

# ~~Search of a Resident of the RI Training School~~

~~Rhode Island Department of Children, Youth and Families  
Division of Juvenile Correctional Services: RI Training  
School Policy: 1200.0819~~

~~Effective Date: October 2, 2012~~ ~~Version: 1~~

~~Each resident detained or committed to the RI Training School receives humane treatment at all times with full respect for his/her personal dignity and right to privacy consistent with the need for safety and security within the facility. No resident detained at the Training School is subject to a strip search without a reasonable suspicion to believe that he/she is attempting to conceal a weapon or in the possession of contraband.~~

## ~~Related Procedure~~

~~Search of a Resident of the RI Training School~~

## ~~Related Policy~~

~~Administrator on Call~~

~~Unusual Incident~~

~~Report~~

~~Use of Physical Force or Corporal~~

~~Punishment Preserving and Protecting~~

~~Evidence~~

~~Searches for Contraband~~

## ~~Search of a Resident of the RI Training School~~

### ~~Procedure from Policy 1200.0819: Search of a Resident of the RI Training School~~

- ~~A. When any resident is searched, his/her dignity and rights must be maintained:~~
- ~~1. In conformance with DCYF Policy 1200.1207, Use of Physical Force or Corporal Punishment, staff avoid unnecessary physical contact or unnecessary force with residents at all times.~~
  - ~~2. Searches are conducted in a manner that guarantees the preservation of evidence in conformance with DCYF Policy 1200.0835, Preserving and Protecting Evidence.~~
  - ~~3. If the resident is not compliant with a search, staff contact supervisory personnel including the Unit Manager or the late duty Unit Manager. If neither Unit Manager is available, staff contact the Master Control Center (MCC). The MCC contacts the Administrator on call in conformance with DCYF Policy 1200.0004, Administrator on Call.~~
- ~~B. Searches of residents are always conducted in strict conformance to departmental training and may include:~~
- ~~1. Pat Down Search~~
  - ~~2. Search utilizing electronic means included hand held or stationary metal detectors~~
  - ~~3. Search upon detainment~~
  - ~~4. Strip Search~~
- ~~C. Staff routinely conduct Pat Down Searches to prevent the flow of any contraband in the facility.~~
- ~~D. Staff utilize electronic hand held or stationary metal detectors to search residents whenever residents may have access to metal objects.~~
- ~~E. Upon detainment, the resident surrenders personal clothing and personal effects to staff.~~
- ~~1. Staff ensure that the new resident is not on camera when disrobing. Staff stand in clear view of the camera while the resident disrobes.~~
  - ~~2. Staff thoroughly examine the resident's clothing, including shoes, paying special attention to linings and hems.~~
- ~~F. Strip Search:~~
- ~~1. No resident is subject to a strip search as harassment or for the purpose of punishment or discipline.~~
  - ~~2. No resident is subject to a strip search upon detainment without an individualized determination that there is a reasonable suspicion based on specific and articulated facts to believe that he/she is concealing a weapon or possesses contraband. Reasonable suspicion may be based upon, but is not limited to the following:~~
    - ~~a. Nature of the offense: violent delinquent offenses and drug possession offenses which provoke suspicion that the resident is concealing a weapon or contraband.~~
    - ~~b. Appearance and demeanor: a resident presents an unusual and inordinately nervous demeanor, conducts himself/herself in a manner that suggests he/she is attempting to conceal something or appears to be under the influence of any narcotic drug or alcohol or otherwise acts in a suspicious manner.~~
    - ~~c. Circumstances surrounding the arrest and apprehension: including the nature of any charges brought against the individuals with whom the~~

