

**Policy  
514****San Francisco Sheriff's Department**  
Custody and Court Operations Policy Manual

## Searches

### 514.1 PURPOSE AND SCOPE

To comply with Federal and State laws and case decisions while maintaining the safety of incarcerated persons, ~~their families, and~~ jail facilities, employees and the public. ~~These searches include from least to most intrusive search methods: pat (cursory) search, non-intrusive sensor scanning device search, body scanner search, and in rare circumstances, strip search. In general, the least invasive search method should be used, whenever possible. The purpose of this policy is to clarify the circumstances in which each type of search shall be used.~~

### 514.2 POLICY

The San Francisco Sheriff's Department will conduct searches that meet the requirements of federal and state law, ~~including but not limited to California Code of Regulations Title 15~~, while maximizing security in jail facilities and the safety of all persons in the county jail system. Under no circumstances shall searches be conducted as a punitive measure.

### 514.3 PAT (CURSORY) SEARCHES

A search consisting of a pat-down or body frisk of a clothed person, including an examination of pockets, shoes and socks. A pat search may include the removal and examination of outer clothing including, but not limited to, hats, wigs, coats, jackets, and multiple layers of bulky clothing.

- (a) Absent exigent circumstances, all pat-down searches will be conducted by an employee of the same gender identity as the incarcerated person. Absent the availability of an employee of the same gender identity, ~~it is recommended that~~ a witnessing employee ~~shall~~ be present during a pat-down search of an individual of different gender identity (cross-gender). ~~Written approval by a supervisor is required before a cross-gender search may be conducted.~~ All cross-gender pat-down searches shall be documented (28 CFR 115.15).

When such searches are conducted:

- (a) At intake, the transporting officer will conduct a pat search and a non-intrusive sensor and scanning device (which may include a full body scanner) search prior to the booking process.
- (b) Once the booking has been completed, any person not qualifying for a strip- search will be pat searched and scanned with a non-intrusive sensor and/or a scanning device as part of the dress in process prior to transfer to a housing facility.
- (c) Pat searches or searches by non-intrusive sensor and/or scanning devices, including full body scanners, may be conducted on incarcerated persons at any time.

Searches of employees:

- (a) All employees entering a jail facility may be subject to a non-intrusive sensor and/or scanning device search.
- (b) All packages, briefcases, purses, or other containers may be searched for contraband prior to entering the jail.
- (c) All employees may be subject to a non-intrusive sensor and scanning device search before entering a jail facility.

Searches of civilians including contract employees:

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- (a) All civilians who enter the jail facility to visit, conduct interviews or provide any service that requires entering a jail facility may be subject to a non-intrusive sensor and ~~+~~ / or scanning device search.
- (b) All packages, briefcases, purses or other containers will be searched for contraband prior to entering the jail.
- (c) A pat search may be conducted if approved by the watch commander and when a sworn employee has reasonable suspicion a civilian may possess contraband. **This must documented in a memo.**
- (d) The approved pat search will be conducted by a sworn employee of the same gender identity, in a private location and in a professional manner.
- (e) The civilian to be searched must be advised of their right to refuse the pat search and leave the jail facility. This must be documented in **a memo** ~~the incident report~~.
- (f) If the civilian refuses the pat search, the person will be escorted out of the jail and off the jail grounds and **may will** be denied future access to the jail.
- (g) An incident report must be completed any time a pat search is conducted **and contraband is found on a civilian** ~~and / or whenever a civilian refuse such a search.~~
  - 1. The report must include the reasonable suspicion articulated and any contraband found on the civilian.
  - 2. Any criminal conduct by civilians may result in arrest for criminal prosecution.
- (h) Searches of **contract** employees:
  - 1. All employees entering a jail facility may be subject to a non-intrusive sensor and / or scanning device search.
  - 2. All packages, briefcases, purses, or other containers may be searched for contraband prior to entering the jail.
  - 3. All employees may be subject to a non-intrusive sensor and scanning device search before entering a jail facility.

### Added new Lexipol language:

#### 514.4.6 NON-INTRUSIVE SENSOR SCANNING DEVICE SEARCH

A search conducted on a clothed person using either a hand-held or walk- through mechanical device or metal detector or other non-intrusive detection device.

