

 <p style="text-align: center;">Massachusetts Department Of Correction POLICY</p>	Effective Date 4/30/2021	Responsible Division Deputy Commissioner, Field Services
	Annual Review Date 3/29/2021	
Policy Name 103 DOC 561 PLANNED INSTITUTIONAL SEARCHES CONDUCTED BY THE SPECIAL OPERATIONS RESPONSE UNIT	M.G.L. Reference: M.G.L., c. 124 § 1 (q)	
	DOC Policy Reference: 103 DOC 488; 103 DOC 503; 103 CMR 505; 103 DOC 506	
	ACA/PREA Standards:	
Attachments Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Inmate Library Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Applicability: Staff
Public Access Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Location: The Department's Central Policy File Each Institution's Policy File Each Unit Director's Policy File	
<p>PURPOSE: 103 DOC 561.00 governs all Department of Correction ("Department") planned institutional searches conducted by the Special Operations Response Unit (S.O.R.U).</p> <p>RESPONSIBLE STAFF FOR IMPLEMENTATION AND MONITORING OF POLICY: Deputy Commissioner, Field Services Superintendents Director, Operational Services</p> <p>CANCELLATION: 103 DOC 561.00 cancels all previous Department policy statements, bulletins, directives, orders, notices rules or regulations regarding planned institutional searches conducted by the S.O.R.U. which are not consistent with this policy.</p> <p>SEVERABILITY CLAUSE: If any part of 103 DOC 561.00 is, for any reason, held to be in excess of the authority of the Commissioner, such decision shall not affect any other part of this policy.</p>		

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561.01

APPROVAL PROCESS

- A. The Commissioner shall approve all planned institutional searches conducted by S.O.R.U.
- B. Upon the Commissioner's approval, the H.R.T. Commander, the C.I.R.T. Commander, the K9 Commander and the institution Superintendent shall develop an Operations Order. Prior to the initiation of the planned search, the Commissioner shall review and approve in writing the Operations Order.

561.02

MINIMUM REQUIREMENTS GOVERNING THE OPERATIONS ORDER

- A. Operation Orders, governing a planned institutional search shall include:
 - 1. Identification of institution;
 - 2. Purpose of search, e.g., routine, random, recent intelligence obtained, specific incident that occurred. The purpose section of the operations order shall include a current institutional climate report and an up-to-date intelligence report;
 - 3. Team members from each team (H.R.T., C.I.R.T., K9) will fall under the direct control of the Commander of their respective teams. The highest ranking member of the S.O.C.G. will be the onsite commander throughout the course of the search. In the absence of members of the S.O.C.G., the C.I.R.T. Commander will assume the role of the onsite Commander.
 - 4. A mission statement that identifies all inmates and all areas of the institution that are subject to search. The mission statement shall also identify the date and time the operation should commence.
- B. Each operations order shall specifically outline the following topics:
 - 1. The minimum number of search teams needed;
 - 2. The number of staff assigned to each search team;
 - 3. Search team assignments (area, building, etc.);
 - 4. The number of extraction teams needed;
 - 5. Extraction team assignments (area, building, etc.);

6. Identification of communication procedures, assignment of radios, call signs, and frequencies;
7. The number of video recorder staff and equipment needed;
8. Video recorder staff assignments
9. Inner Perimeter Security team (IPS) roles and responsibilities;
10. The number of health care staff needed, and their roles and responsibilities;
11. The type and number of other institutional staff needed along with their roles and responsibilities;
12. Identification of inmate holding areas;
13. Provisions governing the use of walk through metal detectors and body or orifice scanning equipment.