- ~~resident was associating and degree of resistance offered at the time of this arrest.~~
- d. ~~The resident's prior record: a lengthy juvenile record, particularly for crimes of violence and narcotic offense, possession and/or use of firearms or other deadly weapons; and prior involvement in illegal drugs.~~
- e. ~~The resident's history at the Training School: a resident has been the subject of prior institutional discipline for the possession of weapons or other contraband or repeated, violent acts against staff and/or other residents.~~
- f. ~~The discovery of evidence of contraband or a weapon in plain view or in the course of a Pat Down or Electronic Search or Search upon Detainment.~~
- g. ~~When staff believe that there is reasonable suspicion, the resident is separated from other residents while approval of the Unit Manager or the late duty Unit Manager is sought.~~
  - i. ~~If neither Unit Manager is available, staff contact the MGC. The MGC contacts the Administrator on Call in conformance with DCYF Policy 1200.0004, Administrator on Call.~~
  - ii. ~~In conformance with DCYF Policy 1200.0827, Unusual Incident Report, Staff completes an unusual incident report to clearly define the basis for the suspicion.~~
- 3. ~~An adjudicated or detained resident may be subject to a strip search following visitation or return from an off ground transport only if an individualized, reasonable suspicion based on specific and articulated facts exists that he/she is concealing a weapon or possesses contraband.~~
  - i. ~~When staff believe that there is reasonable suspicion, the resident is separated from other residents while approval of the Unit Manager or the late duty Unit Manager is sought.~~
  - ii. ~~If neither Unit Manager is available, staff contact the MGC. The MGC contacts the Administrator on Call in conformance with DCYF Policy 1200.0004, Administrator on Call.~~
  - iii. ~~In conformance with DCYF Policy 1200.0827, Unusual Incident Report, Staff completes an unusual incident report to clearly define the basis for the reasonable suspicion.~~

- G. ~~Any strip search authorized in accordance with paragraph F is conducted as follows:~~
- 1. ~~A thorough pat down search and metal detection precedes the strip search.~~
  - 2. ~~A strip search is always conducted by staff of the same gender as the resident.~~
  - 3. ~~Staff always conduct the search in a private place (one resident at a time) and in a professional manner that recognizes the human dignity of the resident.~~
  - 4. ~~Because strip searches are humiliating experiences and may trigger severe reactions, especially from youth with histories of abuse or disabilities, all strip searches are conducted in a manner that minimizes unnecessary distress to the resident.~~
    - a. ~~If a resident to be strip searched demonstrates signs of significant distress or trauma, Staff seek guidance from the Unit Manager or the late duty Unit Manager before proceeding.~~
    - b. ~~If a resident is known to have a history of physical or sexual abuse or other trauma, every effort is made to have the strip search conducted by RITS medical personnel.~~
    - c. ~~If neither Unit Manager is available, staff contact the MGC. The MGC contacts the Administrator on Call in conformance with DCYF Policy 1200.0004, Administrator on Call.~~

5. ~~Staff ensure that the resident is not on camera during the search. Staff stand in clear view of the camera during the search.~~

6. ~~If it is not possible to position staff or the resident as described in paragraph G-3, staff search the resident in the presence of another staff. Both staff are of the same gender as the resident.~~
7. ~~The resident is asked to:
  - a. ~~Place personal items in a separate pile.~~
  - b. ~~Remove all clothing.~~
  - c. ~~Raise his/her arms and slowly make a complete turn.~~
  - d. ~~Present soles of his/her feet to be examined.~~
  - e. ~~Run his/her hands through his/her hair, shaking out any loose items~~
  - f. ~~Open his/her mouth and rotate his/her tongue.~~
  - g. ~~Spread his/her buttocks~~
  - h. ~~Lift his/her private parts.~~
  - i. ~~Dress immediately after the search is ended.~~~~
- H. ~~If contraband is discovered in any search, staff conducting the search complete an Unusual Incident Report in conformance with DCYF Policy 1200.0827, Unusual Incident Report, and notify his/her supervisor or MGC immediately. Staff conduct all activities in conformance with DCYF Policy 1200.0821, Searches for Contraband.~~
- I. ~~Any manual or instrument inspection of a resident's body cavities is conducted only by medical personnel with prior approval of the Superintendent. Staff notify parents or guardians if a resident is subject to a physical body cavity search.~~

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**TITLE 214 - DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES**

**CHAPTER XXX - OLD REGULATIONS WHICH WERE NOT ASSIGNED**

**CHAPTER-SUBCHAP-PART**

**SUBCHAPTER XX - OLD REGULATIONS WHICH WERE NOT ASSIGNED**

**CHAPTER-SUBCHAP-PART**

**PART 6977 - SEARCH OF A RESIDENT OF THE RI TRAINING SCHOOL**

Type of Filing: Repeal

**Agency Signature**

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Agency Head Signature

Agency Signing Date

**Department of State**

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Regulation Effective Date

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Department of State Initials

Department of State Date