Authority

In accordance with AS 44.28.030, AS 33.30.030, and 22 AAC 05.155, the Department of Corrections shall develop and adopt policies and procedures that are consistent with laws for the guidance, government and administration of correctional facilities, programs and field services.

Purpose

To establish procedures for conducting searches of all newly committed prisoners to an institution of the Department.

Application

To all employees and prisoners.

Definitions

As used in this document, the following definitions shall apply:

A. Contraband has the meaning ascribed to it in 22 AAC 05.660(4); includes any item which prisoners are not authorized to have in their possession.

B. Frisk Search
A visual and physical pat-down search of a person's clothing and body which are visible without the removal of clothing.

C. Intrusive Body Cavity Search
The intrusive manual, mechanical or instrument examination of a person's body appendages and openings by medical personnel.

D. Probable Cause
The level of reliability which arises when the facts and circumstances within the officer's knowledge (including the reasonable inferences that may be drawn from the facts and circumstances), and of which the officer has reasonably trustworthy information, are sufficient to warrant a reasonable person to believe that contraband is being concealed within a prisoner's body cavities. (Reeves v. State) 599 p. 2d 727 (Alaska 1979).

E. Restraint:
Security device designed for and applied to prevent the commission of violent or destructive acts including:

1. Hard Restraint:
   Metal shackles such as handcuffs, leg irons, belly chains, and the like;

2. Soft Restraint
   Devices generally of leather, nylon, canvas or plastic such as strait-jackets, wrist and ankle straps with or without connecting belts, plastic wrist and ankle cuffs known as Posey Cuffs, and restraint netting.

F. Strip Search:
A visual search of a person which requires the complete removal of clothing; the clothing removed is inspected for the purpose of detecting contraband; includes a visual body cavity search.
Policy

A. In order to maintain proper control of prisoners under the jurisdiction of the Department and to ensure the safety and security of institutions, it is policy that any individual committed to an institution is subject to search at any time subject to the provisions of policy 803.08, Searches of Prisoners and Institutional Areas.

B. Individuals received at any institution for initial commitment and booking will be searched as part of the admissions process; and, prior to entry into the secure area of the institution.

Procedures

Each prisoner will be frisk searched for weapons immediately upon admission to an institution.

A. Search of Person:

1. Pockets and Head Covering:
   The prisoner shall remove all items from his or her pockets and place them on a counter. Items such as rings, wrist watches, and necklaces should be removed. If the prisoner is wearing a head covering, the prisoner will remove it and hand it to the searching officer for inspection. The officer will inspect the head covering inside and out. If the prisoner has long hair, the officer will either run his or her fingers or a comb through the hair or request the prisoner to comb the hair out in the officer’s presence.

2. Coats and Outer Garments:
   If the prisoner is wearing a coat or outer garment, the prisoner shall remove it for inspection. The officer will search all pockets, hems, folds and the collar for contraband.

3. Body Surface Frisk Search:
   The searching officer will direct the prisoner to assume the standard wall search position and complete the prescribed frisk search of body and extremities. This search must include the removal of items such as neckties, belts, and foot wear.

B. Weapons:
   If a prisoner has a weapon in his or her possession or any item deemed to be a potential weapon, the weapon will be confiscated, tagged and placed in a secure location. A notation will be entered on the booking record and any firearms or ammunition will be turned over to the appropriate police agency. Other items shall be processed in accordance with 811.05, Prisoner Personal Property, or as illegal items or unauthorized personal property under C. or D. below.

C. Illegal Items:
   If a prisoner being searched possesses unlawful items or suspected unlawful items such as drugs or paraphernalia; the "contraband" must be secured and preserved as evidence in accordance with law and relevant Department policy. The seizure shall be recorded in the booking record.

D. Unauthorized Personal Property:
   If a prisoner being searched has items in possession which are not authorized within the institution, those items must be dealt with in accordance with 811.05, Prisoner Personal Property.

E. Combative or Incapacitated Prisoners:
   Combative or incapacitated prisoners must be searched in a designated holding area in accordance with this policy, 803.09, Use of Force, and 803.08, Search of Prisoners and Institutional Areas.
F. Strip Search:
   1. A prisoner not able to secure bail or other authorized release must be strip searched before being housed in the institution;
   2. The prisoner will be strip searched in accordance with 803.08, Searches of Prisoners and Institutional Areas; and
   3. If the searching officer has probable cause to conclude that a prisoner is concealing contraband objects such as balloons of narcotics in a body cavity, an intrusive body cavity search may be conducted by medical personnel in accordance with 803.08, Searches of Prisoners and Institutional Areas.

G. Restraints:
   Restraints may be used when necessary to prevent prisoners from harming themselves or others and for moving or transporting security risks in accordance with 803.09, Use of Force.

Implementation
This policy and procedure is effective as of the date signed by the Commissioner. Each Manager shall incorporate the contents of this document into local policy and procedure within 14 days. All local policies and procedures must conform to the contents of this document and any deviation from the contents of this document must be approved in writing by the Commissioner or designee.

DATE  4-1-85

Roger L. Endell, Commissioner
Department of Corrections

Applicable forms: