



**OREGON YOUTH AUTHORITY**  
**Policy Statement**  
**Part II – Youth Services (Facilities)**




*Subject:*

**Searches of Youth and Youth Property in OYA Facilities**

<i>Section – Policy Number:</i> <b>A: Security – 2.0</b>	<i>Supersedes:</i> II-A-2.0 (05/12) II-A-2.0 (01/11) II-A-2.0 (09/05) II-A-2.0 (12/00)	<i>Effective Date:</i> <b>12/30/2014</b>	<i>Date of Last Revision:</i> <b>03/15/2019</b>
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<b>Related Standards and References:</b>	<ul style="list-style-type: none"> <li>▪ <a href="#">ORS 162.135</a> (Definitions for ORS 162.135 to 162.205)</li> <li>▪ <a href="#">ORS 162.185</a> (Supplying contraband)</li> <li>▪ <a href="#">ORS 420A.108</a> (Policy regarding rules and dispositions for violations of rules; review of dispositions)</li> <li>▪ <a href="#">ORS 419C.478</a> (Commitment to Oregon Youth Authority or Department of Human Services)</li> <li>▪ <a href="#">OAR Chapter 416, Division 420</a> (Visitors to OYA Facilities)</li> <li>▪ <a href="#">OAR Chapter 416, Division 470</a> (Prohibited Offender Behaviors and Processing Behavior Violations)</li> <li>▪ Performance-based Standards (PbS), <i>Juvenile Correction and Detention Facilities</i>; Security; Safety</li> <li>▪ American Correctional Association, <i>Standards for Juvenile Correctional Facilities</i>; 4-JCF-2A-20 (Contraband Control); 4-JCF-2A-22 (Strip Searches)</li> <li>▪ <a href="#">OYA policy</a>: II-A-1.2 (Preserving Chain of Evidence) II-A-3.1 (Facility Youth Transports and Escorted Trips) II-B-2.1 (Youth Accountability in OYA Facilities) II-E-9.0 (Youth Personal Property in OYA Facilities)</li> <li>▪ <a href="#">OYA form</a>: YA 4008 (OYA Facilities Youth Prohibited Items)</li> <li>▪ Attachments: <a href="#">Attachment A</a> (Frisk Search Checklist) <a href="#">Attachment B</a> (Restrained or Non-compliant Youth Frisk Search). <a href="#">Attachment C</a> (Comprehensive Search Checklist)</li> </ul>
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<b>Related Procedures:</b>	<a href="#">FAC I-E-1.0</a> (Youth Incident Reports) <a href="#">HS I-A-10.0</a> (Preventing, Responding to and Monitoring Youth Sexual Abuse)
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<b>Policy Owner:</b>  Facility Services Assistant Director	<b>Approved:</b>   Fariborz Pakseresht, Director
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## I. **PURPOSE:**

This policy provides guidelines for staff when conducting searches of youth and youth property in OYA facilities.

## II. **POLICY DEFINITIONS:**

**Administrative hold:** Any instance when a youth is separated from the general population for reasons other than behavior intervention, which may include isolation.

**Contraband:** Any article or thing which a youth is prohibited by statute, rule, policy, or order, from obtaining, possessing, or which the youth is not specifically authorized to obtain or possess, or which the youth alters without authorization.

**Designated manager:** Superintendent, camp director, officer-of-the-day, or onsite management-level staff member in charge of daily facility operations.

**Frisk search:** A search that consists of physically searching a youth by patting down the youth's clothed body.

**Full comprehensive search:** A search that consists of visually inspecting the unclothed body of a youth, and physically searching the youth's clothing and possessions.

**Intersex:** A person whose sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development.

**Isolation:** Any instance when a youth is confined alone in a locked room because of the youth's behavior or conduct.

**Mechanical search:** A search of a person that consists of using a screening device such as walk-through metal detector or hand-wand-type metal detectors.

**Partial comprehensive search:** A search that consists of visually inspecting the partially-clothed body of a youth. The youth remains clothed in undergarments, and no visual inspection of the youth's genital, buttocks, or female breast areas is performed.

