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ACCESS

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# Arizona Department of Corrections Rehabilitation and Reentry



Department Order Manual

  
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Ryan Thornell, Director

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## **PURPOSE**

This Department Order establishes measures to control the introduction or possession of contraband and maintain a safe and secure environment for employees, volunteers, interns, program associates, contractors, inmates and visitors. Control is accomplished through searches of inmates, offenders who are under supervision in the community, staff, visitors, property and inmate living areas, and common areas. Searches are conducted in a manner that is professional and dignified, and shall not involve any punishment, harassment, intentional embarrassment, or cause damage to personal property of the search subject.

## **PROCEDURES**

### **1.0 SEARCHES – GENERAL PROCEDURES**

1.1 Wardens and Deputy Wardens shall ensure:

1.1.1 Searches are conducted in a respectful manner as often as necessary to control contraband and to recover missing property.

1.1.1.1 Searches shall not be executed for the purpose of punishment or harassment and with respect to an inmate's right to authorized personal property.

1.1.1.2 Manual or instrument inspection of body cavities may only be conducted when there is a reasonable suspicion that an inmate is concealing contraband and when the inspection has been authorized by the Warden or designee.

1.1.1.3 All body cavity searches shall be authorized by a search warrant obtained by the Criminal Investigations Unit (CIU).

1.1.1.3.1 The inspection shall be conducted in private by a qualified healthcare professional.

1.1.2 Searches of inmates, living areas, work areas, and common areas are conducted as part of the daily operation of the institution.

1.1.3 Searches are frequent, unannounced, and irregularly timed.

1.1.4 Staff members conduct searches whenever they have reason to believe contraband is concealed, based on immediate observation, intelligence received, or other reportable means.

1.1.5 Sensors and mechanical devices are used in an appropriate legal manner.

1.1.6 Searches are performed on all vehicles entering or departing the secure perimeter of the institution/facility, whenever applicable or appropriate.

1.1.7 A quarterly written search plan, to comply with and exceed search requirements established in this Department Order, shall be developed and submitted to Deputy Assistant Director for Prison Operations.

1.1.7.1 Each Complex Warden shall submit their Complex Search Plan no later than the first calendar day of each quarter as stated below:

1.1.7.1.1 January, April, July and October

1.2 Wardens and Deputy Wardens shall designate placement of the electronic metal detectors, body scanners, and hand wands.

1.2.1 Complex Majors shall be responsible for scheduling all complex searches. Complex searches include but is not limited to, staff, visitors, parking lot, inmate work crews, inmate work locations, etc.

1.3 General Search Requirements

1.3.1 Captains shall ensure searches are conducted as follows:

1.3.1.1 Staff members shall document searches of inmate living areas, and any search in which contraband (other than nuisance contraband) is found in the Correctional Service Log, Form 105-6, and Search Log, Form 708-3, to provide a permanent record of searches.

1.3.1.2 Staff members shall forward all search-related documentation through their chain of command to the Deputy Warden.

1.3.1.2.1 Deputy Wardens shall establish a file for all reports documenting searches to provide a system of recording searches.

1.3.2 All persons and their property entering an institution/facility are subject to being searched prior to entering.

1.3.3 Individuals who are entering an institution for the purpose of visiting an inmate must consent to searches as part of the registration process outlined in Department Order #911, Inmate Visitation.

1.3.4 Persons who refuse an authorized search or refuse to remove or reveal contraband or illegal contraband shall be denied entrance. Refer to the following Department Orders for specific denial procedures and appropriate penalties:

1.3.4.1 Department Order #202, Public Access - Tour and Board Hearing

1.3.4.2 Department Order #205, Contractor and Program Associate Security

1.3.4.3 Department Order #911, Inmate Visitation

1.3.4.4 Department Order #513, Employee Property

1.3.4.5 Department Order #511, Employee Handbook

1.3.4.6 Department Order #522, Drug-Free Workplace

1.4 Vehicle Search

1.4.1 Vehicles Entering/Exiting the Unit – All vehicles entering or departing the secure perimeter of the institution/facility shall be searched. Staff members shall ensure:

1.4.1.1 Vehicles entering a unit are issued a steering wheel lock. This shall be utilized while the vehicle is left unoccupied inside the unit.