#### 514.4.7 BODY SCANNER SEARCH

~~When a scanner is reasonably available,~~ a body scanner should be performed on all incarcerated persons/arrestees upon entering the secure booking area of the facility unless a body scanner is not available.

If a body scanner is used, members (Penal Code §4030):

(a) Within sight of the visual display of a body scanner depicting the body during a scan shall be of the same gender as the person being scanned, except for physicians or licensed medical personnel.

(b) Should ask incarcerated persons if they are pregnant prior to a body scan and should not knowingly use a body scanner on a person who is pregnant.

The body scanner, whenever available, should ~~generally~~ be used ~~whenever reasonably practicable~~ in place of a modified strip search, or strip search, ~~or body cavity search~~ of an incarcerated person ~~in housing unless there is reasonable suspicion that the person is concealing contraband, supervisor approval, and a modified strip search or strip search is reasonably necessary following the body scan~~ ~~one of these searches is reasonably necessary after the scan.~~

The body scanner, whenever available, ~~should~~ **shall** be used in place of a modified strip search, or strip search of an incarcerated person in housing and a modified strip search or strip search is reasonably necessary ~~reasonable suspicion~~ following the body scan.

#### **514.4 STRIP SEARCHES**

A search that requires a person to remove or arrange some or all of their clothing to permit a visual inspection of the breasts, buttocks or genitalia of such person. A strip search may also include a visual inspection of the person's body cavities.

All incarcerated persons will be supplied with clean jail clothing immediately after a strip search.

- (a) Department employees will take all reasonable measures to minimize the extent to which strip searches ~~are utilized and~~ intrude on an individual's privacy.
  - 1. All strip searches shall be conducted in a private location, such that persons not participating in the search cannot observe the person being searched, ~~except that an incarcerated person should be permitted to request that more than one department employee of the same gender be present.~~
  - 2. Prior to the strip search being conducted, a sworn employee must explain the process to the incarcerated person.
  - 3. All Department employees present at a strip search shall be of the same gender identity as the person being searched except in emergency situations.

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4. Department employees shall not touch the breasts, buttocks, genitalia or body cavities of the person being searched.

Strip searches ~~conducted based on reasonable suspicion~~ shall be recorded on the Strip Search Authorization form and shall be kept on file at the jail facility for one year. After one year, the records should be put into storage and retained in accordance with the department records storage policy.

Any contraband found while conducting a strip search shall be documented on the Strip Search Authorization form.

If the quantity or type of contraband found supports additional criminal charges, the sworn employee conducting the search will complete an incident report and attach a copy of the Strip Search Authorization form to the report. The Criminal Investigations Unit shall be contacted about the incident.

A log compiling information from strip search authorization forms shall be maintained for public inspection and available upon a Public Records request and include the age of person searched, gender of person searched, date of the search, basis for the search, location of the search, gender of and number deputies involved, and any contraband found from a search.

#### 514.4.1 STRIP SEARCHES AT INTAKE/BOOKING

The body scanner, whenever available, should be used in place of a modified strip search, or strip search, of an incarcerated person unless there is reasonable suspicion that the person is concealing contraband, supervisor approval, and a modified strip search or strip search is reasonably necessary following the body scan.

An incarcerated person may be strip-searched at the time of booking only if:

- (a) There is articulable reasonable suspicion with supervisor approval on the Strip Search Authorization Form prior to the search; or
- ~~(b) Neither supervisor approval nor reasonable suspicion is required if the incarcerated person meets the following criteria:~~
  - ~~1. is charged with a felony or misdemeanor crime of drugs, (except when arrested for violation of Health and Safety Code 11550 only), weapons and/or violence; or~~
  - ~~2. is charged with a felony AND has been convicted or arrested within the last 5 years for drugs, (except when arrested for violation of Health and Safety Code 11550 only), weapons and/or violence, as documented in the criminal history information system; or~~
  - ~~3. is charged under California Penal Code Section 3056 or booked with a State Parole hold; or~~
  - ~~4. is charged under California Penal Code Section 1203.2; or~~
  - ~~5. is in the custody of another agency and is booked into the jail for safekeeping, including an incarcerated person booked on a U.S. Marshall hold; or~~
  - ~~6. has been sentenced.~~

## 514.4.2 BOOKED INCARCERATED PERSONS

The body scanner, whenever available, should be used in place of a modified strip search, or strip search, of an incarcerated person unless there is reasonable suspicion that the person is concealing contraband and a modified strip search or strip search is reasonably necessary following the body scan.