**Probable cause:** A determination based on facts or circumstances that would cause a reasonable person to believe it is more likely than not that the youth to be comprehensively searched has a prohibited item.

**Reasonable belief:** A belief based on facts or circumstances sufficient to cause a reasonable person to believe that the youth to be searched has prohibited items.

**Special program placement:** Any instance when a youth is placed on a special program for the youth's safety or the safety of others to regulate the youth's routine activities (e.g., meals, recreation, school, treatment and other programs) and help the youth regain adequate behavior control.

**Supplying contraband:** A person commits the crime of supplying contraband if the person knowingly introduces any contraband into a facility, or a person confined in such facility knowingly makes, obtains, or possesses any contraband item.

**Time-out:** Any instance when a youth is separated from others for a limited time to another location (chair or table), unlocked room, or sleeping area to help the youth regain adequate behavior control.

**Transgender:** A person whose gender identity (i.e., internal sense of feeling male or female) is different from the person's assigned sex at birth.

### III. POLICY:

Staff, youth, and facility security and safety may be at risk when youth in OYA facilities possess contraband items. Staff will conduct searches of youth and youth areas within OYA facilities to control youth contraband possession. Every search will be carried out as thoroughly as possible using techniques trained by the Training Academy that protect the safety and dignity of those involved.

In all cases, contraband searches and confiscation will comply with OYA standards and training.

Supplying contraband is a felony, and OYA may initiate criminal charges against any person committing such crime.

### IV. General Standards

- A. A search may be conducted when a probable cause or a reasonable belief exists that a youth possesses a contraband item(s), there is need to control contraband within the facility, or to determine a youth's compliance with a court order.
  - 1. All items brought into facilities may be searched.
  - 2. Facilities must designate youth prohibited items using OYA form YA 4008 (Youth Prohibited Items) and display such for staff, youth, and visitor knowledge. Prohibited items become contraband when in possession of a youth.
  - 3. Random and scheduled searches of persons or property may be conducted to seek out contraband items, within the parameters defined by this policy.

4. All searches must be conducted in a professional manner, using techniques that avoid unnecessary force or indignity to persons involved in the search, while maintaining the integrity of the search.
  - a) Staff will be trained on the emotional effect searches may have on youth, and recognize that such events may be especially traumatic for youth who are abuse victims.
  - b) Staff will be trained in search techniques designed to protect persons involved and preserve evidence.
  - c) All facilities must have search kits to facilitate searches that protect staff safety, and ensure chain of custody for confiscated items. The search kit must contain:
    - (1) Gloves;
    - (2) Evidence bags;
    - (3) Receipts; and
    - (4) Other items (such as a small mirror or flashlight) that will assist in conducting the search.
- B. Law enforcement may be involved in the search when firearms, potentially dangerous items, or controlled substances are the subject of the search.
- C. Prior to conducting a search, staff must:
  1. Determine the type of search necessary;
  2. Secure the youth or area to be searched to ensure contraband is not transferred to another individual or destroyed during the search;
  3. Ensure the youth's reasonable privacy and dignity; and
  4. Inform the youth of the search procedure and give instructions. Give the youth an opportunity in advance of the search to surrender any contraband the youth may have.
- D. When conducting a search, staff must:
  1. Wear gloves for personal protection;
  2. Guard against interruptions; and
  3. If interrupted, resume the search as soon as possible. A completed search is when all contraband has been located and removed from the youth or area.

## V. Searches of Youth

### A. Mechanical Search

1. A mechanical search consists of using a screening device such as a walk-through metal detector or hand-wand-type metal detector.
2. Staff may conduct a mechanical search of a youth when:
  - a) There is a reasonable belief that a youth may be in possession of contraband items; or
  - b) When a youth is exiting visiting, vocational training programs, work assignments, or other secure areas.
3. A youth must clear the metal detection device without activating the alarm, unless:
  - a) The source of the alarm activation is identified and does not present a threat to facility safety, security, and order; or
  - b) A documented medical condition or disability precludes the youth from being screened with a metal detection device.
4. Screening and searching of personal property may require the removal of shoes, jackets, sweaters, suspenders, belts, jewelry, body piercings, or other accessories, and emptying of pockets for closer inspection and additional screening.
5. Staff will use due diligence to locate the activation source of a metal detection device alarm.
6. When the activation source of a metal detection device alarm cannot be identified (e.g., undergarment with an underwire, metal in shoes, belt buckle, metal that is part of apparel) or confirmed, the youth will be subject to a frisk or comprehensive search.

