



DEPARTMENT OF CORRECTIONS
Programs



Title:	Searches of Dreadlocks	DOC Policy: 90.2.1
Effective:	2/4/08	Supercedes: N/A
Applicability:	Institution staff, Transport staff, and any other DOC staff authorized to conduct searches	
Directives Cross-Reference:	Rules: Religious and Spiritual Activities – Div 143 Searches (Institutions) – Div 041	
Attachments:	None	

I. PURPOSE

The purpose of this policy is to establish appropriate guidelines and procedures for conducting a search of an inmate with dreadlocks.

II. DEFINITIONS

- A. Dreadlocks: A hairstyle of many long ropelike locks. Dreadlocks are worn by Rastafarians and other religious groups. They can be an expression of deep religious or spiritual convictions.
- B. OIC: Officer in Charge

III. POLICY

A. General Guidelines

1. The wearing of dreadlocks is an approved religious practice for Rastafarians. Dreadlocks may be approved for other religious or spiritual traditions. Although dreadlocks can cause security difficulties, staff need to be sensitive to the possible religious exercise concerns of an inmate wearing dreadlocks.
2. In accordance with the DOC rules on **Religious and Spiritual Activities** (OAR 291-143) and **Searches (Institutions)** (OAR 291-041) and consistent with legal standards, searches of inmate religious activity areas and religious or spiritual items (including hair) shall be conducted in a manner that reflects an awareness for and sensitivity to individual religious or spiritual beliefs, practices, and with respect for the objects or symbols (including hairstyle) used in the religious practice.
3. Only those DOC staff that are authorized may search inmates. Authorized staff may direct an inmate to submit to a search of the dreadlocks for security purposes. However, given the nature of dreadlocks, it may not be possible for the inmate to remove the dreadlocks in a reasonable period of time, if at all.

B. Procedures for Conducting the Search

1. When conducting a search of an inmate with dreadlocks, staff shall first ask the inmate if he or she is a practicing Rastafarian and if not, are dreadlocks being worn as part of the inmate's spiritual or religious tradition. If the inmate answers in the affirmative, staff must take into consideration the religious and spiritual significance of the dreadlocks.
2. Religious Sincerity Test:
 - a. If time and circumstances permit, staff should suspend the search and request the chaplain to conduct a sincerity test with the inmate. The chaplain shall decide, in consultation with the Administrator of Religious Services, if there is a legitimate religious interest to be accommodated.
 - b. If the chaplain determines there is no religious significance to the dreadlocks, staff may direct the inmate to take the necessary steps to make the hair easily searchable, including the cutting of the dreadlocks.
 - c. If time and circumstances do not permit a sincerity test, staff shall proceed as if there is a religious significance to the wearing of the dreadlocks.
 - (1) After the search, staff shall ask a chaplain to conduct the sincerity test. The chaplain shall make a decision in consultation with the Administrator of Religious Services about whether the dreadlocks need to be accommodated in the future.
 - (2) The chaplain shall make a note in the inmate's file whether or not the accommodation was approved.
3. If the inmate is unable to remove his/her dreadlocks in order to permit a sufficient visual inspection and hand-search of the inmate's hair, staff shall proceed in the following manner:
 - a. Staff shall use a hand-held metal detector to wand the inmate's head and hair to ensure that no metal is being concealed in the hair. If metal is detected, staff shall stop the search and notify the OIC.
 - b. If no metal is detected, staff shall wear protective gloves and physically search each dreadlock, feeling for any contraband that may be concealed in the inmate's hair; e.g., drugs or tobacco and non-metal items that could be used as a weapon or escape device.
 - c. If staff find something concealed in the dreadlocks that cannot be identified, they shall notify the OIC.
 - d. DOC staff shall not order or otherwise take any action that requires an inmate to cut or permanently remove his/her dreadlocks or any portion thereof, without the prior approval of the superintendent or officer-of-the-day.

- e. If staff find what they suspect to be contraband in the inmate's hair during the search, the superintendent or officer-of-the-day may require the inmate to cut out that portion of the dreadlocks containing the suspected contraband.
- f. If the inmate refuses, the superintendent or officer-of-the-day may authorize staff to cut the dreadlock(s) that contains the suspected contraband. If appropriate, the inmate may be issued a misconduct report, in accordance with the rule on **Prohibited Inmate Conduct and Processing Disciplinary Actions** (OAR 291-105).
- g. Designated staff shall write a memo to the institution security manager and chaplain whenever a search results in dreadlocks or any portion thereof being cut.
- h. A copy of the unusual incident report will be provided to the facility chaplain and Administrator of Religious Services.

IV. IMPLEMENTATION

This policy will be adopted immediately without further modification.