DEPARTMENT OF CORRECTIONS

Policy Number:	**301.010**
Title:	**Searches**
Effective date:	**7/14/25**

PURPOSE: To prevent staff, incarcerated people/youth, visitors, and non-DOC persons from introducing contraband into facilities and grounds. To prevent, discover, and manage threats to the safety and security of facilities, staff, incarcerated people/youth, and the public. To prevent incarcerated people/youth from sustaining potentially life-threatening conditions as a consequence of ingesting or inserting contraband into body cavities.

APPLICABILITY: All facilities

DEFINITIONS:
Canine barrier sniff – refer to Policy 301.120, "Canine Units."

Exigent circumstances – a temporary, unforeseen situation that demands unusual or immediate action.

Materials search – an inspection of personal effects, vehicles, or any item via visual, canine, or electronic means.

Other power-driven mobility device (OPDMD) – any mobility device powered by an external energy source, which is used by individuals with mobility disabilities for the purposes of locomotion.

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

Random basis – random selection of the date, time period, or interval, either by computer program, randomly drawing a criterion from a group of criteria, or a similar method. Random basis searches apply only to incarcerated people and staff.

Reasonable suspicion – a belief, based on specific objective facts and rational inferences drawn from those facts in light of experience, that a particular person or item may pose a threat to facility safety or security, or that a specific individual or place may be concealing contraband.

Religious head covering – see definition in Policy 302.300, "Spiritual Care."

Unclothed body search – the visual inspection of all body surfaces, including the ears, nose, and mouth that require the person to remove their clothing.

PROCEDURES:

A. General guidelines

1. All staff, incarcerated people/youth, visitors, non-DOC persons, and vehicles entering, leaving, or on the grounds of any department correctional facility are subject to search.
   a) Searches are only authorized to accomplish the purposes of this policy and Policy 301.011, "Juvenile Facility Searches."

   b) When available and feasible, body scanners should be used to complete required searches as directed by Policy 301.012, "Body Scanners." Body scanners are not used on youth.

   c) Staff must use the least intrusive type of search option available, only escalating to a more intensive search as authorized in this policy.

   d) Searches must avoid unnecessary force, embarrassment, or indignity to the subject.

   e) Staff must conduct all searches as provided for in department of corrections (DOC) training curricula.

   f) Staff must not engage in an invasive search of intimate body parts.

2. Only properly trained staff may conduct searches, regardless of the type of search.
   a) The DOC trains security staff in how to conduct opposite-gender pat-down searches and searches of transgender, gender diverse, intersex, and non-binary incarcerated people/youth in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs (see Policy 103.410, "In-Service Training" and Policy 103.420, "Pre-Services and Orientation Training").

   b) Before a pat search is conducted, staff must complete the appropriate Notification of Search form (attached) and provide a copy to the person to be searched for signature.

3. All vehicles entering a facility's secure perimeter are subject to search. Refusal to comply with the search will result in denial of admittance into the facility.

4. When conducting searches of an incarcerated person's/youth's possessions, staff must make a reasonable effort to not read any of their legal materials.
   a) If reasonable suspicion exists that the materials are not legal and violate facility security or DOC policy, staff must receive authorization from the warden/officer of the day (OD).

   b) Staff must document in an incident report the reasons for their suspicion and the results of the search.

5. Staff must handle contraband confiscated during any search according to policy, including the handling of evidence associated with a crime scene investigation (see Policy 301.035, “Evidence Management”).

6. Staff, incarcerated people, non-DOC persons, or visitors who refuse to be searched, interfere with the search process, or are resistant to or uncooperative during the search, may be subject to disciplinary action, sanctions, or criminal prosecution.

7. Random searches selection basis may include the following:
   a) A random selection of persons to be searched on a given day;
   b) A random time period when all persons entering are searched;
   c) A random interval of persons searched (for example, every xth person); or
   d) A random day when everyone is searched.

8. If staff have reasonable suspicion that a visitor/non-DOC person or another staff member has violated or attempted to violate state or federal law on facility grounds, staff must immediately notify local law enforcement.

