department Order #601, Administrative Investigations and Employee Discipline.
  - 3.2.7.2 Employees may also be required to submit to interviews or polygraph examinations. (See Department Order #603, Polygraph Services.)
  - 3.2.7.3 If supervisors have a reasonable cause to suspect the employee has altered or tampered with a urinalysis, the employee may be subject to disciplinary action as outlined in Department Order #601, Administrative Investigations and Employee Discipline.
  - 3.2.8 An individual shall be denied access to the work site, and security supervisors or investigators shall file a complaint with the Inspector General's office, to be followed by appropriate disciplinary action, if the individual:
    - 3.2.8.1 Is in possession of contraband.
    - 3.2.8.2 Refuses to cooperate in or submit to a search.
    - 3.2.8.3 Refuses to sign the Consent to Search, Form 602-3, in accordance with Department Order #602, Background Investigations.
    - 3.2.8.4 Refuses to provide evidence as ordered.
  - 3.2.9 A Significant Incident Report shall be generated when an individual is strip searched, drug or alcohol tested, or when contraband is discovered. A copy of the Significant Incident Report shall be submitted to the concerned employee's Deputy Warden.
- 4.0 SEARCHES OF MEMBERS OF THE PUBLIC (VISITORS) – All visitors, their possessions and vehicles are subject to search as outlined in Department Order #911, Inmate Visitation.**
- 4.1 Employees shall only conduct searches of members of the public as a function of their post duties or by authorization of the Warden or Deputy Warden.
    - 4.1.1 Employees conducting searches of approved religious property being brought into the institution shall handle the property with appropriate respect.
  - 4.2 When thorough and extensive searches of members of the public are planned (i.e., parking lot searches), the institution's Criminal Investigations Unit shall take appropriate enforcement action when notified of findings of illegal contraband.
  - 4.3 When, in the course of a vehicle search, a service dog alerts, further searches shall be conducted as required by instructions governing the use of service dogs or in accordance with the appropriate Department Order. If no contraband is located, all occupants shall be temporarily suspended pending a review by the unit Deputy Warden.

- 4.4 If contraband or illegal contraband is detected during the search of a vehicle, staff shall confiscate the items(s) as outlined in Department Order #911, Inmate Visitation.
- 4.5 When plain sight inspections of the public reveal suspected illegal contraband, the Criminal Investigation Unit or local law enforcement shall be contacted to determine if a violation has taken place.
  - 4.5.1 When probable cause exists to believe a violation of the statutes has taken place, illegal contraband items shall be seized and processed as evidence.
  - 4.5.2 If insufficient probable cause exists regarding a violation of statutes, or if the contraband is unauthorized but not illegal, the contraband items shall not be seized.
- 4.6 The member of the public being searched shall remove the contraband by leaving state property and shall not be allowed to return until a review of the circumstances and a final decision regarding violations can be made by the Warden or Deputy Warden.
  - 4.6.1 The inmate visitor shall not be automatically removed from the visiting list.
  - 4.6.2 The inmate visitor shall be suspended pending administrative review by the Deputy Warden.
  - 4.6.3 The Deputy Warden shall review the incident and make a determination on the visitor's status within three workdays of the incident.

## **5.0 SEARCHES OF OFFENDERS BY COMMUNITY CORRECTIONS STAFF**

- 5.1 Community Corrections staff are authorized to search persons, personal belongings, vehicles and residences of offenders under Department Community Supervision. The searches may be conducted without a warrant per the agreement to "submit to search" as a Standard Condition of Supervision and Release.
- 5.2 All searches conducted by Community Corrections Officers shall be performed in accordance with Department Order #1003, Community Corrections.
- 5.3 During a search and seizure operation, Community Corrections Officers and other Community Corrections staff shall ensure searches are conducted without violating the constitutional rights of offender or others.
- 5.4 Community Corrections Officers shall submit appropriate reports within two workdays following any search and seizure.

## **IMPLEMENTATION [Revision – November 20, 2021]**

Within 30 calendar days of the effective date of this Department Order, Wardens and Administrators shall:

- Update Post Orders as necessary
  - Responsibility for scheduling and conducting routine searches of inmates, areas and staff.
  - Proper documentation and reporting of all searches.
  - Methods identifying proper handling of contraband.



- The requirements outlined in this Department Order.

## **DEFINITIONS/GLOSSARY**

Refer to the Glossary of Terms

## **AUTHORITY**

A.R.S. §13-2501, Definitions

A.R.S. §13-2505, Promoting Prison Contraband; Exceptions; X-Radiation; Body Scans; Classification

A.R.S. §31-233, Order for Removal; Purposes; Duration; Continuous Alcohol Monitoring Program; Failure to Return; Classification

A.R.S. §31-411, Parole or Discharge; Conditions of Parole; Release Under Supervision of State Department of Corrections; Notice of Hearing; Exceptions; Drug Testing Costs

A.R.S. §31-412, Criteria for Release on Parole; Release; Custody of Parolee; Definition

A.R.S. §31-461, Interstate Compact; Contents

A.R.S. §41-1604(B (2) (i), Duties and Powers of Director