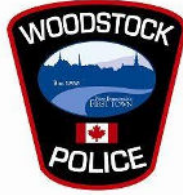


Woodstock Police Force

Standing Order

Date: January 8th, 2024	Standing Order: 2024-001
Subject: Strip Search related to R v. Golden SCC 83	
Link to Supporting Documentation:	
Good day. The following Strip Search Policy has been updated. Reason for Policy: To establish guidelines for personal searches in accordance with the <i>Operational Manual Chapter 6.8, Care and Handling of Detainees</i>, and in relation to <i>R v. Golden SCC 83</i>. A PDF version has been saved to WPF "TrueNAS U" drive /wpfshare /WPF POLICIES. With thanks,	
Approval – G. Forward, Chief of Police	Date: 08 January 2024
Signature: <i>G. Forward</i>	

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Subject: Strip Search Related to
R v. Golden SCC 83

Policy Number: 2024-001

Effective Date: January 8th, 2024

Next Review Date: January 8th, 2027

Area(s) This Policy Applies to:

Office Responsible for Review of this Policy:

Members

Chief of Police or Designated Agent

Related Instruments:

Policy Sponsors:

Chief of Police

Document Pages (including Title Page):

This document consists of 5 pages

Revision History:

Woodstock Police Force

Date of Passage of Current Framework:

January 8th, 2024

I certify that this Policy was adopted by Woodstock Police
Force as indicated above.

Date Created:

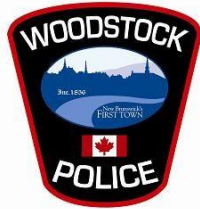
January 8th, 2024

Woodstock Police Force
Approval Date:

January 8th, 2024

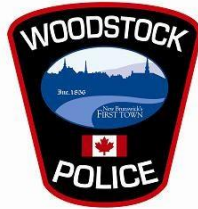
Contact:

Gary Forward, Chief of Police



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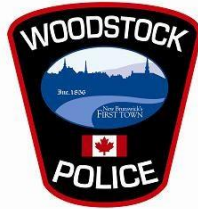


1. GENERAL:

PERSONAL SEARCH – Also refer to the Operational Manual Chapter 6.8, Care and Handling of Detainees.

The below noted is to be taken into consideration as it relates to R v. Golden 2001 SCC 83.

- a. Incident to a lawful arrest, a peace officer shall search the person arrested and remove from the client's person any property which the peace officer reasonably believes is connected with the offence and used as evidence against the person arrested and includes any weapon or instrumentation with respect to officer safety.
- b. A search at scene, incident to lawful arrest, shall be for the purpose described in section 2(a) and shall not include a **"strip" search**, or any similar action that may cause embarrassment to the client. Any search shall be conducted in a professional manner that "ensures the health and safety of all involved." Where the arresting officer reasonably believes a more thorough search is required, that search shall be performed at the police station where added privacy can be provided.
- c. A member shall not search a person of the opposite sex unless immediate risk of injury or escape exists or is apparent. This does not prevent the examination of outer garments, handbags, etc., for weapons or objects that could be used as weapons, or for evidence in support of the charge for which the arrest was affected. In any case where a search of the opposite sex is required, the WPF shall take whatever steps are necessary to have a member of the same sex conduct the search in a private and hygienic area at the police facility.
- d. If an officer reasonably believes that a "strip" search is needed for the purposes of evidence and/or officer safety, that search shall be conducted in a private and hygienic area at police facilities unless exigent circumstances require an immediate search for the preservation of evidence and/or to ensure the health and safety of all involved. Any "strip" search shall be authorized by a supervisor or his/her acting designate and shall be documented in the officer's notebook and file.
- e. Preferably and unless an officer safety issue persists, a single officer shall perform the "strip" search in a private area that shall be conducted as expeditiously as possible in a manner that "ensures that the person is not completely undressed at any one time." If, and only if, an officer safety issue persists, any additional officer(s) present during the "strip" search shall record in their notebook and file text;
 - i. *Detailed explanation of the officer safety issue requiring their presence in support of the officer performing the "strip" search.*
 - ii. *What authorization was sought, was it received, who provided it, and why was it necessary.*
 - iii. *Where and how the search was conducted.*
 - iv. *Any observations relevant to breaches of policy associated to the "strip" search.*
- f. There shall be no more force used in the performance of a "strip" search, than is reasonable to ensure the health and safety of all persons involved. In addition, and where possible, officers shall perform a "visual inspection of the arrestee's genital and anal areas without any physical contact." Should a visual inspection reveal the presence of evidence, the client shall be given the opportunity to remove the item(s) themselves, or to have the item(s) removed by a trained



medical professional in order to turn over to police. In circumstances where a weapon is visually found, the officer may choose to remove the weapon in question in those cases that, by failing to do so, could jeopardize the safety of the officer(s) present.

