



Minneapolis Police Department Policy and Procedure Manual

Number:
9-200

Volume Nine – Enforcement Policies

Adult Stops, Searches, Seizures and Warrants

9-203 Strip Searches and Body Cavity Searches

(xx/xx/24)

Revisions to prior policies: (07/01/11) (01/25/16) (06/29/16) (10/15/16) (06/28/17)

I. Purpose

The purpose of this policy is to ensure that people's privacy and dignity are preserved to the greatest extent possible, and that strip searches and body cavity searches are limited to the minimum extent necessary. Members shall adhere to all relevant guiding principles listed in 9-201.

II. Policy

A. Conditions for Body Cavity and Strip Searches

1. Privacy

- a. The MPD recognizes the intrusiveness of these searches on a person's privacy and will use the least intrusive means to achieve its law enforcement purpose. As such, it is imperative that members consider the importance of a person's privacy when determining the necessity for an allowable strip search or body cavity search under the Fourth Amendment.
- b. Such searches shall be conducted with due recognition and deference for the human dignity of those being searched and only with proper authority and justification in accordance with MPD policy.

2. Safety

The use of strip searches and body cavity searches may, under the rarest of conditions, be necessary to protect the safety of MPD members, civilians, other people in custody, and to safeguard the security and related interests of holding facilities.

3. Evidence

The use of strip searches and body cavity searches may, under the rarest of conditions, also be necessary to detect and secure evidence of criminal activity.

B. Strip Searches

1. Respect and dignity

- a. Strip searches shall be limited to the minimum extent necessary.
- b. Strip searches shall only be conducted in a manner preserving the dignity and privacy of the person to the greatest extent possible.

2. Probable cause required

Strip searches may be conducted only in the following circumstances:

- a. Members have probable cause to believe that evidence, or contraband exists and will be destroyed or lost in the absence of an immediate strip search.
- b. Members have probable cause to believe that an immediate search is necessary to prevent imminent danger to the suspect, member, or others.

3. Supervisor approval required

- a. Approval shall be obtained from a supervisor at the rank of Lieutenant or above before conducting a strip search.
- b. Such approval shall only be given after an on-scene assessment by the supervisor unless the circumstances prevent the supervisor from being on-scene.
- c. If the supervisor is unable to respond to the scene, they shall document the reason why in the Police Report.

4. Same gender required

A strip search shall be conducted by a member of the same gender as the person being searched and shall also be witnessed by another member or supervisor of the same gender as the person being searched.

5. Supervisor presence required

- a. The supervisor approving the search shall be present when the search is conducted unless precluded from doing so by the issue of gender or other circumstances.
- b. If the supervisor who authorized the strip search is prohibited from being present, another supervisor of the same gender as the person to be searched should be present when the search is conducted.
- c. If it is not reasonable or possible to have a supervisor of the same gender present to witness the strip search, the supervisor approving the search shall ensure that at least two members of the same gender conduct and witness the search.

6. Privacy required

- a. Members shall be aware that strip search conducted in the field could require extraordinary measures to ensure the suspect's privacy.
- b. The search shall be performed in a location that affords the suspect privacy from people not involved in the search.

7. Touching areas prohibited

Members shall not touch breasts, buttocks, genitalia, or body cavities of the person being searched.

8. Body worn camera

In accordance with P&P 4-223:

- a. All strip searches shall be recorded by at least one member present during the entirety of the strip search, including all pre-search instructions provided to the person being searched.
- b. The camera shall be positioned to ensure that only audio data of the search is collected, and that the person being searched is not captured on video.

9. Documentation

The supervisor authorizing the strip search shall articulate why the search was justified and necessary in a narrative text within the Police Report. The documentation shall also include:

- Which members conducted the search.
- Which members were present for the search.
- Where the search was conducted.
- How the search was conducted.
- The reason for the supervisor's absence if the supervisor was unable to conduct an on-scene assessment or be present for the search.

10. Weapons

Nothing stated in this policy shall preclude a member from immediately recovering a weapon if the member can articulate that any delay would cause imminent danger to the safety of the member or others.

11. Urine sample

Nothing stated in this policy shall preclude a member from collecting a urine sample for evidentiary purposes (e.g., DWI).

C. Body Cavity Searches

1. Due regard

Body cavity searches shall only be performed with due recognition of privacy and hygienic concerns.

2. Supervisor approval required

- a. Approval shall be obtained from a supervisor at the rank of Lieutenant or above before requesting a body cavity search.
- b. Such approval shall only be given after an on-scene assessment by the supervisor unless the circumstances prevent the supervisor from being on-scene.
- c. If the supervisor is unable to respond to the scene, they shall document the reason why in the Police Report.

3. Search warrant required

- a. With the exception of the mouth, nose and ears, body cavity searches shall only be performed pursuant to a search warrant or court order (in addition to probable cause).
- b. Members shall consult with their immediate supervisor to determine whether sufficient probable cause exists to seek a search warrant for a body cavity search.

4. Medical professional required

Body cavity searches shall only be conducted by licensed medical professionals under sanitary conditions.

5. Contraband in mouth

- a. Exigent circumstances such as the suspect placing illegal narcotics or contraband into their mouth does not require obtaining a search warrant or court order.
- b. Minimal physical force (which includes low control options such as joint manipulation, pressure points and verbal directions) may be used to recover suspected narcotics from a suspect's mouth. Force used shall not include any strikes or any type of force which restricts breathing or blood flow in the neck.
- c. In accordance with P&P 7-350, if members observe any serious medical issue, they shall immediately provide medical attention and contact EMS.

III. Definitions

Body Cavity Search: A body cavity search involves an internal examination of a person's body cavities, such as the genital or anal regions. This search extends beyond a visual inspection of the

skin and may include physical contact or intrusion into the body cavity. In some cases, it can also involve the internal examination of organs such as the stomach.

Strip Search: A strip search means any search of a person requiring the removal or rearrangement of some or all clothing to permit the visual inspection the person's groin or genital area, buttocks, or breasts.

The following does not constitute a strip search:

1. The removal or rearranging of clothing reasonably required to render medical treatment or assistance.
2. The removal of articles of outer clothing, such as coats, ties, belts, shoes.
3. A weapons pat-down (P&P 9-201) that includes minor manipulation at or around the waistband of the pants, including the untucking and shaking out of a person's shirt, which may expose the waistband of a person's undergarments only.