

Searches

514.1 PURPOSE AND SCOPE

To comply with Federal and State laws and case decisions while maintaining the safety of incarcerated persons and jail facilities, employees and the public.

514.2 POLICY

The San Francisco Sheriff's Department will conduct searches that meet the requirements of federal and state law 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) Pat searches should be conducted by sworn employees of the same gender identity as the person to be searched, whenever possible.

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:

- (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 I or scanning device search.
- (b) All packages, briefcases, purses or other containers will be searched for contraband prior to entering the jail.

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- (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.
- (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 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 will be denied future access to the jail.
- (g) An incident report must be completed any time a pat search is conducted on a civilian and I 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 employees:
 - 1. All employees entering a jail facility may be subject to a non-intrusive sensor and I 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.

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

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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.

514.4.1 STRIP SEARCHES PRIOR AT INTAKE/BOOKING

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) Supervisor approval is not required if the incarcerated person meets the following criteria:
 - 1. is charged with a crime of drugs, (except when arrested for violation of Health and Safety Code 11550 only), weapons and/or violence; or
 - 2. 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.

514.4.2 BOOKED INCARCERATED PERSONS

- (a) Pre-Sentenced Booked Incarcerated Persons
 - 1. Pre-sentenced booked incarcerated persons may be strip-searched at any time if there is reasonable suspicion and supervisor approval on the Strip Search Authorization form prior to the strip search.
 - 2. Prior supervisor approval for the strip search is not required if the incarcerated person:
 - (a) was strip-searched at booking but a legitimate reason such as a security search of their housing unit exists to conduct another search; or
 - (b) has been found to possess contraband during a prior search, as documented on the housing card; or

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- (c) is returning from a work detail, a court-ordered pass, a hospital appointment, court appearance, contact visits, interviews, or other activities occurring outside his or her assigned housing unit.
- (b) Sentenced incarcerated persons may be strip-searched at any time as part of a security search.
- (c) incarcerated persons shall not be strip-searched as part of a final discharge and release to the community.
- (d) Searches of incarcerated persons shall not be conducted in order to determine genitalia.

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.

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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.

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 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
- (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.

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.

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- (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.
- (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 log the contraband information in the Contraband Log.
 - 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

See attachment: [Contraband Form.pdf](#)

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[See attachment: Gender Identity Preference Form.pdf](#)

[See attachment: Housing Unit Search Form.pdf](#)

[See attachment: Strip Search Authorization Request form.pdf](#)

[See attachment: Permissible Strip Search Guidelines.pdf](#)

Attachments

Contraband Form.pdf



San Francisco Sheriff's Department Contraband Form

Facility/Section/Unit: _____

Case #: _____ Lab Line #: _____ SF #: _____

Booking Name/#: _____
Last First Booking #

Where Was Contraband Found: _____

Found By (Name/Badge#): _____ Date/Time: _____

Search Method

____ Body Scanning Device ____ Pat Search ____ Housing Unit Search
____ Modified Strip Search (removal or rearrange of some clothing)
____ Strip Search ____ Strip Search Authorization Request form completed
____ Safety Cell Placement ____ Other: _____

Check All that Apply:

____ Incident Report Completed/Signed ____ Criminal Charges Filed
____ SFPD Advised to Supplement Charges ____ RFD Completed

Contraband Items Recovered:

Contraband Item	Disposition of Item

Gender Identity Preference Form.pdf



SAN FRANCISCO SHERIFF'S DEPARTMENT

Gender Identity Preference Form

It is the policy of the San Francisco Sheriff's Department to receive, evaluate, and house inmates who are lawfully committed or held for confinement by the SFSD. Every inmate, including transgender, gender variant and non-binary (TGN) inmates, will be individually assessed and provided housing based on classification standards designed to provide safety, security, and the ability to access programs.

Please voluntarily complete the information below for your preferences to be documented and considered:

SF Number _____ Gender Identity: _____

Preferred Name: _____

Preferred Pronoun: _____ (i.e. he, she, they)

Legal Name: _____

First

Last

Search Preferences:

While in San Francisco Sheriff's Department custody I prefer to be searched by a deputy of the below gender identity when possible. I understand that this preference will be respected, except when there is no one of that gender identity available, or failure to conduct a search may jeopardize the safety of staff or others.