- 1.4.1.2 Vehicles are inspected to ensure they are equipped with a locking gas cap. A staff escort shall accompany the vehicle while it is on the yard.
    - 1.4.1.2.1 A vehicle without a locking gas cap is not authorized to park within the secure perimeter of a unit.
    - 1.4.1.2.2 A vehicle which is to be unoccupied and has a locking gas cap may park within a secure perimeter, behind an additional barrier and/or fence line.
  - 1.4.1.3 All vehicle doors are lockable. Vehicles that cannot be locked shall not be permitted inside the secure perimeter without the approval of the Shift Commander. A security escort shall also accompany the vehicle or maintain a constant visual of the vehicle while it is on the unit.
  - 1.4.1.4 All vehicles entering and exiting the secure perimeter are thoroughly inspected to include the undercarriage, all compartments (e.g., engine and trunk), and all inside storage areas. Inspection may be aided with a mirror and camera to augment the search process.
  - 1.4.1.5 All vehicle searches are documented on the Vehicle/Vendor Tracking Log, Form 708-2.
  - 1.4.1.6 All traffic entering or exiting the unit is approved by the Shift Commander prior to entry and/or departure.
  - 1.4.1.7 Sally Port gates are not opened simultaneously absent exigent circumstances and as approved by the Shift Commander.
- 1.4.2 Commercial Vehicles – In addition to the guidelines outlined in 1.4.1, the Sally Port Officer shall ensure:
- 1.4.2.1 When commercial vehicles come into complex, the traffic control officer shall screen the vehicle/driver for the presence of contraband. Visitors and commercial contractors are not allowed to possess any weapons on grounds. Contractors shall be turned away if observed with unauthorized contraband.
    - 1.4.2.1.1 Weapons or contraband found during search of incoming visitors shall prompt notification to the CIU for further actions. CIU shall determine if local law enforcement will be notified.
  - 1.4.2.2 When a commercial vehicle arrives at the entry point of any institution, any weapons that are possessed by the occupants or present in the vehicle must be secured in a lock-box at a location designated by the Warden or designee. The Shift Commander shall authorize entry. Cell phones are permitted and must be secured.
  - 1.4.2.3 Upon entering the unit, all commercial/delivery vehicle cargo areas are secured with an assigned security padlock. Vehicles departing the unit, shall remove the padlock prior to departure.

- 1.4.2.3.1 Commercial vehicles shall be directly supervised by security staff during all times when the vehicle cargo area is not secured.

#### 1.4.3 Emergency Response Vehicles

- 1.4.3.1 Emergency Response Vehicles (limited to: Fire Trucks and ambulances) shall:

- 1.4.3.1.1 Not be delayed upon entry.

- 1.4.3.1.2 Be exempt from normal search procedures, if exigent circumstances are present, and must be escorted and remain under consistent visual observation until departure.

- 1.4.3.1.3 Be visually searched prior to entering the unit.

- 1.4.3.1.4 Escorted by Correctional Officers. The Shift Commander shall assign an appropriate number of officers to escort the emergency vehicle from the time it enters the unit until it departs the unit.

- 1.4.3.2 Ambulances shall be visually searched to ensure only the escorting officer, ambulance staff and departing inmate(s) are in the vehicle.

- 1.4.3.2.1 Departing inmate(s) shall be fully restrained in accordance with Department Order #705, Inmate Transportation.

- 1.4.3.2.1.1 Restraints for pregnant inmates shall be in accordance with Department Order #705, Inmate Transportation.

#### 1.4.4 Exiting the Sally Port

- 1.4.4.1 All vehicles shall be searched for inmates attempting to escape. This search shall cover all compartment areas, to include undercarriages that are large enough to conceal inmates. No vehicles are exempted from this procedure.

- 1.4.4.2 A mirror, ladder and/or camera shall be utilized to check the roofs of departing vehicles.

- 1.4.4.3 Every individual leaving the unit shall be positively identified through the use of picture ID, with the Sally Port Officer physically handling the ID card to verify authenticity.

#### 1.4.5 Parking Lot Searches

- 1.4.5.1 The Warden, unit Deputy Warden, and Complex Major may authorize the Narcotic Service Dog(s) to be used for searches of staff, visitors, and private vehicles.

- 1.4.5.1.1 All persons and vehicles entering/exiting prison property shall be subject to search.

