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| <p align="center"><b>GEORGIA DEPARTMENT<br/>OF JUVENILE JUSTICE</b></p>  | <p align="center">Transmittal # 18-15</p>  | <p align="center">Policy #8.22</p> |
| <p>Applicability:<br/> { } All DJJ Staff<br/> { } Administration<br/> { } Community Services<br/> {x} Secure Facilities</p>  | <p>Related Standards &amp; References:<br/> OCGA 49-4A-11, 49-4A-18<br/> ACA Standards: 4-JCF-2A-20, 4-JCF-2A-21, 22, 4-JCF-2A-26, 4-JCF-2A-28, 4-JCF-4C-63, 3-JDF-2E-03, 3-JDF-3A-19, 20, 21, 3-JDF-3A-29, 3-JDF-3A-31, 3-JDF-1A-34, 3-JDF-5G-15<br/> NCCHC Juvenile Health Care Standards, 2011: Y-I-03<br/> DJJ 8.5, 8.11, 8.12, 15.5, 17.1, 23.3</p> |                                    |
| <p>Chapter: SAFETY, SECURITY, AND CONTROL</p>  | <p>Effective Date: 8/15/18<br/> Scheduled Review Date: 8/15/19</p>   |                                    |
| <p>Subject: SEARCHES AND CONTRABAND CONTROL</p>  | <p>Replaces: 8/15/17</p>   |                                    |
| <p>Attachments:<br/><br/> A – Vendor Acknowledgement Statement<br/> B – Approved Cell Phone Entry/Exit Log<br/> C – Visitor Log / Visitor Consent to Search Form<br/> D – Employee Search Consent Form<br/> E – Chain of Custody Form<br/> F – Officer Transfer Form</p> | <p>APPROVED:<br/><br/> <br/><br/> _____<br/> Avery D. Niles, Commissioner</p>  |                                    |

**I. POLICY:**

Department of Juvenile Justice trained, POST-certified officers shall conduct searches to maintain the safety and security of facilities and operations. Searches shall be conducted in a professional manner to avoid harassment, indignity, embarrassment, and unnecessary force. DJJ staff shall immediately confiscate all contraband found during a search.

**II. DEFINITIONS:**

**Contraband:** Any item or article in the possession of a youth and/or staff, or found within the facility/program that has not been officially issued or any other property that is prohibited from being brought into a facility by statute (OCGA § 49-4A-18), rule, local operating procedure, policy, or direction of the facility Director, unless specifically approved in writing by the facility Director. Contraband may also be excessive quantity of approved items.

**Dangerous or Illegal Contraband:** Any item that is illegal for staff or youth to possess within a DJJ facility/program site (alcohol, drugs, medications, weapons, tobacco products, lighters and matches, etc.); any cellular device or accessory (such as charger) by youth; any cellular device or accessory by staff, other than one issued by DJJ; positive drug/alcohol screen; possession of items with gang graffiti; possession of hems that have been removed from bedding, clothing, etc.

**Vendor:** A person not employed by the Department who enters the secure facility for the purpose of providing a service or making a delivery.

**Visitor:** Any person (including DJJ staff) not assigned to work at the facility who is visiting the facility for any purpose.

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### III. GENERAL PROCEDURES:

- A. All visiting DJJ staff must leave their DJJ Locator Card with security staff at the facility entrance. DJJ staff must prominently display their DJJ issued ID for the duration of the facility visit.
1. If the DJJ staff is not in possession of their DJJ issued ID or Locator Card, staff will be required to leave their driver's license with security staff at the facility entrance. The DJJ staff will be provided a visitor's badge which must be prominently displayed for the duration of the visit.
  2. All identification cards or DJJ Locator Cards will be maintained at the control room/gatehouse in a file/storage box or on a peg board.
- B. Vendors
1. Vendors must sign the Vendor Acknowledgement Statement (Attachment A) prior to the initial entry. The Vendor Acknowledgement Statement will be signed annually by each vendor. Vendors who acknowledge a previous conviction for the physical or sexual abuse of a child will not be allowed to enter the facility.
  2. All vendors are required to leave current picture identification with the security staff at the facility entrance. Vendors will be provided with a visitor's badge that must be prominently displayed for the duration of the visit. Vendors performing work in areas occupied by youth must be under continuous supervision of facility staff.
  3. Vendors who have a need for prescription medication must have the permission of the facility Director prior to bringing the medication into the facility. Only the amount of medication needed during the vendor's visit to the facility will be brought in.
- C. Cellular Telephones and Accessories:
1. Cellular telephones and other communication devices and their accessories (e.g., chargers, batteries, etc.) will be considered contraband in secure facilities. Staff will not possess cellular telephones and other communication devices or their accessories while within the secure perimeter of the facility. The only exceptions will be cellular telephones, communication devices, and accessories issued by the Department for business purposes. All approved cellular telephones, communication devices, and accessories shall be accounted for when the staff enter and leave the facility using Attachment B (Approved Cell Phone Entry/Exit Log).