Woman _____

Man _____

No Preference _____

Housing Preference:

While in custody I would prefer to be housed with: Women _____ Men _____ Other TGN Persons _____

Signature _____

Date _____

Witnessing Deputy

Print Name and Badge# _____

Signature _____

Date: _____ Time: _____ Location: _____

I entered this information on the Field Arrest Card

Original To: IRC

Copy To: Classification

Copy To: CRW

Updated: 4/23/2020

Housing Unit Search Form.pdf



San Francisco Sheriff's Department Housing Unit Search Form

Facility/Section/Unit: _____ Date: _____

Locations Searched: _____ Start Time: _____ End Time: _____

Search Conducted By (Name/Badge#): _____

Reason for Search: _____ Routine _____ Suspected Contraband _____ Information Received

Inmate(s) Searched:

_____ Body Scanning Device _____ Pat Search
_____ Modified Strip Search (removal or rearrange of **some** clothing)
_____ Strip Search _____ Strip Search Authorization Request Form Completed

Deputies Involved in Search: (List Name/Badge#)		
Contraband Found	Location Found	RFD Issued (Inmate Name/#)

Search Supervised By: _____
(Print Title/Name/Badge#)

Check All that Apply:

_____ Incident Report Completed/Signed _____ Criminal Charges Filed
_____ SFPD Advised to Supplement Charges _____ RFD Completed
_____ Contraband Form Completed _____ Other: _____

Strip Search Authorization Request form.pdf



San Francisco Sheriff's Department Strip Search Authorization Request

Facility/Section/Unit: _____ Date: _____

Booking Name: _____
Last First MI

Current Charges: _____

Gender Identity: _____ Race: _____ DOB: _____

I request permission to strip search the above named inmate/arrestee. I have reasonable suspicion that this person may have contraband concealed on their person. My reasonable suspicion is based on:

Requesting Deputy/Badge# _____ Gender Identity: _____

Watch Commander's Review: _____ Approved _____ Denied

Reason: _____

Watch Commander Name/Badge# _____
(Signature)

Record of Search: _____ Contraband Recovered _____ No Contraband Found

Contraband Item	Disposition of Item

- A copy of this form must be provided to the inmate/arrestee upon request
- This form must be retained by the Facility/Section/Unit.

Permissible Strip Search Guidelines.pdf



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Permissible Strip Search Guidelines

Prior to Intake Booking

There is **reasonable suspicion** and supervisor approval on the Strip Search Authorization Form prior to the search; or
Prior supervisor approval is not required if the inmate:

- is charged with a crime of drugs, (except when arrested for violation of H&S 11550 only), weapons and/or violence; or
- has been convicted or arrested with the last 5 years for drugs, (except when arrested for violation of H&S 11550 only), weapons and/or violence as documented in the criminal history information system;
- is charged under PC 3056 or booked with a State Parole hold; or
- is charged under California Penal Code Sections 3451, 3454(b), or 3455(a); or
- is charged under PC 1203.2; or
- is in the custody of another agency and is booked into the jail for safekeeping, including a person booked on a U.S. Marshall hold.

At Intake/Booking

There is **reasonable suspicion** and supervisor approval on the Strip Search Authorization Form prior to the search; or
Prior supervisor approval is not required if the inmate:

- is charged with a crime of drugs, (except when arrested for violation of H&S 11550 only), weapons and/or violence; or
- has been convicted or arrested with the last 5 years for drugs, (except when arrested for violation of H&S 11550 only), weapons and/or violence as documented in the criminal history information system;
- is charged under PC 3056 or booked with a State Parole hold; or
- is charged under California Penal Code Sections 3451, 3454(b), or 3455(a); or
- is charged under PC 1203.2; or
- is in the custody of another agency and is booked into the jail for safekeeping, including a person booked on a U.S. Marshall hold.

Pre-Sentenced Booked Inmates

There is **reasonable suspicion** and supervisor approval on the Strip Search Authorization Form to the search; or

Prior supervisor approval is not required if the inmate:

- was strip searched at booking but a legitimate reason such as a security search of their housing unit exists to conduct another search; or
- has been found to possess contraband during a prior search, as documented on the housing card; or
- is returning from a work detail, court ordered pass, hospital appointment, court appearance, contact visits, interviews, or other activities occurring outside their assigned housing unit.

Sentenced Booked Inmates

Sentenced inmates may be searched at any time as part of a security search.

Inmates shall not be searched as part of their final discharge and release to the community.