- 1.4.5.2 The Service Dog Handler shall direct/oversee all activities of the Service Dog in accordance with Department Order #717, Service Dog Program.
  - 1.4.5.2.1 All subsequent search results shall be recorded on an Information Report, Form 105-2.
  - 1.4.5.2.2 If narcotics or any other illegal contraband is located, immediate notification shall be made to the CIU through the chain-of command. Staff shall initiate a Significant Incident Report, Form 105-3.
  - 1.4.5.2.3 A Service Dog shall be utilized when available to search employee and visitor vehicles randomly on all visitation days, and when there is probable cause or reasonable suspicion.
  - 1.4.5.2.4 The Service Dog Handler shall ensure all occupants exit the vehicle prior to commencing the search.
  - 1.4.5.2.5 To minimize possible injury to any person, and reduce the liability to the Department, narcotic service dog searches of individual persons, whether staff or visitors, shall be conducted through a barrier screen.
  - 1.4.5.2.6 An approved portable barrier screen may be used in lieu of a fixed chain-link fence with no-climb barrier screen.
  - 1.4.5.2.7 All Service Dog Handlers shall have access to a portable barrier screen.
  - 1.4.5.2.8 Special care shall be taken to prevent vehicle damage.
  - 1.4.5.2.9 All contents of the vehicle, including articles of clothing not being worn, may be searched by the Service Dog Handler.
- 1.5 Electronic Metal Detectors, Security Scanners and Hand Wands – Employees, contractors, program associates, volunteers and interns shall be required to clear a metal detector and/or security scanner prior to entering a unit. Searches of visitors shall be in accordance with Department Order # 911, Inmate Visitation.
  - 1.5.1 Individuals who fail to successfully clear the electronic metal detector and/or security scanner shall:
    - 1.5.1.1 Be afforded one more attempt to clear the detector/security scanner.
    - 1.5.1.2 Remove any article of outer clothing or accessories, to include shoes if necessary, in an attempt to clear the detector/security scanner again. Any items(s) removed shall be thoroughly inspected and searched prior to returning them to the individual.
    - 1.5.1.3 After two failed attempts, be searched with a hand wand to determine the area which activated the electronic metal detector/security scanner.
      - 1.5.1.3.1 Individuals who cannot clear the hand wand shall be pat searched in the area which activated the hand wand.

- 1.5.2 All property, including personal property and food items, shall be inspected and cleared through the electronic metal detector, hand wand or x-ray, as applicable.
- 1.5.3 Special Medical Conditions For individuals – Persons with a special medical condition that may affect the reading of electronic detection equipment, (i.e., prosthesis, an embedded metal surgical pin or plate) shall advise the Ingress/Egress officer.
  - 1.5.3.1 The person is required to provide written documentation from a medical provider of the specific medical condition, which shall be approved by the unit Deputy Warden or On-Site Duty Officer.
  - 1.5.3.2 Persons with such a medical condition shall be required to clear a hand wand, with the exception of the area of the medical condition, which shall be pat searched.
- 1.6 Pat Search
  - 1.6.1 Pat searches shall be performed by staff of the same gender as the subject being searched. Exceptions for inmate searches are listed in section 2.0.
  - 1.6.2 Pat searches shall be conducted when necessary and as needed, in a respectful manner.
  - 1.6.3 When performing a pat search, the following procedures shall be followed:
    - 1.6.3.1 Prior to proceeding with a pat search, staff members shall put on their personal protective equipment, and communicate the process and explanation of the search process.
    - 1.6.3.2 Direct the subject to remove any hat jacket, scarf, gloves, etc., and then to face away from the staff member. Special attention shall be paid to the:
      - 1.6.3.2.1 Inside rim of hat
      - 1.6.3.2.2 Jacket pockets
      - 1.6.3.2.3 Sleeves
      - 1.6.3.2.4 Lining and seams, looking for alterations or hidden pockets
    - 1.6.3.3 Direct the subject to remove any object which may injure or stick the staff member performing the search (i.e., tattoo, hypodermic or sewing needles, etc.).
    - 1.6.3.4 Direct the subject to empty his/her pockets and hand all items to security personnel for inspection. Search each item thoroughly. Set the items down within view, but out of the reach of the subject.
    - 1.6.3.5 Direct the subject to stand with legs apart (approximately two feet), to extend arms out to the sides, with his hands open, fingers spread apart and thumbs pointed down. Inspect the palms to ensure no contraband is concealed there.



