



Cambridge Police Department

Effective Date: August 14, 1998

NEW POLICY # 661
Policy & Procedures

Procedure 98-14

STRIP AND BODY CAVITY SEARCHES

I. Purpose

This Procedure will:

- a. state department policy regarding the use of Strip Searches and Body Cavity searches.
- b. provide definitions of Strip Search and Body Cavity search.
- c. identify and provide guidelines for the Report of Strip Search Form (P290).
- d. provide guidelines for determining under what conditions the use of strip searches and body cavity searches are legally permissible.
- e. establish guidelines for conducting a Body Cavity search of an arrestee.

II. Department Policy

It is the policy of the Cambridge Police Department that both Strip Searches and Body Cavity Searches be conducted only with proper authority and justification, with due recognition and deference for the human dignity of those being searched and in accordance with the procedural guidelines for conducting such searches as set forth in this policy

III. Definitions

- a. **Strip Search:** Any search of an individual requiring the removal or rearrangement of some or all clothing to permit a visual inspection of any or all skin surfaces including genital areas where weapons, dangerous instrumentalities, evidence, or contraband may be concealed.
- b. **Body Cavity Search:** Any search involving not only visual inspection of skin surfaces but the internal physical examination of body cavities and in some instances, organs such as the stomach cavity.

IV. Guidelines for the use of Report of Strip Search Form (P290)

Whenever a request is made to conduct a strip search of an arrestee, the following information will be entered in both the narrative portion of the Arrest/Incident Report Form (P178B) and the newly created Report of Strip Search Form (P290).

The following information will be included in the Strip Search Form (P290).

1. Date - Time of Search
2. Name of Arrestee
3. Location where search occurred
4. Name(s) of requesting officer(s)
5. List specific factors justifying strip search
6. Results of the search
7. Search authorized by (print name and rank)
8. Authorizing Signature

The original white copy of the 2 part Strip Search Form will be given to the Arrestee after the search. The remaining yellow copy will be forwarded to the Superintendent in charge of the Division before the end of the tour of duty. Upon review of the Superintendent, the yellow copy will be forwarded to the office of Internal Affairs.

V. Guidelines for Strip Search

- a.** A “strip search” entails the removal or rearrangement of some or all clothing to permit a visual inspection of any or all of the arrestees skin surfaces where weapons, dangerous instrumentalities, evidence, or contraband may be concealed.
- b.** Discretion and good judgment will be used when conducting a strip search.
- c.** Arrestees will not be subject to a strip search for any offense unless specific factors are present which establish probable cause that the search will uncover weapons, dangerous instrumentalities, contraband, or evidence of a crime.
- d.** Strip searches will be conducted by only two (2) officers of the same sex as the Arrestee, and with the approval of the Deputy Superintendent or Shift Commander using the Report of Strip Search Form (P290).
- e.** Strip searches will ordinarily be conducted in the police lockup out of the public view (including video cameras, windows, doors, etc.);
- f.** Without any touching of the Arrestee (Although the arrestee may be asked to bend at the waist and spread their buttocks).
- g.** In a reasonable, non-abusive and professional manner; and
- h.** Only for the duration necessary to complete the search. The Arrestee will not be required to remain unclothed any longer than is absolutely necessary.
- i.** If it is necessary for an arrestee to be strip searched outside of the lockup but within the police facility prior written approval must be obtained from the
 1. Shift Commander, Deputy Superintendent or,
 2. The Superintendent of the Division having responsibility of the Section.

3. The completed Strip Search Form (P290) will be submitted before the completion of the tour of duty.
- j.** The shift commander will ensure that the journal reflects the approval for the strip search.

VI. Guidelines for Body Cavity Searches

- a.** Body Cavity Searches involve not only visual inspection of skin surfaces but the internal physical examination of body cavities.
- b.** The Supreme Judicial Court (SJC) has held that where police seek to conduct a search inside the body of an individual, such a search must be conducted pursuant to a valid warrant upon a “**strong showing of particularized need supported by a high degree of probable cause.**” “Mere probable cause will not suffice.” In Rodrigues v. Furtado, 410 Mass. 878, 575 N.E. 2d 1124 (1991), the SJC specifically stated that “it may be appropriate to require a higher level of certainty than mere probable cause” in cases involving extremely intrusive searches.
- c.** A body cavity search warrant must now be issued by a judge and not a clerk magistrate. Rodrigues, supra, at 1131. Therefore, a warrant authorizing the search of a body cavity will be invalid unless issued by the authority of a judge.
- d.** “Body Cavity” searches will only be conducted by skilled medical technicians in appropriate medical surroundings (i.e. licensed physician in a hospital).
- e.** Members of the Cambridge Police Department seeking to conduct a body cavity search of an Arrestee must:
 1. Secure a valid search warrant from a judge.
 2. Prior to the issuance of the warrant, officers will be required to demonstrate to the judge an extraordinary showing of probable cause as to why they believe evidence or contraband is contained within an individual’s body.
 3. Execution of the warrant must be achieved by skilled medical technicians in a medical setting.
 4. Members of the Cambridge Police Department will not conduct body cavity searches even if consent is given by the Arrestee.

Police Commissioner