DEPARTMENT OF CORRECTIONS

Policy Number:	**301.011**
Title:	**Juvenile Facility Searches**
Effective Date:	**01/21/25**

PURPOSE: To protect youth from potentially life-threatening conditions due to ingesting or inserting contraband into body cavities while completing body searches in a manner that is mindful of adolescent development, vulnerability, and trauma. To prevent staff, youth, visitors, and non-DOC persons from bringing contraband into the facility. To prevent, discover, and manage threats to the safety and security of the facility, staff, youth, and the public.

APPLICABILITY: Minnesota Correctional Facility-Red Wing (MCF-RW), juvenile program

DEFINITIONS:
Metal detection – technology that finds metallic objects concealed in a person's clothing.

Pat search – an inspection of a youth using the hands, which does not require the youth to remove clothing, but may include asking the youth to remove shoes for inspection, and may include visual inspection of the ears, nose, and mouth.

Resident-assisted search – youth undress behind a half door or curtain so that staff are unable to see the youth's unclothed breasts, buttocks, or genitalia.

Specific, articulable, and immediate contraband concern – a reasonable suspicion, based on known facts, of hidden contraband that may threaten the safety of youth or staff or facility safety or security.

Strip search – has the meaning given in Minnesota Statutes, section 241.0215, subdivision 2, paragraph (c), and applies only to a facility licensed by the commissioner of corrections.

PROCEDURES:

A. Body searches

1. Types of searches
   a) Pat searches;
   b) Metal detection (handheld wand and pass-through);
   c) Resident-assisted searches;
   d) Strip searches; and
   e) Body cavity searches.

2. Facility staff are prohibited from conducting internal body searches of youths' anus or genitalia. (See Policy 301.010, "Searches" for procedures when there is a specific, articulable, and immediate contraband concern that a youth ingested or inserted contraband.)

3. Trauma-informed practices
   a) Staff are not assigned in a manner that invades the privacy of youth or embarrasses or diminishes the dignity of youth by requiring staff of the opposite gender to perform a resident-assisted search strip search. Staff must:
      (1) Be of the same identified gender as the youth; and

(2) Protect youth's privacy from peers and other staff not conducting the search.

b) Staff that conduct resident-assisted searches and strip searches receive documented training on trauma-informed techniques before conducting the searches and annually thereafter. Training includes:
   (1) Learning basic information on trauma as follows:
      (a) What trauma is and how it affects the brain and body;
      (b) Trauma-related symptoms; and
      (c) Conducting trauma-informed practices.
   (2) Practicing de-escalation techniques; and
   (3) Communicating with youth respectfully and using verbal cues.

4. Reasons for searches on youth
   a) Pat searches are conducted:
      (1) Before youth are escorted to Dayton for safety-based separation;
      (2) Upon reasonable suspicion of contraband that the youth does not willingly give to staff; and
      (3) When youth return to the facility from off-grounds.

   b) Handheld wand metal detection and resident-assisted searches are conducted when youth arrive at Dayton:
      (1) As new admissions;
      (2) For safety-based separation; and
      (3) When they return to the facility from off-grounds.

   c) Pass-through metal detection searches are conducted when youth leave the wood and metal vocational shops.

   d) If the handheld wand or pass-through metal detection search is positive, staff must first ask the youth to give up whatever they have on them. If they do, staff conduct another metal detection search to ensure negative results. If they do not give up the item or the results are still positive after they do, the watch commander may contact the warden or acting warden to review the situation to determine if a strip search is warranted.

   e) Strip searches are conducted by a health care professional or two staff who are professionally trained in trauma-informed practices related to search techniques and other Children's Residential Facilities (CRF) required trainings. Strip searches must be approved by the warden/acting warden and are conducted only:
      (1) When a specific, articulable, and immediate contraband concern is present; or
      (2) When other search techniques/technology cannot be used or failed to identify contraband.

5. Staff must document in an incident report:
   a) When any search is conducted on a youth's body or person;

   b) The contraband concern that initiated a strip search, the other inspection techniques that were used or considered, and the name of the administrative authority who approved the search;

c) Circumstances of an emergency that necessitated a pat or unclothed body search of a youth had to be conducted by staff of the opposite gender or by staff that are not of the same identified gender as the youth; and

d) Rationale for conducting a pat or resident-assisted search in situations not covered in this policy and the name and title of the administrative authority who approved the search.