### B. Frisk search

1. Staff must conduct frisk searches of youth when:
  - a) There is a reasonable belief that a youth may be in possession of contraband items;
  - b) When a youth returns from visiting, vocational training programs, work assignments, or other secure areas;
  - c) Randomly during line movements from school, recreation, events and other activities;

- d) At a minimum, when a youth initially occupies a room because of isolation, time-out, special program or administrative hold;
  - e) Before and after a secure transport, if the youth was under an OYA staff member's direct supervision; and
  - f) After an off-site activity, appointment, recreation or work crew from a transition facility or camp.
  - g) A designated manager may approve a partial comprehensive search in lieu of a frisk search in situations where a more thorough search is needed for security reasons or when a frisk search is detrimental to the youth's mental health.
2. The frisk search consists of physically searching a youth by patting down the youth's clothed body. The youth must not be touched any more than is necessary to conduct a complete search (See [Attachment A: Frisk Search Checklist](#)).

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- a) Frisk searches must be conducted by a same-gender staff.  
An exception may be if a transgender or intersex youth has documented approval to be searched specifically by a female or male staff. The approval will be documented in the youth's JJIS "Alert" as "Search – Requires Female/Male (one is selected) staff. Staff who perform the search must document it in the JJIS Unit Log. See OYA policy I-A-10.1 Meeting LGBTQQI Youth Needs for transgender and intersex youth exception approval process.
- b) Garments and articles must be searched carefully, including pant cuffs, sleeve cuffs, and waistbands.
- c) The youth will be asked to remove outer clothing, such as coat, hat, and shoes.
- d) The youth will be asked to empty the youth's pockets.
- e) The contents of pockets and personal effects, such as wallets, must also be searched.
- f) The mouth, nose, ears, and hair must be visually searched.
- g) Staff may ask the youth to run the youth's fingers through the youth's hair to facilitate the search.
- h) If a youth is in restraint devices or does not follow staff directions during a search, staff must follow steps listed in

[Attachment B \(Restrained or Non-compliant Youth Frisk Search\).](#)

C. Comprehensive searches

1. Staff must conduct comprehensive searches of youth within facilities:
  - a) When there is probable cause to believe that such search will lead to the discovery of contraband that may be used to harm the youth or others or is a threat to the safety and security of the facility;  
  
A designated manager must authorize a comprehensive search in these instances. The designated manager must also determine if a full or partial comprehensive search will be performed.
  - b) After a secure transport in the community or to another secure facility if the youth was not under an OYA staff member's direct supervision; and
  - c) As part of a new youth's intake process.

2. A comprehensive search consists of visually inspecting a youth's body and physically searching the youth's clothing and possessions. (See [Attachment C: Comprehensive Search Checklist](#)).

- a) Comprehensive searches must be conducted by a same-gender staff, with another same-gender staff assisting and standing by for safety and security reasons.

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An exception may be if a transgender or intersex youth has documented approval to be searched specifically by a female or male staff. The approval will be documented in the youth's JJIS "Alert" as "Search – Requires Female/Male (one is selected) staff. Staff who perform the search must document it in the JJIS Unit Log. See OYA policy I-A-10.1 Meeting LGBTQI Youth Needs for transgender and intersex youth exception approval process.

- b) If the second staff standing by is not of the same gender as the youth, that staff must remain out of view of the youth.
- c) Staff must not conduct a comprehensive search of a non-compliant youth. See Attachment B (Restrained or Non-compliant Youth Frisk Search Checklist) for instructions on searching non-compliant youth.

This restriction includes forcibly removing a youth's clothing or cutting clothes off of a youth for search purposes.

