

SEARCHES – EMPLOYEES AND VISITORS

Minnesota Sex Offender Program

Issue Date: 8/6/19

Effective Date: 9/3/19

Policy Number: 415-5012

POLICY: All employees, visitors, equipment and vehicles on Minnesota Sex Offender Program (MSOP) grounds are subject to search. MSOP only authorizes searches to accomplish the purposes of this policy and avoids unnecessary force, embarrassment or indignity to the subject.

AUTHORITY: Minn. Stat. §§ 152.01, 243.21, 243.55, subd 2

APPLICABILITY: MSOP, program-wide

PURPOSE: To control the entry of contraband into facilities and grounds by employees and visitors. To prevent, discover and manage threats to the safety and security of facilities, staff, clients, and the public.

DEFINITIONS:

Employee – MSOP staff, volunteers, vendors and contractors.

PROCEDURES:

- A. Trained staff conduct searches according to search training modules.
- B. MSOP may search all vehicles/equipment entering or leaving a facility's secure perimeter. MSOP denies facility admittance to anyone refusing to comply, as outlined in MSOP Division Security Policy 415-5045, "Perimeter Management."
- C. Staff process any contraband confiscated during a search according to Direct Care and Treatment (DCT) Security Policy 145-1040, "Evidence Handling by Staff" or MSOP Division Policy 415-5030, "Contraband."
- D. MSOP does not permit visitors who do not pass metal detection into the secure perimeter, except as set forth in MSOP Division Policy 420-5100, "Visiting" and MSOP Division Policy 225-5160, "CPS Client Visits."
- E. Designated Employee Searches
 1. MSOP may search all employee bags, containers, outerwear, and other material in their possession via visual inspection and/or metal detector.
 2. Employees must only bring limited necessary personal property into the workplace. (See MSOP Division Policy 115-5100, "Employee Personal Property.")
 3. Employees are expected to:
 - a) turn their pockets inside out upon request; and
 - b) empty contents of bag(s) into designated containers to be searched.
 4. If an employee fails metal detection, the officer of the day (OD), in consultation with the administrator on call, may authorize staff to conduct a pat search. MSOP only conducts pat searches with the individual's consent (see section J below).

5. Upon reasonable suspicion that contraband may be ingested, inserted, or hidden in an individual's body, the OD in consultation with the administrator on call may refer the matter to law enforcement.

F. Designated Visitor Searches

1. MSOP searches all visitor bags, containers, outerwear, and other material in their possession via visual inspection and/or metal detector. MSOP may request a visitor to turn his/her pockets inside out.
2. If a visitor fails metal detection, the officer of the day (OD) may authorize staff to conduct a pat search. MSOP only conducts pat searches with the consent of the individual. (See section J below.)
3. When MSOP makes a determination that there is a need or basis for any search beyond a visual inspection or metal detection, the OD, in consultation with the administrator on call, asks the subject of the search to participate in further inspection.
4. Upon reasonable suspicion that contraband may be ingested, inserted, or hidden in an individual's body, the OD, in consultation with the administrator on call, may refer the matter to law enforcement.

- G. Visitors under the age of 18 must pass metal detection in order to have a contact visit. If a minor is unable to pass metal detection, MSOP offers the minor a non-contact visit only or the visit is denied.

- H. Visitors and employees who refuse to consent to searches may, at the discretion of the OD, be denied access to the facility or (if already within the facility) asked to leave.

- I. If a visitor or employee is reasonably suspected of violating or attempting to violate a state or federal law or facility policy on or off MSOP facility grounds, staff direct the person to remain in his/her current location and immediately notify the OD. The OD contacts the facility director/designee for further direction.

J. Pat Searches

1. Staff conduct pat searches in a manner avoiding unnecessary force, embarrassment and indignity to the individual. Pat searches are conducted by individuals of the same gender following the search module "Pat Search-Employees and Visitors."
2. Staff conduct pat searches using standard precautions. (Refer to DCT Policy 310-1055, "Standard Precautions and Transmission-Based Precautions.")

- K. Vehicles/equipment on the grounds of an MSOP facility are subject to search only upon reasonable suspicion. The facility director/designee determines the need for a search and contacts law enforcement. A vehicle/equipment search only occurs with the individual's consent.

REVIEW: Annually

REFERENCES: DCT Security Policy 145-1040, "Evidence Handling by Staff"
MSOP Division Policy 420-5100, "Visiting"
MSOP Division Policy 225-5160, "CPS Client Visits"

MSOP Division Policy 415-5030, "Contraband"
MSOP Division Policy 225-5310, "CPS Contraband"
DCT Policy 310-1055, "Standard Precautions and Transmission-Based Precautions."
MSOP Division Policy 415-5010, "Searches – Clients"
MSOP Division Policy 415-5011, "Searches – Areas"
MSOP Division Policy 115-5100, "Employee Personal Property"
MSOP Search Training Module Sharepoint Site

ATTACHMENTS: None

SUPERSESSSION: MSOP Division Policy 415-5012, "Searches – Employees and Visitors," 8/7/18.
All policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

/s/
Nancy A. Johnston, Executive Director
Minnesota Sex Offender Program