



# POLICY & PROCEDURE

## UW-GREEN BAY POLICE DEPARTMENT

<b>SUBJECT:</b>	STRIP SEARCHES	<b>SCOPE:</b>	All Employees
<b>CHAPTER:</b>	1 Organization	<b>NUMBER:</b>	1.7.7
<b>DISTRIBUTION:</b>	Policy Manual	<b>EFFECTIVE:</b>	02/01/1999
<b>APPROVED:</b>	Tony Decker, Chief of Police	<b>REVIEWED:</b>	08/30/2012, 7/14/2014, 05/01/2022,
<b>REFERENCE:</b>	§968.255, §968.256	<b>REVISED:</b>	03/17/2016, 05/01/2020

### I. PURPOSE

**This policy is mandated by Wisconsin State Statute §968.255(6)**

The purpose of the Policy is to provide guidelines for determining if and under what conditions the use of strip searches and body cavity searches are legally permissible and to establish guidelines for the appropriate conduct of such searches.

### II. POLICY

The University of Wisconsin Green Bay Police Department recognizes that the use of strip searches and body cavity searches under certain conditions, may be necessary to protect the safety of individuals, or to detect and secure evidence of criminal activity. Recognizing the intrusiveness of these searches on an individual's privacy, it is the policy of the University of Wisconsin Green Bay Police Department that such searches shall only be conducted with distinct justifications; and with due recognition and deference for the human dignity of those being searched.

### III. DEFINITIONS

- A. Body Cavity Search: Any visual or physical inspection of a body cavities' skin surface or the internal physical examination of body cavities including organs such as the stomach cavity.
  - 1. Intrusive searches of the mouth, nose, or ears are not body cavity searches but must be conducted by medical personnel and in compliance with the 4th and 5th amendments.
- B. Detained: Has the meaning specified in §968.255(1)(a) (1-5).
- C. Strip Search: Is defined by §968.255(1)(b) and means a search in which a detained person's genitals, pubic area, buttock or anus, or a detained female person's breast, is uncovered and either is exposed to view or is touched by a person conducting the search unless the touching is necessary to gain the detainee's cooperation with the search or unless the touching is necessary to assist a disabled detainee's cooperation with the search.

#### IV. PROCEDURE

##### A. Strip searches

1. Strip searches shall only be permitted in accordance with the statutory procedure outlined in §968.225(2); and when a person has been arrested and there is probable cause to believe the person is concealing a weapon or an item that may constitute evidence of the offense for which the person has been arrested.
2. Strip searches conducted exclusively for the purpose of discovering evidence may only be conducted upon written approval by the Chief of Police or, in the absence of an ability to contact the Chief, the next highest ranking police supervisor. Such approval is not required if the search is based on probable cause to believe the person is concealing a weapon.

##### B. Body Cavity Searches

1. Should visual examination of a suspect during a strip search and/or other information lead an officer to believe the suspect is concealing a weapon, evidence, or contraband within a body cavity the following procedures shall be followed:
  - a. The suspect shall be kept under constant visual surveillance until a body cavity search is conducted or an alternative course of action taken.
  - b. The officer shall consult with his/her immediate supervisor to determine whether probable cause exists to seek a search warrant for a body cavity search. The decision to seek a search warrant shall recognize that a body cavity search is highly invasive of personal privacy and is reasonable only where the suspected offense is of a serious nature and/or poses a threat to the safety of officers or others and/or the security of the department's detention operations.
  - c. If probable cause exists for a body cavity search, an affidavit for a search warrant shall be prepared that clearly defines the nature of the alleged offense and the basis for the officer's probable cause.
  - d. Under the authority of a search warrant, a body cavity search shall be performed by a physician, physician assistant, or state licensed registered nurse as detailed in §968.225(3).
  - e. For safety and security reasons, the search shall be conducted at a detention or medical facility in a room designated for this purpose.

##### C. Reporting

1. Upon conclusion of a strip or body cavity search, the person conducting the strip search, or requesting the body cavity search, shall complete a Police Department Report identifying the:
  - a. Person Searched
  - b. Date, Time, and place of search
  - c. Identity of the officer conducting the search
  - d. Those present during the search
  - e. A detailed description of the nature and extent of the search
  - f. Any weapons, evidence or contraband found during the search
  - g. The proof of authorization required by Section 2, above.



TONY DECKER, CHIEF OF POLICE

April 11, 2022

*This policy shall become effective either immediately upon my signature or on the last date noted in the Revised Date field of page one. When a revision becomes effective, it shall be the standard and shall supersede all previous versions of the policy. Historical policies shall be maintained for no less than 7 years.*