NOTE: Clients shall not be afforded the opportunity to remove any visually found weapon themselves as this could reasonably equate to an officer safety issue (e.g. client becomes armed following self-removal of a knife hidden in one of these areas).

- g. Any variation, whatsoever, from the directive outlined in (f) shall be documented in the officer's notebook and file with detailed and supporting rationale as to why the need to physically search the genital and anal areas was required. In addition, any "strip" search shall be documented in the arrest/booking sheet that captures the **"manner in which the strip search was conducted"** as follows;
 - i. *Detailed notes and file text as to why the "strip" search was performed.*
 - ii. *List all clothing items in the order removed and placed back on.*
 - iii. *Ensuring that, at no time and under no circumstance, was the client completely undressed*
 - iv. *Time capturing the duration of the search, from start to finish.*
- h. A member conducting any "strip" search must be prepared to demonstrate and articulate, in writing and verbally when and if required, with sufficient reasoning for any deviation from the directive in this section.

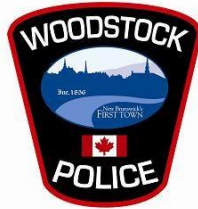
2. BODY SEARCH (FRISK):

- i. A body search is a thorough search of the clothing at the time of arrest. A "frisk" or "pat-down" search does not involve the removal of clothing. A physical search of a person shall only be conducted after an arrest has been effected.

NOTE: Grounds for arrest must be evident before taking this action.
- j. Body searches shall be conducted in a manner that interferes as little as possible with the privacy and dignity of the person being searched and does not contravene the constitutional requirements of Section 8 of the *Canadian Charter of Rights and Freedoms*.

3. STRIP SEARCH:

- k. A strip search is not considered routine police protocol.
- l. The purpose of a strip search is to discover weapons, ensure the safety of police, the detainee, and public, and uncover evidence related to the reason for the arrest.
- m. A "strip" search is a thorough search and examination of a person's clothing and visual inspection only of a person's private areas, namely genitals, buttock/anal areas, breasts (e.g. in the case of a female), or undergarments, without any physical contact. Strip searches will only be conducted when there are reasonable and probable grounds to believe the suspect is concealing evidence relating to a crime or items that may be used to cause injury, death, or aid in escape.



- n. A strip search must:
- i. *Shall be authorized by a supervisor*
 - ii. *Shall NOT be audio/video recorded at any time, or for any reason*
 - iii. *Shall be conducted by a member of the same gender*
 - iv. *Shall be conducted as expeditiously as possible, in a manner so that the detainee is not completely undressed at any time,*
 - v. *Shall be conducted in a manner that is not abusive, and*
 - vi. *Shall be conducted by one (1) officer unless and officer safety issue persists and only after supervisory authorization is received*

4. INTERNAL SEARCH:

- o. An internal search is a search of body orifices (excluding the mouth). While the mouth is a body cavity, it is not encompassed by the term "body cavity search". Searches of the mouth do not involve the same privacy concerns as internal searches, although they may raise other health concerns for both the detainee and for those conducting the search.
- p. An internal search is personally offensive and a great intrusion of an individual's privacy and dignity and is therefore only to be resorted to in serious cases of considerable magnitude. Internal searches of body orifices will only be conducted by a qualified medical practitioner. Reasonable and probable grounds which may include a visual inspection must exist to warrant an internal search to determine if a weapon or evidence is concealed by the subject.
- q. Inform the qualified medical practitioner that, where practicable, the person being searched should be given the opportunity to personally remove the material, other than a weapon if on the advice of the qualified medical practitioner the material can be safely removed by the subject.
- r. An internal search must be conducted in a private and hygienic area at a medical facility or police facilities, unless exigent circumstances require an immediate search for the preservation of evidence or to ensure the health and safety of members, detained persons and the public.

5. PRECAUTIONS:

- s. When conducting a personal search, take appropriate precautions to ensure proper personal protection. Immediately consult a qualified medical practitioner if you accidentally puncture yourself or come into contact with bodily fluids from a person suspected to be in a high-risk category.
- t. Do not search a person of the opposite sex unless immediate risk of injury or escape exists. Strip searches are to be conducted only on a person of the same sex and in private.

6. REFERENCES:

- 1. R v. Golden 2001 SCC 83
- 2. Operational Manual Chapter 6.8, Care and Handling of Detainees