561.03

MINIMUM REQUIREMENTS GOVERNING THE USE OF INSTITUTIONAL STAFF

- A. Unless specifically excused by the Commissioner, the Superintendent shall be on site during any planned institutional search conducted by S.O.R.U.
- B. The Director of Security and/or a Deputy Superintendent shall be assigned by the Superintendent to act as a liaison between the S.O.R.U. staff and the Superintendent. This liaison shall be physically present in each unit where inmates are being searched.
- C. Deputy Superintendents, the Director of Security, Unit Team Sergeants, Correctional Program Officers, institutional property staff, grievance coordinator and any other additional staff identified by the Superintendent shall visit all inmate housing units at the completion of any planned institutional search to listen to and record all inmate complaints. A detailed briefing shall be conducted at the completion of each unit's rounds. This briefing shall be videotaped.
- D. The Superintendent shall provide the S.O.R.U. staff with a list of all inmates requiring interpretation services. Spanish speaking interpreters shall be available at all times to assist in communicating with Spanish speaking inmates. Non-English and non-Spanish speaking inmates shall be offered telephonic interpreter services in accordance with 103 DOC

488, *Telephonic Interpreter Service*. Telephones with speakerphone capabilities shall be available whenever the interpreter service is offered. These rounds shall be videotaped. The Deputy Superintendent or Director of Security shall introduce and identify staff conducting unit rounds. Upon completing each unit's rounds, a debriefing shall be conducted on camera, stating the issues, if any to the videorecorder.

561.04

MINIMUM REQUIREMENTS GOVERNING THE USE OF MEDICAL STAFF

- A. A member of the medical staff shall be physically present on each unit being searched and available to respond to any medical emergency and to examine all inmates that were subject to any use of force.
- B. Prior to the commencement of an S.O.R.U. search, medical staff shall provide a list to the Superintendent of all inmates requiring special handling due to medical issues. Any casts, bandages, or artificial limbs may be scanned by a non-intrusive device approved by the Superintendent and the health service administrator. Because the use of hand-held and walkthrough metal detectors pose a risk to inmates with automatic implantable cardioverter defibrillators and/or pacemakers, the Superintendent shall inform the C.I.R.T. Commander of the names and locations of such inmates. The C.I.R.T. Commander shall ensure that alternate search procedures approved by the health service administrators are utilized when these conditions exist.
- C. Medical staff shall be required to visit each housing unit at the completion of any planned institutional search to receive any additional inmate requests for medical attention.

561.05

MINIMUM REQUIREMENTS GOVERNING THE USE OF INNER PERIMETER SECURITY TEAMS (IPS)

- A. The IPS team shall document, assign, monitor, and track all area(s) and inmate searches. The IPS team shall determine whether a disciplinary report is warranted for contraband secured.
- B. Search documentation shall include the date, time, cell number or area, the name of personnel conducting the search, inmate's name and number, and a detailed listing of any contraband discovered. The results shall be documented in the Inmate Search Results, Cell Search Results, and/or Common Area Search Results screens on IMS, as appropriate in accordance with the 103 DOC 506, *Search Policy*. The institution's IPS team shall keep a copy of the completed search log and return the original to S.O.R.U.

561.06

MINIMUM REQUIREMENTS GOVERNING UNCLOTHED SEARCHES

- A. All unclothed searches shall be conducted in accordance with 103 DOC 506, *Search Policy*, 506.04. Unclothed searches of inmates shall be conducted in relative privacy by at least two (2) personnel rendering as much dignity to the situation as possible. Unclothed searches by members of the opposite sex shall not be permitted except under extraordinary or emergency situations and only after receiving approval from the C.I.R.T. Commander. Gender Non-conforming inmates shall have an unclothed search conducted by officers of the gender with which the inmate has identified as the search preference in accordance with 103 DOC 402, *Inmate Identification Policy* except in exigent circumstances.
- B. Whenever possible unclothed searches shall be conducted in a cell.
- C. Upon completion of the unclothed search, inmates shall be restrained with handcuffs behind their back, **unless otherwise ordered**, and escorted to a designated holding area identified within the operations order.

