



<p><b>COLORADO DEPARTMENT OF HUMAN SERVICES DIVISION OF YOUTH CORRECTIONS</b></p> 	<p><b>POLICY S 9.13</b></p>	<p><b>PAGE NUMBER</b> 1 OF 7</p>
<p><b>THIS POLICY RELATES TO:</b></p> <p>State-Operated Treatment Facilities State-Operated Detention Facilities</p>	<p><b>CHAPTER:</b> Security and Control</p> <p><b>SUBJECT:</b> Searches of Juveniles and Facilities</p> <p><b>EFFECTIVE DATE:</b> April 16, 2015</p>  <p><b>Charles Parkins, Director</b></p>	

I. POLICY:

Consistently applied search practices are essential to the order and security of the facility and shall be designed to prevent, control, and intercede the introduction of weapons or other contraband; however, indiscriminate body searches of juveniles are prohibited in all Division of Youth Corrections' facilities. Upon a juvenile's admission to the facility, returning from an unsupervised setting, or whenever there is reason to believe that the security of the facility may be endangered or that contraband may be present in or introduced into the facility, the search of a juvenile and his/her possessions shall occur.

II. KEY TERMS:

- A. Body Cavity Search
- B. Contraband
- C. Frisk/Pat Search
- D. Strip Search

III. PROCEDURES:

A. Purpose of Searches:

- 1. To prevent, detect, and suppress, the introduction, manufacturing, and circulation of contraband into or within the facility.
- 2. To detect the destruction or alteration of facility property in preparation for the hiding of contraband.
- 3. To recover stolen or missing property.
- 4. Inspection of physical plant for vulnerable areas and safety and security concerns.

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**B. Identification of Contraband:**

1. The following items are items that are considered contraband:
  - a. Firearms and starting pistols.
  - b. Ammunition.
  - c. Knives and razor blades.
  - d. Items designed as weapons.
  - e. Explosives and fireworks.
  - f. Drugs, drug paraphernalia (pipes, cigarette papers, syringes, electronic nicotine delivery systems (ENDS), hypodermic needles, etc.).
  - g. Tobacco products, lighters and matches.
  - h. Unauthorized medicines.
  - i. Alcoholic beverages.
  - j. Inhalants.
  - k. Cash, credit cards, or other monetary exchange items.
  - l. Pornography.
  - m. Electronic devices
  - n. Additional items may be considered contraband at the discretion of the Facility Administration.
2. Each facility shall develop a sample list of items prohibited within the facility, including those listed above.
  - a. A copy of the sample list of contraband items shall be included in the facility's security and control manual.
  - b. A copy of the sample contraband list shall be posted for juveniles, visitors, and staff.

**C. Searching Juveniles:**

The search of a juvenile requires professional expertise and a humane and dignified demeanor on the part of the staff; therefore, staff shall be trained in proper search techniques. When searching a juvenile, the juvenile shall be informed discretely of the process that is about to take place and shall not be touched any more than is necessary to conduct a comprehensive search.

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Information must be provided in the primary language of the juvenile regarding her/his rights during the search.

1. Frisk/Pat Search:

- a. A frisk/pat search of the juvenile shall be conducted by a staff member of the same sex OR GENDER IDENTITY as the juvenile being searched.
- b. Using sensitivity, the staff shall:
  - i. Inform the juvenile that they shall be searched.
  - ii. Visually check the juvenile's hair, ears, nose, mouth, and under the tongue.
  - iii. Have the juvenile place his/her feet apart, arms aside and face away from the staff member.
  - iv. Physically check the juvenile's shoes and socks.
  - v. Have the juvenile turn around and check his/her collar, shoulders, and underarms, including the bra bands and under the breast area for females.
  - vi. Tuck thumb in waistband and starting from the front zipper, slide it all the way around the pants.
  - vii. Check the outside of the legs to the ankle and the inside of the legs to the groin.
  - viii. Staff may use a metal detection wand as part of the frisk/pat search process to search juveniles for contraband.