## (a) Pre-Sentenced Booked Incarcerated Persons

1. ~~After a~~ pre-sentenced booked incarcerated persons may be strip-searched at any time if there is reasonable suspicion ~~that the person is concealing contraband that cannot be detected through a less intrusive search~~ and supervisor approval on the Strip Search Authorization form prior to the strip search.

~~2. Neither prior supervisor approval nor reasonable suspicion for the strip search is required if the incarcerated person:~~

~~(a) was strip searched, or deemed strip search eligible, at booking; or~~

(b) has been found to possess contraband during a prior search, as documented on the housing card; or

~~(b)~~ is returning from a work detail, a court-ordered pass, a hospital appointment, court appearance, contact visits, interviews, or other activities occurring outside their assigned housing unit, ~~a body scanner should~~ **shall** be used in lieu of a strip search. If the results of the body scan reveal any evidence of contraband, unless the contraband is produced voluntarily, a strip search ~~may~~ **shall** be conducted **after** supervisor approval. ~~This permissible option does not limit the ability to strip search an incarcerated person as otherwise permitted in this policy.~~

~~(c)~~ Sentenced incarcerated persons may be strip searched at any time ~~if there is reasonable suspicion that the person is concealing contraband that cannot be detected through a less intrusive search and there is supervisor approval as part of a security search.~~

~~(d)~~ Following a contact visit with any person from the incarcerated person's legal team (attorney, investigator, paralegal, expert witness, etc.), ~~if there is reasonable suspicion that a person is hiding contraband, then a body scanner should~~ **shall** be used in lieu of a strip search. If the results of the body scan reveal any evidence of contraband, unless the contraband is produced voluntarily, ~~or can be detected through a less intrusive search,~~ a strip search shall be conducted **after** supervisor approval. ~~This permissible option does not limit the ability to strip search an incarcerated person as otherwise permitted in this policy.~~

(e) Incarcerated persons shall not be strip-searched as part of a final discharge and release to the community.

(f) Searches of incarcerated persons shall not be conducted in order to determine genitalia.

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#### 514.4.3 INCARCERATED PERSONS STRIP SEARCH NON-COMPLIANCE

Whenever an incarcerated person who meets the criteria for a strip search is non-compliant, the sworn employee will notify the on duty watch commander immediately.

- (a) If the non-compliant incarcerated person poses no significant threat to the safety of themselves, other incarcerated persons, Sheriff employees, and/or other civilian workers in the area, the incarcerated person will be placed in a holding cell to calm down.
- (b) The watch commander will make every effort to avoid having to order the forcible removal of clothing from a non-compliant incarcerated person.
- (c) If an incarcerated person continues to be non-compliant with the order for a strip search and is nearing 16 hours in the intake jail, the Facility Commander should consult with the Custody Operations Division Chief Deputy to determine at what point the strip search will be conducted with or without compliance from the incarcerated person.
- (d) If the non-compliant incarcerated person poses a significant threat to the safety of themselves, other incarcerated persons, Sheriff employees and/or other civilian workers in the area, the watch commander will instruct sworn employees to forcibly remove the incarcerated person's clothing, so the search can be completed. The force used should be no more than what is required to accomplish the search.
- (e) The watch commander will submit an incident report identifying the incarcerated person involved, the action taken and, if forcible removal of clothing is required, the articulable reason the incarcerated person posed a significant threat.

#### 514.5 PHYSICAL BODY CAVITY SEARCH

A physical intrusion into a body cavity, such as the mouth, stomach, rectum, or vagina, for the purpose of discovering any object concealed in the body cavity. This type of search always requires a valid search warrant and must be conducted by medical employees at a medical facility.

Department employees may not conduct physical body cavity searches under any circumstances. All physical body cavity searches require a valid search warrant and must be conducted by medical personnel.