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2. The Director may authorize individuals (e.g., contracted medical staff, vendors, contracted maintenance staff, etc.) to bring cellular telephones and other communication devices into the facility. Each facility will have a local procedure to ensure that any cellular telephone or other communication devices brought into the facility by one of these professionals is accounted for when the professional enters and leaves the facility (Attachment B).

D. Cameras and Recording Devices

1. Cameras and recording devices, including those of media representatives, are prohibited within all DJJ owned or operated secure facilities, with the exception of those cameras and devices owned by the Department.
2. Law enforcement officials may bring in and utilize cameras and recording devices for the sole purpose of law enforcement related activities.
3. All cameras and recording devices that enter a facility must be logged upon entry and must be accounted for upon exit.
4. Recording devices and cameras will only be brought into the facility upon approval of the Director.

E. At the entrance of all secure facilities, a warning notice will be posted stating all persons are subject to search before entering the secure perimeter. All visitors, volunteers, contractors, vendors, and Department staff not regularly assigned to the secure facility will be required to sign the Visitor Log / Visitor Consent to Search Form (Attachment C) indicating time of entry and exit.

F. As part of orientation, all facility staff, including volunteers, contractors, interns, and full and part-time employees, will be advised of Department policy regarding searches and contraband. All facility staff will sign an Employee Search Consent Form (Attachment D) as a condition of employment.

G. All contraband found during a search will be confiscated and turned over to the shift supervisor. A report must be submitted to the shift supervisor and Director describing the contraband and stating when and where it was found. Contraband will be managed as evidence for a disciplinary hearing or criminal proceeding until the facility Director deems otherwise (see Attachment E, Chain of Custody Form).

H. All dangerous or illegal contraband will be placed in an evidence bag with chain of custody initiated and securely stored (see Attachment E, -Chain of Custody Form). A Special Incident Report (SIR) will be completed that describes the items found.

I. Law enforcement officers or other authorized individuals who carry weapons (firearms, OC spray, batons, tasers, etc.) will be required to lock their weapon in their

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vehicle or unload the weapon and place it in a locked, secured storage box or compartment provided by the facility.

- J. No firearm or ammunition will be allowed beyond the weapons checkpoint unless specifically approved in an extreme emergency by the Commissioner.
- K. Staff members who bring contraband into a secure juvenile facility will be subject to disciplinary action, up to and including dismissal. The Department may also pursue prosecution of individuals who bring contraband items into a secure facility.

#### **IV. BODY SEARCHES:**

- A. Trained, POST-certified officers will perform searches. When possible, at least 2 staff members will be present for strip searches and frisk (pat down) searches. Prior to a search, the person being searched will be informed of what is about to happen and given instructions. Youth will be asked in advance of the search to turn in any contraband.
- B. Strip searches will be conducted in an area that provides privacy by trained correctional officers of the same sex as the youth being searched. When a same-sex staff member is not available, the person to be searched must be kept under constant visual supervision in a secure location until a same-sex staff member is available to conduct the search. Searches of intersex youth will be conducted in accordance of DJJ 23.3, LGBTI.
  - 1. A strip search will be conducted upon intake, after visitation, during facility wide searches, when the youth is suspected of possessing contraband, or upon return from outside details or activities.
  - 2. A strip search may be conducted after any kind of internal disturbance.
  - 3. The entire body will be visually checked, including hair, ears, mouth, armpits, hands, pubic region, between toes, soles of feet, outside rectum, and inner portions of legs.
  - 4. Searching staff will not touch the body during a strip search.
  - 5. Clothing and personal property will be thoroughly hand searched for contraband. Shoes will be examined for split soles, false linings, and removable insoles or heels.
  - 6. After a strip search, a youth will not be allowed back into the visitation area until the area has been searched by staff.
- C. Frisk (pat down) searches will be conducted by trained, POST-certified officers of the same sex as the youth being searched when at all possible. When a same-sex staff

