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ADMINISTRATIVE DIRECTIVE

SUBJECT: Unit Entry Procedures for Inmates, Visitors and Staff for the Control of Contraband

NUMBER: 14-44

**SUPERSEDES: 13-113 and
13-118**

**APPLICABILITY: All employees, visitors, and inmates of the
Arkansas Department of Correction**

**REFERENCE: AR 401 Searches for and Control of Contraband; PAGE 1 of 9
AD 11-24 Searches of Inmates, Unit Searches & Control of Contraband;
AD 14-03 Inmate Property Control;
Arkansas Code Annotated 12-27-107;
Arkansas Code Annotated 25-17-301, et seq.;
AR 865 Offender Visitation;
AD 14-18 Peace Officer Powers**

APPROVED: Original Signed by Ray Hobbs

EFFECTIVE DATE: 10/22/14

I. POLICY:

It shall be the policy of the Arkansas Department of Correction (ADC) to have procedures in place to detect and deter the introduction, manufacture, possession and/or conveyance of contraband. Any visitor refusing a search shall be escorted from Department property subject to the provisions below, and may be **indefinitely suspended** from visitation and phone privileges. Any staff refusing a search shall be escorted from Department property subject to the provisions below, and may be permanently barred from all ADC facilities. ADC Correctional Peace Officers are authorized to detain for a reasonable length of time any visitor or staff if **reasonable suspicion** exists that the individual is attempting to bring contraband into the facility. ADC Correctional Peace Officers

are authorized to make an arrest where **probable cause** exists that a criminal offense has been committed.

II. EXPLANATION:

The control of contraband within a correctional environment is necessary to provide a safe, secure environment for inmates, employees, and visitors. The detection, interception and confiscation of contraband is essential to provide security and good order in the institution and is required to protect the public, staff and inmates.

III. APPLICABILITY

The policy applies to all unit employees, inmates, visitors, and others who enter any Arkansas Department of Correction Unit or Facility.

IV. DEFINITIONS

As used in this document, the following definitions apply:

- A. Anomaly: Something that is peculiar, irregular, or difficult to classify. For purposes of this policy, it refers to an item that does not appear to be part of an individual's body or item of clothing.
- B. Contraband: Any item or items determined by the Board of Corrections or Arkansas Department of Correction to jeopardize the safety, security, or good order of its institutions, including but not limited to items which are illegal or banned by policies.
- C. Staff: All Arkansas Department of Correction employees, volunteers, contract medical and mental health employees, Arkansas Correctional School employees and employees of Riverside Vo-Tech.
- D. Inmates: Persons incarcerated in the Department of Correction.
- E. Visitor: Any individual who is neither an inmate nor staff, including but not limited to inmate family members or friends, vendors, state officials, law enforcement, members of the media, etc.
- F. Strip Search: An unclothed body search, which requires the person to remove his or her clothing in conformance with approved procedures and professional practices. A strip search of a visitor or staff will be performed by staff of the same gender as the person being searched.

- G. Pat Search: A clothed body search consisting of an individual's garments, and personal effects ready at hand, the body's surface, and area within the individual's immediate control. The search of staff may be performed by an employee of either gender. The search of a visitor should be by an employee of the same gender.
- H. Reasonable Suspicion of Possession of Contraband: Arkansas Department of Correction officials must have a reasonable suspicion that an individual is suspected of possessing contraband. Such suspicion must be drawn on knowledge of reasonable and articulable facts sufficient to cause a reasonable person knowing the same facts to conclude the same thing.
- Factors for determining Reasonable Suspicion may include but are not limited to:
- (1) Demeanor of the individual;
 - (2) Gait and manner of the individual;
 - (3) Whether the individual is carrying and/or attempting to conceal any article or object;
 - (4) Manner of dress;
 - (5) Apparent effort to avoid identification or confrontation by officials;
 - (6) The time of day or night the individual is observed;
 - (7) Information obtained from monitored conversation;
 - (8) Information received from background checks;
 - (9) Information obtained from reliable informants or third parties; and
 - (10) Whether the individual is consorting with others whose conduct is "reasonably suspect".
- I. Probable Cause: A level of reasonable belief based on facts that can be articulated and would warrant a person of reasonable caution to believe that a criminal offense has been committed.
- I. Metal Detector: An electronic device used for detecting the presence of metallic objects.
- K. Cell Tower: An electronic device used to detect ferrous metals used in production of electronic items such as cell phones.
- L. Advanced Imaging Technology: A device used to safely screen an individual for both metallic and non-metallic contraband that may be concealed under clothing.
- M. Handheld tools: An electronic device used to screen for contraband, including a metal detector, cell phone detector, or other electronic device

that can be easily held and manipulated by staff in searching a particular area of an individual, packages, or possessions.