#### ~~514.6 NON-INTRUSIVE SENSOR SCANNING DEVICE SEARCH~~

~~A search conducted on a clothed person using either a hand-held or walk-through mechanical device or metal detector or other non-intrusive detection device.~~

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#### 514.7 TRANSGENDER SEARCHES

Transgender is a term for people whose gender identity, expression, or behavior is different from those typically associated with their assigned sex at birth.

If a strip search of a Transgender, Gender Variant or Non-Binary (TGN) person is required, a sworn employee shall accept the person's declaration of gender identity as truthful before initiating the search. Documentary identification and/or anatomical features are not to be used as indicators of a person's gender identity.

- (a) A TGN incarcerated person must be offered ~~one of two~~ the following options for a strip search preference:
  - 1. A sworn employee whose gender identity is male; or
  - 2. A sworn employee whose gender identity is female
  - 3. A sworn employee whose gender identity is non-binary, if available
- (b) Sworn employees are permitted to ask the incarcerated person questions about their gender identity prior to a strip search. The permitted questions are as follows:
  - 1. What name would you like to be referred as?
  - 2. You have the choice to be searched by a male sworn employee or a female sworn employee. Do you have a preference?
- (c) Where the sworn employee has an articulable reason to doubt the incarcerated person's self-identification, the sworn employee shall defer to the watch commander for a final determination.
  - 1. When the watch commander overrides the Statement of Preference form, the watch commander shall author an incident report articulating the reason(s) for the decision to override the request of the TGN incarcerated person regarding their strip search preference.
  - 2. The incident report shall be processed as indicated in policy Incident Reports Policy.

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#### 514.8 SECURITY SEARCHES

- (a) Security searches are conducted in jail facilities, jail grounds, and vehicles to detect contraband and illegal activity.
- (b) Security searches may be conducted randomly at any time or may be conducted based on information that contraband may be found.
- (c) Incarcerated persons will be required to leave the area being searched, including their cell, room, or bunk areas prior to Sheriff sworn employees entering and searching the area.
- (d) Incarcerated persons returning to the area of the security search are subject to a pat search and I or a non-intrusive search conducted using either a hand-held or walk-through mechanical device or metal detector or other non-intrusive detection device.
- (e) Incarcerated persons returning to the area of the security search may be strip searched if there is articulable reasonable suspicion and supervisor approval on the Strip Search Authorization form.
  - 1. Sentenced incarcerated persons may be strip-searched at any time as part of a security search.
- (f) If the quantity or type of contraband found supports additional criminal charges, the sworn employee conducting the search will complete an Incident Report and forward the report to the Criminal Investigations Unit.
- (g) Any contraband found in areas of common incarcerated person space will be logged in a Contraband Log, which will include the date, and time of the security search, the location the contraband was found, what type of contraband was found, who found the contraband, who had access to the common space and how the contraband was disposed of.

##### 514.8.1 FOCUS OF SECURITY SEARCHES

A search focused on certain areas of the jail facility, including the bunk, clothing, locker, cell, tank, dormitory, or pod, or any other area within the jail facility or on the jail grounds. incarcerated persons located in, leaving, or returning to an area where a security search is being conducted may also be subject to search.

Contraband items which are prohibited by law will be handled as follows:

- (a) A sworn employee will confiscate the items.
  - 1. If the contraband is not needed for evidence, the item(s) will be disposed of in a locked contraband disposal container to be maintained at each jail facility.
  - 2. If the contraband is needed for evidence and criminal charges are being considered, a sworn employee or supervisor shall secure the evidence in a manner consistent with evidence procedures and contact the Criminal Investigations Unit.

Contraband items which are not prohibited by law will be handled as follows:

- (a) The reporting sworn employee will confiscate the items.

1. If the contraband is in excess of jail-issued items, the excess will be returned to its proper location.
2. The reporting sworn employee will document any contraband found.
3. The reporting sworn employee may also complete a Request for Discipline if the contraband is in the possession of or in an area under the control of a specific incarcerated person.

#### **514.9 ATTACHMENTS**

[Contraband Form](#)

[Gender Identity Preference Form](#)

[Strip Search Authorization Request form](#)

[Permissible Strip Search Guidelines 10.09.25](#)