- 1.6.3.6 If subject has long hair, braids, or a ponytail, have the subject take his/her hair down and shake vigorously.
- 1.6.3.7 Start by placing both hands on either arm, patting around the arm ensuring both the front and back of the arm is searched. Pat searches of bare skin are generally not required, as visual inspection is adequate.
  - 1.6.3.7.1 Begin at the wrist if a long-sleeved shirt is worn.
  - 1.6.3.7.2 Work towards the torso.
  - 1.6.3.7.3 The same procedure shall be used on the other arm.
- 1.6.3.8 Reach around the front chest of the subject and pat the subject, starting at the collar.
  - 1.6.3.8.1 The process can be done by sections, beginning on the left side and then on the right side, allowing the staff member to maintain one hand on the back of the subject to aid in creating separation from the subject if an aggressive move is made.
  - 1.6.3.8.2 Continue down the subject's torso, patting the chest, stomach, and top of groin area.
  - 1.6.3.8.3 Work around the sides of the torso, onto the back and down to the spine to the waistband.
  - 1.6.3.8.4 Reach around the subject to the front waist area and squeeze the waistline, progressing in regular intervals towards the center of the back.
- 1.6.3.9 The staff member shall then begin the pat search of the upper part of the subject's leg, well into the groin and buttocks area, moving downward toward the ankle.
  - 1.6.3.9.1 All areas of the legs, groin, and buttocks areas shall be searched thoroughly.
  - 1.6.3.9.2 All pockets shall be checked.
  - 1.6.3.9.3 The same procedure will be repeated on the other leg.
- 1.6.3.10 If an inmate is suspected of concealing contraband within his/her clothing, the staff member may relocate the inmate to another location and a strip search may be conducted.
  - 1.6.3.10.1 If a staff member suspects an employee, contractor, program associate, volunteer, intern, or visitor of hiding contraband, they shall follow the requirements listed in sections 3.0 and 4.0.
  - 1.6.3.10.2 Minor visitors shall not be pat or strip searched, regardless of parental or guardianship permission.

## 1.7 Strip Search

- 1.7.1 Strip searches shall be performed by a staff member of the same gender and performed in areas designated by the Warden, Deputy Warden or Administrator.
  - 1.7.1.1 If reason exists for a strip search to be done immediately, the Shift Commander or Duty Officer may authorize the use of a private area other than the designated strip room.
  - 1.7.1.2 At no time during the strip search shall any part of the person's body be touched by a staff member, with the exception of inspecting the person's hair as outlined in 1.7.2.3 of this section.
- 1.7.2 When performing a strip search the staff member shall direct the subject to:
  - 1.7.2.1 Empty all pockets and place possessions in an area inaccessible to the subject during the search.
  - 1.7.2.2 Remove all clothing and place in an area inaccessible to the subject during the search.
  - 1.7.2.3 Let down hair and to undo any braids. If staff determined the braids should not be undone, staff shall physically inspect the braids to ensure they are free of any contraband by feeling and bending the braids. The staff member shall:
    - 1.7.2.3.1 Place any hair products in an area inaccessible to the subject during the search.
    - 1.7.2.3.2 Direct the subject to run their fingers thoroughly through the hair. Look for any contraband concealed anywhere in the hair or on the scalp.
    - 1.7.2.3.3 Direct the subject to pull ear back to observe the area behind each ear. The staff member shall inspect both ears.
  - 1.7.2.4 Open mouth and direct the subject to:
    - 1.7.2.4.1 Roll tongue back to observe under the tongue.
    - 1.7.2.4.2 Stick tongue out to observe the back of the throat.
    - 1.7.2.4.3 Inspect the upper and lower gum-lines.
    - 1.7.2.4.4 Inspect dentures or false plates.
  - 1.7.2.5 Extend arms out to the side, with fingers extended and spread apart.
  - 1.7.2.6 Raise arms so the hands are above the head.
    - 1.7.2.6.1 Inspect both arm pits.
    - 1.7.2.6.2 Inspect the entire torso.
    - 1.7.2.6.3 Direct females to lift and separate breasts to inspect all sides.