2. Strip Searches:

- a. A strip search shall be performed on a juvenile at the time of admission; upon returning from an unsupervised absence from a Division of Youth Corrections facility/unit; following unsupervised visits within the facility; or with the approval of the Facility Director or his/her designee when there is reason to believe that contraband may be found.
  - i. STRIP SEARCHES MAY OCCUR, BUT ARE NOT REQUIRED, AFTER ANY VISIT WITH DYC EMPLOYEES AND/OR AGENCY TRAINED PROFESSIONALS THAT WORK ROUTINELY ON SITE WITH THE AGENCY AND HAVE BEEN APPROVED BY FACILITY ADMINISTRATION TO BE TRAINED IN THIS CAPACITY (I.E. SB94, DISTRICT EDUCATION, CONTRACT MENTAL HEALTH OR SIMILAR POSITIONS DETERMINED BY THE AGENCY). THE TRAINING SHALL CONSIST OF RECOGNIZING CONTRABAND, CONSTANT

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SUPERVISION OF YOUTH, PRE-VISIT INSPECTIONS  
FOR ANY CONTRABAND AND COMMON METHODS  
OF PASSING CONTRABAND, AT A MINIMUM.

- ii. STRIP SEARCHES SHALL OCCUR AFTER ALL OTHER PROFESSIONAL VISITS (I.E. ATTORNEY, CLERGY, CASEWORKER, ETC.) THAT ARE NOT SUPERVISED DIRECTLY BY A TRAINED DYC EMPLOYEE.
- b. A strip search shall always be conducted by a staff member of the same sex OR GENDER IDENTITY as the juvenile IN ACCORDANCE WITH DYC POLICY 13.9.
- c. THE FACILITY SHALL NOT SEARCH A TRANSGENDER OR INTERSEX RESIDENT FOR THE SOLE PURPOSE OF DETERMINING THE RESIDENT'S BIOLOGICAL SEX.
- d. A strip search shall be performed in an area that ensures the privacy and dignity of the juvenile.
- e. Strip searches shall be performed both visually inspecting the juvenile's body and physically searching the juvenile's clothing.
- f. In conducting a strip search, staff shall:
  - i. Have juveniles remove clothing one article at a time.
  - ii. Visually check the juvenile's hair, fingers, toes, ears, nose, mouth, and under the tongue.
  - iii. Have the juvenile turn in a complete circle, holding his/her arms out to the side.
  - iv. To check the buttocks, have the juvenile gently spread the cheeks and bend forward or have the juvenile squat down and forcibly cough.
  - v. With the intent of seeing the total surface area of the body, the following shall be searched by having the juvenile gently lift each respective area:
    - i. Breasts
    - ii. Genitalia
    - iii. Body Folds
  - vi. If necessary, bandages may be removed by medical personnel.
  - vii. Search clothing carefully and return it to the juvenile as quickly as possible, beginning with the undergarments.

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- g. Unless there is reason to believe that a juvenile is in possession of contraband that poses an immediate security threat or safety risk to themselves or facility staff, juveniles are never to be forcibly strip searched without prior authorization from the Facility Director or designee.
- h. If juvenile refuses to be strip searched, the juvenile can be placed in seclusion until which time the search is completed. seclusion shall not occur without prior authorization of the Facility Director or Designee.
- i. Females returning to the facility after childbirth have the right to request a medical staff be present at the time of any strip search.
- j. ALL STRIP SEARCHES SHALL BE DOCUMENTED ON THE  
DYC YOUTH STRIP SEARCH LOG.

3. Body Cavity Examination:

When there is probable cause to believe that contraband will be found, a body cavity search, either by visual, manual, or instrumental means, shall only be conducted at a local medical facility by a licensed medical professional, when authorized by both the Facility Medical authority and the Facility Director.