- d) Once a youth is complying with staff direction and has removed the youth's own clothing, staff will not touch any part of the youth's body.
- e) Staff must visually inspect the unclothed body of a youth during a full comprehensive search.
- f) Staff must visually inspect the partially-clothed body of a youth during a partial comprehensive search. The youth will remain clothed in undergarments.
  - (1) Staff will not visually inspect the youth's genital, buttocks, or female breast areas.
  - (2) Staff must have authorization from a designated manager prior to conducting a partial comprehensive search.
- g) Staff may ask the youth to open the youth's mouth, move the tongue, and assume postures which facilitate visual inspection of the youth's body.
- h) Once removed, staff must carefully inspect the youth's clothing.
- i) Staff will be vigilant and look for signs of abuse or injuries on the youth. All concerns will be immediately reported to a supervisor.

D. Physical body cavity searches are prohibited within OYA facilities. Staff may take other measures to ensure safety and security by placing the youth in a dry cell.

E. Staff must not search a youth for the sole purpose of determining biological gender. If the biological gender of a youth is unknown and this information is needed for purposes of appropriate placement, staff must refer to a health care provider to obtain this information. See Health Services procedure [HS I-A-10.0](#) Preventing, Responding to and Monitoring Youth Sexual Abuse.

## **V. Searches of Youth Rooms and Personal Spaces**

- A. Searches must be conducted by trained staff. Staff must maintain documentation in the appropriate JJIS unit log of all areas searched.
- B. Searches must be unannounced in order to detect and eliminate contraband.



- C. Staff must completely search a youth's assigned room and personal space prior to initially allowing the youth to occupy the room.
- D. Staff must search all youth's rooms and personal spaces a minimum of once per week.
  - 1. During the search, the youth must be out of the room and the immediate area.
  - 2. Staff must pay particular attention to assigned boxes, containers, drawers, shelves, beds and bedding.
  - 3. Staff must carefully inspect all personal property, boxes, containers, canteen items, books, magazines, newspapers, clothing, or any other item that might be used as a place of concealment.
  - 4. Staff must search areas including window seals, fixtures, hollow furniture legs vents, door and window frames, walls and all cracks and crevices in and around the personal space.
  - 5. Staff must leave the room and personal space in reasonable order. Care must be taken not to damage a youth's property or leave it in disarray.

## **VI. Documentation**

### **A. Youth personal property and comprehensive searches**

A record of all youth personal property and comprehensive searches must be kept in the appropriate JJIS facility or unit log and include the following information:

- 1. Date, time, and type of search conducted;
- 2. The name of the youth or area searched;
- 3. Name of staff member conducting the search;
- 4. Name of supervisor/manager authorizing search, if applicable;
- 5. Specific reason for the search;
- 6. Itemization of items confiscated during the search; and
- 7. Any other information related to the search.

### **B. Confiscated contraband**

- 1. After finding contraband items, staff must:
  - a) Document the items in a contraband log;

- b) Notify the youth of the property confiscation; and
  - c) Document all youth prohibited behavior in a Youth Incident Report (YIR). (See Facility Services procedure [FAC I-E-1.0](#) Youth Incident Reports)
2. Confiscated items will be preserved in an evidence bag and stored in a secure place, if such items will be used as evidence in court proceedings. Staff will follow chain of evidence procedures if the item is to be used as evidence. (See OYA policy [II-A-1.2](#) Preserving Chain of Evidence)
  3. Nuisance contraband must be secured in a location designated by the facility superintendent or camp director.
  4. Illegal or dangerous items, such as weapons, explosives, or drugs must immediately be turned over to local law enforcement.
  5. OYA facilities may keep confiscated items only so long as necessary to support criminal charges or facilitate a youth refocus option as described in OYA policy [II-B-2.1](#) (Youth Accountability in OYA Facilities).
  6. All other confiscated items must be destroyed or returned to the youth or youth's family in accordance with OYA policy II-E-9.0 (Youth Personal Property in OYA Facilities).
    - a) Items that may be returned to the youth upon the youth's release from an OYA facility must be stored by the youth's family. If the family is unresponsive to requests to store items, the items may be stored or destroyed at the discretion of the superintendent or camp director.
    - b) Items that will not be returned to the youth will be destroyed at the discretion of the superintendent or camp director. The date, method, and reason for the destruction must be documented.
    - c) Under no circumstances will confiscated contraband items become the property of staff or contracted providers.