- 1.7.2.6.4 Obese persons, or anyone with flesh overlapping or folding upon itself, shall be directed to lift sections of flesh to afford visual inspection of every inch of the body.
- 1.7.2.7 Extend arms forward to inspect the hands and fingernails. The staff member shall inspect:
  - 1.7.2.7.1 Palms of both hands.
  - 1.7.2.7.2 Back of both hands.
  - 1.7.2.7.3 Between each finger of both hands.
- 1.7.2.8 Spread legs apart to inspect the genital area. The staff member shall direct males to lift:
  - 1.7.2.8.1 Penis to inspect the area underneath.
  - 1.7.2.8.2 Testicles to inspect the area underneath.
  - 1.7.2.8.3 As required, instruct males to pull the foreskin back to expose the head of the penis.
- 1.7.2.9 Turn around to inspect the posterior. The staff member shall inspect the:
  - 1.7.2.9.1 Nape of the neck. Hair shall be lifted as necessary.
  - 1.7.2.9.2 Back of the shoulders.
  - 1.7.2.9.3 Spinal area.
  - 1.7.2.9.4 Buttocks.
- 1.7.2.10 Lift each leg to inspect the sole of each foot.
- 1.7.2.11 Bend forward and spread buttocks. The staff member shall:
  - 1.7.2.11.1 Inspect for any hidden objects. For female inmates, also inspect the vaginal area.
  - 1.7.2.11.2 If reasonable suspicious contraband may be present, direct the subject to squat down and cough.
  - 1.7.2.11.3 If still suspicious contraband may be present, contact medical personnel to provide a more intrusive search.
  - 1.7.2.11.4 Under no circumstances make physical contact with an individual undergoing a strip search, unless for the application of immediate force, as appropriate, in accordance with Department Order #804, Inmate Behavior Control.
    - 1.7.2.11.4.1 Staff visually observing contraband shall direct the individual to surrender the item(s) to the staff member's hand. Chain of custody then flows from subject to staff member.

1.7.2.11.4.2 If the subject refuses to surrender contraband as witnessed by staff, immediate notification to the appropriate CIU is required.

1.7.3 The staff member shall thoroughly inspect clothing before returning it to the subject.

## 2.0 SEARCHES OF INMATES

2.1 Housing Unit and Facility Searches - All areas of the institution shall be searched at least once per quarter. This shall include all inmate living areas, work areas, or any location accessible to inmates. These search requirements are in addition to the random, targeted and common area searches.

2.1.1 During quarterly searches of inmate living areas a Property File audit shall be conducted. Discrepancies in the property amounts, possession or ownership shall be documented in the Property File.

2.1.2 All religious property items are subject to periodic security inspection and shall be handled with appropriate respect, including consultation with the institution's Chaplain when appropriate. See Department Order #904, Inmate Religious Activities/ Marriage Requests, for further information.

2.1.3 Whenever possible, two staff members shall be present during a housing unit search.

2.1.4 When conducting a search of an inmate's living area for contraband or other evidence of illegal or unauthorized activity, staff may inspect and examine personal papers, books and other documents for the purpose of discovering escape plans, disturbance plans, construction or use of weapons or explosives, self-harm, or any other information that may constitute a threat to the safety and security of the prison.

2.1.4.1 Unauthorized and unclaimed property and contraband shall be processed in accordance with Department Order #909, Inmate Property.

2.1.5 Documents the inmate claims to be legal material will be scanned for contraband, but not read in their entirety. The Shift Commander shall evaluate material identified as contraband immediately upon removal of the item from the inmate's living area.

## 2.2 Inmate Visitation

2.2.1 Inmates shall be searched after any visitation period in accordance with Department Order #911, Inmate Visitation, section 3.0.

2.2.2 In lieu of a strip search, inmates shall be searched using body scanners, upon availability, in accordance with 2.5 of this section.

## 2.3 Inmate Pat Searches

2.3.1 A pat search of an inmate shall be conducted by a staff member of the same gender as the inmate whenever possible, with the following exceptions.

2.3.1.1 Male Correctional Officers shall not pat search female inmates, except in emergency situations. Pat searches of female inmates by male officers shall be documented in the Correctional Service Log, and shall include the searching officer(s) name and badge number, the inmate(s) name and ADCRR number, and the reason for the cross gender pat search.

- 2.3.1.2 Female Correctional Officers may pat search male inmates if no male staff member is available to conduct the search within a reasonable amount of time.
- 2.3.1.3 Pat searches conducted by a staff member who is not the same gender as the inmate shall be conducted in the presence of at least one additional staff member, whenever possible.

