

## SEARCH DEFINITIONS

1. ARREST/APPREHENSION

Taking into custody of a person either by arrest warrant, arrest when there is probable cause to believe the person has committed a felony or misdemeanor and the staff witnessed the criminal act or have probable cause to believe a felony or misdemeanor was committed, or the capture of an escapee or return of an offender to physical custody of the Department of Corrections.

2. CONTRABAND

Contraband is defined in OP-040109 and includes any evidence that can be admitted in a revocation or criminal proceeding and any item that is illegal to possess.

3. DRY CELL

A cell without any type of operable plumbing fixture (sink or toilet).

4. ENTRANCE

Any sally port through a secure perimeter, door to any building at a minimum/community security center, and door to an administrative building that is part of a secure perimeter.

5. EXIGENT CIRCUMSTANCES

The totality of circumstances known to staff at the time of the search which indicated an urgent need, such as the failure to search would likely result in the destruction or loss of evidence, an escape, or a death or injury, which afforded neither time nor opportunity to apply for a search warrant not to obtain supervisory approval and a delay to obtain one or the other would be unreasonable.

6. EVIDENCE

Items, that also may be contraband, which tend to prove that a crime has been committed and the staff member reasonably believes the item to be seized is necessary for prosecution of a parole revocation proceeding, probation revocation proceeding or a felony/misdemeanor charge.

7. FRISK SEARCH

A search procedure conducted off prison grounds of a person taken into custody in which the staff member runs their hands, applying pressure, over the outer clothing of the person to be searched to determine if any weapon, contraband or other evidence of a crime is present. The person searched is not required to remove any item of clothing nor do they empty their pockets. The staff member does not go under any item of clothing except upon reasonable suspicion, as a result of the search and other articulable reasons that give a rise to the reasonable belief that a weapon, contraband or evidence of a crime is concealed on the person.

8. GROUNDS

Any property of the state of Oklahoma or under the control of the department on which a correctional center or administration building/office is situated. It also includes property of a city or county on which a work center is situated.

9. INTRUSIVE BODY CAVITY SEARCH

A search procedure that includes the procedures of the visual body cavity strip search and a manual or instrumental inspection of a person's body cavities.

10. NONSECURE PERIMETER

The point at which a person enters any parking lot or area immediately adjacent to any building of a minimum or community corrections center or community work center.

11. PAT DOWN SEARCH

A search procedure conducted in which a person to be searched, may be required to empty their pockets and may also be required to remove their shoes and any jacket, coat, hat, raincoat, sweater, or similar outer garment before the search of the person commences. The staff member will then ask the person if they have any items that they have forgotten to remove or might cause the staff member to believe some item is concealed under the person's clothing. The person will then be searched by the searching staff member. The staff member will apply gentle pressure and run their hands over the entire body (to include armpits, genital area, breasts, and hair) of the person being searched, staying only on the outer clothing and feeling for anything that would indicate the presence of some concealed item.

After the search of the body, the staff member conducting the search will inspect all items of removed outerwear and any boxes or handbags the person is carrying. If the staff member detects the presence of a concealed item, the person will be asked to remove the item and/or explain what it is so the object is identified to the staff member's satisfaction.

The person to be searched may also be required to pull out the tail of their shirt or blouse.

12. PROBABLE CAUSE

Probable cause is more than a bare or reasonable suspicion, but that a probability exists where the totality of the facts and circumstances within the knowledge of the staff member, and which the staff member has reasonable trustworthy information, are sufficient in themselves to warrant a person of reasonable caution in the belief that a criminal offense has been or is being committed or that evidence of a crime or contraband is in a specific location.

13. PROPERTY SEARCH

A search of any personal or real property of an offender, visitor, or staff member. This property includes, but is not limited to, any item carried by the persons onto Department of Corrections facility grounds.

14. PROTECTIVE SWEEP

A search by a staff member upon making an arrest or taking an offender back into custody when there is reason to believe that other persons may be present that pose a danger to the staff member making the arrest. The staff member may look in areas capable of concealing a human being within the immediate area or within the first adjoining areas of the arrest.

15. REASONABLE SUSPICION

Reasonable suspicion is defined as suspicion derived from specific objective facts and rational inferences that may be drawn there from, in light of the staff members experience specifically directed toward the person suspected. Anonymous tips, without either corroboration or other facts or inferences, are not enough to create reasonable suspicion.

Among the factors to be considered in determining reasonable suspicion are:

- A. The nature of the tip or information;
- B. The reliability of the informant; and
- C. The degree of confirmation by other sources and any other facts adding to the suspicion or lack thereof.

16. HOME VISIT

A routine entry by a staff member into the residence of an offender on parole, probation, specialized supervision, pre-parole conditional supervision, or house arrest to check compliance with the rules of either a court, the Department of Corrections, or the Parole Board.

17. ROUTINELY ACCESSIBLE

A place, location, or area of the prison in which an offender can move through, work in, or be located without being under constant and direct observation and supervision.

18. SEARCH

Looking for or seeking out that which is otherwise concealed from view with a view to the discovery of contraband or some evidence of guilt or wrong doing. Merely looking at that which is open to view is not a search. Canine sniffs are not searches.

19. SECURE PERIMETER

The outer barrier, either double chain link fence or stone walls, of a medium or maximum-security correctional center.

20. STRIP SEARCH

A search procedure in which the person to be searched is required to disrobe completely. The staff member then does a visual check of the person to be searched as that person raises their arms and turns in order that the body can be viewed from all angles. The staff member does not touch the body of the person being searched, and the person being searched does nothing more than turn while being viewed by the staff member. Before the person is permitted to get dressed, all the person's clothing and carried items will be searched by the staff member and then handed back.

21. VISITOR

Any person, other than a Department of Corrections employee, who enters onto state property to visit an offender, tour a facility, conduct business as a vendor, attend a meeting or official function, or for any other reason.

22. VISUAL BODY CAVITY STRIP SEARCH

A search procedure in which the person to be searched is required to empty their pockets and remove all clothing. The person is then required to run their hands through their hair, open their mouths, and remove any dentures. The person is then required to open their hands and spread their fingers and rotate their hands so that both the palms and backs are shown. The person then raises their arms to expose their armpits. If the person searched is a male, he is required to lift his penis and testicles and if uncircumcised may be required to roll back his foreskin. If the person searched is female, she is then required to squat and to lift her breasts.

The person being searched is then required to turn their back to the staff member, lift their feet to expose the soles of their feet and wiggle their toes. The person is then required to bend forward at the waist at least 90 degrees and spread their buttocks and expose their anus.

The person's clothing and any items they are carrying are then searched and returned, and at that time the person may redress.

23. MEDICAL PROFESSIONAL

A medical professional is a person such as a physician, dentist, phlebotomist or nurse licensed by the State of Oklahoma.