**VII. LOCAL OPERATING PROTOCOL REQUIRED: NO**

1. It is recommended that you have another staff present when possible.
2. Introduce yourself to the youth to create an environment of mutual respect and trust.
3. While facing the youth, tell them that you will be conducting a frisk search. A statement of compliance from the youth is not required.
4. Ask the youth if the youth has any contraband on their person.
5. Direct the youth to remove everything from their pockets.
6. Direct the youth to remove jackets, hats, and shoes (if any). Set the items aside and search them after searching the youth.
7. Ask the youth if the youth has anything in their possession that could cut you or hurt you in any way.
8. Visually inspect the youth's ears, nose mouth, and eyes checking carefully for contraband. During this time you are also making an assessment of the youth's demeanor. (Is the youth compliant? Has the mood of the youth changed [sad/happy/agitated]? Does the youth have new marks (tattoos/bruises) on his/her body?)
9. Direct the youth to run their fingers through their hair (and beard if they have one). Direct them to repeat the process if you are not satisfied.
10. Direct the youth to turn around (facing away from you) and stand with their arms extended shoulder level to the sides.
11. Approach the youth and place the outside edge of your right foot against heel of the youth's left foot.
12. Beginning with the neck and shoulders, squeeze the seams of the shirt feeling for anything unusual and pat down each arm to the hand.
13. Pat-down the youth's upper body paying special attention to the small of the back, under the arms, and the chest/breast area.
14. When searching the chest/breast area of a youth, use the back of the hand to go over the top and bottom portion of the chest/breast. Use the blade of the hand when going down the center of the chest/breast area. If the staff is unable to reach around the youth, the staff may ask the youth to turn and face them.
15. Direct the youth to unbutton the top button of their pants (if applicable) and roll over the waistband. Visually inspect the waistband, and then physically feel along the waistband, paying special attention to the belt loops.
16. Pat-down each leg, paying special attention to the buttocks, the front pockets, the fly area, and the sides of each calf. Use a bladed hand to search the opposite leg, ensuring the top of the bladed hand will engage the groin area, during a swipe between the buttock cheeks.
17. Step away from the youth and direct them to raise one foot at a time. Visually inspect each foot.
18. If you find contraband during the frisk search, follow immediately with a comprehensive search.

## Attachment B: Restrained or Non-compliant Youth Frisk Search Checklist

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1. It is recommended that you have another staff present when possible.
2. Introduce yourself to the youth to create an environment of mutual respect and trust.
3. Tell the youth that you will be conducting a frisk search. A statement of compliance from the youth is not required.
4. Ask the youth if the youth has any contraband on their person.
5. Search the youth's pockets for items.
6. Remove jackets, hats, belts, and shoes (if any). Set the items aside and search them after searching the youth.
7. Ask the youth if the youth has anything in their possession that could cut you or hurt you in any way.
8. Attempt to visually inspect the youth's ears, nose mouth, and eyes checking for contraband. During this time you are also making an assessment of the youth's demeanor. (Has the mood of the youth changed [sad/happy/agitated]? Does the youth have new marks (tattoos/bruises) on his/her body?)
9. If the youth is standing, place the outside edge of your right foot against heel of the youth's left foot.
10. Beginning with the neck and shoulders, squeeze the seams of the shirt feeling for anything unusual and pat down each arm to the hand.
11. Pat-down the youth's upper body paying special attention to the small of the back, under the arms, and the chest/breast area.
12. When searching the chest/breast area of a youth, use the back of the hand to go over the top and bottom portion of the chest/breast. Use the blade of the hand when going down the center of the chest/breast area. If the staff is unable to reach around the youth, the staff may ask the youth to turn and face them.
13. Visually inspect the waistband, and then physically feel along the waistband, paying special attention to the belt loops.
14. Pat-down each leg, paying special attention to the buttocks, the front pockets, the fly area, and the sides of each calf. Use a bladed hand to search the groin area, and between the buttock cheeks.
15. Visually inspect each foot.
16. If you find contraband during the frisk search, follow immediately with a comprehensive search.

