

Cleveland Community Police Commission

**Recommendations for Strip Searches & Body Cavity Searches GPO**

Version filed 01/17/2020	Recommended Modifications	Comments
Juvenile: An individual under the age of 18.	Youth/Juvenile: An individual under the age of 18.	Definitions For consistency across GPOs
A. A strip search or body cavity search may be conducted if there is probable cause to believe that the person is concealing evidence of the commission of a criminal offense, including fruits or tools of a crime, contraband, or a deadly weapon that was not otherwise discovered through less-intrusive means.	A. A strip search or body cavity search may <b>only</b> be conducted if there is probable cause to believe that the person is concealing evidence of the commission of a criminal offense, including fruits or tools of a crime, contraband, or a deadly weapon that was not otherwise discovered through less-intrusive means.	Procedure I A
B. A strip search or body cavity search must be supported by <b>articulable facts</b> considering the nature of the offense, circumstances of the arrest, and if known, prior criminal/conviction record of the person or that the arrestee may possess weapons or contraband on or in their body.	B. A strip search or body cavity search must be supported by <b>probable cause</b> considering the nature of the offense, circumstances of the arrest, and if known, prior criminal/conviction record of the person or that the arrestee may possess weapons or contraband on or in their body.	Procedure I B
C. Prior to conducting the strip search or seeking a warrant for a body cavity search, the officer or sergeant shall explain to the individual the reason for the search and give the individual the opportunity to voluntarily produce the suspected item.	C. Prior to conducting the strip search or seeking a warrant for a body cavity search, the officer or sergeant shall explain <b>in an age appropriate manner</b> to the individual the reason for the search and give the individual the opportunity to voluntarily produce the suspected item.	Procedure I C
D. Officers shall <b>make a reasonable effort to</b> notify a parent/guardian if a body cavity search is conducted on a juvenile. Officers shall document <b>such efforts</b> in their dispositions and incident reports.	D. Officers shall <b>immediately</b> notify a parent/guardian if a body cavity search is conducted on a juvenile. Officers shall document <b>time of notification</b> in their dispositions and incident reports.	Procedure II D
3. Strip searches shall be conducted in a professional manner by the officer and a	3. Strip searches shall be conducted in a professional <b>and age appropriate</b> manner by the	Procedure III C

witness to the search who are the same gender as the arrestee. The search shall be conducted in a manner that permits only the person(s) conducting the search to observe the search.	officer and a witness to the search who are the same gender as the arrestee. The search shall be conducted in a manner that permits only the person(s) conducting the search to observe the search.	
Added	<p>b. Officers shall not stop, detain, frisk, search, or strip search a person in whole or part for the purpose of determining that person’s gender or in order to call attention to the person’s gender expression.</p> <p>c. If an individual is transgender, intersex, or gender non-conforming is searched it shall be conducted by: 1) a medical provider, 2) an officer of the gender of which the individual is most comfortable, or 3) a female officer.</p>	Procedure III C 3 Language taken from INTERACTION WITH TRANSGENDER, INTERSEX, AND GENDER NON-CONFORMING INDIVIDUALS GPO
5. Officers involved with strip searches shall take reasonable steps to minimize the potential embarrassment or discomfort to the party being searched and shall include <b>the least number of personnel necessary.</b>	5. Officers involved with strip searches shall take reasonable steps to minimize the potential embarrassment or discomfort to the party being searched and shall include <b>only one additional witness.</b>	Procedure III C 3
Added	VI. The Division shall provide officers with annual in-service training on search and seizure that is adequate in quality, quantity, type, and scope. Training on the policies shall be given in-person by a J.D. with subject matter expertise, given the policies’ importance and complex nature (per Cleveland City Ordinance § 135.37).	New Procedure VI For consistency across GPOs.
Added	VII. Supervisors shall take appropriate action to address all apparent violations or deficiencies in arrests. Appropriate action may include recommending non-disciplinary corrective action for the involved officer and	New Procedure VII

	documenting such action in the tracking software, or referring the incident for administrative or criminal investigation.	
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