



Department of Justice and Public Safety
Adult Custody Services

Policy: **Searches D15**
Effective: March 2001
Revised: December 2022

MISSION STATEMENT

Adult Custody Services is committed to providing professional practices that respect human rights and ensure safety for all. To be successful we will deliver fair practices, incorporate transparent policies and procedures, ensure independent quality assurance processes, and provide program access that allows for educational, cultural, traditional, and faith-based services as well as mental wellness and community re-entry assistance.

PURPOSE

To ensure searches of the institution, grounds and persons are to be conducted in a legal manner to maintain a safe and secure environment.

LEGISLATIVE AUTHORITY

[N.B Corrections Act Regulation 84-257](#)

SCOPE

This policy applies to all employees of the Adult Custody Services division of the Department of Justice and Public Safety.

POLICY GUIDELINES

Proper and frequent searches will help to:

- detect and prevent the introduction or manufacturing of weapons, alcohol, drugs, or other dangerous contraband at the facility.
- recover and return missing or stolen property.
- discourage theft, trading, and bartering.
- identify situations and items which might be used in an escape, assault, disturbance, suicide, or other serious occurrence.
- prevent waste or misuse of government property.

PROCEDURE

All areas to which clients have access will be searched at frequent and irregular intervals.

Areas may be searched with client(s) present or absent. It is preferable to search an area without the clients(s) present.

Visiting and client exercise areas will be searched prior to and following any use.

Local policy

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Local Policy will outline the procedure, and areas to be searched

Frequency

Client's may be searched prior to, during or following visits, exercise periods, work activities, disassociation, etc., where reasonable grounds, in respect of maintenance of appropriate security, exist to do so.

Security equipment

All security equipment will be maintained in proper working order.

Search practices

When conducting a search:

- two staff present.
- have same sex staff conduct intrusive searches (Skin/ strip searches).
- if second staff is of opposite sex, they shall remain in proximity but stationed to view of only officer conducting the search.
- take precautionary methods deemed necessary for safety and security.
- exercise proper courtesy and judgement to reduce undue stress or humiliation for the client.
- notify medical services of any evidence of injury or disease.
- conduct searches in areas where the offender will not be observed by others.
- avoid physical contact with the client.

Transexual and Gender Variant Clients

Where there have been declarations that client has identified as transsexual or one of any gender variant designations, the Sergeant or their designate will interview the client to determine how the client identifies and the proper procedure to conduct any search.

Cavity search

A client body cavity search will be conducted only for compelling medical or security reasons or where there are strong, reasonable grounds for suspecting concealed contraband. A body cavity search will only be conducted by a physician. Clients suspected of concealing contraband will be housed away from the population and will remain under supervision until the item concealed in the bodily system is passed normally, or until the search can be completed by authorized medical personnel.

Dentures

Partial and complete dentures shall be removed during a client strip search

Clothing

Client clothing shall be searched for anything that may be concealed

Non-Intrusive Searches (Frisk search)

Non -intrusive searches (Frisk searches) may be conducted at any time

Intrusive searches (Skin/Strip search)

Client's may be subject to an intrusive search (Skin/strip search) upon authorization of the person designated by the Superintendent or immediately if an officer has reasonable grounds to suspect the client will dispose of the contraband before the request may be considered by the person designated by the Superintendent.



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Fine default

Clients admitted on a warrant for default of fine payment at the discretion of the Sergeant.

- will be held separate from the regular population
- may receive a grace period from a skin/ trip search if there is an indication the fine will be paid out within a few hours.

Refusal to comply with an Intrusive search (Strip/ Skin search)

When a client refuses to be searched or resists a search, the offender shall be placed in segregation until:

- the client submits to the search; or
- there is no longer a need to search the client.

The only exception will be in an emergency where an employee has reasonable cause to believe that an immediate search is necessary because:

- the client is concealing contraband which is dangerous or potentially harmful to personal safety or Institutional security.

Incident reports

All staff involved shall prepare reports, turned in to the Sergeant prior to the end of the shift.

Chief Superintendent of Operations

The Superintendent, upon receipt of all reports, will prepare a detailed summary of all searches falling under an emergency and forward it to the Chief Superintendent of Operations

RELATED POLICY

- D 13 Trans-Gender - Gender variant Clients
- D 51 Whole X-ray scan system (Body scan)
- D17 Seizure
- D16 Request for Canine Services
- Adult Institutional Policy Manual N.B.