6. Body search procedures

a) Body searches are conducted by trained staff of the same identified gender as the youth.

b) Staff that conduct resident-assisted searches and strip searches must:
(1) Tell youth why staff must conduct the search;
(2) Briefly describe what will happen in the search;
(3) Ask youth if they have any questions about the search;
(4) Ask youth if staff can begin the search;
(5) Use verbal cues during the search and discuss each step of the search;
(6) Tell youth when the search is done; and
(7) Ask youth if they have any concerns and thank them for cooperating.

c) Strip searches are conducted by a health care professional or two staff professionally trained on trauma-informed practices related to search techniques and other CRF required trainings.
(1) A strip search is conducted one body half at a time, allowing youth to choose whether to have the top or bottom half of their body searched first without having to be fully unclothed at any point during the search.
(2) Staff consult with a mental professional or, if a mental health professional is unavailable, a medically licensed person before conducting a strip search if youth object to the search and have a known or suspected mental health diagnosis, history of sexual abuse, or other mental health-related history identified in their screening.

e) Youth who refuse to be searched, interfere with the search process, or are resistant or uncooperative during the search are placed on safety-based separation in a room in Dayton.
(1) Staff provide direct supervision and try to engage the youth in conversation to gain their cooperation.
(2) When youth agree to complete the search, staff:
(a) Put a magnetic screen over the room window; and
(b) Hand a clean set of Dayton clothes to the youth through the book pass and step away from their door for privacy.
(3) Youth hand their program clothes to staff through the book pass after they have changed into Dayton clothes.
(4) Staff:
(a) Search their program clothes;
(b) Remove the magnetic screen from their window; and
(c) Ask youth if they are safe to be removed from their room for a wand search.
(5) If youth cannot verbally commit to being safely removed from the room, staff continue to provide direct supervision and try to engage them in de-escalation efforts.

(6) When youth say they will not harm anyone and agree to complete a wand search, staff:
   (a) Remove them from the room to complete the wand search; and
   (b) Inform the watch commander of the results of the clothing exchange and wand search.
(7) Youth may remain on safety-based separation:
   (a) For as long as they refuse to complete a resident-assisted search or strip search; and
   (b) When contraband is discovered during the search.

5. Reporting requirements for strip searches.
   a) Documentation of a strip search must be sent to the commissioner/designee within 24 hours.

   b) The number of strip searches conducted is reported to the commissioner/designee annually and minimally includes youth demographics by age, race, and gender.

B. Youth body cavity searches; incarcerated person, staff, visitor, and non-DOC person searches; and vehicle searches are conducted as outlined in Policy, "301.010, Searches."

C. Youth room searches
1. Living unit staff:
   a) Search a youth's room when they are transferred out and prior to re-assigning the room;

   b) May search a youth's room when they are placed on safety-based separation;

   c) Complete the Resident Room Inspection (attached) before a youth moves into a room and after they transfer out of the room; and

   d) Maintain a current room inspection log.

2. Youth who intentionally cause damage to their room may be required to pay restitution.

3. Security staff:
   a) Conduct searches without undue damage and with an effort to return things as they were;

   b) Must be attentive to safety hazards, note cleanliness of the room, and ensure allowable property requirements are met (for example, appropriate labels, amounts);

   c) Notify youth of the search results on the Search/Inspection Notification (attached) slip and leave it in the room;

   d) Direct youth to correct any deficiencies with cleanliness or property; and

   e) Document damage in an incident report including actions taken (for example, work order, restitution).

4. Five random room searches are completed each week in the program living units. Security staff use a computer program to generate random room numbers and forward them to living unit staff.

5. The living unit sergeant ensures:
   a) Selected rooms are thoroughly searched; and

   b) Searches are noted in the Living Unit Search Log (attached).

D. Living unit searches
1. First watch staff:
   a) Complete one area search in each living unit per night; and

   b) Log the location of the search and the results in the search log.

2. Areas to search include such examples as:
   a) Behind and beneath sinks;

   b) Back or behind mirrors, pictures, and bulletin boards;

   c) Behind radiators;

   d) Over doors and ledges;

   e) Clothing hampers, bags, and baskets;

   f) Behind, under, and inside of lockers, dressers, desks, and beds;

   g) Light shades/light fixtures and plumbing boxes;

   h) Behind electric outlet/switch plates;

   i) Toilets, toilet paper, and holders;

   j) Mop buckets;

   k) In and behind furniture legs and frames; and

   l) Behind ventilation grills.

3. Living unit sergeants identify and schedule outside areas to be searched on a routine schedule.

4. Watch commanders schedule periodic area searches.

INTERNAL CONTROLS:

A. Incident reports are retained at the facility and in the juvenile case record in accordance with Policy 300.300, "Incident Reports."

B. Resident Room Inspection forms and Search/Inspection Notification forms are retained at the facility.

C. Living Unit Search Logs are retained at the facility.

REFERENCES: Prison Rape Elimination Act (PREA), 28 C.F.R. §115 (2012)
Minn. Statutes § 241.0215
Minn. R 2960.0100, 2960.0150, 2960.0240, 2960.0250, 2960.0360, 2960.0570, and 2960.0710
Policy 202.045, "Management and Placement of Incarcerated People Who Are Transgender, Gender Diverse, Intersex, or Nonbinary
Policy 301.010, "Searches"
Policy 300.300, "Incident Reports"

REPLACES: All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

ATTACHMENTS: Living Unit Search Log (301.011A)
Search/Inspection Notification (301.011B)
Resident Room Inspection form (301.011C)

APPROVALS:
Commissioner of Corrections