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member is not available, the person to be searched may be kept under constant visual supervision in a secure location until a same-sex staff member is available to conduct the search. A supervisor may approve an opposite-sex frisk search when necessary. In an emergency, an opposite-sex staff member may frisk search a youth and then report the search to a supervisor. The supervisor will ensure that opposite-sex frisk searches are documented in the area logbook. All searches of intersex youth will be conducted in accordance of DJJ 23.3, LGBTI.

1. Youth will be frisk searched any time he/she is transported by facility staff. The sending facility will complete the Officer Transfer Form (Attachment F) prior to the youth leaving the facility and will attach the form to the records being sent with the youth.
  2. A frisk search shall occur but not be limited to, the following circumstances:
    - Prior to entering the visiting area, (see DJJ 15.5, Youth Visitation);
    - Prior to departure from any facility area; and,
    - When there is probable cause to believe the person possesses contraband.
  3. Clothing and personal property will be thoroughly hand searched for contraband upon a youth's admission, transfers and discharge. Shoes will be examined for split soles, false linings, and removable insoles or heels (see DJJ 17.1, Admission to Secure Facility).
  4. The staff member will systematically inspect the person's fully clothed body, using his/her hands.
- D. All body cavity searches will be conducted by qualified medical personnel that are not employed or contracted with the Department. A Special Incident Report (DJJ 8.5, Special Incident Reporting) will be completed for each body cavity search. X-ray instruments will be used only for medical reasons and as authorized by the facility's responsible physician.

## **V. AREA SEARCHES:**

- A. Searches of housing areas and rooms will be performed on unannounced and irregular schedules. Each housing area/room will be searched at least once per week and more frequently as situations demand.
  1. Complete search and inspection will be conducted of each room prior to occupancy by a new youth.

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2. After a search, the housing area/room will be left the way it was found. Youth's personal property will be respected and not willfully discarded, broken, or damaged.
3. For youth on isolation, items that are introduced to the room (e.g. meal trays, eating utensils, paper, pencils, etc.) will be taken from the room after they are used.
4. Searches will be documented in the post log. The entry will include:
  - Location of search;
  - Name of searching staff member;
  - Time and date of the search;
  - Description of any incidents or significant contraband found; and,
  - Names of possessors of contraband, if known.

B. All general areas of the facility (e.g. work areas, corridors, classrooms, storage areas, vehicles used to transport youth, etc.) will be searched on a regular basis at least monthly. High risk areas will be searched more frequently as indicated by local operating procedure. After a general area search, the search will be documented as outlined above.

1. Immediately before and after visiting hours, officers assigned to the visitation area must conduct a thorough check of the visitation area for contraband. Youth will not be permitted in the area during this search. Officers assigned to the visitation area must be attentive to passing of contraband from visitor to youth. Youth will be strip searched at the conclusion of each visit. Staff will discard all accumulated trash outside the facility.
2. Perimeter checks will be performed in accordance with DJJ 8.11, Perimeter Security and Control.
3. Vehicles on facility property are subject to search. The facility Director or senior official in charge must approve such searches.

## **VI. OTHER SEARCHES:**

- A. Vehicles will only be allowed to enter the facility's fenced, restricted areas when providing a service to the facility (e.g., delivery, contractors, transporting youth, etc.).
- B. With the exception of law enforcement vehicles, when vehicles (including State vehicles) enter the gate, all items and goods that could be used as weapons, or present

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safety and security hazards, will be secured and or out of sight in the vehicle or removed from vehicles before entry into the restricted area. Necessary work items such as tools and flammable liquids must be inventoried upon entry and exit. The vehicle and cargo will be thoroughly inspected for contraband in accordance with staff training and local operating procedures.