9. Whenever reasonable suspicions is required for a search, staff must write incident reports articulating the reasons for the search. All such incident reports must be retained at the facility.

B. Incarcerated person/Youth searches

1. The living and work areas of incarcerated persons/youth may be searched at any time without cause, consistent with the purposes of this policy.

2. Staff may conduct pat searches and material searches of incarcerated people/youth at any time and during routine activities including such examples as: switch-ins, movement during work/program activities, on activation of metal detectors, when indicated by canine officers, on visual observation by staff, or when consistent with the purposes of this policy.

3. Staff may conduct canine barrier sniffs of incarcerated people at any time and during routine activities, including such examples as:
   a) Movement during work/program activities;
   b) Returning from off-grounds work assignments;
   c) Special duty returns and intake arrivals; or
   d) When consistent with the purposes of this policy.

4. Except in exigent circumstances, staff of the same gender must conduct pat searches of female incarcerated people.
   a) Facilities must not restrict a female incarcerated person’s access to regularly available programming or other out-of-cell opportunities in order to comply with this procedure.

b) Facilities must document in an incident report all opposite-gender pat searches of female incarcerated people.

5. For pat and unclothed body searches of transgender, gender diverse, intersex, or nonbinary incarcerated people/youth, see Procedure G of Policy 202.045, "Management and Placement of Incarcerated People Who Are Transgender, Gender Diverse, Intersex, or Nonbinary."

6. An approved religious head covering that an incarcerated person's/youth's religion requires to be worn throughout the day is subject to random searches for contraband in the same way as other items of attire or possessions. If an incarcerated person/youth must remove the religious head covering for the search to be completed, staff must escort them to a private area outside of view of the opposite gender and the search must be documented and reported daily per watch via Smartsheet.

7. Except in exigent circumstances, two staff of the same gender as the incarcerated person must conduct unclothed body searches in private (see Policy 103.012, "Gender Specific Assignments").
   a) The only exception is when one of two transport officers is of the opposite gender and no other same-gender staff person is available to assist. Based on the conditions, the opposite gender staff must maintain visual contact of the staff conducting the unclothed body search and remain within audible reach of the search to respond if an emergency situation occurs.

   b) Staff must document in an incident report all opposite-gender unclothed body searches of incarcerated people and opposite-gender monitoring when no same-gender officer is available.

   c) Staff must not conduct an unclothed body search for the sole purpose of determining an incarcerated person's sex.

   d) Unclothed body searches of incarcerated people may occur, if use of a body scanner is not available and feasible:
      (1) After contact with the public;
      (2) After returning from outside of the secure perimeter;
      (3) Upon reception in closed units;
      (4) When leaving a work assignment with the potential for obtaining contraband; or
      (5) Upon reasonable suspicion.

   e) Unclothed body searches must be documented and reported daily per watch via Smartsheet.

   f) Staff-assisted unclothed body searches are reported and reviewed per Policy 301.081, "Response to Resistance, Restraint Systems, and Escape."

8. Body searches on youth at MCF-Red Wing are conducted per Policy 301.011, "Juvenile Facility Searches."

9. Staff must ask incarcerated persons/youth observed to have piercings/dermal piercings to remove them. If the incarcerated person/youth indicates the piercing cannot be removed, health services staff must examine them to determine if it can be removed.
   a) If the piercing is deemed removable, the incarcerated person/youth must remove it and either destroy it or send it out.

   b) If the piercing is deemed not removable, staff must take a photo, write an incident report, and make an entry into COMS.

