



Somerville Police Department 		TYPE: GENERAL ORDER		POLICY NUMBER: 106		VERSION: 3.00	
		Subject: Strip Searches and Body Cavity Searches					
Issuing Authority: Charles Femino Chief of Police		Signature: 		Effective Date: December 12, 2021			
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Accreditation Standards (5th Edition) 1.2.8				<input type="checkbox"/> New <input checked="" type="checkbox"/> Revised <input type="checkbox"/> Amended			
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Purpose

According to Supreme Court Justice Anthony Kennedy, in *Florence v. County of Burlington*, the police have a legitimate interest to ensure that a holding facility is not less secure because of what new detainees may carry in on their bodies. [1.2.8(a)]

Policy

The Somerville Police Department recognizes that the use of strip searches and body cavity searches may, under certain conditions, be necessary to protect the safety of officers, civilians, and individuals who are in the lawful custody of the department. The purpose of these searches is to detect and secure evidence of criminal activity and to ensure the safety of all.

Definitions

Strip Search: Any search which requires the removal or re-arrangement of any clothing, so as to expose or permit the visual observation of a person's buttocks, anus, genitalia, or breast area. This generally refers to an inspection of a naked individual, without any scrutiny of his/her body cavities.

Body Cavity Search: Any search involving, not only visual inspection of skin surfaces, but also including an internal physical examination of body cavities including the anal and genital areas.

Procedures

A. Strip Search [1.2.8(a)]

A strip search requires probable cause.

1. A strip search or a visual cavity search shall only be conducted if probable cause exists to believe that the arrestee is concealing either contraband or weapons on his/her body. The

probable cause must be based upon specific articulable facts, and not a generalized perception based on the type of crime allegedly committed.

2. Where probable cause exists to conduct a strip search and/or visual body cavity search, prior to such search the arresting officer shall make a request to his/her immediate supervisor to respond to the scene for such a search. The immediate supervisor will in turn consult with and obtain the permission of the Shift Commander. It shall be the responsibility of the Shift Commander to decide whether or not such a search should take place.

B. Shift Commander

If the Shift Commander decides a search is warranted, he/she shall ensure that the following procedures are followed:

1. The search shall be performed by two officers, or an officer and a matron, who are of the same gender as the prisoner, and will be conducted in an area that affords **COMPLETE PRIVACY**. Video monitoring of the area where the search takes place should be suspended during the search. [1.2.8(b)]
2. The arrestee may be requested to manipulate his/her own body parts. Police officers may **NOT** touch or prod any body part.
3. All facts concerning the strip search and/or visual body cavity search shall be included in the officer's arrest report, including the officers/matron performing the search, the location of the search, and any evidence or property seized. [1.2.8(c)]

C. Body Cavity Search [1.2.8(a)]

A body cavity search requires more than ordinary probable cause.

1. If an officer has a high degree of probable cause to believe that an arrestee may have swallowed or secreted evidence, contraband, or weapons in any body cavity, he may seek a body cavity search warrant. The Shift Commander shall request approval from the CID Captain, a Deputy Chief, or the Chief before seeking a warrant.
2. A body cavity search can only be conducted if there is a strong showing of particularized need supported by a high degree of probable cause. **This procedure can only be undertaken by medically trained personnel and only under the authority of a search warrant signed by a judge.**
3. All facts concerning the body cavity search shall be included in the officer's arrest report, including the name of the medical facility where the search was performed, name of the medical personnel conducting the search, any items seized, and the names of all officers involved. [1.2.8]