- N. Ion Scanner: A device used to screen for drug residue on hands or other objects.

V. ENTRY PROCEDURES

- A. Any individual seeking entry into any Unit or Facility of the Arkansas Department of Correction must successfully navigate all physical and electronic security checkpoints, except members of the Parole Board, Board of Corrections, the Arkansas General Assembly, Governor's Office, law enforcement officers requested to assist the Department, and those individuals allowed by the Warden. These individuals will be met at the Entrance Building by a Deputy Warden or Warden for escort into the Unit or Facility when clearance of the electronic security checkpoints is not required by the Warden.
1. Physical and electronic checkpoints may include but are not limited to the following:
 - a. Walk-through and/or hand-held metal detectors, cell towers and/or hand-held cell phone detectors, and Advanced Imaging Technology;
 - b. Searches of persons, clothing and other personal items;
 - c. Ion scanning devices;
 - d. Drug interdiction and detection dogs; and
 - e. Any other electronic or advanced technological devices obtained and authorized by the Department.
 2. It is important for individuals to realize personal clothing choices containing metal (for example, snaps, buttons, buckles, underwires or support materials) may cause the electronic detectors to alarm.
 3. No person unless specifically exempted will be allowed entry into any Arkansas Department of Correction facility without being able to clear the security screening utilized by that facility.
 4. Non-compliance by Employees will be subject to disciplinary action and visitors will be indefinitely suspended from the inmate's visitation and phone lists.

5. Everyone entering ADC property may have their vehicle searched at any time, including entry and exit of the property.
6. Individuals, as well as packages and other non-vehicular items entering and leaving the facility may be searched by visual and physical searches including electronic methods of inspection, inspections/searches by canine teams including drug dogs, and any of the other electronic or advanced technologies obtained and authorized by the Department for use in searches.

VI. ENTRY PROCEDURES FOR UNITS OR FACILITIES WITH X-RAY, METAL DETECTORS, ION SCANNING, ADVANCED IMAGING TECHNOLOGY, AND/OR CELL TOWERS

1. STEP ONE: X-ray of personal property:

- a. Upon entry into the Entrance Building an individual shall remove and place all items from pockets and/or person into the designated container. This includes, but is not limited to jackets, coats, shoes, belts, food, jewelry, money, etc.
- b. The container will be placed in the X-ray machine for scanning.
- c. All articles will be scanned utilizing the X-ray machine and searched by the Screening Officer to ensure there are no contraband and/or unauthorized articles entering the facility. Any contraband articles discovered at this step will be confiscated and the individual will not be allowed access to the facility without the approval of the Warden and/or designee.
- d. Although it is essential that all searches are thorough and systematic, it is equally important that no damage, loss or abuse occurs to any personal property. Any such loss or damage that is determined to be through neglect may result in disciplinary action against the negligent employee(s) and officer(s); and they may be liable for the cost of replacement of such items. Any item seized as contraband shall be properly documented.

2. **STEP TWO: Walk-through Metal Detector.** When instructed by the Screening Officer the individual will enter the Walk-through Metal Detector. If cleared by the Screening Officer the individual will proceed to the Pat Search area. However, if an alarm activates on the Walk-through Metal Detector the individual will step back and remove any other metallic objects. An individual will only be allowed three (3) attempts to successfully clear the Walk-through Metal Detector. If unsuccessful after the third and final

attempt, the Warden and/or designee will be contacted. Then the individual will be asked to submit to a Pat Search and a Cell Phone Tower screening. If the individual fails to clear either screenings, proper documentation will be prepared using a 005. The individual will then be given an opportunity by the Warden and/or designee to submit to a Strip Search.

3. **STEP THREE: Advanced Imaging Scanner.** When instructed by the Screening Officer, the individual will walk into the Image Screening Unit and stand in the designated area. The individual being scanned will lift their arms above their heads as instructed by the Screening Officer. The person will stand still until the Screening Officer advises them to leave the Screening Unit. Any anomalies identified by the Image Screening Unit will result in a search by staff. Any items discovered on the person being screened will be removed by that individual and handed to the Screening Officer for examination. If the item is contraband it will be confiscated and the Warden and/or designee will be contacted. The individual will then be required to be screened again. If a clear image is presented, the individual will continue to the Pat Search area. If a clear image is not presented, the individual will be searched again in the area containing the anomaly to confirm whether there is anything present. The area will be searched first by a pat search, and if the area cannot be determined to be clear of any contraband, the Warden or designee will ask the individual to submit to a Strip Search.
4. **STEP FOUR: Pat Search.** All individuals entering the facility will submit to a Pat Search of their persons. If no contraband is found during the Pat Search the individual will be allowed to proceed to the next entrance screening step. If contraband is located or detected on the individual by the Searching Officer, the Warden and/or designee must be immediately contacted and the individual will not be allowed to enter the facility without further screening which may include a Strip Search. The individual may also be detained for a determinable amount of time dependent upon the decision of the Warden and/or designee.
5. **STEP FIVE: Cell Phone Tower.** When instructed by the Screening Officer, the individual will move to the Cell Phone Tower's designated box area. He or she will be required to turn or rotate their body a full 360 degree circle while remaining in the designated box. The Cell Phone Tower utilizes an alarm system that works in conjunction with a light system in detecting the presence of contraband cell phones.