9. Suspected ingestion or insertion of contraband
   a) Staff must summon the watch commander or juvenile duty officer.

   b) Staff must place the incarcerated person/youth under constant staff supervision in a secure area away from other incarcerated people/youth.

   c) Staff must ask the incarcerated person/youth to remove the object if:
      (1) The object is actually visible in a body cavity; or
      (2) If staff has reason to believe that the incarcerated person/youth has contraband in a body cavity and the object may be safely removed.

   d) Staff must notify health services when it is known or suspected that an incarcerated person/youth has inserted or ingested contraband into their body.

   e) A nurse/designee, interviews and determines the incarcerated person's/youth's current physical status. Staff must take the incarcerated person/youth to an outside medical facility for further evaluation if they are suspected of ingesting or inserting contraband into their body which may result in a potentially life-threatening condition.

   f) If the incident occurs after hours, the nurse/designee must contact the on-call physician. The physician determines the mode of transportation (state car or ambulance) to the outside medical facility.

   g) The outside medical facility must keep the incarcerated person/youth at the medical facility until it has been determined that an emergency medical condition or a potential emergency condition due to ingestion/insertion of contraband does not exist.

   h) If the incarcerated person/youth is not admitted to the outside medical facility, staff must return them to the sending facility or to another appropriate

DOC facility, where their medical condition and the security needs of the facility determine their placement.

C. Visitor and non-DOC person searches

1. Where applicable, staff must routinely use a metal detector for searches of visitors and non-DOC persons.

2. Staff must notify visitors/non-DOC persons of:
   a) The need for any search beyond the material search provided by metal detectors (where applicable); and

   b) The consequences of failure to submit to the search.

3. Visitors under the age of 18:
   a) Staff must not search visitors under the age of 18 without the consent of their parent or guardian/escort; and

   b) The parent/guardian/escort must be present during the search.

4. Religious head coverings must not interfere with verification of identity and are subject to pat search for contraband only in the following circumstances:
   a) If staff are unable to identify a person because a religious head covering covers their face:
      (1) Staff must escort the person to a private area;
      (2) Staff must complete the appropriate Notification of Search form (attached) and provide a copy for signature to the person to be searched; and
      (3) Staff of the same gender must ask the person to remove enough of the religious head covering to verify their identity.

   b) If a person is unable to pass through a metal detector and handheld wand:
      (1) Staff must escort the person to a private area;
      (2) Staff must complete the appropriate Notification of Search form (attached) and provide a copy for signature to the person to be searched; and
      (3) Staff of the same gender must conduct a pat search in the same way as they would pat search other items of attire while on the person. If necessary, staff may ask the person to unwrap the religious head covering enough to complete the pat search of the wrapped and unwrapped head covering while it remains on the person's head.

5. If the visitor/non-DOC person is unable to successfully clear the metal detector, staff must use a handheld wand. If the handheld wand results in any alarms, staff must ask the visitor/non-DOC person to consent to a pat search. A lieutenant or higher authority must authorize the pat search beforehand (see Visitor Notification of

Search/Non-DOC Person Notification of Search forms, attached). Refusal to consent to a pat search will result in the visit or facility admission t being denied.

6. Staff may conduct pat searches of visitors/non-DOC persons when reasonable suspicion exists and the person consents. The warden/OD must authorize the pat search beforehand (see Visitor Notification of Search/Non-DOC Person Notification of Search forms, attached).

7. Except in exigent circumstances, officers of the same gender as the person searched must conduct visitor/non-DOC person pat searches.

7. Staff may conduct a search of visitors'/non-DOC persons' on-grounds vehicles when:
   a) Reasonable suspicion exists,

   b) With the individual's written consent; and

   c) When the warden/OD authorizes the search beforehand (see Visitor Notification of Search/Non-DOC Person Notification of Search forms, attached).

8. Unclothed body searches of visitors/non-DOC persons are prohibited.

9. Consistent with Policy 302.100, "Visiting," staff deny visiting or ban visitors who refuse to comply with an authorized search request.

10. Consistent with Policy 300.030, "Access to Correctional Facilities and Other Department Locations by Non-DOC Persons," staff deny admission or ban non-DOC persons who refuse to comply with authorized search requests.

11. If staff have reasonable suspicion that a visitor/non-DOC person has violated or attempted to violate a state or federal law on facility grounds, staff must immediately notify local law enforcement.

12. Staff must search any materials non-DOC persons bring into the facility.

13. Staff must retain completed notification of search forms in the facility control center/master control for future reference.