561.07

MINIMUM REQUIREMENTS GOVERNING THE USE OF WALK THROUGH METAL DETECTORS OR BODY ORIFICE SCANNER SYSTEMS (WHEN APPLICABLE)

- A. Inmates shall be required to successfully pass through a walk through metal detector or body orifice scanner system and shall do so wearing an institutional issue jump suit, or under shorts, immediately following a thorough unclothed search.
- B. Any inmate who fails the walk through metal detector or the body orifice scanner system shall be restrained with handcuffs behind the back and escorted to a designated holding area in the health services unit. The inmate shall remain under constant staff observation until such time the intrusive body cavity search procedure outlined in 103 DOC 506, *Search Policy*, 506.04 is completed.

561.08

MINIMUM REQUIREMENTS GOVERNING THE USE OF VIDEO RECORDERS

- A. One (1) video recorder shall be located on site and utilized to record constant ongoing activity in each housing unit or area of the facility, where inmates are being searched. The video recorder shall be located and utilized strategically to maximize the view of the unit or area and the ongoing activity.
- B. Depending upon the size of the operation and the physical plant of the institution, additional video recorders shall be on site and available to

respond to any spontaneous use of force situations. The Operations Order shall indicate the number of video recorders needed for each operation and the procedures for responding to emergencies.

- C. All inmates being escorted to the health service units, special management units or any other area of the facility for any reason shall be restrained and under constant observation of a video recorder. Staff members assigned to escort inmates shall complete an incident report documenting the time, date, name of inmate being escorted, destination, and a description of any unusual incidents that may have occurred during the escort, e.g., inmate refused to walk, the inmate fell down, inmate became disruptive.

561.09

MINIMUM REQUIREMENTS GOVERNING DISRUPTIVE INMATES

- A. All uses of force shall be conducted in accordance with 103 CMR 505, *Use of Force*.
- B. Any inmate who participates in conduct which disrupts or interferes with the security or orderly running of the planned search or institution may be removed from the immediate area and be subject to disciplinary action.
- C. All planned forced movement of inmates shall be conducted in accordance with 103 DOC 503, *Forced Movement of Inmates*, and only after the approval of the Superintendent or member of the S.O.C.G.
- D. Spontaneous forced movement of inmates shall only occur when it is not possible to obtain timely authorization, or it is reasonable for personnel to believe that an emergency existed requiring the immediate removal of an inmate(s) to prevent serious disruption or significant interference with the planned search operation.
- E. Incidents requiring the use of spontaneous force shall be reported immediately.
- F. The routine application of restraints and non-physical confrontational escorts shall not be considered as a use of force.

561.10

BRIEFINGS

- A. Prior to any planned institutional search conducted by the S.O.R.U., the Superintendent shall ensure that all non-custody and medical staff are informed of their responsibility to report and document all inmate inquiries and incidents of suspected use of excessive force.
- B. The Superintendent shall ensure that all search teams responsible for

searching inmates requiring special handling due to medical issues are informed of all alternate search procedures.

- C. Prior to any planned institutional search, S.O.C.G. staff shall ensure that all S.O.R.U. staff are given clear direction regarding the reporting of any and all use of force incidents that occur during the search.

561.11

RECORD KEEPING

- A. The C.I.R.T. shall maintain all documentation generated during a planned institutional search.
- B. The documentation shall be maintained in a six part folder format and include the following information:
 - 1. Section One – Operations order including the list of inmates requiring special handling due to medical issues and the list of inmates requiring interpretation services;
 - 2. Section Two – A thorough synopsis of the entire operation including what areas were searched and the number of inmates searched, including contraband results, the number of planned force moves, and the number of incidents which required the use of spontaneous force, the number of medical emergencies, and the number of disciplinary reports;
 - 3. Section Three – All use of force reports and incident reports describing staff escorts;
 - 4. Section Four – A chronological listing of all video recorder cassettes and their contents;
 - 5. Section Five – Documentation to substantiate or report the suspected use of excessive force;
 - 6. Section Six – Documentation to substantiate that all staff briefings were conducted in accordance with 103 DOC 561.10.