“Green Light” designates the individual is cleared for entry. He or she will be allowed to retrieve their personal property, log in and enter the building.

“Yellow Light” designates caution because some metal is present, but not necessarily a cell phone. Staff will attempt to locate the metal using a hand-held metal detector. Once located, the metal will be removed.

“Red Light and/or Auditory Alarm” designates a “POSITIVE” alert for the presence of a cell phone and/or cell phone components. Staff will attempt to locate the metal using a hand-held metal detector; once located, the metal will be removed.

Note: Should a yellow light, red light, and/or auditory alarm appear/sound, the individual will step out of the designated box, re-check and remove from their persons any metal items and return to the designated box for another screening. Upon showing of a “Green Light” he or she will be allowed to retrieve their personal property, log in and enter the building. If a “Red Light” or “Yellow Light” is indicated, the Warden and/or designee will be contacted. After the additional screening, the results of failing to clear the Cell Tower will be documented with a 005. The person will be given an opportunity by the Warden and/or designee to submit to a strip search.

6. **STEP SIX: Strip Search.** If the individual agrees, he or she will be escorted to a private area by a person of the same gender, who will perform the search. All strip searches shall be conducted in an area separate and private from inmates and other staff, if possible, and in such a way as to ensure tact, privacy, and a minimum of embarrassment. If contraband is discovered, it will be taken by security staff and the person will be allowed to dress. Established procedures will be followed in dealing with the individual and the contraband. If no contraband is found, the individual will be allowed to dress and proceed. If the individual refuses the strip search, he/she will be denied entry. If an employee, he/she will be subject to disciplinary action. If a visitor, he/she will be denied entry and suspended from the inmate’s visitation and phone list. Strip Searches may be requested only when **reasonable suspicion** exists that the visitor is attempting to bring contraband into the facility. Strip searches of visitors will not be conducted indiscriminately and must be authorized by the Warden/Center Supervisor or, in their absence, the Deputy Warden or appropriate Deputy Director, or Director. Visitors under the age of eighteen will not be subjected to a strip search without the consent of the visitor's parent or guardian.

VII. SPECIAL INSTRUCTIONS

Medical Restrictions: Bypassing any security point due to medical restriction must be authorized by the Warden and/or designee.

- A. Persons with Internal Medical Devices such as a pacemaker or a defibrillator will notify the Screening Officer immediately upon entry. That individual must provide a recent signed statement from a physician in good standing. The individual will be scanned by the Advanced Imaging Scanner.

- B. All forms of electronic scanning, Metal Detector, Cell Tower and Imaging Technology, may be used on pregnant females. In the event a pregnant individual (staff and/or visitor) presents a recent signed statement in advance of seeking entry into the facility from a physician in good standing that the individual cannot be screened by any of the electronic scanning equipment: metal detector, cell tower or advanced imaging technology, the individual will be subjected to a thorough pat search.
- C. Any approved individuals with valid medical excuses will be searched by means that have been identified and authorized by the Unit Warden and/or designee, based on their provided medical information. This may be any combination of the search procedures identified in this policy. If no contraband is found they will be allowed to enter into the facility and proceed. If contraband is found, the individual will be detained and the Warden and/or designee will be immediately advised.
- D. A list of all excused employees will be kept in a separate file within the Warden's office. Their medical statements will be kept in their medical file in the Human Resources Office as provided by policy.

VIII. CRIMINAL CHARGES

The introduction of contraband is grounds for arrest. Arkansas Department of Correction Institutional Correctional Peace Officers are authorized to make an arrest, where probable cause exists that a criminal offense has been committed.

IX. ENTRY PROCEDURES FOR INMATES

Inmates entering the Sally Port search area are subject to and will submit to any or all of the following searches:

1. Pat Search
2. Strip Search
3. Metal Detector screening
4. Cell Phone Detection Tower screening
5. Advanced Imaging Technology
6. Body Cavity Search, see AD 11-65

NO INMATE WILL BE ALLOWED TO ENTER THE BUILDING WITHOUT SATISFACTORILY COMPLETING EACH STEP.