D. Searches of visitors/non-DOC persons with disabilities and medical conditions

1. The person's ability to stand and walk determines the screening process for a person who uses a wheelchair or other power-driven mobility device (OPDMD). Staff must screen the person without having them stand, walk, or transfer out of the wheelchair/OPDMD; however, the person should inform security staff of their ability before the screening begins. (Note: Gas powered mobility devices are prohibited.)

2. Staff must ask the visitor/non-DOC person to consent to a pat search. A lieutenant or higher authority must authorize the pat search beforehand (see Visitor Notification of Search/Non-DOC Person Notification of Search forms, attached). Staff deny the visit/admission to the facility if the person refuses to consent to a pat search.

3. Staff must screen persons who can neither stand nor walk by a thorough pat search while they remain seated.

4. Staff ask persons who can stand but cannot walk to stand near their wheelchair/OPDMD and screen them using a thorough pat search.

5. Staff may screen persons in wheelchairs/OPDMDs who can walk using a metal detector or a handheld wand.

6. Staff do a pat search to resolve any alarms of a metal detector or anomalies identified by the handheld wand.

7. Regardless of how the person is screened, staff inspect the person's wheelchair/OPDMD, including the seat cushions and any non-removable pouches or fanny packs.

8. If a person has metal implants, such as artificial knees or hips, the person should inform security staff before screening begins. If the person alarms a walk-through metal detector, staff screen the person using a handheld wand before conducting a thorough pat search.

E. Staff searches

1. Staff searches occur on a regular and random basis via metal detector (where applicable) and by visual inspection of any container, vehicle, or other item transported or carried into or out of the facility by any staff.

2. Staff conduct a search of another staff person's on-grounds vehicle upon reasonable suspicion, with the individual's written consent, and when authorized by the warden (see Staff Notification of Search form, attached).

3. Pat searches of staff may be conducted on a random basis or upon reasonable suspicion, when authorized by the warden/OD.

4. Staff must deny admission to the facility for other staff who refuse to comply with an authorized search request. The refusing staff are subject to discipline, up to and including termination.

5. If a staff person is reasonably suspected of violating, or attempting to violate, a state or federal law on facility grounds, OSI staff must immediately notify law enforcement.

6. If a staff person is found to have major contraband in their possession, to be determined by the captain, other staff must move that staff person to an isolated area and at least two supervisors, one of whom must be of the same gender as the staff person, must provide supervision. The captain must notify the facility's special investigator as well as the local police. All staff who are involved in a positive search must write a confidential incident report (see Policy 300.300 "Incident Reports") to the warden before being relieved of duty.

INTERNAL CONTROLS:

A. All incident reports are retained at the facility.

B. Completed notification of search forms are retained in the facility control center/master control.

REFERENCES: Minn. Stat. §§ 152.01, 243.21, 243.55, subd 2, 629.37
Prison Rape Elimination Act (PREA), 28 C.F.R. §115 (2012)
Policy 202.045, "Management and Placement of Incarcerated People Who Are Transgender, /Gender Diverse, Intersex, or Nonbinary"
Policy 301.030, "Contraband"
Policy 301.035, "Evidence Management"
Policy 302.100, "Visiting"
Policy 302.300, "Spiritual Care"
Policy 300.030, " Access to Correctional Facilities and Other Department Locations by Non-DOC Persons"
Policy 103.012, "Gender Specific Assignment"
Policy 103.410, "In-Service Training"
Policy 103.420, "Pre-Service and Orientation Training"
Policy 107.052, "Racial Profiling"
Policy 301.120, "Canine Units"
Policy 301.081, "Response to Resistance, Restraint Systems, and Escape"

REPLACES: Policy 301.010, "Searches," 2/10/25.
All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

ATTACHMENTS: Visitor Notification of Search form (301.010A)
Visitor Notification of Search form (301.010A-Spanish)
Staff Notification of Search form (301.010B)
Non-DOC Person Notification of Search form (301.010C)

APPROVED BY:
Commissioner of Corrections