

Attachment E

New York State Department of Correctional Services Division of Health Services <b>POLICY</b>	Title: <b>Body Cavity Search</b>	Number <b>1.37</b>
	Section: <b>Health Care Services</b>	
Supersedes:	Page 1 of 1	Date: 10/18/93
References: Departmental Directive #4910	Approved: <i>[Signature]</i>	

**POLICY:**



Body cavity searches may be authorized when there is imminent danger to an inmate's health or facility safety. The procedure may only be conducted once all other means have been exhausted and Central Office Health staff have been consulted.

**PROCEDURE:**

A body cavity search is a physical examination of an inmate's anal and/or genital cavity. A body cavity search may not be performed except upon the explicit authorization of the Superintendent, Acting Superintendent or facility Officer of the Day after consultation with a Central Office physician. This procedure is conducted by a facility physician under Central Office physician guidance.

Prior to conducting the exam, the physician explains the process to the inmate. At this time, the inmate is given the opportunity to yield the contraband. No force is applied to complete the body cavity search as this may cause further detriment to the inmate's health. The exam is conducted in a private environment with the inmate appropriately draped. A Correction Officer, the same sex as the inmate, will be present during the exam.

Documentation of the body cavity search is done in the inmate's Ambulatory Health Record (AHR). Individuals authorizing search, length of time of search, individuals present during search and outcome of search, have to be documented.

 <p>STATE OF NEW YORK DEPARTMENT OF CORRECTIONAL SERVICES</p> <p><b>DIRECTIVE</b></p>	TITLE		NO. 4910
	CONTROL OF AND SEARCH FOR CONTRABAND		
SUPERSEDES Dir. #4910 dtd. 4/24/84 and Rev. Notices	DISTRIBUTION A&B	PAGE 1 OF 23 Pages	DATE FEB 1 1984
REFERENCES	APPROVING AUTHORITY 		

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I. **SCOPE.** This directive sets forth the rationale for and procedures to be followed in the search for and control of contraband. It also standardizes procedures for the inspection and search of an inmate's person, living quarters, or any other area in or around a correctional facility to aid in the control of contraband.

II. **POLICY.** The presence of contraband within a facility and its subsequent possession and/or use by inmates threatens the security of the facility, endangers the safety of inmates, employees, visitors, and the community, and impairs rehabilitation programs.

Search for and seizure of contraband is a responsibility of facility management. The experience of correctional authorities in the operation of facilities has demonstrated that special unannounced as well as routine periodic searches of facility areas, inmate living quarters, and the inmate's person are essential to the discovery and elimination of contraband.

Introducing or possessing contraband in a facility may be a violation of law and violators are to be prosecuted. Visitors attempting to introduce contraband or in possession of contraband will be denied permission to visit (Ref. Dir. #4403, "Inmate Visitor Program"). Contraband found in the possession of inmates will be confiscated promptly by facility personnel within the guidelines outlined in this directive and in Departmental disciplinary procedures (Ref. Dir. #4932, "Chapter V, Standards Behavior & Allowances").

It is important that inspections and searches be properly carried out by designated personnel. It is equally important that they be well supervised and accomplished in a timely and orderly fashion.

III. **PERSONAL SEARCHES.** Searching an inmate's person is sound correctional practice and a necessary element of contraband control. The employee conducting a personal search must assure its thoroughness and not offend the dignity of the inmate being searched.

A. **"Metal detector search"**

1. **Definition.** A metal detector search means a search in which an inmate is passed through a metal detector or in which a hand-held metal detector is passed over an inmate's person to determine whether there are metal objects in his clothing or attached to his or her body.