## 2.4 Strip Searches

- 2.4.1 Inmates whose work or program duties are outside the perimeter of the assigned unit shall be strip searched each time the inmate returns to the unit.
- 2.4.2 Inmates who work in secured areas, such as the Kitchen, shall be strip searched prior to being released back to the yard, as outlined in section 1.0.

## 2.5 Use of Body Scanners and Ferrous Metal Detectors – At the discretion of the Warden or designee inmates may be subjected to the use of a walk thru metal detector, body scanner or ferrous metal detector to scan for contraband that may be concealed within the inmate’s body.

- 2.5.1 The use of a body scanner does not require a physician authorization to proceed with the scanning.
  - 2.5.1.1 Only trained staff of the same gender may operate and conduct the body scan of an inmate.
    - 2.5.1.1.1 Only trained staff of the same gender may review inmate body scans displayed on the monitor.
      - 2.5.1.1.1.1 The monitor shall be positioned in a way to prevent public viewing by staff and/or inmates.
  - 2.5.1.2 Inmates may be scanned when departing and/or arriving at the unit or at any time it is suspected they may possess contraband on their person.
    - 2.5.1.2.1 Inmates successfully clearing a body scan, without indication of contraband, may be exempted from a strip search for that instance.
  - 2.5.1.3 If contraband is detected, required notifications shall be made in accordance with Department Order #105, Information Reporting, to include the immediate notification to CIU.
    - 2.5.1.3.1 The inmate shall be afforded the opportunity to relinquish the contraband.
    - 2.5.1.3.2 If the inmate is unable to produce the contraband, the inmate shall be placed on a dry cell watch until the contraband is voluntarily relinquished by the inmate.
    - 2.5.1.3.3 If the inmate is unwilling to cooperate and relinquish the contraband, CIU shall obtain a search warrant. A local non-Department medical provider shall perform the procedure to obtain the contraband.

2.5.1.4 If no contraband is detected, the same gender operator shall immediately close the image.

2.6 Use of Millimeter Wave Scanning Technology (MailSecur) – Incoming mail and parcels may be scanned using the MailSecur wave scanner for contraband concealed in parcels, letters, or documents saturated with illegal contraband.

2.6.1 The use of the millimeter wave scanner is intended to assist in the detection of contraband concealed inside a parcel or saturated within documents. Physical inspection of the mail article(s) is shall still be required after scanning a parcel or letter.

2.6.2 Only trained staff shall operate the millimeter wave scanner.

2.6.3 Whenever the presence of contraband is suspected, a thorough inspection of the item shall be conducted. The use of gloves or other universal precautions shall be practiced to avoid transdermal absorption or inhalation of potentially aerosolized contraband. If narcotics or other illegal contraband is located, immediate notification shall be made to CIU through their chain of command, and staff shall initiate a Significant Incident Report.

2.6.3.1 If a powdered substance is discovered during the inspection, the Incident Command System (ICS) shall be activated immediately and the area evacuated. Emergency Medical Services (EMS) and Hazardous Material (Hazmat) capable law enforcement may be requested to respond to provide medical evaluation for staff, hazard mitigation, and containment for the suspected powdered contraband.

2.6.4 Legal Mail may also be scanned for contraband using the millimeter wave scanner.

2.6.4.1 If an abnormal scan is detected during Legal Mail scanning, the following protocols shall be adhered to:

2.6.4.1.1 Legal Mail shall be inspected and searched with the presence of a supervisor. The MailSecur video camera shall be utilized to document the entire inspection process.

2.6.4.1.2 Department Canine shall also be used to aid in the search.

2.6.4.1.3 CIU shall immediately be notified if contraband is recovered.

### **3.0 SEARCHES OF EMPLOYEES, VOLUNTEERS, INTERNS, PROGRAM ASSOCIATES AND CONTRACTORS**

3.1 Employees, volunteers, interns, program associates and contractors shall be required, as a condition of employment/service, to consent to have their persons, vehicles, and other items searched when on Department property. Such consent shall be obtained as part of the background investigation process as outlined in Department Order #602, Background Investigations.

3.1.1 Searches of approved religious property items being brought into the institution shall be conducted with appropriate respect.