**Full comprehensive search:** A search that consists of visually inspecting the unclothed body of a youth, and physically searching the youth's clothing and possessions.

**Partial comprehensive search:** A search that consists of visually inspecting the partially-clothed body of a youth, and physically searching the youth's clothing and possessions. The youth remains clothed in undergarments, and no visual inspection of the youth's genital, buttocks, or female breast areas is performed.

Staff may not forcibly remove a youth's clothing or cut clothes off of a youth for search purposes. See Attachment B for instructions on how to search non-compliant youth.

1. All **partial** comprehensive searches must be approved by a designated manager. If a partial comprehensive search is performed, skip the steps below regarding inspection of the youth's genital, buttocks, or chest/breast areas.
2. Comprehensive searches are usually conducted and observed by two same-gender staff as the youth being searched. The first staff will give instructions while the second staff assists and stands by.
3. During preferred-gender searches of transgender or intersex youth, two preferred-gender staff will conduct and observe the search. If only one preferred-gender staff is available to search, the second staff member will remain outside the youth's sight and only observe the searching staff member, not the youth.
4. The search must be conducted in a professional manner protecting the dignity of the youth. The youth should be out of view of a camera and others when unclothed.
5. Introduce yourself and the other staff to the youth to create an environment of mutual respect and trust.
6. While facing the youth, tell them that you will be conducting a comprehensive search which requires you to view their unclothed body.
7. Ask the youth if the youth has any contraband on their person.
8. Direct the youth to remove everything from their pockets.
9. Direct the youth to remove jackets, hats, or shoes (if any). Set the items aside and search them after searching the person.
10. Ask the youth if the youth has anything in their clothing that could cut you or hurt you in any way.
11. Have the youth remove braids prior to removing clothing. If the youth is claiming a religious significance to their hairstyle, check with Religious Services staff when available for verification.
12. Visually inspect the youth's ears, nose, mouth, hair and eyes checking carefully for contraband. During this time, you are also making an assessment of the youth's demeanor. (Is the youth compliant? Has the youth's mood changed [sad/happy/agitated]? Does the youth have new marks [tattoos/bruises] on their body?)

Direct the youth to:

- a) Run their fingers along their gum line from back to front and rolling each lip out.
  - b) Lift their tongue and move it around.
  - c) Tilt their head back and flare their nostrils.
  - d) Lift their hair to expose the neckline.
  - e) Move their hair and bend each ear forward.
  - f) Run their fingers through their hair (and beard if they have one). Direct them to repeat the process if you are not satisfied.
13. Direct the youth to remove their clothing one article at a time as directed. Begin with the youth removing their shirt, pants and shorts, then undergarments.
14. The second staff will inspect each piece of clothing from the youth carefully, paying attention to pockets and seams.
15. Visually inspect the front of the youth's unclothed body by directing them to:
- a) Place their hand in front of them and spread their fingers while turning them to expose the front and back.
  - b) Raise their hands above their head exposing their armpits.
  - c) Lift their chest/breasts or folds of skin.
  - d) Lift and separate genitals.
  - e) Extend each leg towards you and spread their toes.
  - f) Turn around and face away from you.
16. Visually inspect the back of the youth's unclothed body by directing them to:
- a) Extend arms outward from the sides.
  - b) Lift each foot and spread their toes.
  - c) Squat to spread their buttocks, and cough twice.
17. Return the clothing promptly.
18. Remain with the youth until they are fully dressed.
19. If you find contraband during the comprehensive search, ask the youth to give you the contraband, secure the contraband and continue with the search. Determine any youth accountability based on policy II-B-2.1 Youth Accountability in OYA Facilities.
20. Document the search in the JJIS unit log and any findings.