- C. With the exception of law enforcement officers, all vehicle occupants will be asked to exit the vehicle to be searched prior to entry.
- D. All vehicles must be secured when the vehicle is not occupied.
- E. The facility Director or designee will determine if a vendor's unauthorized item may be secured at the facility prior to entry to the restricted area. If the facility Director or designee determines the item cannot be stored, the vendor will not enter the restricted area.
- F. All vehicles leaving the restricted area of the facility will be inspected as described above. Particular attention will be given to determine if youth have hidden in the vehicle. Previously approved items such as dangerous tools will be verified.
- G. All vehicles entering and leaving the gate will be logged in and out. Name of driver and passenger(s), vehicle license plate number, and purpose of visit will be included using Vehicle Log Form (DJJ 8.11 Perimeter Security and Control, Attachment A).
- H. Any person given authorization to enter the vehicle gate must acquire additional authorization to enter the facility (e.g., control room verification).
- I. All briefcases and other containers (including food) will be routinely searched immediately upon entry to the facility (including when returning from breaks, lunch, etc. when staff have left the premises).
- J. Visitors will leave such items locked in their automobile unless the item is specifically authorized by the facility Director or senior official in charge.
  - 1. All visitors must leave picture identification and keys with the control room/gatehouse security staff. Visitors will be given a chit in exchange for their keys.
  - 2. All visitors will sign a Visitor Search Form (Attachment C) upon entry to a secure facility.
  - 3. Visitors of youth will be required to clear a metal detector prior to entry. Visitors who refuse will be required to leave state property.
  - 4. The Director or senior official in charge may authorize the frisk search of a visitor, either randomly or for cause. Visitors will never be strip searched. Frisk

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searches will be performed by staff of the same sex as the person being searched. If a staff person of the same sex is not available, at least one same-sex witness will be present. The privacy and dignity of the person being searched will be protected.

4. A Special Incident Report will be completed any time a search of a visitor is conducted other than routine inspection of bags, sacks, etc.
  5. A visitor who refuses a search will be required to leave state property and may be removed from the youth's visitation list.
  6. Any visitor found in violation of this policy will be removed from the facility and may be prohibited from future visits. Further, if a violation of law occurs, a criminal warrant may be taken.
- K. Staff will bring only items necessary for job performance and necessary personal needs. All bags will be searched immediately upon each entry into the facility. All personal items must be in a clear bag.
1. The Director or senior official in charge may authorize the frisk search of a staff member, either randomly or for cause. Staff members will only be strip searched after approval of the respective Deputy Commissioner for secure facilities and the Office of Legal Services. Frisk searches will be performed by staff of the same sex as the person being searched. If there is no staff of the same sex as the staff being searched, at least one same-sex witness must be present. The privacy and dignity of the person being searched will be protected at all times.
  2. Staff members who have a need for a prescription medication must have the permission of the facility Director prior to bringing the medication into the facility. The staff member must provide the name of the medication and any known side effects, and the medication must be in its original container. The staff member must ensure the security of the medication and immediately report loss or theft of the medication. Only the amount of medication needed during the staff member's tour of duty will be brought into the facility.
  3. The personal keys of all facility staff must be accounted for in accordance with DJJ 8.12, Key Control.

## **VII. LOCAL OPERATING PROCEDURES REQUIRED: YES**

Local operating procedures will include:

- Each facility Director will establish a facility search plan in the local operating procedures for this policy that includes the frequency of recurring area searches of housing/rooms, the school, general areas, visiting areas, perimeter, and food storage

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areas. The search plan must include the manner in which the search is to be conducted. The facility Director's supervisor will approve the search plan.

- Each facility Director will establish procedures for the control of contraband in the facility that include, at a minimum, informing all staff, visitors, and youth of items that are considered contraband, search procedures of staff, visitors and youth, and the consequences of possession or distribution of contraband items.
- Each facility Director will determine the individuals authorized to bring a non-Department cell phone inside the facility, and procedures for checking these phones in and out.