3.1.2 All employees shall be searched upon entry to any Department complex, facility, or unit.

- 3.1.2.1 An additional planned search of personnel entering a Department complex, facility, or unit shall be conducted, at least once per quarter.
- 3.2 Under no circumstances shall any force be used in conducting a search of an individual. Instead, an uncooperative individual shall be advised of the consequences described in this Department Order and Department Order #601, Administrative Investigations and Employee Discipline.
  - 3.2.1 Searches of individuals with electronic scanning equipment, pat searches and searches of vehicles and other personal items shall be conducted routinely by security staff in particular areas, at established check points, or based upon reasonable suspicion.
  - 3.2.2 Pat searches shall be conducted at least once each calendar quarter. These searches shall be irregularly timed, unannounced and conducted in accordance with the guidelines established in this Department Order.
    - 3.2.2.1 Pat searches shall be conducted by a staff member of the same gender as the individual.
  - 3.2.3 Searches of vehicles on prison grounds, regardless of rank or position of the individual, may be conducted as authorized by the Warden, Deputy Warden or the institution's Chief of Security. The individual shall be present during the search of his/her vehicle.
  - 3.2.4 Complex Administrative Offices and Community Corrections Reentry Centers are considered secure areas, and individuals and their personal and state issued property may be searched in these areas.
  - 3.2.5 Searches shall not be conducted routinely in non-secure administrative offices and facilities, including those at Central Office buildings. Individuals and their personal and state issued property may be searched at these locations when such searches are based on reasonable suspicion.
  - 3.2.6 If an electronic sensor, pat search, staff observation or reliable information creates reasonable suspicion to believe an individual possesses contraband, the searcher shall notify the Warden or Duty Officer.
    - 3.2.6.1 The Warden or Duty Officer shall ensure the CIU is notified immediately and respond to ensure proper procedures are followed to preserve both the evidence and the individual's civil rights.
  - 3.2.7 If staff observation or reliable information creates reasonable suspicion to believe an individual is under the influence of alcohol or drugs, the searcher may, if approved by the Warden or Off-Site Duty Officer, conduct a more thorough search, including drug and alcohol screening at the approved testing location.
    - 3.2.7.1 Employees shall be driven directly to the testing location, and then driven home following the test.
    - 3.2.7.2 Employees are not permitted to operate a vehicle (state or personal) if believed to be under the influence of alcohol or drugs.
  - 3.2.8 Searches of employees may be conducted as part of an administrative investigation involving allegations of employee misconduct. The employee may be required to provide physical evidence, statements or testimony.

- 3.2.8.1 The Assistant Director or designee may require an employee to provide fingerprints, urine specimens, breath samples, handwriting examples or other evidence deemed appropriate during an administrative investigation. Employees who refuse such directives shall be denied entry to the institution and shall be subject to disciplinary action as outlined in Department Order #601, Administrative Investigations and Employee Discipline.
- 3.2.8.2 Employees may also be required to submit to interviews or polygraph examinations. (See Department Order #603, Polygraph Services.)
- 3.2.8.3 If supervisors have a reasonable cause to suspect the employee has altered or tampered with a urinalysis, the employee may be subject to disciplinary action as outlined in Department Order #601, Administrative Investigations and Employee Discipline.
- 3.2.9 An individual shall be denied access to the work site, and security supervisors or investigators shall file a complaint with the Inspector General's office, to be followed by appropriate disciplinary action, if the individual:
  - 3.2.9.1 Is in possession of contraband.
  - 3.2.9.2 Refuses to cooperate in or submit to a search.
  - 3.2.9.3 Refuses to sign the Consent to Search, Form 602-3, in accordance with Department Order #602, Background Investigations.
  - 3.2.9.4 Refuses to provide evidence as ordered.
- 3.2.10 A Significant Incident Report shall be generated when an individual is drug or alcohol tested, or when contraband is discovered. A copy of the Significant Incident Report shall be submitted to the concerned employee's Deputy Warden.

**4.0 SEARCHES OF MEMBERS OF THE PUBLIC (VISITORS)** – All visitors, their possessions and vehicles are subject to search as outlined in Department Order #911, Inmate Visitation.

- 4.1 Employees shall only conduct searches of members of the public as a function of their post duties or by authorization of the Warden or Deputy Warden.
  - 4.1.1 Employees conducting searches of approved religious property being brought into the institution shall handle the property with appropriate respect.
- 4.2 When thorough and extensive searches of members of the public are planned (i.e., parking lot searches), the institution's Criminal Investigations Unit shall take appropriate enforcement action when notified of findings of illegal contraband.
- 4.3 When, in the course of a vehicle search, a service dog alerts, further searches shall be conducted as required by instructions governing the use of service dogs or in accordance with the appropriate Department Order.
  - 4.3.1 If no contraband is located, staff shall follow the process outlined in 4.7 of this section.



