

SCRN: ADMN
TERM: HL21

FINEST MESSAGE SWITCHING SYSTEM
GENERAL ADMINISTRATIVE INFORMATION
SENT 5/13/04 - 15:30.04 SER# 022884

DATE: 05/13/04
TIME: 15:32.05
FROM: HL21

MESSAGE:
TO: ALL COMMANDS
SUBJECT: STRIP SEARCHES - PATROL GUIDE 208-05

ALL MEMBERS OF THE SERVICE ARE REMINDED THAT UNDER PATROL GUIDE SECTION 208-05, A STRIP SEARCH OF A PRISONER MAY NOT BE CONDUCTED ROUTINELY IN CONNECTION WITH AN ARREST AND REQUIRES EXPRESS AUTHORIZATION FROM A SUPERVISOR PRIOR TO BEING CONDUCTED. ANY SEARCH IN WHICH AN INDIVIDUAL'S UNDERGARMENTS (BRA, UNDERWEAR, ETC...) AND/OR PRIVATE AREAS ARE EXPOSED OR IN WHICH AN INDIVIDUAL'S CLOTHING IS REMOVED, LIFTED, PULLED UP OR PULLED DOWN TO EXPOSE UNDERGARMENTS OR PRIVATE AREAS IS CONSIDERED A STRIP SEARCH FOR THE PURPOSES OF THIS PROCEDURE.

UNDER PATROL GUIDE SECTION 208-05, A STRIP SEARCH MAY ONLY BE CONDUCTED WHEN THE ARRESTING OFFICER REASONABLY SUSPECTS THAT WEAPONS, CONTRABAND OR EVIDENCE MAY BE CONCEALED UPON THE PERSON OR IN THE CLOTHING IN SUCH A MANNER THAT THEY HAVE NOT BEEN DISCOVERED BY EITHER A FRISK/FIELD SEARCH OR OTHER SEARCH AT A POLICE FACILITY. THE ARRESTING OFFICER REQUESTING AUTHORIZATION TO CONDUCT A STRIP SEARCH MUST DESCRIBE THE FACTUAL BASIS FOR THE REQUEST TO THE DESK OFFICER, PRECINCT OF ARREST OR BOROUGH COURT SECTION SUPERVISOR. A STRIP SEARCH WILL BE AUTHORIZED BY A SUPERVISOR ONLY WHEN AN ARRESTING OFFICER HAS ARTICULATED A REASONABLE SUSPICION, BEYOND PROBABLE CAUSE FOR THE ARREST, THAT THE INDIVIDUAL IS CONCEALING CONTRABAND OR A WEAPON. THE DESK OFFICER, PRECINCT OF ARREST/BOROUGH COURT SECTION SUPERVISOR, BASED ON THE FACTS PRESENTED, WILL DETERMINE IF A STRIP SEARCH SHOULD BE CONDUCTED. THE SUPERVISOR AUTHORIZING THE STRIP SEARCH IS RESPONSIBLE FOR ENSURING THAT THE SEARCH IS CONDUCTED PROPERLY.

OTHER FACTORS THAT MAY BE CONSIDERED IN DETERMINING WHETHER AN APPROPRIATE BASIS EXISTS FOR A STRIP SEARCH INCLUDE THE NATURE OF THE CRIME (SERIOUS VIOLENT FELONY), ARREST CIRCUMSTANCES, SUBJECT'S REPUTATION (EXTREMELY VIOLENT PERSON), ACTS OF VIOLENCE, UNACCOUNTED FOR "HITS" ON MAGNETOMETERS OR WALK-THROUGH METAL DETECTORS, AND INFORMATION FROM PREVIOUS SEARCHES OF THE SAME INDIVIDUAL OR OTHERS ARRESTED WITH HIM/HER.

A STRIP SEARCH WILL BE CONDUCTED BY A MEMBER OF THE SAME SEX AS THE ARRESTED PERSON IN A SECURE AREA IN UTMOST PRIVACY AND WITH NO OTHER ARRESTEE PRESENT. IT SHOULD NOT BE NECESSARY TO TOUCH THE SUBJECT'S BODY, EXCEPT FOR THE EXAMINATION OF THE HAIR. UNDER NO CONDITIONS SHALL A BODY CAVITY SEARCH BE CONDUCTED BY ANY MEMBER OF THE SERVICE.

MEMBERS OF THE SERVICE WHO HAVE ANY QUESTIONS REGARDING THIS MESSAGE ARE DIRECTED TO CALL THE LEGAL BUREAU AT 646-610-5400.

** TO BE READ AT TEN (10) CONSECUTIVE ROLL CALLS & POSTED AT ALL COMMANDS **

SCRN: ADMN
TERM: HL22

FINEST MESSAGE SWITCHING SYSTEM
GENERAL ADMINISTRATIVE INFORMATION
SENT 5/13/04 - 17:52.43 SER# 026942

DATE: 05/13/04
TIME: 17:54.45
FROM: HL22

MESSAGE:

TO: ALL COMMANDS

SUBJECT: ADDENDUM TO TODAY'S FINEST MESSAGE RE: STRIP SEARCHES

AT 1542 HOURS TODAY, FINEST MESSAGE # 022884, 'STRIP SEARCHES -
PATROL GUIDE 208-05' WAS TRANSMITTED.

THE FOLLOWING INFORMATION IS PROVIDED AS
CLARIFICATION REGARDING WHICH SUPERVISOR(S) MAY
AUTHORIZE A STRIP SEARCH.

STRIP SEARCHES MAY ONLY BE CONDUCTED WITH THE
KNOWLEDGE AND APPROVAL OF THE PRECINCT, POLICE
SERVICE AREA OR TRANSIT DISTRICT DESK OFFICER OR
THE BOROUGH COURT SECTION SUPERVISOR.

ALL OTHER PROVISIONS OF THE EARLIER FINEST MESSAGE
REMAIN IN EFFECT.

TO BE READ AT TEN (10) CONSECUTIVE ROLL CALLS AND
POSTED IN ALL COMMANDS.

AUTHORITY: CHIEF OF DEPARTMENT

OPERATOR: PRAA L. PARDO 17:51 HOURS.

PRIORITY: 1 ROUTING: APRT HIGH Q30P DOM1 _____