- 4. Whenever any contraband is found in a juvenile's possession, it shall be immediately confiscated. If the contraband can be used in criminal proceedings the local authorities must be contacted immediately otherwise the items shall be placed in a secure storage area and preserved.
  - a. When the contraband that is confiscated is considered an illegal substance, or if the confiscated item is a weapon, the local authorities shall be contacted immediately.
  - b. A written record shall be made of the seizure of the contraband in accordance with facility procedures. The record shall include all parties involved, the contraband that was confiscated, and the location where the contraband was placed for storage.

D. Housing Section Search:

- 1. Searches of living areas or sleeping rooms shall be performed on an unannounced and irregular schedule.
- 2. When searching a room, the following requirements apply:
  - a. Juveniles should be present at the time of the search, whenever possible. If they are not, they shall be advised of the search and of any confiscated articles as soon as possible.
  - b. Searches shall be thorough and systematically conducted, from top to bottom, side-to-side, and underneath and behind (i.e., holes in

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walls, tears in mattresses, and any tears in rugs or tiles, all light fixtures, ceilings, cabinets, windows, sinks, toilets, bedding, pillows, desks, and any personal items or books in the room).

- c. A SEARCH OF BEDROOM DOOR POCKETS SHALL TAKE PLACE A MINIMUM OF ONE TIME PER SHIFT, DURING DESIGNATED SECURITY CHECKS, ROOM SEARCHES, DAILY INSPECTIONS, AND ANY TIME THERE IS REASON TO BELIEVE A DOOR MAY BE COMPROMISED. ONE OF THE REQUIRED SEARCHES SHALL BE A DOOR POCKET SEARCH CONDUCTED DAILY AT BEDTIME WHEN YOUTH ARE SECURED IN THEIR ROOMS FOR THE NIGHT. ENHANCED CHECKS SHALL BE COMPLETED ON A JUVENILE'S DOOR AND LOCK WHO HAS DEMONSTRATED THE PROPENSITY TO ALTER THE SECURITY OF ANY DOOR AND/OR LOCK.
  - d. Juveniles' personal property shall be respected and not willfully misplaced, broken, or discarded. A juvenile's room shall never be left in disorder.
  - e. All personal clothing shall be carefully searched for contraband.
3. Each sleeping room shall be thoroughly searched prior to occupancy by a new resident.

E. General Area Search:

1. A general area search includes all areas of the facility and shall be conducted as deemed necessary by and as approved by the Facility Director, or designee.
2. Results of searches shall be documented following the search and concerns shall be forwarded to the Facility Director, or designee. The written report to the Facility Director shall include the scope of the search, the results, and a list of all contraband that was found, at the minimum.

F. Search of Visitors:

Searches of visitors are subject to the following guidelines:

1. Visitor's possessions may be searched, but the reason for search, i.e., safety and security of juveniles, staff, and other visitors, must be explained. Information must be provided in the primary language of the visitor regarding his/her rights during the search. The use of metal detectors and inspection of purses, packages, and bundles is an acceptable search process.
2. Visitors discovered with contraband in their possession or found exchanging contraband with a juvenile shall be denied visitation privileges and shall be provided information regarding how to appeal to reestablish visitation.

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3. If there is probable cause to believe that contraband IS in the possession of a visitor, admission to the facility shall be denied.
4. If illegal contraband is found in possession of a visitor, local law enforcement shall be contacted and facility staff shall complete a Critical Incident report.

G. Other Searches:

1. Whenever there are visitors at the facility and staff suspect that contraband may have been given to or attempted to be given to a juvenile, staff shall immediately conduct a thorough search of the juvenile and the visiting area.
2. Areas outside of the facility shall be regularly searched as required by facility procedures.
3. All items brought in by visitors shall be searched before being issued to juveniles.
4. Mechanical detection devices, such as metal detectors or video cameras, may be used to promote the security of the facility and its occupants, as approved by the Facility Director.