- 4.4 If contraband or illegal contraband is detected during the search of a vehicle, staff shall confiscate the items(s) as outlined in Department Order #911, Inmate Visitation.
- 4.5 When plain sight inspections of the public reveal suspected illegal contraband, the Criminal Investigation Unit or local law enforcement shall be contacted to determine if a violation has taken place.
  - 4.5.1 When probable cause exists to believe a violation of the statutes has taken place, illegal contraband items shall be seized and processed as evidence.
  - 4.5.2 If insufficient probable cause exists regarding a violation of statutes, or if the contraband is unauthorized but not illegal, the contraband items shall not be seized.
- 4.6 The member of the public being searched shall remove the contraband by leaving state property and shall not be allowed to return until a review of the circumstances and a final decision regarding violations can be made by the Warden or Deputy Warden.
  - 4.6.1 The inmate visitor shall not be automatically removed from the visiting list.
  - 4.6.2 The inmate visitor shall be suspended pending administrative review by the Deputy Warden.
  - 4.6.3 The Deputy Warden shall review the incident and make a determination on the visitor's status within three workdays of the incident.
- 4.7 Service Dog Visitor Barrier Screen Alerts - After a positive canine alert has been identified, the handler shall complete a field interview to determine if the visitor has been in contact with a legal substance (medication, etc.) that may have caused a positive alert.
  - 4.7.1 The On-Site Duty Officer is to be notified of the outcome of the interview and has final authority on the decision for entry into the facility.
    - 4.7.1.1 As deemed appropriate, the On-Site Duty Officer may approve accommodations for a non-contact visit, or may make arrangements for the visitor and inmate to visit across the table in close proximity of the officer's station.
      - 4.7.1.1.1 The visitor and inmate shall not be allowed to visit in areas outside or leave the table at the same time.
    - 4.7.1.2 The outcome of any positive canine alert, and subsequent actions, shall be documented on an Information Report form and in the Arizona Correctional Information System (ACIS) Visitor Comment Screen.

## **5.0 SEARCHES OF OFFENDERS BY COMMUNITY CORRECTIONS STAFF**

- 5.1 Community Corrections staff are authorized to search persons, personal belongings, vehicles and residences of offenders under Department Community Supervision. The searches may be conducted without a warrant per the agreement to "submit to search" as a Standard Condition of Supervision and Release.
- 5.2 All searches conducted by Community Corrections Officers shall be performed in accordance with Department Order #1003, Community Corrections.

- 5.3 During a search and seizure operation, Community Corrections Officers and other Community Corrections staff shall ensure searches are conducted without violating the constitutional rights of offender or others.
- 5.4 Community Corrections Officers shall submit appropriate reports within two workdays following any search and seizure.

## **IMPLEMENTATION**

Within 30 calendar days of the effective date of this Department Order, Wardens and Administrators shall:

- Update Post Orders as necessary, including:
  - Responsibility for scheduling and conducting routine searches of inmates, areas and staff.
  - Proper documentation and reporting of all searches.
  - Methods identifying proper handling of contraband.
  - The requirements outlined in this Department Order.

## **DEFINITIONS/GLOSSARY**

Refer to the Glossary of Terms for the following:

- Contraband
- Illegal Contraband
- Nuisance Contraband
- Qualified Healthcare Professional (QHCP)

## **FORMS LIST**

708-3, Search Log

## **AUTHORITY**

A.R.S. § 13-2501, Definitions

A.R.S. § 13-2505, Promoting Prison Contraband; Exceptions; X-Radiation; Body Scans; Classification

A.R.S. § 31-233, Order for Removal; Purposes; Duration; Continuous Alcohol Monitoring Program; Failure to Return; Classification

A.R.S. § 31-411, Parole or Discharge; Conditions of Parole; Release Under Supervision of State Department of Corrections; Notice of Hearing; Exceptions; Drug Testing Costs

A.R.S. § 31-412, Criteria for Release on Parole; Release; Custody of Parolee; Definition

A.R.S. § 31-461, Interstate Compact; Contents

A.R.S. § 41-1604(B (2) (i), Duties and Powers of Director