



2-84 BODY CAVITY AND STRIP SEARCHES

Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s)::

A. Related SOP(s)

- 2-8 Use of On-Body Recording Devices (OBRD)
- 2-73 Collection, Submission, and Disposition of Evidence and Property
- 2-83 Hospital Procedures and Rules

B. Form(s)

None

C. Other Resource(s)

None

D. Rescinded Special Order(s)

None(Placeholder)

2-84-1 Purpose

The purpose of this policy is to provide guidelines for sworn personnel when ~~o~~ conducting ~~provide procedures for Department personnel for completing~~ body cavity and strip searches ~~w~~ when an arrested individual has concealed evidence on, or in, their persons that would not be found during a regular search, and to ensure that body cavity ~~and/or~~ strip searches of prisoners are conducted within the limits of legal authority.

2-84-2 Policy

It is the policy of the Albuquerque Police Department (D ~~department)~~ policy is to provide ~~D~~ Department personnel with rules and procedures for body cavity and strip searches. ~~ensure that body cavity/strip searches of prisoners are conducted within the limits of legal authority.~~

2-84-3 Definitions

A. Body Cavity Search

A search conducted by licensed ~~qualified~~ medical ~~personnel~~ personnel of specific body cavities for the purpose of retrieving necessary evidence from ~~of~~ an individual who has been ~~a~~ arrested ~~suspect/arrested person on specific body cavities for the purpose of retrieving necessary evidence.~~

B.

B. Exigent Circumstances



An emergency situation(s) requiring immediate action to prevent imminent danger to life, serious damage to property, to forestall the imminent escape of a-n individual suspect, or prevent the destruction of evidence.

C. Probable Cause

When facts and circumstances within an officer's knowledge, or, on which an officer has reasonable trustworthy information, are sufficient to warrant a reasonable person to believe that an offense has been or is being committed and the person arrested conspired to commit the act. The refusal of an individual to provide consent to search a person, premises, or items does not provide probable cause or reasonable suspicion of criminal activity.

C.D. Strip Search

A search conducted by a law enforcement officer sworn personnel of an arrested individual during which the suspect/arrested person individual arrestee removes all articles of clothing and is visually examined for any signs of concealed evidence.

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2-84-4 Rules and Procedures

Strip Search

A.

A.

Department personnel must have established probable cause to believe the arrested individual has concealed evidence on their persons.

1.

Strip searches shall will be conducted only after the sworn personnel officer or detective has obtained one of the following:

- a. Established probable cause and has reason to believe exigent circumstances exist. The probable cause and the exigent circumstances shall will be articulated in the Uniform Incident Report offense report and/or a Supplemental Report; or
- a. Verbal consent to search received from the suspect individual/arrested person. The consent must be recorded on the sworn personnel's officer's audio or video recording device OBRD; or
- b. Written consent to search from the suspect/arrested person; or a
- b.c. With a A valid search warrant.

Strip searches shall will be conducted in the following manner:



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- a. Sworn personnel~~An officer/detective~~ of the same sex shall~~will~~ search the suspect/arrested person(s)~~detained individual(s)~~.individual~~subject~~arrestee;
- b. Another sworn personnel~~officer/detective~~ of the same sex shall~~will~~ witness the search;
- c. The search shall~~will~~ be conducted in an interior, secure location that is out of public view. Strip searches sh~~awill~~ not be conducted within vehicles ~~or outside~~;
- d. If an item(s) is located within the ~~suspect's~~ individual's person, the ~~officer/detective~~sworn personnel sh~~awill~~;
 - i. Request that the individual~~subject~~ removes the item(s) from their~~his/her~~ person;
 - ii. ~~Adhere to 2-20-3-B of this section, if~~ the individual~~subject~~ cannot or will not remove the item, the officer/detective~~sworn personnel~~ may follow the body cavity search procedures, if necessary; and
 - iii. Properly package and tag any evidence that is retrieved, consistent with SOP Collection, Submission, and Disposition of Evidence and Property.
- e. All articles of clothing sh~~awill~~ be thoroughly searched before returning them to the individual~~suspect~~;
- f. The search shall~~will~~ be documented in a Uniform Incident Report ~~an offense/incident report and/or a Supplemental Report~~ detailing the probable cause, ~~persons present, location, and items retrieved.~~ or that the search was based on a search warrant; and
- ~~—~~ The sworn personnel~~officer(s)~~ shall use their OBRD through the entirety of the strip search and shall follow the procedures for recording audio and video data during the search consistent with conducting a strip search, shall position their camera to collect audio data only. Officers shall verbally record the reason for not capturing visual data. Once the strip search is over, officers shall resume recording audio and visual, consistent with SOP Use of On-Body Recording Devices (OBRD). ~~strip search shall~~complete the following;
 - g. ~~Continue to record the encounter using their on-body recording device (OBRD). However, they shall~~place the OBRD in a face down position in the immediate area of the search or in a pocket facing themselves so that the audio of the search is still captured by the OBRD and the video does not show the individual being strip searched. ~~will record the search with audio only and~~
 - i. ~~document the start and stop time of the search, persons present, location of search and items retrieved. The recording will be tagged as evidence~~Ensure the OBRD video is properly entered into evidence, consistent with ~~according to~~ SOP Collection, Submission, and Disposition of Evidence and Property.

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B. Body Cavity Search

1. Body cavity searches shall~~will~~ only be conducted ~~only~~ with a valid search warrant.
2. Sworn personnel~~Officers/detectives~~ sh~~awill~~ not personally conduct body cavity searches.
3. Body cavity searches sh~~awill~~ be conducted in the following manner:



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- a. Individual(s) who have been ~~Suspect/arrested person~~ arrested (s) shall be taken to a licensed medical facility ~~in accord~~ where ~~qualified~~ licensed medical personnel ~~personnel shall~~ can conduct the search, consistent with SOP Hospital Procedures and Rules;
- b. ~~The sworn personnel/officer/detective shall~~ provide the licensed medical personnel ~~personnel~~ a copy of the search warrant;
- c. If an item(s) is located within the individual ~~subject's~~ person, the ~~officer/detective~~ sworn personnel shall retrieve the item(s) from the licensed medical ppersonnel ~~ersonnel~~ and properly package and tag the item(s) into evidence, consistent with ~~in accordance with~~ SOP Collection, Submission, and Disposition of Evidence and Property; and
- d. The search shall be documented ~~on~~ a Uniform Incident ~~n-offense/incident~~ ~~Report and/or~~ a Supplemental R ~~report~~ and ~~shall~~ will include the name(s) of the licensed medical personnel who conducted the search, and the name and location of the licensed medical facility where the search was conducted.
- d.e. Sworn personnel shall use their OBRD through the entirety of the body cavity search and shall follow the procedures for recording audio and video data during the search consistent with SOP Use of On-Body Recording Devices (OBRD).