



**JUSTICE CABINET
DEPARTMENT OF
JUVENILE JUSTICE
POLICY AND PROCEDURES**

**REFERENCES:
505 KAR 1:140
3-JDF-3A-19, 20, 21**

CHAPTER: Detention Services	AUTHORITY: KRS 15A.065
SUBJECT: Searches	
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APPROVAL: Carey D. Cockerell, COMMISSIONER	

I. POLICY

The Department shall ensure the safety of the juvenile and the environment within a program by utilizing searches of juveniles and the facility. Whenever there is reason to believe that the security of the facility may be endangered or that contraband may be present in or introduced into the facility, the search of a juvenile and their possessions shall occur.

II. APPLICABILITY

This policy shall apply to all regional juvenile detention centers.

III. DEFINITIONS

Refer to Chapter 700.

IV. PROCEDURES

- A. The search of a juvenile requires professional expertise and a humane and dignified demeanor on the part of the staff.
- B. Staff shall conduct searches of juveniles in a professional and respectful manner to avoid harassment, indignity, embarrassment, and unnecessary use of force.
- C. Staff shall be provided written search procedures and shall be reviewed annually.
- D. Staff shall provide the individual being searched with a verbal overview of the procedure intended to be used.
- E. When possible searches shall be conducted by same gendered staff. Cross-gender searches shall only be conducted under exigent circumstances and shall be documented.
- F. This policy shall be made available to staff and juveniles. This policy shall be reviewed annually and updated as necessary.

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G. All juveniles shall be scanned with a metal detector upon entering or re-entering a detention center. In addition, a metal detector may be used when a juvenile returns from an out of the building status, and spontaneously throughout the day.

H. General Procedures for Searches

1. All searches must be conducted in a professional manner, using techniques that avoid unnecessary force or indignity to persons involved in the search, while maintaining the integrity of the search.
2. Staff shall be trained in search techniques designed to protect persons involved and preserve evidence.
3. All facilities shall provide gloves and other needed equipment for searches that protect staff safety and ensure chain of custody for confiscated items.

I. Pat down search

1. If possible, two (2) staff that are the same gender as the youth shall conduct a pat down search. One (1) staff shall conduct the process and the second staff person shall observe the process to verify that the correct procedures are followed.
2. Staff shall have the juvenile remove their shoes, jackets, sweaters, gloves, and hats. Staff shall inspect all items.
3. A pat down search shall be conducted over a single layer of clothing to include under garments and the contents of all pockets shall be inspected.
4. Staff shall visually check the juvenile's hair, ears, nose, mouth, and under tongue.
5. Staff may use a handheld metal detector as part of the pat down search.

J. Strip search

1. Strip searches may be performed only with probable cause and authorization from the Superintendent or designee. An incident report shall be completed, documenting the probable cause.
2. A strip search shall always be performed by a staff of the same gender.
3. A strip search shall be performed in an area that ensures the privacy and dignity of the juvenile.
4. Strip searches shall be performed to visually inspect the juvenile's body and physically search the juvenile's clothing.
5. If the intent is to view the total surface area of the body, the following shall be searched by having the juvenile lift each respective area:
 - a. Breasts;
 - b. Genitalia; and

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c. Body Folds.

6. Strip search procedures shall be reviewed by the Director of Medical Services and the Superintendent.

K. Body Cavity Search

1. Outside medical providers shall be the only individuals authorized to conduct a body cavity search. Probable cause that a youth may be concealing contraband in a body cavity shall exist prior to the authorization of a body cavity search.
2. Authorization shall be required by the Superintendent and Director of Medical Services prior to a body cavity search.
3. Body cavity search procedures shall be reviewed and authorized by the Director of Medical Services and the Superintendent.

L. All searches shall be documented in the facility log.

M. An incident report shall be filed in compliance with DJJPP Chapter 7, Incidents Reports, for all body cavity and strip searches. An incident report shall be required on pat down searches where contraband is recovered. Documentation shall include:

1. The full name of the juvenile;
2. Detailed and specific information regarding reasonable suspicion;
3. Date/time, of the Superintendent's approval for conduct of the search;
4. Date, time, and place of the search including the year and a.m./p.m.;
5. The disposition of contraband if recovered;
6. The names, current positions, and signature of the staff conducting the search; and
7. Results of the search.

N. Copy of incident reports documenting body cavity and strip search shall be forwarded to the Regional Facilities Administrator by the next working day following occurrence.

O. Visitors of Youth

1. All visitors shall be required to be scanned with a metal detector.
2. If probable cause exists that a visitor is in possession of weapons or contraband, they shall be asked to submit to a pat down search or be denied entry.
3. If a pat down search is used on a visitor, or if a visitor is denied entry due to refusing a pat down search, it shall be documented on the shift report. The notation will include the name of the visitor and a brief summary of the incident. The supervisor is also responsible for notifying the Superintendent of the incident and explanation of the incident. Reference DJJPP Chapter 7, Family and Community Contact.

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4. Visitors who leave the visitation area shall be subject to search upon reentry.

V. MONITORING MECHANISM

The Superintendent and Regional Facilities Administrator shall monitor compliance with this policy. The Division of Program Services shall conduct, at minimum, annual program audits.